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| Event History

Policy owned by Neighbourhood and Partnership**Hate Crime Policy & Purpose - Definitions****1. Policy Purpose and key drivers****DEFINITIONS****What is disability hate crime?**

Any criminal offence which is perceived, by the victim or any other person to be motivated by a hostility or prejudice based on a person's disability or perceived disability.

What is racist hate crime?

Any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's race or perceived race.

What is religious hate crime?

Any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's religion or perceived religion.

What is sexual orientation hate crime?

Any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's sexual orientation or perceived sexual orientation.

What is transgender hate crime?

Any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice against a person who is transgender or perceived to be transgender.

Crimes against older people

Older people can be victims of crime in a number of ways and settings, including being targeted based on hostility towards age.

POLICY PURPOSE

To achieve safeguarding for hate crime victims and where necessary, their dependents, family and the wider community, by providing clear direction to all staff and enable effective work with partner agencies, including non-government bodies. Successful joint working to safeguard victims requires the co-ordination of all agencies and professionals who have different roles, skills and expertise regarding hate crime and who may also be located in different geographical areas.

POLICY STATEMENT

Staffordshire Police is committed to reducing the harm caused by hate crimes and hate incidents and our strategic objectives are:

- To provide a consistent, corporate approach to understanding, recognising and effectively responding to reports of hate crimes and hate incidents
- To provide the highest service standards to victims of hate crimes and hate incidents
- To promote reporting by working together with partners and communities to raise awareness and remove barriers
- To improve the quality of our operational response and work with victims and partners to increase victims' access to support and achieve meaningful resolutions
- To enhance and improve victim satisfaction and inspire public confidence
- To identify repeat victimisation and work with victims, communities, partners and perpetrators to prevent hate crimes and hate incidents happening in the first place

The strategic ownership of hate crime is ultimately the responsibility of the Chief Constable. The strategic response is monitored through the Neighbourhood and Partnerships Directorate Board and the operational response through the force Tactical Hate Crime Steering Group led by the force Hate Crime Lead. Delivery against strategy is the responsibility of the NPT Commanders supported by operational and organisational departments.

Staffordshire Police recognises that there is an under-reporting of hate crimes and hate incidents. Staffordshire Police will work with partners and communities to encourage victims from all communities to report incidents and will deal with their allegations sensitively.

All reports will be properly investigated and offenders held accountable through the criminal justice system or other appropriate community resolution with due regard to the views of the victim.

Staffordshire Police will adhere to the protocols and best practice guidance contained within the College of policing Hate Crime Operational Guidance document (2014) *and the regional Service Level Agreement between Staffordshire Police and West Midlands Crown Prosecution Service 2016*.

APPLICATION

This policy and its supporting procedures applies to all police officers, police staff and those within the wider police family including those working voluntarily or under any employment contract to the Chief Constable of Staffordshire Police or the Staffordshire Commissioner's Office.

PROTECTING STAFFORDSHIRE POLICE EMPLOYEES

Police employees could also be the victims or the perpetrators of hate crime or hate incidents.

For some victims there are many barriers to reporting hate crime and incidents and there are still notable levels of under reporting.

This is particularly pertinent to police employees for a variety of reasons including;

- fear that their colleagues might discover their situation and they will lose their

respect;

- fear that the investigating officer will be known to them;
- embarrassment;
- where the perpetrator is also an employee, fear that they might access reports; and/or
- the possibility that the perpetrator may lose their job and pension rights if convicted.

Staffordshire Police will respond in accordance with this policy and the accompanying force procedures

Related Documents

Links to related documents:

[Hate Crime - 7 Step Plan \(Procedure\)](#)
[Hate Crime - Aggravated Offences and Enhanced Sentencing \(Procedure\)](#)
[Hate Crime - Crimes Against Older People \(Procedure\)](#)
[Hate Crime - Disability Hate Crime \(Procedure\)](#)
[Hate Crime - Introduction \(Procedure\)](#)
[Hate Crime - Investigation Finalisation and Minimum Standards \(Procedure\)](#)
[Hate Crime - Investigation Plan \(Procedure\)](#)
[Hate Crime - OCD Initial Action \(Procedure\)](#)
[Hate Crime - Process map re 7 Step response to Hate Crime & incidents \(Procedure\)](#)
[Hate Crime - Racist Hate Crime \(Procedure\)](#)
[Hate Crime - Religious Hate Crime \(Procedure\)](#)
[Hate Crime - Sexual Orientation Hate Crime \(Procedure\)](#)
[Hate Crime - Transgender Hate Crime \(Procedure\)](#)

Gatekeeper - the Author suggested the following Procedure document(s) to link to.

Crime Recording 1.Reporting and Recording; Domestic Abuse - CPS Evidence Checklist; Domestic Abuse - Female Genital Mutilation (FGM); Domestic Abuse - Force Procedure; Domestic Abuse - Forced Marriage; Domestic Abuse - Honour Based Violence; Domestic Abuse - Police Employees; Domestic Abuse - Stalking and Harassment; Domestic Abuse - Stalking and Harassment; Equality Impact Assessments - Completion of; Harassment - Protection from; Harassment; Hate Crime; Hate Crime – Criminal Justice Act 2003 & Aggravated Offences; Hate Crime - Force Procedure - 7 Step Plan; Hate Crime - Force Procedure - Aggravated Offences and Enhanced Sentencing; Hate Crime - Force Procedure - Crimes Against Older People; Hate Crime - Force Procedure - Disability Hate Crime; Hate Crime - Force Procedure - Homophobic Crime; Hate Crime - Force Procedure - Introduction; Hate Crime - Force Procedure - Investigation Finalisation and Minimum Standards; Hate Crime - Force Procedure - Investigation Plan; Hate Crime - Force Procedure - OCD Initial Action; Hate Crime - Force Procedure - Racist and Religious Crime; Hate Crime - Force Procedure - Transphobic Crime; Hate Crime – Local Policing Team (LPT) Action & Investigation Plan; Hate Crime Investigation; Investigating Rape and Serious Sexual offences – Forensic Contamination

