

Hate Incidents

STRATEGY: Crime management

POLICY: Community and Race Relations

BRANCH: Crime Management

1. INTRODUCTION

- 1.1 Humberside Police is committed to upholding the law fairly and firmly to respect, Protect, Help and Reassure everyone in the Community, regardless of Ethnicity, Creed or Sexuality, on a local level with integrity, common sense and sound judgement.
 - 1.1.1 In order to deliver a professional and responsive service we accept policing must be carried out in partnership with others, without fear or favour and any police policy, practice or behaviour, intentional or unintentional, has discriminatory consequences must be challenged.
- 1.2 The purpose of this Practice Direction is to assist Supervision and Officers to complete and use the Revised Form 574 [F574] in conjunction with the "Racist and Homophobic Incident Database ", [RAHID].
- 1.3 It is vitally important that we have the ability to recognise a hate incident and the proper action is taken when confronted with such incidents. All such incidents will be vigorously investigated with a view to prosecution.
- 1.4 We need to collect timely, accurate, complete and comparable information on hate incidents in order to effectively: -
 - a] Prevent Crime
 - b] Increase public confidence in the police and other criminal justice agencies
 - c] Monitor trends over time for the Home Office and ourselves
 - d] Assist in Victim Support
 - e] Pursue Justice.
- 1.5 The consequences of unclear reporting will lead to an inability of the service to intervene proactively when members of the public encounter hate related behaviour. In all cases third party reporting will be accepted and encouraged.
- 1.6 The legal basis for the content of this practice direction is the Police Act 1997 outlining our responsibilities to prevent and detect crime, the provisions of the Race Relations Act 1976 [Amendment 2000], and the Data Protection Act 1998.

2. AUTHORITY LEVELS

- 2.1 Authority level to revise this Practice Direction – Detective Chief Superintendent, Crime Management Branch.
- 2.2 Where the hate incident is of a criminal nature then the authority to file will be in accordance with the practice direction ‘ Methods of Detecting Crime.'"

2.3 If the hate incident is of a non-criminal nature the authority to file will be the person designated by the Divisional Commander [Designated Officer] or the LPT supervisor.

3. DEFINITIONS

3.1 A Hate Incident is defined as:

Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.

3.2 A Hate Crime is defined as:

Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate.^{[1] [1] ACPO & Home Office "Hate Crime: delivering a Quality service" 2005}

A Racist, Homophobic and Transgender Incident is defined as 'any incident which is perceived to be racist, homophobic or against gender by the victim or any other person'.

3.2.1 Many racial incidents are easily definable, relating to black/white issues. Others such as conflict between nationalities or religions can be harder to recognise [e.g. Indian v Pakistani or Muslim v Christian] Officers should be aware that the complainants may not always trust the police and could be reluctant to seek assistance.

3.3 'Homophobic' relates to hostility towards lesbians, gay men, bisexuals and transgendered people.

3.3.1 Officers should be aware, in addition to a lack of trust in the Police by the Lesbian, Gay, Bisexual and Transgendered [LGBT] Community, there are additional sensitive issues to be managed when dealing appropriately with homophobic incidents.

3.3.2 Humberside Police policy is to record and investigate all hate incidents with equal vigour.

4. RESPONSIBILITY

4.1 Every member of Humberside Police has a responsibility to vigorously enforce this policy and report any incident of any hate incident, whether they are of an internal or external nature. Officers should be aware that minorities have differing needs and failure to recognise this means failure to achieve a service appropriate to need.

4.2 The Force Intelligence Unit (F.I.U.) will be responsible for: -

a] Maintaining RAHID

b] Analyse Hate incidents on a Force wide basis

c] Compare any such incidents with tension indicators received and take these into account when deploying resources at the Force Tasking meeting.

d] Monitor reports of Hate incidents on a regional and national basis.

e] The Director of Intelligence will report any identified Force wide series of incidents to the Assistant Chief Constable (Operations) and the Policing Minorities Group.

