



HATE CRIME

take **control** against

Edinburgh's multi agency
strategy to tackle
hate crimes





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BACKGROUND

INTRODUCTION

Edinburgh is one of the safest cities in Britain, giving its citizens the chance to enjoy a safe and secure urban environment and helping to make Edinburgh an attractive city in which to live, work and visit.

The Edinburgh Community Safety Partnership is dedicated to enhancing Edinburgh's status as a safe city and is committed to dealing effectively with community safety issues that exist.

The Edinburgh Community Safety Partnership aims to ensure that Edinburgh is a place where all people can live, work, study and visit free from fear and the threat of harassment or violence of any kind. Unfortunately, this is not always the case and for some members of our community the fear of crime and the threat of harassment are very real. Between January 2006 and September 2007, 2194 hate crime offences were committed and reported. More than 50% (1372) of the total offences recorded were racially aggravated.

In recent years hate crimes have gained increasing prominence within the media, which has resulted in improved awareness within our communities. In June 2003 the then Scottish Executive established a working group to look at ways of combating crime motivated by social prejudice based on disability, sexual orientation, age and gender.

In October 2004 the hate crime working group produced their findings along with a number of key recommendations. Recommendation 14 stated that The Scottish Executive should identify hate crime as one of the priorities to be addressed by Community Safety Partnerships (CSPs). The Partnerships should ensure that their action plans and consultation mechanisms address the needs and seek views of the communities which have been or may be particularly affected by such crimes.

For the purpose of this strategy a hate crime is defined as *a crime motivated by malice or ill will towards a social group. Incidents that are perceived to be motivated on the grounds of age, disability, faith, gender, race or sexual orientation will be classified as hate crime.*

Hate crimes can range from name calling, harassment, graffiti, criminal damage and assault, to violence against the person and murder.

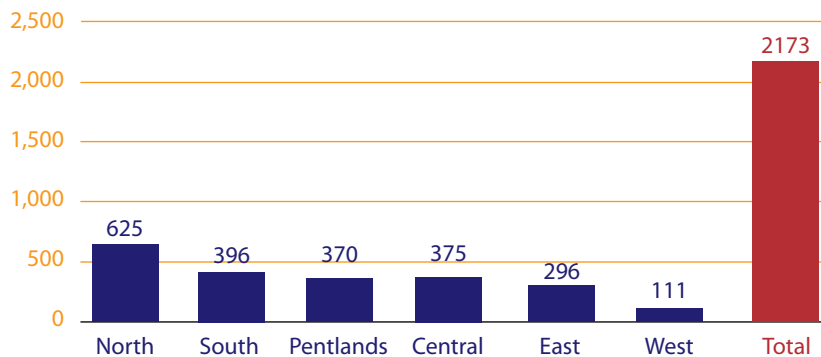
According to the Association of Chief Police Officers in Scotland the majority of hate crime goes unreported (ACPOS, 2005). Reasons for under-reporting may include the victim's view of the seriousness of the crime, their confidence and/or trust in the police or their lack of knowledge on how to report it.

Public services can play a central role in removing barriers to reporting by working in partnership to ensure there are appropriate systems to report hate crimes and that these systems lead to a solution for victims and that the perpetrators of crimes motivated by hatred are tackled.

The National Intelligence Model (NIM) is a structured decision making process aimed at dealing with criminal and non-criminal matters alike. It ensures common standards by utilising relevant information and intelligence so that participating agencies can prioritise activities and resources.

Consequently, all participating agencies including Remote Reporting sites who record hate crime information are required to submit their crime data, relevant responses (including dealing with perpetrators) and outcomes for victims to the partnership analyst. A report based on this information will then be submitted to the Hate Crime Operational Group who will adopt the National Intelligence Model.

**Reported hate crimes in Edinburgh by Neighbourhood Partnership area:
January 2006 to September 2007**



The table below shows statistics relating to reported hate crimes in Edinburgh by neighbourhood partnership area over the last 19 months (January 2006 to September 2007).

Further breakdown of the statistics shows that offences predominately occur between the hours of four in the afternoon and midnight and on Friday and Saturdays. The most common crime type is racially aggravated conduct, with victims coming from a diverse range of employment. It is, however, significant that the majority of victims are student or shop worker related.

The age range of offenders varies from 10 years old to the over 65s with the majority between the age of 21 and 35 and classified white. This includes white Scottish, white Irish, white other and white European.

SCOPE OF THE STRATEGY

This strategy is a framework for agencies to support the victims of hate crime. It involves the participation of agencies and organisations, both voluntary and statutory, and the wider community which includes victims and witnesses.

Through joint working and joint ownership, this strategy aims to improve support to, and a range of solutions for, victims of hate crime. It will also lead to improved responses to tackling perpetrators of hate crimes and an increase in reporting of Hate Crimes as more information is captured. It is recognised that no single agency may be able to achieve this outcome alone.