Relevant Dates and Review Period

Effective Date:	28/11/2015
Review Date:	20/08/2020
Review Frequency:	Annually

Policy Basis and Implications

2. Legal Basis: Hate Crime can manifest its self by offences committed under;The offences Against the Person Act 1861; s39 Criminal Justic Act 1988; The Sexual Offences Act 2003; Crime and Disorder Act 1998;

Protection from Harassment Act 1997; Malicious Communications Act 1988; Criminal Damage Act 1971; Theft Act 1968; Protection of Animals Act 1911; Animal Welfare Act 2006

3. Management of Police Information (MoPI):

MoPI Policing Purpose:

Protecting Life and Property, Preserving order, Preventing the commission of offences, Bringing offenders to justice, Any duty or responsibility arising from common or statute law

MoPI Review, Retention and Disposal addressed as follows:

Where the substantive offence motivated by hate, is violent or sexual the MoPI category will be Cat 1 or Cat 2 and retained until the offender is 100 years of age Where the MoPI category is 3 or 4 a risk assessment will be made of the need to retain the material beyond 6 years based on any repeat offending which should result in a triggered review

4. Associated Benefits:

- A consistent, corporate approach to understanding, recognising and effectively responding to reports of hate crimes and hate incidents
- Provision of the highest service standards to victims of hate crimes and hate incidents
- Promoting increased reporting of hate crime by working together with partners and communities to raise awareness and remove barriers
- Improvement in the quality of our operational response and work with victims and partners to increase victims' access to support and achieve meaningful resolutions
- Enhancement and improvement of victim satisfaction and inspire public confidence
- Identification of repeat victimisation and working with victims, communities, partners and perpetrators to prevent hate crimes and hate incidents happening in the first place

The implementation of the policy and its supporting procedures will be measured by reductions in repeat victim rates, victim satisfaction surveys and offenders brought to justice

5. Consultation:

At a local level Staffordshire Police has consulted in the following manner:

- Satisfaction surveys of hate crime victims.
- Service Level Agreement with Crown Prosecution Service (Regional) formulated following consultation with key minority groups
- Mencap and Staffordshire Police approaches to hate crime
- Transgender consultation day and conference to enhance Staffordshire Police approach to hate crime
- Regular meetings with key partners, these being CACH, PACH and CNS and groups representing city and county councils
- Locally identified single points of contact with responsibility for developing and maintaining relationships with key local groups.
- Staffordshire Police Disability Support Group
- Staffordshire Police Lesbian, Gay, Bisexual and Transgender Support Association
- Staffordshire Police Multi-cultural Association

The policy was considered at the internal Tactical Hate Crime Focus Group on 28th June 2013; and the internal Strategic Equality Steering Group (SESG) on 4th July 2013.

The policy was sent to attendees for consideration and the following feedback was received:

The LGBT Association asked for details of the force LGBT Liaison Officers to be included in the policy to raise awareness of this support network. This has been done.

The LGBT Association also asked for sexual orientation and transgender to be included as separate categories, without any duplication of glossary of terms. This was to avoid any confusion between the two terms. This has been done.

The procedures and points of consideration for each of the specific hate crime areas was shared with hate crime partners and single points of contact (SPOCs) for hate crime from across the force at a consultation meeting arranged for 5th September.

CACH (Chase Against Crimes of Hate), CNS (Challenge North Staffs), PACH (Partners Against Crimes of Hate) and Mencap attended the consultation meeting. There were a number of internal representatives including hate crime single points of contact (SPOCs) from across the force. The meeting was chaired by the Superintendent from PVP. There was also an action for a representative from the Equality and Diversity Unit to meet with Mencap to develop some language support to include in the policy. This meeting took place and guidance was agreed and sent to the Head of the Protecting Vulnerable People (PVP) Department for inclusion in the policy. The guidance covers two areas: 'How can you tell if someone might have a learning disability?' and 'Communicating well with people with a learning disability'

6. Financial Implications:	The implementation of this policy and its procedures will be met through existing funding
7. Human Resources / Training:	There are no additional Human Resources or training implications
8. Associated Policy:	Stalking and Harassment Policy; Domestic Abuse Policy; Rape and Serious Sexual offences Policy; Repeat Victimisation Policy; Vulnerable and intimidated Victims and Witnesses Policy

FOI, Human Rights and Equality Impact Assessment Indicators

FOIA:	Release to Public	
ECHR:	Compliant with proportionality test	Articles engaged: Article 2 Right To Life; Article 3 Prohibition of Torture; Article 5 Right to Liberty and Security; Article 6 Fair Trial; Article 7 No Punishment without Law; Article 8 Right to respect for Private and Family life; Article 9 Freedom of Thought, Conscience and Religion; Article 10 Freedom of Expression; Article 11 Freedom of Assembly and Association; Article 14 Prohibition of Discrimination; Protocol, Article 1 - Protection of Property
EIA:	Compliant	Compliant with Code of Ethics: Yes

Indexing

Categories:	Anti Social Behaviour Court Proceedings Crime Investigation Crime Prevention Crime Recording Critical Incidents Equality and Diversity Harassment Partnerships PACE Protecting Vulnerable People Public Order
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Victims and
Witnesses
Young Offenders

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