

Hate Crime –

The Cross-Government Action Plan



HATE CRIME

The following are summaries of the definitions agreed by the Association of Chief Police Officers and the Crown Prosecution Service. These definitions are used throughout this Action Plan. The full text of the definitions is at Annex E.

Hate motivation:

'Hate crimes and incidents are taken to mean any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised.'

Hate incident (race incident is used here as an example; for other types of incidents substitute 'religion', 'sexual orientation', 'disability' or 'transgender' for 'race' as appropriate):

'Any non-crime incident 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.'

Hate crime (religious hate crime is used here as an example; for other types of incidents substitute 'race', 'sexual orientation', 'disability' or 'transgender' for 'religion' as appropriate):

'A hate crime is a 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.'

Incitement to racial hatred, incitement to religious hatred and incitement to hatred on the grounds of sexual orientation are all criminal offences and are considered hate crimes (refer to Annex B). Incitement to hatred on the grounds of sexual orientation is not yet in force.

The **hate crime strands** recognised for the purposes of this Action Plan are:

- disability;
- race;
- religion and belief;
- sexual orientation; and
- transgender.

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FOREWORD



Hate crime is the targeting of individuals, groups and communities because of who they are. It targets people because of elements which go to the core of their identities – their race, their religious beliefs (or lack of them), their disability, their sexual orientation or that they are transgender.

Hate crime is also a crime against the groups and communities to which these people belong. Hate crime is a human rights issue, a threat to community cohesion and a rejection of our shared values. Our society is strong when our communities are strong. And communities thrive when they are united by positive values they share. Values like fairness, respect and tolerance, democracy and the rule of law.

There is a spectrum of hate crime, which runs from abuse and harassment through to violent extremism. Hate incidents and hate crimes are an everyday feature of the lives of some people and occur in ordinary, everyday circumstances. For some, persistent harassment and abuse may be an ongoing aspect of day-to-day existence. Other victims of hate crime may experience a process of escalation in which insults, vandalism and minor crimes increase in severity and intensity into more serious crimes of violence.

Hate crime instils fear in victims, groups and communities. It significantly impacts on the quality of people's lives and leads them to change their habits and lifestyle as they seek to avoid becoming victims, including being forced to move home, changing the route to work, altering their daily routines and even breaking off relationships or limiting meeting friends and relatives. Those who fear they will be a target of hate crime even seek to hide their own identity, for example someone who is gay may change their appearance and how they interact with people.

At the core of the Government's strategy for tackling crime overall is a commitment to addressing those crimes that matter most to the public and to increasing

public confidence in the criminal justice system. We are committed to tackling hate crime as part of this strategy. Our Cross-Government Action Plan explains how we will meet the challenge of tackling hate crime over the short to medium term.

In particular, we know that hate crime is under-reported. A number of factors underlie this behaviour – these include misunderstandings about what action the criminal justice system can take, fear of retaliation, lack of information or a feeling that taking action is of little use. Each hate crime that is not reported is a missed opportunity to support the victim. It is also a missed opportunity to bring a perpetrator to justice, prevent future reoffending, improve local responses through intelligence on patterns of crime and inspire victims' confidence. We aim to give people the **confidence** to report, **empower** them to report, ensure that people know **how to report** and ensure that **the means to report** are accessible.

While it may seem counter-intuitive to some, we believe that an increase in the number of hate crimes being reported can be a sign that we are starting to have a positive impact. With hate crime occurring in every community and under-reporting a major issue, we will also need a substantial level of proof before we conclude that hate crime is not a problem in a particular area. An area would certainly need to show that robust, sustained action has been taken in that area to encourage the reporting of hate crime.

When victims do report a crime we need to respond adequately and appropriately. If they do not receive an acceptable response or level of support, the people who have had this experience, as well as their family, friends and communities, will understandably be discouraged from reporting hate crimes in the future. We want people to feel confident in reporting crime.

We are also aware that disproportionality in the treatment by criminal justice agencies of some communities as victims, witnesses, suspects, defendants and employees may mean that these communities have less confidence in the criminal justice system and be less likely to report crime to the police. Public

Service Agreement (PSA) 24(4) – understanding and addressing race disproportionality in the criminal justice system – seeks to address this and our Action Plan aims to complement this important work. The National Policing Improvement Agency will also be publishing good practice guidance for police forces on the effective and intelligence-led use of stop and search powers.

Our aim is to increase people's confidence in criminal justice agencies by improving our efforts to prevent hate crime and by providing all hate crime victims with a consistent response of a high standard. To this end, we will publish new guidance for Crime and Disorder Reduction Partnerships and Community Safety Partnerships on developing local hate crime action plans to improve local responses. This guidance will draw on the expertise set out in a refreshed Association of Chief Police Officers Hate Crime Manual and new work to identify existing best practice in preventing hate crime.

Improving services to victims of hate crime is at the forefront of our efforts. The voluntary sector provides invaluable services to hate crime victims. To support this work, we are providing over £300,000 in 2009/10 for hate crime victim projects through the Victims' Fund Hate Crime Section.

We will also confront new challenges as they arise. The internet can be a means of bringing people together and increasing understanding through the sharing of information and by providing new forums for social contact. Yet we also have evidence of it being exploited by those who want to spread messages of hate against particular groups and disseminate material that promotes or encourages violent extremism or terrorism. A robust legislative framework exists to deal with those whose abhorrent messages seek to incite hatred or violent extremism. Our new Internet Hate Crime Action Plan will support this framework by making it easier to report such abuse and by improving the effectiveness of responses to it.

Public sector bodies have an important role to play in preventing hate crime. The new Equality Bill includes an Equality Duty which will mean public sector bodies will have to think about how they can foster good relations between different communities.

We act to tackle hate crime because it is not the same as other crime. Hate crime is a manifestation of, and a means of sustaining, discrimination against certain groups in our society. Through fear, abuse and violence, hate crime limits people's equality of opportunity and infringes their basic human rights. It keeps people from enjoying the full benefits of our society. Hate crime inflicts greater harm on individuals, groups and communities than similar crimes without a motivation of hostility. We will not tolerate this and we know that work at a local level to build safer and more cohesive communities is crucial in addressing this.

We reject without exception the persistent and regrettable view that tackling hate crime is about punishing people for what they think or that it is a sign of misguided political correctness. People are fully entitled to their beliefs and to the peaceful expression of them. However, we are absolutely clear that no one is entitled to infringe others' freedom by instilling fear, committing acts of violence or inciting others to violence. Hate crime is an attack on the mutual respect in which free speech thrives. Hate crime generates fear, which discourages and prevents free speech and encourages communities to turn on each other.

It is significant that our Action Plan is being published a little over 10 years since the seminal Stephen Lawrence Inquiry report into the racist murder of Stephen Lawrence. This serves as a reminder to us of where we have come from, what we have learned, what we have achieved and how much further we have to go. While 10 years may have passed, and we have made significant progress, the menace of hate crime is still with us and there is still much for us to do.

With our Action Plan we are acting to tackle hate crime so that people may live without fear and feel confident in the responses they will receive if they report a hate crime.



Rt Hon. Alan Johnson MP
Home Secretary

EXECUTIVE SUMMARY

Saving Lives. Reducing Harm. Protecting the Public: An Action Plan for Tackling Violence 2008-11 (TVAP) committed the Government to producing a dedicated cross-government strategy to assist local partners in developing their responses to hate crime. Our Cross-Government Action Plan to tackle hate crime¹ sets out the strategic actions government will take, in England and Wales, in the short to medium term to tackle hate crime and support hate crime victims. These strategic actions form the foundations of our work to tackle hate crime in the long term and to achieve our vision of communities where people can live without the fear of this type of crime.

The Action Plan will contribute to the overarching objective of improving public confidence in the criminal justice system and to the achievement of PSA 23 (to make communities safer) and PSA 24 (to deliver a more effective, transparent and responsive criminal justice system for victims and the public). Our Action Plan reflects the two main approaches of the updated Crime Strategy 2008–11, (a) ‘addressing crime at all points in the cycle, from prevention and early intervention through to stopping offenders from reoffending’, and (b) ‘tackling the root causes of crime’.²

Our objectives are:

- 1) Increase victim and community confidence in the criminal justice system.**
 - a) Increase the proportion of victims and witnesses of hate crime who report its occurrence.
 - b) Bring more hate crime offences to justice and obtain more successful outcomes when it is reported.
 - c) Improve responses to hate crime and incitement to hatred that occurs on the internet.
- 2) Prevent hate crimes from occurring or escalating in seriousness.**
 - a) Improve the evidence base on the nature and extent of hate crime so as to inform prevention and intervention.
 - b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita.
 - c) Develop systems and guidance that enable public bodies to utilise reports of hate incidents and hate crime to prevent hate crime.
 - d) Consider effective responses to hate crimes connected to work environments.
- 3) Improve access to and take-up of victim support.**

¹ We use the term ‘hate crime’ because it is well recognised and established. It also has many immediate associations that mean it is useful shorthand for a variety of ideas. However, we recognise that some people find the use of the word ‘hate’ confusing when the emphasis in our definitions and practice is on hostility. Whether there is a more appropriate phrase to use is an ongoing debate.

² *Cutting Crime: Two Years On – An Update to the 2008–11 Crime Strategy*, HM Government, May 2009, p. 4.

These objectives aim to address the challenges in tackling hate crime which we have identified through engagement with stakeholders. These challenges are:

- under-reporting;
- bringing perpetrators to justice;
- incitement to hatred over the internet;
- intervention and prevention;
- limited evidence on the nature and extent of hate crime;
- improving efforts regarding particular communities;
- intersectionality; and
- empowering and supporting victims.

Through our Action Plan we will strengthen the support we provide to areas by equipping local and front-line agencies with the guidance and tools to deal with hate incidents and hate crimes that are reported. This guidance will draw together existing good practice, including the forthcoming refreshed Association of Chief Police Officers (ACPO) Hate Crime Manual and local good practice which may not be widely available. We will enable our local partners to design local responses to hate crime based on local needs and priorities.³ The strengthening of local responses will meet the challenge of preventing hate incidents and crimes by giving agencies the means to intervene appropriately to stop escalation in hate crimes.⁴

We will explore the practicalities of how we might create a new duty on all public bodies to report hate incidents to their local Crime and Disorder Reduction Partnership (CDRP) or Community Safety Partnership (CSP) and report hate crimes to the police. In doing this we will explore how we might fulfil outstanding commitments coming from the Stephen Lawrence Inquiry and ensure that we have the information to target and monitor local responses to hate crime.

By improving data collection and an examination of both good practice and existing research, we will improve our understanding of the nature and extent of hate crime. This will allow us to target our efforts more effectively and monitor progress towards meeting our objectives.

We will increase the ability of hate crime victims to report hate crime directly or indirectly to the police. We will do this through facilitating third-party reporting schemes and new guidance to professionals. Hate crime victims will also be supported to give their best evidence during police interview and in court through strengthened support for vulnerable and intimidated witnesses and by greater awareness of special measures.⁵

In order to meet the challenge of tackling incitement to hatred that occurs on the internet, we have developed an Internet Hate Crime Action Plan. This sets out how we will improve the systems and processes for receiving and responding to reports of incitement on the internet. The Internet Hate Crime Action Plan is incorporated within this broader Cross-Government Action Plan on Hate Crime for ease of reference.

All of these actions to tackle hate crime will take place in the context of a new Equality Duty, created by the Equality Bill. The Equality Duty will require public authorities to consider how they can take action to eliminate discrimination, advance equality of opportunity and foster good relations. Intrinsic to this will be the prevention of hate crime, and incidents that could escalate into hate crime.

Our Action Plan is designed to assist government departments and agencies, criminal justice professionals and local delivery partners by referencing in one, high-level document all actions across government to address hate crime. This should be seen in the broader context of tackling all crime. Our aim is to ensure that government departments work collaboratively to increase efficiency in tackling hate crime. Our Action Plan will take steps to fill in the key gaps in policy and practice that have been identified collectively by stakeholders across government, the criminal justice system and communities affected by hate crime.

We are focused on the short to medium term as the first stage of our approach to building long-term action to address hate crime. We will be working closely with our community stakeholders to put victims and the communities affected at the heart of our approach to tackling hate crime, and this will be key to our success. As we implement the actions in our Action Plan, we will engage with stakeholders to ensure that our actions are functional, focused, proportionate and effective and that we fulfil our equality duties.

³ This will enable TVAP Key Action 49 to be fulfilled – 'CDRPs/CSPs to develop appropriate responses to hate crime, guided by a new, comprehensive cross-government hate crime strategy.'

⁴ This will contribute to fulfilling TVAP Key Action 49.

⁵ Special measures are available to those defined as vulnerable and intimidated witnesses under the Youth Justice and Criminal Evidence Act 1999.

CHAPTER 1: ACTION ON HATE CRIME

Hate crime can occur in almost any context, touch any part of society and, conceivably, involve any crime. Hate crimes are often based on a lack of understanding of difference and on intolerance. Hate crimes require opportunity and may be triggered by events and circumstances that range from the personal, to the local, to the national, to the international. Effective prevention and responses to hate crime are therefore the responsibility of a wide range of public bodies.

We already have a cross-government framework in place for handling hate crime. Our Action Plan reinvigorates this framework and makes it more comprehensive, cohesive and explicit. In broad terms, the existing framework covers:

- **prevention** – e.g. community cohesion initiatives, anti-social behaviour measures;
- **education** – e.g. anti-bullying guidance for schools;
- **reporting and recording** – e.g. third-party reporting schemes;
- **investigation** – e.g. guidance to police; and
- **prosecution** – e.g. Crown Prosecution Service (CPS) guidance.