- 4.3 It is the responsibility of the Divisional Commanders through their Designated Officer and Local Policing Team [LPT] Commanders to ensure that all such incidents are thoroughly investigated. [See Flow Chart at Appendix 1]
- 4.4 Divisional Intelligence Bureaux [D.I.B] will be responsible for: -
- a] Bringing such incidents to the attention of the Designated Officer or if not available the LPT Commander/Supervisor.
 - b] Entering the details on RAHID, this will automatically issue a Unique Reference Number to the incident.
 - c] As soon as the details, however sparse or full, have been entered into RAHID from the F574 it should be handed back to the 'investigator' or Designated Officer to continue the investigation process. The F574 becomes a record of the investigation and will be passed to and from the D.I.B so RAHID can be updated.
 - d] Ensuring that all such incidents are analysed at a local level to ascertain whether or not the incidents are one of a series or linked to other crimes in the vicinity and report such links to the FIB, the Divisional and LPT Commanders.
- 4.5 Supervisors and Crime Screeners will be responsible for ensuring all reported Hate crimes are 'screened in' for investigation and are dealt with in accordance with the Humberside Police Hate Incident and Crime Investigation Strategy.
- 4.6 The Initial Officer Attending will have the responsibility to: -
- a] Conduct a thorough investigation of the reported incident bearing in mind the factors mentioned in 'Definitions' for Hate Incidents.
 - b] Ensure, as far as possible, sections 2 Recording Details, 3 Person Reporting Details, 4 Incident Details, 5 Victim Details, 6 Offender Details and a short summary of actions on the F574C are completed and submitted to the D.I.B for recording to RAHID before the tour of duty end. [Copy of the Revised F574 attached at Appendix 2]
 - c] Inform the Designated Officer [if not available by fax or voice mail] and immediate Supervision of the incident details.
- 4.7 **Complete a Crime Report, if applicable, in accordance with the Practice Directions relating to crime recording**
- 4.8 The Designated Officer will be responsible for: -
- a] Receiving the Self-Reporting Form from the 'Community Safety Unit', or whichever Divisional Equivalent applies, complete as much of the F574 as possible from the information given and pass to the D.I.B for initial processing [see responsibility of D.I.B].
 - b] Receiving the F574 from the initial attending Officer and assessing the details of the incident.
 - c] Consulting with the LPT Commander/Supervising Officer and recording a course of investigation to be pursued on the F574C if necessary.
 - d] Ensuring all Hate incidents are both thoroughly investigated and dealt with in a sympathetic manner.

- 4.9 The LPT Inspector/Supervising Officer will be responsible for: -
- a] Liaising with the Designated Officer regarding an appropriate set of investigative actions.
 - b] Selecting the Investigating Officer and ensuring all actions are completed and the results recorded.
 - c] At each stage of the investigation confirming the F574 has been submitted to the D.I.B for an intelligence update.
 - d] At the end of the investigations ensuring there is a complete record of all actions taken.
 - e] If there is no crime to be reported the F574 is signed off for filing and submitted to the D.I.B for final recording.
 - f] The Command and Control Log has been closed.
- 4.10 The File Team Decision Maker is responsible for ensuring, whenever a Crime File is submitted, the file is prepared to the required standard with a fully recorded and completed F574 attached.
- 4.11 The Investigating Officer will be responsible for: -
- a] Liaising with the LPT Inspector/Supervising Officer with a view to progressing the investigation in accordance with the recommended actions.
 - b] Consider during the investigation the issues previously highlighted in 'Definitions' for Hate Incidents.
 - c] Keeping Supervision fully informed at all stages of the investigation.
 - d] At each stage of the investigation confirming the F574 has been submitted to the D.I.B for an intelligence update.
 - e] At the end of the investigations ensuring there is a complete record of all actions taken.
 - f] If there is no crime to be reported the F574 is signed off for filing and submitted to the D.I.B for final recording.
 - g] If there is a crime to report the Crime file is complete with a copy of the F574 attached
 - h] The Command and Control Log has been closed.