This framework is the result of considerable previous and continuing work to tackle hate crime. With our Action Plan we look to the present and to the future, but we are always conscious of the events and earlier work that have shaped the present context and which continue to inform our efforts to tackle hate crime. Of the many milestones and events that have shaped our understanding of hate crime and put the spotlight on our performance, the racist murder of Stephen Lawrence and the consequent Stephen Lawrence Inquiry are seminal. The messages and lessons of this tragic case and the subsequent inquiry continue to inform the actions we take on hate crime.

In February 2009 a conference was held to mark the 10th anniversary of the publication of the Stephen Lawrence Inquiry report. The aim was to review progress made, identify good practice and set out the way forward. We are publishing the conference report,

an action plan and a response to reports by Dr Richard Stone (a member of the Stephen Lawrence Inquiry team), the Equality and Human Rights Commission and the Runnymede Trust which were published around the time of the 10th anniversary.

In the 10 years since the Stephen Lawrence Inquiry, we have made a great deal of progress.

ACHIEVEMENTS IN THE LAST 10 YEARS

1999

- The Home Secretary publishes the Government's response to the Stephen Lawrence Inquiry.

2000

- The Race Relations (Amendment) Act 2000 is passed, placing a general duty on public bodies to promote racial equality.

2002

- The CPS publishes its policy and guidance for prosecutors on prosecuting homophobic offences.

2003

- The Criminal Justice Act 2003 places a general duty on courts to treat more seriously any offence that can be shown to be racially or religiously aggravated or motivated. It also places a duty on courts to increase the sentence for any offence aggravated by the demonstration or motivation of hostility based on the victim's disability (or presumed disability) or sexual orientation (or presumed sexual orientation).
- The CPS publishes policy and guidance on the prosecution of racist and religious crime.

2005

- ACPO publishes guidance for police staff in its manual *Hate Crime: Delivering a Quality Service – Good Practice and Tactical Guidance*.

2006

- Her Majesty's Inspectorate of Constabulary (HMIC) conducts the *Duty Calls* inspection on the impact of race equality compliance. The focus of this inspection includes stop and search and hate crime.
- The *Code of Practice for Victims of Crime* is introduced, setting out standards of service that the police and other criminal justice agencies are legally obliged to provide to victims of crime.
- The Racial and Religious Hatred Act 2006 creates an offence of incitement to religious hatred.
- The Terrorism Act 2006 makes it a criminal offence to directly or indirectly incite or encourage others to commit, prepare or instigate acts of terrorism.
- Publication of specialist guidance on *Bullying around Racism, Religion and Culture*.

2007

- A statutory duty on schools in England to promote community cohesion comes into force.
- In conjunction with the Citizenship Foundation, the Citizens' Day Framework is launched to explore how local authorities can celebrate local achievements, build and renew community cohesion and develop local engagement.
- The CPS publishes its refreshed policy and guidance on prosecuting cases of homophobic and transphobic crime.
- The CPS publishes its policy and guidance on prosecuting cases of disability hate crime.
- We establish the Inter-Departmental Working Group on Antisemitism. This consists of representatives from across Whitehall, the Parliamentary Committee against Antisemitism, the Board of Deputies of British Jews, the Community Security Trust and the Jewish Leadership Council.
- *Safe to Learn: Embedding Anti-Bullying Work in Schools* is launched as the over-arching anti-bullying guidance for schools.

2008

- *Saving Lives. Reducing Harm. Protecting the Public: An Action Plan for Tackling Violence 2008–11* is published.
- The CPS publishes its refreshed policy and guidance on racist and religious crime.
- The CPS publishes *Homophobic and Transphobic Crime Toolkit: Good Practice and Lessons Learnt*.
- The CPS publishes its first annual hate crime report. This brings together figures on the prosecutions of all forms of hate crime for the first time.
- The CPS publishes an overview of its response to the Stephen Lawrence Inquiry recommendations – *Ten Years On: Much Done; Much More Still To Do*.
- The Criminal Justice and Immigration Act 2008 amends the Public Order Act 1986 to include incitement to hatred on the grounds of sexual orientation.
- OFSTED begins to inspect schools with regard to meeting their duty to promote community cohesion.
- The Department for Communities and Local Government (CLG) publishes *Face to Face and Side by Side: A framework for partnership in our multi faith society*, the Interfaith Framework. This aims to facilitate interfaith dialogue, thus building understanding and celebrating the values held in common by the different faith communities. This is supported by a funding commitment of over £7.5 million.
- CLG publishes guidance for local authorities on community cohesion contingency planning and tension monitoring.
- Guidance on analysing the issues for cohesion and developing local plans of action is brought together under the single banner of our Cohesion Delivery Framework.
- The Welsh Assembly Government launches its Refugee Inclusion Strategy.

2009

- The second part of the Cohesion Delivery Framework is delivered, containing guidance on encouraging meaningful interaction and building a local sense of belonging.
- A common definition of hate crime is accepted by ACPO and the CPS. This draws directly from the definition in the report of the Stephen Lawrence Inquiry.
- We hosted the opening reception of the London conference on Combating Antisemitism. The conference brings together MPs and experts from around the world to discuss tackling antisemitism, and results in the adoption of the London Declaration to Tackle Antisemitism.
- Guidance on bullying in out-of-school settings is launched.
- A survey shows that 82 per cent of people feel that people from different backgrounds get on well together in their local area.⁶
- Publication of the *Stephen Lawrence Inquiry 10 Years On: Progress Against the Recommendations*, which sets out our delivery against the 70 recommendations in the Stephen Lawrence Inquiry report.⁷

These achievements have brought us to where we are today and set the context for government action. The responsibilities and activities of particular parts of government in relation to hate crime are summarised at Annex A. Much of our work on hate crime has benefited from the involvement of the voluntary and community sector. We will look to extend and strengthen our relationships and engagement with these stakeholders to ensure the effectiveness of our actions on hate crime.

Our current work and our new Action Plan are delivered against a supporting legislative framework which seeks to discourage hate crimes, provide justice to victims and ensure that courts can apply sentences appropriate to the crimes. Legislation includes specific offences (for example, incitement to hatred) and defines aggravating factors in sentencing in certain circumstances. The overarching aim of this legislation

is to signal that hate crime is unacceptable and will receive a response that is both just and robust. This legislative framework promotes human rights and balances multiple human rights considerations. A summary of hate crime legislation is provided at Annex B.

To this legislative framework we will add a new Equality Bill. This is designed to streamline and strengthen discrimination law. Among other measures, the Bill will create a new public sector Equality Duty which will bring together the existing duties on race, gender and disability, and extend them to cover age, religion or belief and sexual orientation. It will also fully cover gender reassignment, which at the moment is only partially covered. The Equality Duty will require public authorities to think about how they can eliminate discrimination, advance equality of opportunity and foster good relations. Part of this is preventing and tackling hate crime, and incidents that could escalate into hate crime.

Our Action Plan is the next stage of development in our efforts to tackle hate crime, but it is not an exhaustive list of all that will happen in the next few years. We will continually review and monitor our progress and how hate crime evolves in our diverse and pressurised world. Where new action is required, we will take it.

We have achieved much, but our stakeholders and the evidence tell us that there is still much to do to raise our performance in all aspects of tackling hate crime. There are ongoing challenges which cannot be addressed on a one-off basis and new challenges to which we will robustly respond.

⁶ *Citizenship Survey: April – September 2008, England*, Department for Communities and Local Government, 2009.

⁷ *Stephen Lawrence Inquiry 10 Years On: Progress Against the Recommendations*, Home Office, February 2009.

CHAPTER 2: THE CHALLENGES WE FACE

UNDER-REPORTING

Large numbers of people who experience hate crime do not report these crimes to the police. Various studies have sought to understand why this is. For example, it could be that victims do not understand that a crime has taken place. It could also indicate a lack of victim confidence in the criminal justice system's ability and/or willingness to deal with these crimes. The outcome is the same – it means that many perpetrators are not brought to justice and so remain potentially able to reoffend.

While it is difficult to determine the exact level of under-reporting of hate crime, there is sufficient information from victim surveys to indicate the scale of the problem. In 2007/08 the overall number of racist incidents recorded by the police in England and Wales was 57,055. However, an estimate based on data from the British Crime Survey (BCS) put the number of racist incidents at around 207,000 during this period and gives a very rough indication of the scale of under-reporting.⁸ Stonewall's *Homophobic Hate Crime: The Gay British Crime Survey 2008*, for example, states that three in four victims of homophobic hate crimes did not report them to the police.⁹ A survey of women in London found that 17 per cent of those experiencing homophobic or transphobic incidents had reported these to the police. Sexual violence (including rape), mugging, blackmail and attempted murder were significantly less likely to be reported.¹⁰ In another example, a survey of Gypsies and Travellers in Devon found that 17.2 per cent had reported race hate crimes against them to the police.¹¹

The recurring themes in these surveys as to why victims did not report hate crimes include a view that:

- hate crimes happen too frequently to report;
- what happened was not serious enough to report or was not a criminal offence;

- they would be victimised for reporting it or there would be an escalation in victimisation;
- the police could not do anything; and/or
- the police would not do anything because they are prejudiced, unsympathetic and/or untrustworthy.

Under-reporting can be the result of poor understanding among victims about what constitutes a hate crime, how to report a hate crime and what the criminal justice system can do about hate crime. This lack of knowledge is disempowering. It can equally reflect victims' negative perception of the criminal justice system, either because of their own experiences or what they have heard of the experiences of others.¹²

The problem of under-reporting applies to all strands of hate crime but, beyond the recurring themes noted above, the reasons for this under-reporting may vary. For instance, not knowing how to make a report or a victim's fear of being 'outed' (for example as gay, a trans person or someone with mental health needs) seems to discourage reporting to the police. Fear that reporting will lead to a statutory intervention that will limit the victim's independence has also been cited as a reason for disability hate crime not being reported.¹³ Another reason, and one suggested by our stakeholders, as to why disabled people do not report hate crime is that the criminal justice system is inaccessible to disabled people (for example a police station is physically inaccessible to someone using a wheelchair, or a British Sign Language interpreter is not available).¹⁴ An absence of a readily accessible means of reporting a crime is likely to mean that a disabled person cannot make a report to the police and that they will be discouraged from reporting crimes in future.

⁸ Riley J, Cassidy D and Becker J, *Statistics on Race and the Criminal Justice System 2007/8*, Ministry of Justice, April 2009, p. 12. A direct comparison between BCS and police recorded crime figures is not possible because police recorded crime only refers to four crime types whereas BCS estimates could refer to all crime types. We therefore suggest that the comparison of these two figures is treated with caution.

⁹ Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, Stonewall, p. 20.

¹⁰ Metropolitan Police Service, Diversity and Citizen Focus Directorate, *Women's Experience of Homophobia and Transphobia: Survey Report*, 2008, pp. 27–29.

¹¹ Southern R and James Z, *Devon-wide Gypsy and Traveller Housing Needs Assessment*, University of Plymouth, November 2006, p. 58.

¹² For instance, Jansson K, *Black and Minority Ethnic Groups' Experiences and Perceptions of Crime, Racially Motivated Crime and the Police: Findings from the 2004/05 British Crime Survey*, Home Office Online Report 25/06, pp. 23–24. Also, *Disabled People's Experiences of Targeted Violence and Hostility: Research Report for the Equality and Human Rights Commission*, Office for Public Management, March 2009, pp. 71–75.

¹³ *Disabled People's Experiences of Targeted Violence and Hostility: Research Report for the Equality and Human Rights Commission*, Office for Public Management, March 2009, p. 76.

¹⁴ For example, *Getting Away With Murder*, Scope, United Kingdom Disabled People's Council, Disability Now, 2008.

Some hate crime victims feel more comfortable telling an agency other than the police about what has happened. For instance, a study by Mencap found that, of those people with learning disabilities who had experienced bullying¹⁵ and told someone about it, 54 per cent had told key workers or staff members. Only 17 per cent were found to have told the police.¹⁶ Stonewall's survey found that 23 per cent of respondents told the police about a homophobic incident, but a notable minority told other non-statutory and statutory agencies.¹⁷ Third-party reporting mechanisms¹⁸ are a means of allowing those who are reluctant to report directly to the police to make a report via another agency. Both the voluntary and public sectors have provided third-party reporting mechanisms and our stakeholders consistently cite third-party reporting as an effective means of addressing under-reporting. However, we are conscious that organisations may be hampered by a lack of guidance and recognised best practice in this area. It is also important that our efforts to facilitate third-party reporting should not be a substitute for efforts to engender confidence in people to report hate crime to the police.

If a third-party reporting scheme is to be effective, the act of making a third-party report must result in an appropriate response from the relevant agencies (for example, police, local authorities). We will ensure that the necessary links and systems are in place by working with our delivery partners and providing new best practice guidance.

By meeting our objective of increasing the reporting of hate crime, we will contribute to our objective to improve our understanding of hate crime by increasing the robustness of the evidence base. Further, addressing under-reporting will contribute to achieving our objectives to bring offenders to justice and to prevent escalation by presenting the criminal justice system with more opportunities to take follow-up action.

We will seek to improve levels of reporting of hate crime by:

- (i) improving support to victims;**
- (ii) empowering victims with accessible information and accessible means of making a report;**

- (iii) making clear that no hate incident or hate crime is not serious enough to report;**
- (iv) facilitating third-party reporting for those who feel unable to approach the police directly;**
- (v) empowering victims with the information on what constitutes a hate crime and how to report it; and**
- (vi) building victim confidence in the criminal justice system by improving the service that victims receive from it.**

BRINGING PERPETRATORS TO JUSTICE

There has been a steady increase in the number of perpetrators of hate crime brought to justice. In the three years ending March 2008, over 200,000 defendants were prosecuted for hate crimes. During this period, the conviction rate rose from 62 per cent in 2005/06 to 71 per cent in 2007/08. Guilty pleas also increased from 59 per cent to 63 per cent.¹⁹

The limited available evidence tells us that the reasons why hate crime prosecutions fail are complex. As a first step in bringing more perpetrators to justice, we aim to improve our evidence base through better data collection, recording and research. We will also equip agencies and professionals with the guidance, training and systems that enable them to build successful prosecutions.

We will take a victim-centred approach to bringing perpetrators to justice and helping victims receive redress. We will enable hate crime victims and witnesses to give their best evidence in court by improving identification of and support for vulnerable and intimidated witnesses.²⁰

We will equip criminal justice agencies and other public bodies with new guidance, tools and standards. This will include guidance on applying existing powers in relation to restorative justice and anti-social behaviour to address the behaviour of the perpetrators of hate incidents and hate crimes. We will also further improve access to justice by enabling vulnerable and intimidated witnesses to give their best evidence.

¹⁵ It is clear that the term 'bullying' is used in this study to refer to both disability hate incidents and disability hate crimes.

¹⁶ *Living in Fear*, Mencap, 1999.

¹⁷ Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, Stonewall, p. 22.

¹⁸ See Annex A and Annex C.

¹⁹ *Hate Crime Report 2007-2008*, Crown Prosecution Service, December 2008, p. 3.

²⁰ As defined by the Youth Justice and Criminal Evidence Act 1999.

INCITEMENT TO HATRED OVER THE INTERNET

The accessibility, immediacy and popularity of the internet means that it is exploited with increasing frequency by those wishing to incite hatred against particular groups. Those inciting hatred can get their abhorrent messages out more quickly and to a wider range of people than ever before. The internet is also a vehicle by which material that promotes or encourages violent extremism or terrorism may be spread. Some of this material may incite hatred or violence against particular groups and may constitute a criminal offence.

A new Internet Hate Crime Action Plan²¹ has been agreed and is being taken forward by the Parliamentary Under-Secretary for Crime Reduction. We anticipate that, as work on the Internet Hate Crime Action Plan is taken forward, and so our responses to internet hate crime improve as we give people the means and confidence to report their experiences, there will be a large increase in the number of reports of internet race hate crime.

Our Internet Hate Crime Action Plan is incorporated into this Cross-Government Action Plan on Hate Crime.

We will update systems and policies for addressing such incitement by implementing the new Internet Hate Crime Action Plan.

INTERVENTION AND PREVENTION

Hate crime can be a process in which incidents and crimes such as harassment and vandalism motivated by hate escalate over time into more serious hate-motivated crimes (such as assault or murder).²² The challenge is to prevent hate crimes from occurring or getting worse by intervening early in this process of escalation.

Equally, some victims can experience hate incidents and hate crimes over a prolonged period of time at roughly the same level of intensity.²³ It is important to note that so called ‘low level’ or ‘minor’ hate crime can have a high impact on victims and communities when it is part of a pattern of repeat victimisation. Even when not part of a pattern of victimisation, research has found that ‘minor’ hate crimes can produce as much emotional harm for victims as so called ‘serious offences’.²⁴

We will develop systems and guidance to allow reports and data to be collected and analysed so as to identify patterns and risks. We will also seek to ensure that agencies intervene in ways that are proportionate and respect the rights of victims.

LIMITED EVIDENCE ON THE NATURE AND EXTENT OF HATE CRIME

The evidence base on the nature and extent of hate crime is currently patchy. There is research that provides us with a reasonable picture of certain aspects of hate crime, such as hate crimes against particular communities or in certain circumstances. However, there are other aspects of hate crime on which research and data are either limited or do not exist. This is a consequence of:

- under-reporting;
- difficulties in surveying victims who may be reluctant to self-identify;
- varying research methodologies, which make comparisons between surveys and with official data difficult;
- the small amount of dedicated research that has been commissioned; and
- the need to develop consistent recording systems and practices.

This patchy picture makes it difficult to devise, monitor and evaluate action to tackle hate crime. Qualitative information and case studies supplied by victim and community groups continue to be valuable in informing our efforts, but this information must be used in conjunction with robust research and quantitative data.

We will continue to talk with and listen to victim and community groups so as to understand the victim experience and benefit from qualitative information on the nature of hate crime. We will strengthen the evidence base for, and our understanding of, hate crime through improved data collection and specially commissioned research. This will enable us to devise targeted policies through which we will achieve our objectives.

²¹ Our work on addressing internet hate crime, including the Internet Hate Crime Action Plan, only relates to tackling hate crime and not to tackling hate incidents.

²² For example, refer to *Living in Fear*, Mencap, 2000 and *Getting Away With Murder*, Scope, UK Disabled People’s Council, Disability Now, 2008, p. 59.

²³ Research conducted by the Office for Public Management (OPM), on behalf of the Equality and Human Rights Commission, found that people with mental health needs often experience hate incidents as multiple or escalating incidents that form part of their everyday lives. As such, these incidents are either on an ongoing basis, perpetrated by the same person, or frequent one-off incidents. *Disabled People’s Experiences of Targeted Violence and Hostility: Research Report for the Equality and Human Rights Commission*, Office for Public Management, March 2009, p. 31.

²⁴ Iqanski P. ‘Criminal Law and the Routine Activity of “Hate Crime”’, *Liverpool Law Review*, 29:1 (2008), p. 15.

IMPROVING EFFORTS REGARDING PARTICULAR COMMUNITIES

Our engagement has told us that particular communities appear to be disproportionately affected by hate crime and that the hate crime affecting these communities has received less attention and intervention in the past. Evidence shows, and our stakeholders tell us, that those communities are:

- **Transgender people** – research for Press for Change has, for example, found that 73 per cent of respondents to a 2007 survey of transgender people’s experience of discrimination experienced verbal abuse, threats, assaults and sexual abuse in public.²⁵
- **Gypsy and Traveller communities** – a survey of Gypsies and Travellers in Devon found that half of respondents had experienced race hate crime.²⁶ A West of England survey found that 70 per cent of Gypsies and Travellers had experienced harassment and intimidation.²⁷
- **Refugees and asylum seekers** – a range of factors, such as fear that reporting crime to the police or other statutory agencies will affect their immigration status, means that refugees and asylum seekers are believed by stakeholders to rarely report hate crime. While this under-reporting means that we lack an accurate picture of hate crimes against refugees and asylum seekers, all indications from our delivery partners and key stakeholders are that these groups suffer a disproportionate level of hate incidents and hate crimes.
- **Disabled people** – while we lack a full picture of disability hate crime as it affects all disabled people, there is research regarding disability hate crime against people with particular types of disability. Mind’s *Another Assault* research, for instance, found that 71 per cent of people with mental health needs had been subjected to a disability hate crime at least once in the preceding two years. Mencap’s *Living in Fear* survey found that 88 per cent of people with learning disabilities had been bullied (that is, subjected to a disability hate crime or incident) in the preceding year and that the effect on them can

be ‘cumulative and devastating’.²⁸ However, it is important to note that disability hate crime is an important issue for all disabled people.

Our ambition is to raise our efforts to tackle hate crime against these groups and communities up to the standard of our work to tackle hate crime against other groups and communities. We will do this without diluting our existing achievements and efforts on other forms of hate crime. Further, we do not believe that we have finished in our efforts to tackle race hate crime. All hate crime is a serious problem and requires concerted action. There is still more we can do on all hate crime strands and we will work closely with the voluntary sector to improve our efforts to tackle all hate crimes.

We will seek to redress these imbalances through targeted activities to tackle hate crime against these communities. We will ensure that our delivery partners and agencies acknowledge the need to protect these groups in their own work.

INTERSECTIONALITY

Complex interactions and combinations of the recognised hate crime strands and aspects of people’s identities can affect the nature, prevalence and reactions to hate incidents and hate crimes. This is known as intersectionality (refer to Annex D for further explanation).

For example, a survey by Stonewall found that black and minority ethnic lesbian and gay people are twice as likely to have experienced a physical assault than the average for lesbian and gay people. Also, gay men were found to be over two and a half times more likely to be the victim of a hate incident involving a physical assault than lesbians. They were also more likely than lesbians to have experienced hate incidents involving unwanted sexual contact.²⁹ An analysis of antisemitic incidents recorded by the Metropolitan Police Service between 2001 and 2004 also found that male victims experienced proportionally more incidents involving violence and fewer incidents involving malicious communication than female victims.³⁰ Research by the Office for Public Management found that an accumulation of risk factors significantly heightens

²⁵ Whittle S, Turner L and Al-Alami M, *Engendered Penalties: Transgender and Transsexual People’s Experiences of Inequality and Discrimination*, The Equalities Review, 2007, p. 53.

²⁶ Southern R and James Z, *Devon-wide Gypsy and Traveller Housing Needs Assessment*, University of Plymouth, November 2006, p. 58.

²⁷ Greenfields M, Home R, Cemlyn S et al., *West of England; Gypsy Traveller Accommodation (and Other Needs) Assessment 2006–2016*, Buckinghamshire Chilterns University College, October 2007, p. 130.

²⁸ *Living in Fear*, Mencap, 2000.

²⁹ Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, p. 7.

³⁰ Iganski P, Kielinger V and Paterson S, *Hate Crimes Against London’s Jews: An Analysis of Incidents Recorded by the Metropolitan Police Service 2001–2004*, Metropolitan Police Service and Institute for Jewish Policy Research, July 2005, pp. 3 and 29.

the likelihood of a disabled person being a victim of ‘targeted violence’. Gender, age and type of disability were found to interact in complex manners to increase the risk of being a victim.³¹

Recognising, understanding and appropriately responding to such complex interactions of identity and prejudice is challenging. Yet, in order to tackle hate crime and both empower and support victims, we must have regard to intersectionality in all that we do.

We will work with our delivery partners and the voluntary sector to ensure that our actions to tackle hate crime and empower and support hate crime victims address intersectionality.

EMPOWERING AND SUPPORTING VICTIMS

The effects of hate crime on victims vary, but several effects appear to be common:

- anger and fear of repeat attacks;
- depression and a worsening of existing conditions (e.g. mental health needs, physical ailments);
- financial burden (e.g. repairing and replacing vandalised property or income lost through time off work); and/or
- victims take action themselves to reduce the chance of suffering hate incidents or hate crimes by changing their appearance, interactions with others (e.g. whether they show affection to their partner in public), accommodation and daily patterns (e.g. route to work, how often they leave their home).³²

There are also indications that hate crimes can cause greater psychological harm to victims than similar crimes without a motivation of prejudice. Research in the greater Sacramento area of the USA, for example, found that lesbian and gay victims of hate crime display significantly more symptoms of depression, anger, anxiety and post-traumatic stress than lesbian and gay victims of other forms of crime.³³ The results of research in Boston, USA, also indicated that victims

of ‘bias-motivated aggravated assault’ experience some types of psychological stress (e.g. excessive involuntary recall, depression, nervousness) more severely and had greater overall difficulty in overcoming their experiences than victims of ‘non-bias’ crimes.³⁴ These findings are supported by other work in the USA.³⁵ Also, by an analysis of BCS data which found that a higher proportion of victims of racially motivated crimes reported experiencing an emotional reaction, and were more likely to report experiencing a strong emotional reaction, than victims of crimes without a racial motivation.³⁶

Moreover, many victims do not receive support because they are simply not referred to specialist support agencies or opt not to seek such support independently. For instance, Stonewall’s research found that nine in ten victims of homophobic hate incidents did not seek any form of advice or support. The reasons predominantly given by victims were that they did not want to discuss the incident further or did not know that such support was available.³⁷

Support to hate crime victims needs to be tailored to their particular needs, as far as reasonably possible. This is particularly the case for disabled people who are victims of hate crime and hate crime victims whose first language is not English. Further, if we are to increase the confidence of victims in the criminal justice system, we must strive to ensure that victims do not feel disempowered by the type of support offered. Instead, support must empower victims to be active participants and decision-makers. We will provide hate crime victims with information about their rights and what level of service they should expect from statutory agencies in order to empower them in their relationship with these agencies.

We know that when victims are able to access support networks, their experience is predominantly positive. Research by Victim Support found that victims highly rate the support they have received from specialist police units. They cite empathy, communication skills, follow-up, practical support and referral to relevant

³¹ *Disabled People’s Experiences of Targeted Violence and Hostility: Research Report for the Equality and Human Rights Commission*, Office for Public Management, March 2009, p. 33.

³² For instance, analysis of the 2004/05 British Crime Survey found that 87 per cent of victims of racially motivated crime said that they had been emotionally affected by the incident. Of these, 38 per cent had been affected very much and 36 per cent said they had been affected quite a lot. The most common types of emotional responses were anger (57 per cent), fear (47 per cent), annoyance (38 per cent) and shock (37 per cent). Refer to Jansson K, *Black and Minority Ethnic Groups’ Experiences and Perceptions of Crime, Racially Motivated Crime and the Police: Findings from the 2004/05 British Crime Survey*, Home Office Online Report 25/06, pp. 21–22. For information on the effects of hate crime on victims refer to, for example, *Crime and Prejudice: The Support Needs of Victims of Hate Crime – A Research Report*, Victim Support, June 2006, pp. 50–52. Also, *Disabled People’s Experiences of Targeted Violence and Hostility: Research Report for the Equality and Human Rights Commission*, Office for Public Management, March 2009, pp. 56–62. Also, Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, Stonewall, pp. 29–32.

³³ Herek G, Gillis J and Logan J, Psychological sequelae of hate crime victimization among lesbian, gay, and bisexual adults, *Journal of Consulting and Clinical Psychology*, vol. 67, no. 6, 1999.

³⁴ Garcia L, McDevitt J, Gu J and Balboni J, *Psychological and Behavioural Effects of Bias and Non-Bias Motivated Assault, Final Report*, National Criminal Justice Reference Service, December 1999, pp. 53–55, 87 and 94–95.