5. COMPLAINTS AGAINST THE POLICE

- 5.1 If you are accused of a Hate Incident whilst in the course of your duty, continue what you are doing but explain to the person why you are taking the action and explain the complaints procedure. Make sure the incident is fully recorded in your notebook and report the incident to your supervision. At this stage there is no requirement to complete a F574
- 5.1.1 See Guidance and Information No.37-01 dated 14th September 2001.

6. HUMAN RIGHTS ACT

- 6.1 This PD has been drafted in consideration of the provisions of the Human Rights Act 1998. Action taken with regards the recording of racial incidents has the potential of impacting on individuals private and family life. Therefore action will only be taken in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights or freedoms of others.

- 6.2 Any action taken will be necessary, proportionate and justifiable with regards the issue that is being addressed.
- 6.3 This PD is suitable for general publication.
- 6.4 This PD will be subject to review every three years or sooner in the case of changes in policy or legislation.
- 6.5 Any action taken under the provisions of this PD could be subject to scrutiny in Criminal or Civil proceedings. The Police Complaints procedure is also available for use by anyone aggrieved by actions taken.

7. RACE EQUALITY SCHEME

- 7.1 The content of this PD has been considered under the provisions of the Race equality scheme, as dictated by the Race Relations Act 1976 (as amended), and a consultation process with the Humberside Police Independent Advisory Group has been undertaken.

8. RACE RELATIONS AMENDMENTS ACT (2000)

- 8.1 An Equality Impact Assessment has been undertaken covering Diversity, Race, Disability, Gender, Sexual Orientation, Religion and Beliefs and Age.

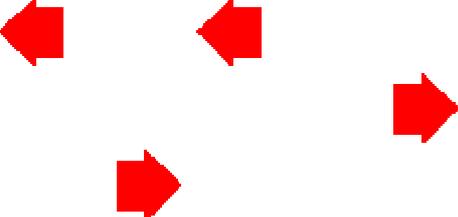
9. DATE OF PUBLICATION

New version date 12.2.07

10. OTHER REFERENCES

- 10.1 WINNING THE RACE [HMIC]
- 10.2 WINNING THE RACE REVISITED [HMIC]
- 10.3 ACPO 'IDENTIFYING AND COMBATING HATE CRIME [2nd Draft]
- 10.4 ACPO RACE AND COMMUNITY RELATIONS COMMITTEE 'Report of the Working Party' on Reporting and Recording Racist Incidents.
- 10.5 STEPHEN LAWRENCE ENQUIRY - HOME SECRETARY'S ACTION PLAN.
- 10.6 DRAFT COMMUNITY AND RACE RELATIONS DOCUMENT - OCCUPATIONAL STANDARDS [APRIL 2001]
- 10.7 Humberside Police Diversity Strategy.
- 10.8 Practice Direction: Recording Crime.
- 10.9 Practice Direction: Methods of Detection.
- 10.10 Humberside Police Hate Incident and Crime Investigation Strategy

EIA done 12.2.07

	<p>Report received of hate incident.</p> <p>Report assessed as per policy and investigation commences</p>	
		
	<p>Officer attends/deals and commences/completes the investigation. Ensure supervisor is aware of incident.</p> <p>Form 574 commenced/completed and submitted before end of duty.</p>	
		
<p>Crime as per NCRS</p> <p>Crime report raised re relevant offence (s). Log updated and victim informed of update/action/result</p>		<p>No crime as per NCRS</p> <p>No crime identified/alleged – log updated and victim informed of update/action/result</p>
		
	<p>Form 574 copied or original submitted to DIB.</p>	
		
	<p>Ongoing investigation to be quality assured by a supervisor and victim needs fully considered. Form 574 updated.</p>	