³⁵ For instance, a national victimisation telephone survey of 2,078 respondents found that victims of hate crime had more symptoms of post-traumatic stress and social and behavioural change than victims of other types of crime. Ehrlich H, Larcom B and Robert D, *The Traumatic Effects of Ethnviolence*, The Prejudice Institute, Center for the Applied Study of Ethnviolence, Towson, Maryland (cited in *ibid.* pp. 29–30). See also, Craig-Henderson K and Sloan L, After the hate: helping psychologists help victims of racist hate crime, *Clinical Psychology: Science and Practice*, Summer 2003, vol. 10, no. 4, pp. 481–490.

³⁶ Iganski P, *Hate Crime and the City*, Policy Press, 2008, pp. 6–17, 74–86.

³⁷ Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, Stonewall, pp. 26–27.

agencies as positive examples. However, only one in five victims found police (other than specialist units) the most helpful source of support.³⁸ Stonewall's research reported that two-thirds of those who reported hate incidents to the police were not referred to support services.³⁹ Religious institutions and community-specific groups have also been highly rated by victims as sources of support.⁴⁰

We will ensure that victims know where they can go to seek the support they need, and that they are provided with support that is both accessible and empowering. We will ensure that the agencies involved are aware of their responsibilities towards victims of hate crime.

³⁸ *Crime and Prejudice: The Support Needs of Victims of Hate Crime – A Research Report*, Victim Support, June 2006, pp. 50–52.

³⁹ Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, Stonewall, p. 26.

⁴⁰ *Crime and Prejudice: The Support Needs of Victims of Hate Crime – A Research Report*, Victim Support, June 2006, pp. 54–56

CHAPTER 3: HOW WE WILL MEET THESE CHALLENGES

We have identified three strategic objectives to meet these challenges and tackle hate crime, supported by detailed objectives to address specific issues:

1) Increase victim and community confidence in the criminal justice system.

- a) Increase the proportion of victims and witnesses of hate crime who report its occurrence.
- b) Bring more hate crime offences to justice and obtain more successful outcomes when it is reported.
- c) Improve responses to hate crime and incitement to hatred that occurs on the internet.

2) Prevent hate crimes from occurring or escalating in seriousness.

- a) Improve the evidence base on the nature and extent of hate crime so as to inform prevention and intervention.
- b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita.
- c) Develop systems and guidance that enable public bodies to utilise reports of hate incidents and hate crime to prevent hate crime.
- d) Consider effective responses to hate crimes connected to work environments.

3) Improve access to and take-up of victim support.

These objectives are inter-connected. Progress towards achieving one will potentially contribute to achieving others. For instance, improving local responses to hate crime has the potential to improve victim and community confidence in the criminal justice system.

Our approach to meeting our objectives is to:

- a) **Tackle hate crime at all points in the cycle of crime**, from fostering community cohesion and early intervention to prevent hate crimes, through to justice for victims.
- b) **Place the victim at the heart of our actions, recognise their particular needs and involve victims in policy development.** We will do this with actions to enable victims to report hate crimes, from measures to improve the responses victims receive through to increased support.
- c) **Involve and engage all key stakeholders in the development and detail of the actions in our Action Plan.** Our stakeholders, including those in the voluntary and community sector, have a wealth of expertise and experience on tackling hate crime. By drawing on this valuable resource through continuing, meaningful involvement and engagement, we will ensure that the actions in our Action Plan are effective and proportionate.
- d) **Ensure that our policies, and the functions delivered by public bodies and our local delivery partners, are accessible to all individuals, communities and groups.** We will do this by proactively involving representative groups and local partners at all stages in the development of policies and local delivery, in line with our equality duties. It is our intention that people whose lives are affected by the policies and practices of government and its delivery partners have a chance from the outset to influence their shape. In order to ensure we work inclusively we will provide for different, accessible and proactive means of engagement.
- e) **Equip local delivery partners with knowledge, guidance and systems** to address hate crime in a way that is responsive to local needs, including the needs of people from minority groups.

- f) **Facilitate and encourage joint working among all public bodies involved in tackling hate crime.** Our Action Plan is the first step to achieving this.
- g) **Apply the lessons learnt from efforts to tackle domestic and sexual violence** to tackling hate crime – in particular, learning lessons regarding increasing reporting, risk assessment and management, police training, multi-agency working and appropriate interventions.
- h) **Learn from and disseminate good practice.** Years of work to tackle hate crime has produced a wealth of expertise, experience and good practice in both the statutory and voluntary sectors. However, this learning and good practice is not always widely known or applied. We will learn from successful efforts to tackle hate crime and spread good practice. In particular, where it is appropriate, we will seek to apply lessons learnt from tackling one hate crime strand to tackling other hate crime strands.
- i) **Use the means that are most appropriate to the circumstances.** The experiences of hate crime victims vary just as the nature of hate crime varies across the strands. Perpetrators of hate crime may target someone because of a number of aspects of their personality and the interaction between these aspects (i.e. intersectionality). We will take account of these interactions, variations, complexities and other circumstances in implementing our Action Plan. In practice, this means that it may be appropriate for us to take action that is focused on one or two hate crime strands in order to address certain issues. It also means that any action which addresses all hate crime strands must have regard to the differences and interactions between those strands. In using the means that are most appropriate to the circumstances, we will strive to ensure that all individuals, groups and communities receive a quality service.
- j) **Fill gaps in the evidence base.** We will strengthen the evidence base on the nature and extent of hate crime, which will allow us to identify where we need to develop new, targeted policies to take forward our long-term vision. This will also enable us to monitor the effectiveness of our efforts to tackle hate crime.

The actions set out in our Action Plan apply this approach and have been developed in conjunction with our delivery partners and stakeholders.

The implementation of our Action Plan will be overseen at a strategic level by the National Violence Taskforce and at a delivery level by the Tackling Hate Crime Working Group. These groups consist of officials from across government and criminal justice agencies with responsibility for hate crime.

The Parliamentary Under-Secretary for Crime Reduction will oversee progress towards delivering the objectives of our Action Plan. The departments and agencies which have ownership of actions have put in place the means and structures for monitoring their progress on their actions. The detail of, oversight of and accountability for the individual actions within our Action Plan are therefore the responsibility of the agencies and Ministers as set out.

As we move forward, we will engage with our stakeholders to assess the impact of our actions and review our approach as necessary. Twelve months after the publication of our Action Plan we will review our progress and set out what we have achieved. We will look closely at how implementation of our actions is developing and map out how we will drive this work forward to the full delivery of our Action Plan and into the long term.

CHAPTER 4: OUR LONG-TERM VISION

Our Action Plan will provide the foundations for tackling hate crime in the long term.

Our long-term vision on hate crime is for:

- a) the building of community cohesion and positive relations between all groups and communities;
- b) all people to be free to express their identities without the fear of harassment and crime that targets them because of their identities;
- c) people's life chances not to be limited by experiencing hate crime;
- d) an environment which discourages and condemns the prejudices, hostilities, discrimination, portrayals and other factors that enable and cause hate crime;
- e) broader awareness of the existence and nature of hate crime and the service that hate crime victims should expect from the criminal justice system;
- f) all people to be confident in reporting crimes to the police, and for all reports to receive timely and appropriate responses;
- g) early reports of hate incidents and hate crimes to receive rapid interventions, which prevent an escalation in hate crimes;
- h) victims of hate crimes to have confidence in, and feel empowered by, the criminal justice system;
- i) victims of hate crimes to receive prompt, accessible support, including clear understanding of the services they can access;
- j) perpetrators of hate crime to receive appropriate sanctions and action taken to address the behaviour or motivation that led them to commit hate crime;
- k) policies, services and functions aimed at tackling and preventing hate crime to be accessible, culturally competent and accountable to all members of the public;

- l) local strategies and actions to tackle hate crime to be informed by the needs and wishes of local groups and communities; and
- m) professionals to be equipped with the knowledge, systems and guidance that enable them to be confident in responding to all types of hate incidents and hate crimes.

In working towards our long-term vision, we will:

a) Consult with delivery partners

We will engage with our local delivery partners, particularly CDRPs/CSPs, on the performance of the new guidance, tools and duties in our Action Plan and adapt our long-term actions accordingly.

b) Increase reporting and develop progressive monitoring

Addressing the under-reporting of hate crime is an objective of our Action Plan. We fully expect that as we address under-reporting we will see an increase in the reporting of hate crimes to the police. Depending on circumstances, we can regard this as a sign of success. As we move forward, the problem of under-reporting should reduce and our evidence base will improve. The Government will consider how to monitor accurately progress in tackling hate crime. We will also consider how to refresh our objectives to ensure that they continue to reflect what victims and communities believe to be the most pressing hate crime issues.

c) Be flexible

We also expect that the nature of hate crime will change over time, so we want to be sure that we will have the flexibility to address any such changes. For example, different groups may be targeted as social attitudes, economic factors and local and national demographics change. The issues that give rise to community tensions may change. We will seek to refresh and strengthen our objectives and approach to meet these new challenges and circumstances.

d) Learn lessons

We will learn from the experiences of implementing our Action Plan and ensure that we incorporate innovations in best practice developed by statutory bodies, and the voluntary and private sectors. As part of this we will be alert to changes and responsive to them in ensuring that we are able to adapt our approach to meet new challenges.

ANNEX A: ACTION ON HATE CRIME

The **Home Office** has responsibility for the Policing, and the policing aspects, of hate crime in England and Wales. In addition, the Home Office has responsibility for collecting data on hate crime in England and Wales through police recorded crime figures and the British Crime Survey (BCS). The Violent Crime Unit leads on the policing aspects of hate crime and, as the co-ordinating body for TVAP, has overseen development of this Action Plan. The Home Office also includes the Office for Security and Counter-Terrorism (OSCT), which aims to develop and deliver the UK Government's national counter-terrorism strategy (CONTEST). As part of the PREVENT strand of CONTEST, OSCT works to address incitement to hatred resulting in support for or commissioning of acts of terrorism.

Race for Justice is a cross-governmental programme to improve the way in which hate crime is investigated and prosecuted in England and Wales. It is led by the Attorney General and seeks to co-ordinate the activity of all criminal justice partners and stakeholders and ensure a consistent service. Although originally recommended as a response to issues around race hate crime, it was adopted from the start to encompass all of the recognised forms of hate crime (race, religion and belief, disability, sexual orientation and transgender). Race for Justice works with other government departments and criminal justice agencies on hate crime matters. It was closely involved in the development of this Action Plan.

The **Association of Chief Police Officers (ACPO)** is an independent, professional-led strategic body. In equal and active partnership with government and the Association of Police Authorities, ACPO leads and co-ordinates the direction and development of the police service in England, Wales and Northern Ireland. ACPO has a hate crime group on which Race for Justice is represented. In March 2005, ACPO published *Hate Crime: Delivering a Quality Service – Good Practice and Tactical Guidance* to provide direction and guidance to police forces on tackling hate crime. A refresh of this manual is a key action within this Action Plan.

The work of Race for Justice has led to a **common definition of hate crime** (refer to Annex E). This is agreed by ACPO and the Crown Prosecution Service. This definition draws on the Stephen Lawrence Inquiry Report's definition of a racist incident as 'any incident which is perceived to be racist by the victim or any other person' and emphasises hostility and prejudice as (at least partial) motivations that define hate crimes. It is this common definition which is used throughout this Action Plan.

Race for Justice has also worked to improve **third-party reporting** as a means of addressing the reluctance of many hate crime victims to report these crimes directly to the police. Third-party reporting involves a victim passing information on a crime to the police through a third party such as a community group or via a form (completed online or in hard copy and then posted). Victims can choose to remain anonymous or provide identifying information. Third-party reporting schemes have been established by partnerships between police, local authorities and community groups, including Crime and Disorder Reduction Partnerships, often as part of broader **local strategies and policies** regarding hate crime.

True Vision is an example of a successful third-party reporting scheme. It was originally developed by the four police forces of the West Midlands region as a means of increasing reporting of race and religiously motivated hate crime. It has since expanded into homophobic hate crime and disability hate crime. The True Vision packs contain information on hate crime, criminal justice system policies and support agencies, and third-party reporting forms. The True Vision website also provides a means of making a third-party report. True Vision has been adopted by all English and Welsh police forces.

In addition, many **police forces** have a dedicated hate crime officer or officers and many have their own hate crime policies.

The **Ministry of Justice** has responsibility for developing an effective, transparent and responsive criminal justice system for victims and the public. The Ministry aims to increase public confidence in the fairness and effectiveness of the criminal justice system and to increase victim and witness satisfaction. It has an overarching responsibility for the formulation of the criminal law, including criminal offences which contain elements of hatred or hostility. The Ministry also has specific responsibility for sentencing policy, including sponsorship of the Sentencing Guidelines Council. The Council was set up by the Criminal Justice Act 2003 and is an independent body, chaired by the Lord Chief Justice, which provides authoritative guidance on sentencing to the courts in England and Wales.

The **Crown Prosecution Service (CPS)** has policies on prosecuting cases of racist and religious hate crime, disability hate crime and homophobic and transphobic hate crime. The CPS co-ordinates hate crime cases at the Area level and has systems in place to monitor and quality assure hate crime cases. The CPS measures performance against its national hate crime performance indicator, which Areas are rated against on a quarterly basis. The CPS publishes its performance in prosecuting hate crime annually in its Hate Crime Report. Further, the CPS has established a Hate Crime Scrutiny Panel in each CPS Area, which scrutinise CPS decision-making in unsuccessful cases to determine any lessons to be learned and disseminated throughout the Area. These Panels are made up of community stakeholders, a lawyer to assist panel members, and are chaired by an independent facilitator.

No Secrets was issued jointly by the Home Office and the Department of Health in 2000 to provide guidance on developing and implementing local multi-agency policies and procedures to protect vulnerable adults in England from abuse. The guidance proposed that local multi-agency management committees should be set up to manage the process. The Welsh equivalent, *In Safe Hands – Guidance on the Protection of Vulnerable Adults in Wales*, was issued by the Welsh Assembly Government the same year. Since that time, policy and demographic changes, as well as several serious incidents of crime against vulnerable adults, led the Government to announce a review of *No Secrets* in 2007. The review is being conducted jointly between the Department of Health, the Home Office, the Ministry of Justice and the Attorney General's Office.

A large-scale public consultation was concluded on 31 January 2009 and a summary of responses was recently published. In Wales, the Welsh Assembly Government has also initiated a review that is being conducted by the University of Glamorgan and is due to report in autumn 2009. Although health matters are devolved in Wales, policing is not, so both the Home Office and ACPO have taken particular care to include the views of Welsh police forces as part of the *No Secrets* review. Under our Action Plan, it is in informing the response to disability hate crimes that the outcomes of both reviews are seen to have particular relevance.

Valuing People Now, published in February 2009, is the Government's refresh of its policy on people with learning disabilities. Its aim is to support people with learning disabilities to live an ordinary life in the community alongside their fellow citizens. *Valuing People Now* includes actions on health, housing and advocacy and rights. It commits the Home Office, in partnership with the Department of Health, to produce good practice guidance to help in reporting, dealing with and stopping hate crime against people with learning disabilities.

The **Department for Children, Schools and Families (DCSF)** has made tackling **bullying in schools** a key priority and it makes clear that no form of bullying will be tolerated. It is compulsory for schools to have in place measures to encourage good behaviour and respect for others. From 2007 a statutory duty has required schools in England to promote **community cohesion**. DCSF supports schools in this work by providing practical guidance documents and regional advisers. *Safe to Learn: Embedding Anti-Bullying Work in Schools* was launched in September 2007 and is the overarching anti-bullying guidance for schools. It includes specialist advice on cyber-bullying, homophobic bullying and bullying of children with special educational needs or disabilities. This is in addition to existing guidance on tackling bullying based on race, religion and/or culture. Guidance on bullying in out-of-school settings (for example, at further education colleges and leisure facilities) was launched in April 2009, and guidance on preventing and tackling sexist, sexual and transphobic bullying is being prepared. DCSF's work on education also makes a considerable contribution towards the prevention of hate crime in the long term by teaching young people to develop an understanding and appreciation of diversity through Citizenship, PSHE,

Religious Education, History and other curriculum subjects (for example, the teaching of the Holocaust is compulsory in Key Stage 3 History).

The **Department for Communities and Local Government** (CLG) addresses hate crime through its work on **community cohesion** and **hate crime prevention programmes**. This programme supports a number of projects that focus on young people because available evidence indicates that young people are the main perpetrators and victims of hate crime. Projects focus on bringing young people together from different backgrounds to help tackle prejudices and build relationships. We believe that these early interventions have an impact on reducing the level of hate crime. CLG also heads up the cross-government working group that tackles antisemitism.

The **Department for Business, Innovation and Skills** (BIS), the higher education (HE) and further education (FE) sectors are committed to higher and further education institutions and university campuses being places where an increasingly diverse student body can get the best out of their education experience, free from discrimination and prejudice. Promoting good relations, tackling extremism and promoting cohesion are all important matters in HE and FE.

The HE sector, via the Equality Challenge Unit, has published guidance on good campus relations and other cohesion matters (supported by Universities UK and GuildHE). Recently BIS has established a Group on Antisemitism and Higher Education, bringing HE and Jewish stakeholders together to address concerns around this specific issue.

Following consultation with the Association of Colleges, a Champion Principals Group has been established to provide leadership to the sector, and to drive a programme of work to increase capacity among colleges and other FE providers to promote cohesion and prevent violent extremism. Under their guidance, the Learning and Skills Improvement Service is developing guidance on promoting respect and tackling intolerance within FE. This work is being informed by consultation with various community and student groups, including the Union of Jewish Students and the Federation of Student Islamic Societies.

The **Office for Disability Issues** (ODI), a cross-government unit based in the Department for Work and Pensions, is the guardian of the Government's vision to achieve disability equality by 2025. An advisory group of disabled people and government officials brought together by the ODI has provided input into the development of our Action Plan.

The **Government Equalities Office** has responsibility within government for equality strategy and legislation, and takes the lead on issues relating to gender equality, sexual orientation and transgender equality matters. This includes work on the Minister for Women's priorities, one of which is tackling violence against women. It sponsors the Equality and Human Rights Commission and is currently steering the new Equality Bill through Parliament.

The **Welsh Assembly Government** launched its Refugee Inclusion Strategy in June 2008. It is one of the ways in which the Welsh Assembly Government is working towards its vision of a prosperous future for Wales that is free from racism and discrimination, where everyone is enabled to fulfil their potential, to have fair and equal access to services and to participate fully in the political and civil life of the country.

Asylum is not devolved; however, the Welsh Assembly Government works in partnership with the Home Office to take forward successful inclusion of refugee and asylum seekers into Welsh society. It provides significant support to asylum seekers to access services which are devolved, such as health, housing, education and social services.

An Action Plan detailing how the Welsh Assembly Government will be taking forward the actions identified in the Refugee Inclusion Strategy in partnership with other key stakeholders is due to be published shortly.

The Welsh Assembly Government is also developing the first All Wales Community Cohesion Strategy. This is aimed at supporting local authorities and their partners to develop a local approach to cohesion.

The Welsh Assembly Government has undertaken extensive work to support Gypsy and Traveller communities in Wales, such as providing a grant scheme for site refurbishment, and is developing the first Gypsy and Traveller Strategy for Wales.

ANNEX B: LEGISLATION

PUBLIC ORDER ACT 1986, PART III INCITEMENT TO RACIAL HATRED

Under this Act it is an offence to commit an act that is threatening, abusive or insulting and which is intended or likely in all the circumstances to stir up racial hatred.

FOOTBALL OFFENCES ACT 1991 (as amended)

An offence is committed when a group of people, or one person acting alone, chants something of a racist nature at a designated football match. To prove this offence, the prosecution has to show that the chanting was threatening, abusive or insulting to another person because of that person's colour, race, nationality (including citizenship) or ethnic or national origin.

DISABILITY DISCRIMINATION ACT 1995

This provides disabled people with a comprehensive set of enforceable rights in areas such as employment, education, transport, the functions of public bodies and access to goods, facilities and services. A key element is the principle of reasonable adjustment, which requires those with duties under the Act to make adjustments for disabled people. The Act places a statutory duty on public authorities to promote equality of opportunity for disabled people – the Disability Equality Duty. The Duty requires public authorities to: give due regard to disability issues when carrying out their functions; publish Disability Equality Schemes to set out how they will carry out the general duty as well as monitor and report on their progress in this respect; and set out how they have involved disabled people in developing their scheme.

CRIME AND DISORDER ACT 1998 (as amended by the Anti-terrorism, Crime and Security Act 2001)

This contains a number of specific offences of racially or religiously aggravated crime. These offences carry higher maximum penalties than the basic offence equivalents. The Act places a duty on courts to treat more seriously any offence shown to be racially or religiously aggravated.

HUMAN RIGHTS ACT 1998

This places a duty on all public authorities to uphold and promote human rights in everything they do. This means that their policies, programmes and services should ensure that individuals are autonomous, safe and can participate in the decisions that affect their lives; further, that they are treated fairly, with dignity and respect and that the rights of the wider community are also safeguarded.

RACE RELATIONS (AMENDMENT) ACT 2000

This amended the Race Relations Act 1976. It gives public authorities a general, statutory duty to promote racial equality. The general duty states that public bodies must have due regard to the need to eliminate unlawful discrimination, as well as to promote equality of opportunity and good relations between people of different racial groups.

CRIMINAL JUSTICE ACT 2003

S.145: in addition to the specific offences created by the Crime and Disorder Act 1998, this places a general duty on courts to treat more seriously any offence that can be shown to be racially or religiously aggravated or motivated. S.146: this places a duty on courts to increase the sentence for any offence aggravated by the demonstration or motivation of hostility based on the victim's disability (or presumed disability) or sexual orientation (or presumed sexual orientation).

RACIAL AND RELIGIOUS HATRED ACT 2006

Under this Act an offence is committed if a person uses threatening words or behaviour, or displays any written material, which is threatening, if he intends thereby to stir up religious hatred. Abusive or insulting words or behaviour intended to stir up religious hatred is not enough. Possession, publication or distribution of inflammatory material is also an offence. The offence can be committed in a public or private place, but not within a dwelling unless the offending words and behaviour were heard outside and it was intended that they were heard. For an offence to have been committed, the defendant must have intended to stir up religious hatred.

TERRORISM ACT 2006

This Act makes it a criminal offence to directly or indirectly incite or encourage others to commit, prepare or instigate acts of terrorism. The definition of terrorism includes the use or threat of action designed to influence the government or an international governmental organisation or to intimidate the public or a section of the public, when the use or threat is made for the purpose of advancing a political, religious, racial or ideological cause. Violence against people based on their race or religion would therefore fall under this Act if the action was designed by the perpetrator to bring about political change or intimidation of a section of the public.

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

This amends the Public Order Act 1986 to include incitement to hatred on the grounds of sexual orientation. At the time of writing this is not in force, but it is hoped it will be in force by the end of 2009.

ANNEX C: CROSS-GOVERNMENT ACTION PLAN ON HATE CRIME

The Cross-Government Action Plan on Hate Crime is intended as a high-level summary of short- to medium-term actions to tackle hate crime being taken by government and national criminal justice agencies. To ensure that the Action Plan remains a practical length, it does not describe the actions in detail. The action owners, noted in the Action Plan, will be able to supply additional details on any of the actions to those seeking further information.

The Government will involve stakeholders in the development and implementation of the actions in the Action Plan in line with its equality and other duties.

Milestones that allow us to monitor our progress towards achieving the outcomes of our actions are, or will be, set out by each Department or agency in its development of each action.

There are methods and themes which run through our Action Plan. There are also actions which require more explanation than is possible in the Action Plan itself. These are explained below in order to aid understanding of the Action Plan.

THIRD-PARTY REPORTING

We will encourage third-party reporting schemes by (a) spreading best practice in this area, and (b) providing guidance on appropriate responses to third-party reports and effective use of the intelligence provided by these reports. This will contribute to achieving our objective of increasing the proportion of hate crime victims who report its occurrence. We will balance our efforts to facilitate third-party reporting, for those who do not wish to report directly to the police, with efforts to improve the accessibility and response of the police to reports made directly to them.

REPORTING INCIDENTS

We committed to meeting recommendations 15, 16 and 17 of the report of the Stephen Lawrence Inquiry into the murder of Stephen Lawrence regarding the reporting and recording of racist incidents and crimes. Our Action Plan allows us to fulfil this commitment

through new guidance and systems. We will also examine how we might create a duty on all public bodies to report hate incidents to their local Crime and Disorder Reduction Partnership or Community Safety Partnership and report hate crimes to the police. We will then consider the options on how to take this forward.

The local collection of data on hate incidents and hate crimes in this way has the potential to enable more effective and targeted local actions.

EMPOWERING AND SUPPORTING VICTIMS

We will seek to ensure:

- that victims are referred to support agencies;
- that support agencies for victims of hate crime are sustainable;
- that support for victims is promoted to those communities affected by hate crime;
- that support for victims empowers rather than disempowers them; and
- that statutory agencies provide a sympathetic, professional and responsive service to victims in line with their existing responsibilities.

SPECIALIST SUPPORT

TVAP committed us to assisting local partners and supporting victims by exploring the extent to which Multi-Agency Risk Assessment Conferences, specialist courts and the Independent Domestic Violence Advisor approach could be applied to tackling hate crime. This work is being taken forward as part of the ongoing TVAP programme and is simply noted here for reference.

VALUING PEOPLE NOW

Valuing People Now committed the Home Office and the Department of Health to work together to tackle hate crime against people with learning disabilities. This Action Plan meets this commitment through:

- a) specific actions to improve our response to hate crime against people with learning disabilities; and
- b) our commitment to implement actions within this Action Plan with regard to the particular needs and experiences of people with learning disabilities.

S.146, CRIMINAL JUSTICE ACT 2003 – MURDER TARIFFS

The tariff of a mandatory life sentence for murder is the length of time the court finds the offender must, at a minimum, serve. Schedule 21 to the Criminal Justice Act 2003 sets out the starting points for determining the tariff. Schedule 21 provides that, in cases where the seriousness of the offence is particularly high (but not of the gravest type, where the starting point is life) and the offender is 18 or over, then the appropriate starting point in determining the minimum term is 30 years. The schedule sets out cases that would normally be subject to this starting point, and these include a murder that is racially or religiously aggravated, or one aggravated by hostility based on sexual orientation. However, a murder that is aggravated by hostility based on disability is not included in this list. This would not prevent the court taking the same starting point in such a case, as the list of cases in schedule 21 is not exhaustive. However, we will review Schedule 21 to determine whether this provision should be amended to expressly include murders aggravated by hostility based on disability.

For the sake of clarity; it is not our intention to review Schedule 21 to the Criminal Justice Act 2003 regarding sexual orientation under s.146, nor race and religion under s.145.

EQUALITY, DIVERSITY AND HUMAN RIGHTS FOR THE POLICE SERVICE

In July 2008, the Home Office published the Green Paper *From the Neighbourhood to the National: Policing Our Communities Together*, which set out the Government's equality and diversity vision for a Police Service that has the trust and confidence of all communities and that reflects all communities. The new Equality, Diversity and Human Rights Strategy for the Police Service has that vision at its heart and will be published in autumn 2009. The Equality Standard for the Police Service will also be available to forces in the autumn to support delivery of parts of the Strategy.

REVIEWS OF NO SECRETS AND IN SAFE HANDS

The Government is actively considering how to take forward the *No Secrets* review and develop safeguarding vulnerable adults policy and practice. This is a complex process and developing the policy will continue past the publication of our Action Plan. The Home Office, the Department of Health, the Ministry of Justice, the Attorney General's Office and the Welsh Assembly Government will work together to ensure that the reviews of *No Secrets* and *In Safe Hands* fully examine the inter-relationship between the safeguarding of vulnerable adults and all forms of hate crime, with particular focus on disability hate crime.

ANNEX C: CROSS-GOVERNMENT ACTION PLAN ON HATE CRIME

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1) Increase victim and community confidence in the criminal justice system.	1	Publish <i>The Stephen Lawrence Inquiry 10 Years On: Government Response</i> .	<ul style="list-style-type: none"> ■ Race All ages	Home Office	Minister of State for Policing, Crime and Counter-Terrorism	The key actions we will be taking forward from <i>The Stephen Lawrence Inquiry 10 Years On: Government Response</i> and the Stephen Lawrence Inquiry Report will have been set out.	Summer 2009
	2	Co-ordinate the Government's response to the recommendations made by the All Party Inquiry into Antisemitism.	<ul style="list-style-type: none"> ■ Race ■ Religion and belief All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	a. Publish Command Paper – three years on from the 2006 All Party Inquiry into Antisemitism. b. Ensure that all government departments fulfil the commitments made in the One Year On response to the All Party Inquiry into Antisemitism.	May 2010
	3	Take forward the recommendations in the London Declaration on tackling antisemitism.	<ul style="list-style-type: none"> ■ Race ■ Religion and belief All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	Ensure that all government departments fulfil commitments made by the Prime Minister when signing the London Declaration.	May 2010
	4	Respond to the recommendations made in <i>Hidden from Public View? – Racism Against the UK's Chinese Population</i> .	<ul style="list-style-type: none"> ■ Race All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	a. Improve relations with Chinese community stakeholders. b. Increase reporting of hate crime by the Chinese community. c. Increase community confidence in the criminal justice system.	September 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1a) Increase the proportion of victims and witnesses of hate crime who report its occurrence.	5	Commission research into how the form, content and targeting of public awareness campaigns has increased or might increase reporting of hate crime.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Home Office	Parliamentary Under-Secretary for Crime Reduction	a. Information necessary to inform decisions about whether to conduct public awareness campaigns regarding hate crime. b. Information necessary to develop any future public awareness campaigns.	December 2010
	6	The True Vision Disability Hate Crime Pack will be distributed to individuals, communities and community organisations via police forces.	<ul style="list-style-type: none"> ■ Disability All ages	Race for Justice	Attorney General	a. Disabled people will be provided with information about hate crime and how to report hate crimes. b. Disabled people will be provided with a third-party reporting mechanism. c. There will be an increase in the number of reports of hate incidents and hate crimes. d. Victims will be signposted to appropriate support.	September 2009
	7	The development and distribution of a True Vision pack for Gypsy and Traveller communities.	<ul style="list-style-type: none"> ■ Race (Gypsy and Traveller) All ages	Race for Justice (with support from the Department for Communities and Local Government's Gypsy and Traveller Unit)	Attorney General	a. People in Gypsy and Traveller communities will be provided with information about hate crime and how to report hate crimes. b. People in Gypsy and Traveller communities will be provided with a third-party reporting mechanism. c. There will be an increase in the number of reports of hate incidents and hate crimes. d. Victims will be signposted to appropriate support.	December 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1a) Increase the proportion of victims and witnesses of hate crime who report its occurrence. <i>(continued)</i>	8	Develop True Vision hate crime resources in key languages for asylum seeker and refugee communities. Make these resources available for distribution to migrant, asylum seeker and refugee support groups and police forces.	<ul style="list-style-type: none"> ■ Race (asylum seekers and refugees) ■ Religion and belief (asylum seekers and refugees) All ages	Race for Justice	Attorney General	a. Asylum seekers and refugees will be provided with information about hate crime and how to report hate crimes. b. Asylum seekers and refugees will be provided with a third-party reporting mechanism. c. There will be an increase in the number of reports of hate incidents and hate crimes. d. Victims will be signposted to appropriate support.	October 2009
	9	Deliver and evaluate an Islamophobia poster campaign which aims to challenge and encourage reporting.	<ul style="list-style-type: none"> ■ Religion and belief All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	Increased public awareness and appreciation of Islamophobia.	September 2009
	10	Identify current resources that could support people with learning disabilities in reporting hate incidents and hate crimes. Explore working with the producers on further development and dissemination of these resources.	<ul style="list-style-type: none"> ■ Disability (learning disabilities) All ages	Learning Disability Programme Board, Department of Health	Secretary of State for Health	a. People with learning disabilities will feel safer in their communities and will be more aware of how to report crimes. b. Local communities will have a greater understanding of the issues for people with learning disabilities in respect of the risk of hate crime.	September 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1b) Bring more hate crime offences to justice and obtain more successful outcomes when it is reported.	11	<p>Implementation of the Tackling Violence Action Plan actions relating to hate crime:</p> <p>a. Explore establishing specialist hate crime courts in those areas experiencing a high prevalence of hate crimes.</p> <p>b. Explore establishing Multi-Agency Risk Assessment Conferences (MARACs) in those areas experienced a high prevalence of hate crime.</p> <p>c. Explore how the Independent Domestic Violence Advisor (IDVA) and Independent Sexual Violence Advisor (ISVA) approach might be applied to assist victims of hate crime.</p>	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender <p>All ages</p>	Home Office	Parliamentary Under-Secretary for Crime Reduction	<p>a. It will have been determined in what way specialist hate crime courts might be able to be provided in these areas.</p> <p>b. It will have been determined how MARACs might be established in areas experiencing a high prevalence of hate crime.</p> <p>c. It will be decided how the IDVA and ISVA approach might be used to assist victims of hate crime.</p>	By 2011
	12	The publication of additional guidance on prosecuting disability hate crime, with particular detail on the distinction between the aggravating factors related to vulnerability and s.146 of the Criminal Justice Act 2003.	<ul style="list-style-type: none"> ■ Disability <p>All ages</p>	Crown Prosecution Service (CPS)	Attorney General	<p>a. Prosecutors will be equipped with additional guidance on prosecuting disability hate crime.</p> <p>b. This will assist in prosecuting cases where the victim's vulnerability and disability hate crime were both factors in the offence.</p>	December 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date
1b) Bring more hate crime offences to justice and obtain more successful outcomes when it is reported. <i>(continued)</i>	13 The publication of a new policy on prosecuting cases involving victims and witnesses with learning disabilities and/or mental health needs.	<ul style="list-style-type: none"> ■ Disability All ages	CPS	Attorney General	a. It will be clear how the CPS intends to deal with cases in which a disability hate crime may have been committed against victims with learning disabilities and/or mental health needs. b. This will increase victim and witness confidence. c. This will increase the likelihood of successful prosecutions of disability hate crimes against people with mental health needs and/or learning disabilities.	October 2009
	14 The publication of a refreshed Hate Crime Manual for police forces. This will include: <ol style="list-style-type: none"> a. National Minimum Standards of Investigation; b. National Occupational Standards on Hate Crime; c. guidance on recording hate incidents and crimes; and d. guidance on internal hate crime (see Action 67). 	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Association of Chief Police Officers (ACPO)	Home Secretary/ Attorney General	a. Police forces and police officers will be better equipped to investigate hate crime and assist victims of hate crime. b. Recording of police-recorded crime on hate crime will be more accurate and nationally consistent.	December 2009
	15 The commissioning of a full training needs analysis for police.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	ACPO	Home Secretary/ Attorney General	Police training needs will be mapped and future hate crime training can be effectively provided for.	December 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1b) Bring more hate crime offences to justice and obtain more successful outcomes when it is reported. <i>(continued)</i>	16	Consider the case for changing Schedule 21 to the Criminal Justice Act 2003 to bring disability more into line with murders aggravated by race, religion or sexual orientation.	<ul style="list-style-type: none"> ■ Disability All ages	Ministry of Justice; Home Office; Crown Prosecution Service; Race for Justice	Parliamentary Under-Secretary of State, Ministry of Justice	It will have been determined whether and how Schedule 21 might be amended.	Summer 2010
	17	In conjunction with Local Criminal Justice Boards, develop a national good practice model on effective multi-agency local partnerships to support vulnerable and intimidated witnesses. This will be based on the successful Breckfield, North Liverpool, pilot.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Office for Criminal Justice Reform	Parliamentary Under-Secretary of State, Ministry of Justice	a. Local services will be better equipped to support victims and witnesses in hate crime cases. b. This will help encourage victims and witnesses to come forward to ensure equal access to justice and facilitate successful prosecutions.	March 2010
	18	Support Merseyside Local Criminal Justice Board to develop their Witness Profiling model for identifying and addressing the needs of vulnerable and intimidated witnesses into a national model.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Office for Criminal Justice Reform	Parliamentary Under-Secretary of State, Ministry of Justice	a. Local services will be better equipped to support victims and witnesses in hate crime cases. b. This will help encourage victims and witnesses to come forward to ensure equal access to justice and facilitate successful prosecutions.	March 2010
	19	Work with the National Policing Improvement Agency and ACPO to develop a national police training programme to improve the identification of and support for vulnerable and intimidated witnesses.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Office for Criminal Justice Reform	Parliamentary Under-Secretary of State, Ministry of Justice	a. Police forces and police officers will be better equipped to support victims and witnesses in hate crime cases. b. This will help encourage victims and witnesses to come forward to ensure equal access to justice and facilitate successful prosecutions.	Autumn 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1b) Bring more hate crime offences to justice and obtain more successful outcomes when it is reported. <i>(continued)</i>	20	Develop and distribute a good practice and training toolkit for Local Crime and Reduction Partnerships on improving identification of and support for vulnerable and intimidated witnesses.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Office for Criminal Justice Reform	Parliamentary Under-Secretary of State, Ministry of Justice	a. Local services will be better equipped to support victims and witnesses in hate crime cases. b. This will help encourage victims and witnesses to come forward to ensure equal access to justice and facilitate successful prosecutions.	Autumn 2009
	21	Produce and implement a communications strategy to promote the use of Special Measures (as available under the Youth Justice and Criminal Evidence Act 1999) and ensure greater take-up of these Special Measures.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Office for Criminal Justice Reform	Parliamentary Under-Secretary of State, Ministry of Justice	a. Greater take-up of Special Measures will enable vulnerable and intimidated witnesses to give their best evidence. b. This will ensure equal access to justice and facilitate successful prosecutions.	September 2009 – March 2010
	22	The preparation of a probation hate crime framework for policy.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	National Offender Management Service (NOMS)	Secretary of State for Justice	This framework will assist probation areas in developing policies for the management of hate crime.	December 2009
	23	The development of good practice guidance for probation practitioners.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	NOMS	Secretary of State for Justice	The practice guidance will provide practitioners with the tools for improving practice on hate crime.	December 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date
<p>1c) Improve responses to hate crime and incitement to hatred that occurs on the internet.</p>	<p>24 Internet Hate Crime Action Plan – Action 1:</p> <p>a. Update the police policy and structures to effectively respond to hate crimes on the internet.</p> <p>b. Obtain ACPO approval for a protocol for ownership and minimum standards of investigation for internet-based hate crimes.</p> <p>c. Provide a central point of collation for internet-based hate crime to ensure effective responses and to avoid duplication.</p> <p>d. Provide a national system for the online reporting of hate crime.</p> <p>e. Work with the Office for Democratic Institutions and Human Rights (ODIHR) to provide an international database of hate symbols which is available to law enforcement agencies.</p> <p>f. Agree protocols with the Internet Watch Foundation (IWF) on their remit in relation to hate crime, including communication routes and minimum standards of evidential handover packages.</p>	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender <p>All ages</p>	<p>ACPO/Home Office</p>	<p>Parliamentary Under-Secretary for Crime Reduction</p>		<p>December 2009</p>

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1c) Improve responses to hate crime and incitement to hatred that occurs on the internet. <i>(continued)</i>	25	Internet Hate Crime Action Plan – Action 2: To consider the effectiveness of the IWF arrangements for dealing with hate sites in the light of other work with industry on internet content standards.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Home Office; Department for Culture, Media and Sport; Department for Business, Innovation and Skills; Department for Children, Schools and Families	Parliamentary Under-Secretary for Crime Reduction	The effectiveness of IWF arrangements will have been considered with regard to other work with the industry on internet content standards.	February 2010
	26	Internet Hate Crime Action Plan – Action 3: Provide a guidance document to professionals on the circumstances and process for requesting take-down of hate sites.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Department for Business, Innovation and Skills; Home Office; Ministry of Justice	Parliamentary Under-Secretary for Crime Reduction	Professionals will be equipped with detailed guidance on the circumstances and processes for requesting that hate sites are taken down.	April 2010
	27	Internet Hate Crime Action Plan – Action 4: Identify overlap and linkages with work to prevent violent extremism and establish a clear working protocol.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Home Office; ACPO	Parliamentary Under-Secretary for Crime Reduction	A clear working protocol on preventing violent extremism.	December 2009
	28	Internet Hate Crime Action Plan – Action 5: Engage with communities to seek their support in providing leadership and guidance to their followers in how to prevent and report offences.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Department for Communities and Local Government	Parliamentary Under-Secretary for Crime Reduction	Increase reporting of internet hate crime to the police.	Ongoing

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1c) Improve responses to hate crime and incitement to hatred that occurs on the internet. <i>(continued)</i>	29	Internet Hate Crime Action Plan – Action 6: To set out the legislative framework and relevant case law to inform agencies how to tackle internet based hate crime.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Ministry of Justice; CPS; National Policing Improvement Agency	Parliamentary Under-Secretary for Crime Reduction	September 2010	
	30	Internet Hate Crime Action Plan – Action 7: Work with partners within ODIHR to seek common responses from member states relating to: <ul style="list-style-type: none"> ■ relationship with Internet Service Providers; and ■ sharing of information within member states. 	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Foreign and Commonwealth Office; Race for Justice	Parliamentary Under-Secretary for Crime Reduction	December 2010	
	31	Internet Hate Crime Action Plan – Action 8: Provide educational material to schools and other education establishments to counter antisemitism and other forms of hatred on the internet.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Children, Schools and Families	Parliamentary Under-Secretary for Crime Reduction	Schools and other education establishments will have educational material to enable them to counter antisemitism and other forms of hatred on the internet.	July 2010
	32	Internet Hate Crime Action Plan – Action 10: ⁴¹ Implementation of the recommendations of the Byron Review on internet safety.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Children, Schools and Families; Home Office	Parliamentary Under-Secretary for Crime Reduction		Ongoing

⁴¹ Action 9 of the Internet Hate Crime Action Plan has been completed and so is not referenced here. This action is for an 'internet services accreditation scheme for schools. The filtered service must be capable of blocking 90 per cent of inappropriate content', including racist, extremist and hate material. The owners of Action 9 of the Internet Hate Crime Action Plan are the Department for Children, Schools and Families and Beeta.

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
1c) Improve responses to hate crime and incitement to hatred that occurs on the internet. <i>(continued)</i>	33	The Department for Communities and Local Government is working with the Society of Editors to develop guidance for moderators of online newspaper blogs.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	Ensure that moderators of online newspaper blogs take down comments that incite hatred.	March 2010
2) Prevent hate crimes from occurring or escalating in seriousness.	34	Implementation of a duty on schools to promote community cohesion. Advice and guidance on how to prevent and tackle hate crime and violent extremism.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Children, Schools and Families	Secretary of State for Children, Schools and Families	a. Raised awareness of the role of schools to promote pupils' understanding and appreciation of others, thereby preventing hate crime and violent extremism. b. Support to teachers to promote community cohesion and tackle intolerance and hatred through the Qualifications and Curriculum Authority and the Training and Development Agency for Schools. c. The development of a module for school leaders to highlight the strategic role schools can play in the promotion of community cohesion and the prevention of hate crime and violent extremism.	March 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2) Prevent hate crimes from occurring or escalating in seriousness. <i>(continued)</i>	35	Ensure that advice is given to the Home Secretary on the impact individuals who preach/incite hate have on the community.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Department for Communities and Local Government	Home Secretary	The Home Secretary will receive advice which will assist in making decisions regarding individuals who preach/incite hate.	Ongoing
	36	Subject Associations to be funded to evaluate resources that can be used in the classroom to promote community cohesion and prevent all forms of violent extremism and hate crime.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Children, Schools and Families	Secretary of State for Children, Schools and Families	Resources available across the arts and humanities curriculum to support teachers in the promotion of community cohesion and prevention of violent extremism and hate crime.	October 2009
	37	Support prevention projects that bring young people of different backgrounds together to help tackle prejudices and build relationships.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Communities and Local Government	Secretary of State for Communities and Local Government	a. Increase the number of young people that get on well together. b. Improve relationships between young people of different backgrounds. c. Reduce the number of hate crimes in areas where the projects are focused.	Ongoing
	38	Advise and support projects that work with young people who are at risk of being involved in/committing hate incidents and hate crimes.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Communities and Local Government	Secretary of State for Communities and Local Government	a. Reduce the influence far-right messages have on young people. b. Develop positive, responsible self-images. c. Decrease in hate incidents. d. Reduction in youth crime. e. Improvement in community safety. f. Young people better equipped to deal with extremist messages.	Ongoing

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2) Prevent hate crimes from occurring or escalating in seriousness. <i>(continued)</i>	39	Best practice guidance on projects to prevent all types of hate incidents and hate crimes will be produced and distributed. Among other sources, this will draw on an evaluation of projects to prevent race and religion and faith hate crime.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Department for Communities and Local Government; Home Office	Secretary of State for Communities and Local Government	a. Efforts by voluntary and public sector organisations to prevent hate incidents and hate crimes will be more efficient and effective. b. Fewer hate incidents and hate crimes will be likely to occur.	July 2010
	40	Develop and implement the All Wales Community Cohesion Strategy.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Welsh Assembly Government	Minister for Social Justice and Local Government	Provide a strategic framework for local authorities to develop an approach to supporting community cohesion that is proportionate and relevant to local communities.	November 2009
	41	Develop and implement the first Gypsy and Traveller Strategy for Wales.	<ul style="list-style-type: none"> ■ Race (Gypsy and Traveller) All ages	Welsh Assembly Government	Minister for Social Justice and Regeneration	Provide a strategic framework for the development of policies and initiatives across the Welsh Assembly Government and local authorities to address the inequalities experienced by this group.	Late 2010
2a) Improve the evidence base on the nature and extent of hate crime so as to inform prevention and intervention.	42	Hold a seminar of relevant academics to map gaps in the evidence base, and establish how these might be filled by dedicated research projects, with a view to funding research projects.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Race for Justice; Home Office	Attorney General	a. Gaps in the evidence on the nature and extent of hate crime will have been mapped. b. This will facilitate commissioning of future research projects to improve our understanding of the nature and extent of hate crime.	November 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2a) Improve the evidence base on the nature and extent of hate crime so as to inform prevention and intervention. <i>(continued)</i>	43	Fund research by Cardiff University to examine the nature and context of violent hate crime experienced by those victims who present at Accident and Emergency for treatment.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Home Office	Parliamentary Under-Secretary of State for Crime Reduction	Increased understanding of the nature and context of violent hate crime as experienced by those victims who present at Accident and Emergency for treatment.	End March 2010
	44	To continue to develop data collection and performance targets to effectively measure the incidence of hate crime and the performance of agencies.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Home Office	Parliamentary Under-Secretary of State for Crime Reduction	a. There will be accurate data for recorded hate crime. b. Performance indicators will have been agreed and implemented.	Ongoing
	45	The creation of a new statutory duty on schools to ensure all bullying incidents between pupils are recorded.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Children and young people	Department for Children, Schools and Families.	Secretary of State for Children, Schools and Families	Subject to the outcome of a public consultation, schools may collect information and data on bullying incidents between pupils that involve a race, faith, sexual orientation, disability or transgender element.	Early 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date
<p>2b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita.</p>	<p>46 Develop and disseminate guidance for Crime and Disorder Reduction Partnerships/ Community Safety Partnerships (CDRPs/CSPs) on preventing and responding to hate incidents and hate crimes. This will include:</p> <ol style="list-style-type: none"> common standards for the prevention and tackling of hate incidents and hate crimes; guidance on recording and analysing data on hate incidents and hate crimes; best practice guidance for statutory and non-statutory agencies on how to establish, promote, operate, evaluate and ensure the sustainability of third-party reporting schemes. This will be informed by (i) a literature review; (ii) an examination of existing practice; and (iii) engagement with those who have provided such schemes; and best practice guidance for front-line practitioners on using anti-social behaviour measures to address hate incidents and hate crimes. <p>This guidance will draw on and spread other good practice, including the refreshed ACPO Hate Crime Manual (see Action 14), best practice guidance on preventing hate incidents and hate crimes (see Action 39) and the accessibility good practice product (see Action 47).</p>	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender <p>All ages</p>	<p>Home Office; Department for Communities and Local Government</p>	<p>Parliamentary Under-Secretary of State for Crime Reduction</p>	<ol style="list-style-type: none"> CDRPs/CSPs will be equipped with the information and guidance necessary to devise and deliver local hate crime action plans. CDRPs'/CSPs' action to tackle hate incidents and hate crime will conform to best practice. Guidance will equip statutory and non-statutory agencies with the best practice necessary to establish, promote, operate and evaluate effective third-party reporting mechanisms. Front-line anti-social behaviour practitioners will be able to best use existing anti-social behaviour measures to address hate incidents and 'low-level' hate crime. 	<p>August 2010</p>

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date
2b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita. (continued)	47 Develop and disseminate a good practice product for policymakers, delivery partners and practitioners on accessibility and involving disabled people in the development of policies and delivery strategies.	<ul style="list-style-type: none"> ■ Disability All ages	Office for Disability Issues	Minister for Disabled People	A good practice product on disability accessibility and inclusion.	Spring 2010
	48 CDRPs/CSPs to develop and publish local action plans to tackle hate incidents and hate crimes. In developing these action plans, CDRPs/CSPs will review against best practice hate crime and hate incident reporting mechanisms in their area. CDRPs/CSPs will then facilitate appropriate reporting mechanisms. The development of these action plans will be informed by guidance developed under Action 46.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	CDRPs/CSPs	Government Offices	a. All CDRPs/CSPs will have hate crime action plans that will set out how they will tackle hate incidents and hate crimes in their area and facilitate quality services to hate crime victims. b. All CDRPs/CSPs will have a strategic route map to improving local responses to hate incidents and hate crimes that takes account of local circumstances. c. Communities will be engaged with local efforts to tackle hate incidents and hate crimes and be enabled to hold local agencies to account for their performance in delivering action on hate crime. d. CDRPs/CSPs will facilitate third-party reporting mechanisms that (i) are informed by local communities and local needs; and (ii) conform to best practice. These will support delivery of local hate crime action plans.	December 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita. (continued)					<p>e. Victims will feel more confident reporting hate incidents and hate crimes to the police via these third-party mechanisms.</p> <p>f. There will be an increase in the number of reports of hate incidents and hate crimes.</p> <p>g. Victims will be signposted to appropriate support.</p>		
	49	Hold regional conferences to bring together CDRPs/CSPs and other local partners to raise awareness of best practice and to share learning.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Government Offices	Home Office	<p>a. CDRPs/CSPs and other local partners will have increased awareness of good practice both nationally and locally.</p> <p>b. This will help CDRPs/CSPs in developing their hate crime action plans.</p>	October 2010
	50	To deliver a diagnostic toolkit to enable Local Criminal Justice Boards to effectively assess local performance across criminal justice agencies.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Race for Justice	Attorney General	<p>a. Diagnostic tool is developed and circulated.</p> <p>b. Service is improved in areas where the tool is used.</p>	September 2009
	51	Launch and implement the Equality Standard for the Police Service.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	National Policing Improvement Agency; ACPO; Association of Police Authorities		<p>a. Assessing/improving equality outcomes will be integrated into wider performance management.</p> <p>b. A specific section includes assessing and improving police performance in hate crime.</p> <p>c. Greater transparency and accountability will improve trust and confidence.</p>	Winter 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita. (continued)	52	Establish mechanisms to support police authorities in the verification of the Equality Standard for the Police Service and the scrutiny of equality, diversity and human rights performance.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	National Policing Improvement Agency		a. Police authorities will use it to agree local equality objectives with police and communities. b. Greater transparency and accountability will improve trust and confidence.	Spring 2010
	53	Conduct an inspection to measure police forces' implementation of relevant areas of the Equality Standard for the Police Service.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Her Majesty's Inspectorate of Constabulary	Home Office	a. Assessing/improving equality outcomes will be integrated into wider performance management. b. A specific section includes assessing and improving police performance in hate crime. c. Greater transparency and accountability will improve trust and confidence.	2010
	54	Review how to make best use of National Community Tension Team (NCTT) reports to identify hate crime hotspots to which hate crime prevention efforts can be directed and/or enhanced.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	A clear plan for how to develop use of NCTT reports to identify hate crime hotspots and so direct hate crime prevention efforts in future.	November 2009
	55	Promote and support locally based projects designed to address race hate crimes against the Gypsy and Traveller community and encourage greater community cohesion.	<ul style="list-style-type: none"> ■ Race (Gypsy and Traveller communities) All ages	Department for Communities and Local Government	Secretary of State for Communities and Local Government	a. Reduce the number of hate crimes and lower tensions in areas where the projects are focused. b. Improve relationships and understanding between the settled community in those areas and Gypsy and Traveller communities.	July 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita. (continued)	56	Develop and disseminate guidance to schools on tackling sexist, sexual and transphobic bullying.	■ Transgender Children and young people	Department for Children, Schools and Families	Secretary of State for Children, Schools and Families	Schools will be equipped to respond appropriately to sexist, sexual and transphobic bullying incidents between pupils.	Autumn 2009
	57	National Director of Learning Disabilities and Home Office to work together to identify and disseminate good practice on tackling all hate incidents and hate crimes against people with learning disabilities. This will engage with existing forums and groups of people with learning disabilities.	■ Disability (learning disabilities) All ages	Department of Health; Home Office	Secretary of State for Health	Good practice on tackling hate incidents and hate crimes against people with learning disabilities will be disseminated and acted on as appropriate.	Ongoing
	58	Develop guidance for Learning Disability Partnership Boards on hate incidents and hate crime against people with learning disabilities. This will include guidance on (a) preventing hate incidents and hate crimes; (b) empowering and supporting people with learning disabilities who are victims of hate crime; and (c) working with other agencies to ensure that multi-agency responses meet the needs of people with learning disabilities. This guidance will draw on and support CDRP/ CSP guidance (see Action 46) and action plans (see Action 48).	■ Disability (learning disabilities) All ages	Department of Health; Home Office	Secretary of State for Health	Learning Disability Partnership Boards will be enabled to work with local partners to improve local efforts to tackle hate incidents and hate crime against people with learning disabilities.	December 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2b) Improve local responses to hate crime, particularly where there are high levels of hate crime or a high proportion of hate crime per capita. (continued)	59	As part of the review of <i>No Secrets</i> in England and <i>In Safe Hands</i> in Wales, look at the inter-relationship of disability hate crime policy and practice and the safeguarding of vulnerable adults policy and practice in England and Wales.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender Vulnerable adults	Department of Health; Welsh Assembly Government; Home Office; Ministry of Justice; Attorney General's Office	Minister for Care Services; Welsh Assembly Government; Parliamentary Under-Secretary for Crime Reduction; Parliamentary Under-Secretary of State, Ministry of Justice; Attorney General	Establish the inter-relationship of disability hate crime policy and practice and the safeguarding of vulnerable adults policy and practice in England and Wales.	
	60	Produce guidance for sport's national governing bodies on race hate incidents and race hate crimes in sport.	<ul style="list-style-type: none"> ■ Race All ages	Sport England	Minister for Sport	a. National Governing Bodies of sport provided with best practice examples of dealing with racially motivated hate crimes during competitive matches. b. National Governing Bodies consequently empowered to respond to racially motivated incidents of hate crime in line with Sport England guidance.	September 2009
2c) Develop systems and guidance that enable public bodies to utilise reports of hate incidents and hate crime to prevent hate crime.	61	A Group on Antisemitism and Higher Education has been established, bringing higher education and Jewish stakeholders together to address concerns around this specific issue.	<ul style="list-style-type: none"> ■ Race ■ Religion and belief All ages	Department for Business, Innovation and Skills	Minister of State for Higher Education	A higher education sector in which diverse staff and student bodies can study and work together harmoniously.	Ongoing

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2c) Develop systems and guidance that enable public bodies to utilise reports of hate incidents and hate crime to prevent hate crime. (continued)	62	<p>Following consultation with the Association of Colleges, a Champion Principals Group has been established to provide leadership to the further education (FE) sector and drive a programme of work to increase capacity among colleges and other FE providers to promote cohesion and prevent violent extremism.</p> <p>Under their guidance, the Learning and Skills Improvement Service is developing guidance on promoting respect and tackling intolerance within FE. This work is being informed by consultation with various community and student groups including the Union of Jewish Students and the Federation of Student Islamic Societies.</p>	<ul style="list-style-type: none"> ■ Race ■ Religion and belief ■ Sexual orientation <p>All ages</p>	Department for Business, Innovation and Skills	Minister of State for Further Education, Skills, Apprenticeships and Consumer Affairs	A further education sector in which diverse staff and student bodies can study and work together harmoniously.	Ongoing
	63	Explore opportunities to create more positive attitudes towards disabled people.	<ul style="list-style-type: none"> ■ Disability <p>All ages</p>	Office for Disability Issues	Minister for Disabled People	Better understanding of public attitudes towards disabled people and the sort of interventions that could reduce the disadvantage disabled people experience (as a result of such attitudes).	Autumn 2010
	64	Explore the practicalities of how we might create a duty on all public bodies to report all hate crimes and hate incidents to their local CDRP/CSP and hate crimes to the police.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender <p>All ages</p>	Department for Children, Schools and Families; Department of Health; Home Office; Ministry of Justice; Department for Communities and Local Government.	Home Secretary	Ministers will have been presented with options on how we might create a duty on all public bodies to report all hate incidents and hate crimes to CDRPs/CSPs.	March 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
2c) Develop systems and guidance that enable public bodies to utilise reports of hate incidents and hate crime to prevent hate crime. (continued)	65	CDRPs/CSPs to collate, analyse and disseminate data on hate incidents and hate crimes in their locality. CDRPs/CSPs to use the data as part of their measurement of community cohesion and to disseminate this evaluation to Government Offices.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	CDRPs/CSPs	Government Offices	a. Improved data collection and analysis of hate incidents and hate crimes will increase understanding of the nature and prevalence of hate crime. b. Increased understanding of hate incidents and hate crimes at a local level will inform action to prevent hate crime and the escalation of hate crime. c. Improved local data collection and analysis on hate incidents and hate crime will allow improved measurement of community tension. d. An improved ability to identify those at risk of hate crime.	Ongoing
	66	Develop a best practice toolkit on the use of restorative justice measures which will include addressing hate incidents and hate crimes.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Office for Criminal Justice Reform	Parliamentary Under-Secretary of State for Justice; Parliamentary Under-Secretary for Crime Reduction; Attorney General	a. Criminal justice agencies will be enabled to use restorative justice measures to address hate incidents and hate crimes. b. Fewer hate incidents and hate crimes will occur. c. Increased community cohesion and victim confidence in the criminal justice system.	December 2010

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date
	67 To encourage public bodies to ensure a consistent approach and service to all hate crime victims by utilising the Race for Justice Declaration when establishing local partnerships.	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	Race for Justice	Attorney General	Public bodies will have publicly declared that they condemn all forms of hate crime and committed themselves to address all forms of hate crime through their work.	December 2009
2d) Consider effective responses to hate crimes connected to work environments	68 Develop guidance for police forces on: <ol style="list-style-type: none"> a. hate crimes and hate incidents committed by police staff; b. hate crimes and hate incidents committed towards police staff; c. dealing with conflicts arising from expressions of personal belief (e.g. religious belief); and d. dealing with conflicts that arise where victims refuse the services of an individual member of police staff due to their own beliefs. (This will be distributed as part of the ACPO Hate Crime Manual; see Action 14.)	<ul style="list-style-type: none"> ■ Disability ■ Race ■ Religion and belief ■ Sexual orientation ■ Transgender All ages	ACPO	Home Secretary	Police forces will respond more effectively to hate incidents and hate crimes affecting police staff.	December 2009

Objective	Action	Coverage	Owner	Responsible to	Outcome	Completion date	
3) Improve access to and take-up of victim support.	69	Complete a joint Race for Justice, Home Office and Department of Health project to review and provide advice for health and social care professionals on addressing the needs of victims of disability hate crime.	<ul style="list-style-type: none"> ■ Disability All ages	Home Office; Department of Health; Race for Justice, Ministry of Justice	Attorney General	a. Health and social care professionals will be enabled to provide care that meets the needs of victims of disability hate crime. b. The emotional, physical and psychological needs of victims of disability hate crime will be more likely to be met. c. Health and social care professionals will be able to signpost victims of disability hate crime to further support and indicate how to report a disability hate crime if they want to do so.	2011
	70	The National Health Service Director for Disability Hate Crime to co-ordinate NHS action on disability hate crime and to work in conjunction with Race for Justice.	<ul style="list-style-type: none"> ■ Disability All ages	Department of Health; Race for Justice.	Attorney General		Ongoing

ANNEX D: GLOSSARY

ACCESSIBILITY

Inaccessibility can range from poor physical access to a building to information which is in a format or language that cannot be understood or used by the user. A printed leaflet in English could, for example, be inaccessible to someone with a visual impairment, whose first language is not English or who has learning disabilities.

Public authorities that provide services and/or functions have duties under the Disability Discrimination Act 1995 to provide reasonable adjustment to overcome the barriers that disabled people face in accessing those services or functions. Where the provision of an adjustment would be unreasonable, the provider of that service or function should consider whether there are alternative adjustments that could be made to overcome the barriers. Other groups may benefit from adjustments to overcome the barriers to the provision of a service or function. For example, an easy read document that is accessible to people with learning disabilities might also be helpful for people whose first language is not English.

COMMUNITY COHESION

Community cohesion is what must happen in all communities to enable different groups of people to get on well together. A key contributor to community cohesion is integration, which is what must happen to enable new residents and existing residents to adjust to one another.

Our vision of an integrated and cohesive community is based on **three foundations**:

- people from different backgrounds having similar life opportunities;
- people knowing their rights and responsibilities; and
- people trusting one another and trusting local institutions to act fairly.

And **three key ways of living together**:

- a shared future vision and sense of belonging;
- a focus on what new and existing communities have in common, alongside a recognition of the value of diversity; and
- strong and positive relationships between people from different backgrounds.

CRIME AND DISORDER REDUCTION PARTNERSHIP/COMMUNITY SAFETY PARTNERSHIP

Responsible authorities have a statutory duty to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder, including anti-social and other behaviour adversely affecting the local environment as well as the misuse of drugs in their area (s.6 of the Crime and Disorder Act 1998 as amended by s.97 and s.98 of the Police Reform Act 2002 and s.1 of the Clean Neighbourhoods and Environment Act 2005). These statutory partnerships are known as Crime and Disorder Reduction Partnerships (CDRPs) in England and Community Safety Partnerships (CSPs) in Wales.

The responsible authorities as set out in s.5 of the Crime and Disorder Act 1998 are: police; police authorities; local authorities; fire and rescue authorities; local health boards in Wales; and primary care trusts in England. The responsible authorities are required to work in co-operation with probation boards, parish councils, NHS trusts, NHS foundation trusts, proprietors of independent schools and governing bodies of an institution within the further education sector, to work closely with Drug Action Teams in two-tier local authority areas and to have developed integrated working arrangements in unitary authority areas.

They are also expected to invite a range of local private, voluntary, other public and community groups, including the public, to become involved in the audit and strategies development process.

HATE CRIME

Refer to Annex E.

HATE INCIDENT

Refer to Annex E.

INCITEMENT TO HATRED

Incitement to hatred is defined in several laws.

Under Part III of the Public Order Act 1986 it is an offence to use threatening, abusive or insulting words or behaviour with intent or likelihood to stir up racial hatred against anyone on the grounds of colour, race, nationality or ethnic or national origins. The offence carries a maximum penalty of seven years' imprisonment.

The Racial and Religious Hatred Act 2006 expanded these laws to make it an offence to use threatening words or behaviour with the intention of stirring up hatred against groups because of their religious belief or lack of religious belief.

The Criminal Justice and Immigration Act 2008 expanded the 2006 Act to create a new offence of stirring up hatred against groups defined by reference to their sexual orientation. At the time of writing, this is not yet in force.

INTERSECTIONALITY

Each person's identity is a complex interaction of different factors such as race, faith and belief, disability, gender, whether someone is transgender, sexual orientation and age. This interaction shapes how people are seen by others. As such, it can shape the hate incidents and hate crime people experience. These complex interactions of identity may also determine how hate crime victims react to hate crime, and the kind of support they need.

Some hate incidents and hate crimes are motivated by hostility based on more than one of the recognised hate crime strands of race, religion and faith, sexual orientation, transgender and disability. An example of such a hate crime would be an assault motivated by hostility towards a person because they both use a wheelchair and are a transgender person. Another example might be verbal abuse and vandalism directed against a person because they are both Christian and of Pakistani ethnic origin. A further example might be theft motivated by hostility towards someone because they are both a person with a learning disability and from a black or minority ethnic community.

Equally, some hate incidents and hate crimes are motivated by hostility towards identities which are an interaction of at least one of the recognised hate crime strands with other aspects of identity that are not specified hate crime strands, for example, age and gender. For instance, the hate incidents and hate crimes directed against a Muslim woman might be different to the hate incidents and hate crimes directed against a Muslim man.

SUBJECT ASSOCIATIONS

Subject associations are normally membership organisations, often registered charities, whose mission is to further the teaching and learning of a specific subject or area of a subject in schools. They are independent of government, though they often share a number of objectives. All subject associations share the unifying concept that they are interested in promoting quality in education and believe that this is done by supporting teachers and recognising and enhancing subject specialism.

THIRD-PARTY REPORTING SCHEMES

Third-party reporting schemes are a means of increasing reporting of hate crime by providing victims with a facility to report crimes to the police via a third party, such as a community organisation or by completing a form (sent by post or online). Victims can choose to provide identifying information or remain anonymous. Our stakeholders consistently tell us that such schemes can be effective for those victims who are reluctant to approach the police directly. Third-party reporting schemes are often set up by local partnerships between the police, local authorities and community groups. True Vision is a police-led third-party reporting scheme.

TRUE VISION

True Vision is third-party reporting scheme originally developed by the four police forces of the West Midlands region as a means of increasing reporting of race and religiously motivated hate crime. It has since expanded into homophobic hate crime and disability hate crime. The True Vision packs contain information on hate crime, criminal justice system policies and support agencies. They also include third-party reporting forms. True Vision has been adopted by all English and Welsh police forces.

ANNEX E: DEFINITION OF HATE CRIME AND HATE INCIDENT

The following definitions have been agreed by the Association of Chief Police Officers and the Crown Prosecution Service. These definitions are distinct from the definitions in law (refer to Annex B for references). However, they are designed to be broader, recognising the perception-based recording principle.

TITLE	DEFINITION	INCLUDED SUBJECTS
Hate Motivation	‘Hate crimes and incidents are taken to mean any crime or incident where the perpetrator’s hostility or prejudice against an identifiable group of people is a factor in determining who is victimised.’	This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone could be a victim of a hate crime.
Hate Incident	<p>‘Any non-crime incident 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,’</p> <p>or</p> <p>‘Any non-crime incident 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’</p> <p>or</p> <p>‘Any non-crime incident 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’</p> <p>or</p> <p>‘Any non-crime incident 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’</p> <p>or</p> <p>‘Any non-crime incident 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.’</p>	<p>Any racial group or ethnic background including countries within the United Kingdom and ‘Gypsy & Traveller groups’.</p> <p>Any religious group including those who have no faith.</p> <p>Any person’s sexual orientation</p> <p>Any disability including physical disability, learning disability and mental health.</p> <p>Including people who are transsexual, transgender, transvestite and those who hold a Gender Recognition Certificate under the Gender Recognition Act 2004.</p>

TITLE	DEFINITION	INCLUDED SUBJECTS
Hate Crimes ⁴²	<p>'A Hate Crime is 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'</p> <p>or</p> <p>'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'</p> <p>or</p> <p>'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'</p> <p>or</p> <p>'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'</p> <p>or</p> <p>'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.'</p>	As Hate Incident above
Hate Crime Prosecution	'A hate crime prosecution is any hate crime which has been charged in the aggravated form or where the prosecutor has assessed that there is sufficient evidence of the hostility element to be put before the court when the offender is sentenced.'	As Hate Incident above

⁴² Crimes refer to all those recorded by the police in accordance with the Home Office Crime Recording Standards.



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