The Edinburgh Community Safety Partnership (ECSP) Executive will have responsibility for monitoring the effectiveness of arrangements described within this strategy. The Hate Crime Operational Group (appendix 1) will be tasked with assisting the ECSP Executive to monitor progress of the strategy and this group will involve key signatories gleaned from the public and voluntary sector. Remote Reporting sites will also play a major role in helping to achieve the objectives outlined in this strategy.

The strategy covers all hate crimes, with the exception of schools and workplaces – specific procedures are already in place to deal with these incidents. However, information from schools and workplaces will be analysed alongside captured hate crime data. The geographical area covered by this framework is the City of Edinburgh Council which is the same footprint as the Lothian and Borders Police 'A' Division.

All agencies, including schools, are encouraged to inform staff of any relevant internal procedures when dealing with hate crime incidents.

To date much work has taken place in relation to the reporting, recording and solving of hate crimes at a neighbourhood level in Edinburgh. Indeed, victims and witnesses have been able to report hate crime through remote reporting sites since June 2000.

Some of these incidents have been the subject of significant public and media profile in the city. The Police have been instrumental in this local approach and have promoted the 'Take Control' brand which publicises where and how to report various hate crimes.

The strategy is supported by various legislation which describe the requirement to tackle hate crimes, these include:

The Race Relations Act 1976

The Race Relations Amendment Act 2000

Disability Discrimination Act 2005

Hate Crime legislation

Human Rights Act 1998

The Crime and Disorder Act 1998

Public Order Acts

Football Offences Act.

This city wide strategy will build upon the strong local partnerships and practices that have been developed to date. It will improve practice across the city, so that victims can expect consistent service quality wherever they live or visit.

THE STRATEGY

THE STRATEGY

This section sets out the partnership working practices expected of the participating agencies (appendix 2) in dealing with hate crimes.

A Outcomes

- 1 To reduce under-reporting of hate crime/incidents.
- 2 To improve the effectiveness of services to victims of hate crimes and incidents.
- 3 To make more effective use of existing packages to address perpetrators.
- 4 To reduce repeat victimisation.

B Participation in the strategy

- 1 All participating agencies acknowledge that taking part in the strategy will occasionally require them to review and make changes to policies, practices and procedures and that there will be resource implications in terms of staff training and procedural change.
- 2 All participating agencies will actively encourage the reporting of hate crimes.
- 3 Participating agencies that collect hate crime data, including remote reporting sites, will ensure that incidents are accurately and consistently recorded, investigated and monitored. They will be expected to engage in the management structure of the strategy and submit performance information.
- 4 Of particular importance will be the Hate Crime Operational Group, which will provide the key monitoring and evaluating function. This group will be chaired by a non statutory representative who has the relevant experience and knowledge to provide impartiality and objectivity.

- 5 A commitment to training relevant staff is vital to the successful implementation of this strategy. It is not sufficient to communicate to workers that the strategy exists. Front line workers need to understand and be confident in the relationship between the strategy and their own daily work.

C Tackling Hate Crimes and Incidents – Menu of options

Described below is the range of options open to victims to report hate crimes and the range of responses participating agencies can deploy. All participating agencies will recognise these options as core to their specific practices.

It is important that all participating agencies encourage direct reporting to the Police. However, if this is not appropriate then other reporting options may be utilised (see Remote Reporting, below). All reports to the police are treated seriously and are overseen by an officer of at least Inspectorate level.

- 1 **Reporting directly to the Police** – any victim or witness of a hate crime should feel able to walk into a Police station or call a station to report a hate crime. Although hate crime is a priority, the level of response by the Police is dependent upon several factors such as the severity of the incident, the number of witnesses and the volume of evidence. The job of the Police is to act upon reported crimes and gather evidence with a view to presenting the evidence to the Procurator Fiscal (COPFS), who will then make a decision whether or not to prosecute offenders.

Tackling hate crimes is seen as a priority within both these organisations and extra support and guidance can be offered to victims.

If a case does make its way to court then the Victim Information and Advice (VIA) service will support and guidance can be offered to victims.

- 2 **Remote Reporting** – Recommendation 16 of the Stephen Lawrence Inquiry Report said that “all possible steps should be taken by Police services at a local level, in consultation with local government, other agencies and local communities, to encourage the reporting of racist incidents and crimes”.



This should include the ability to report at locations other than police stations and the ability to report 24 hours a day. A Good Practice Toolkit will be available that includes lists of the remote reporting centres currently in operation in Edinburgh. Any victim can call in to any of these centres to report a hate crime. Witnesses to hate crime can also report incidents at these places.

There is always the option to remain anonymous, however, victims and witnesses should have confidence that their report will be taken very seriously. This information will be centrally stored by the Police and shared with appropriate agencies if permission is provided by the victim.

D Agency Responses

- 1 **Investigation/prosecution** – as described above if the Police can gather enough evidence from the victim(s) or witnesses or from other sources then they will submit this to the COPFS. The COPFS will then make a decision whether or not to prosecute any perpetrator(s). Public services and community groups can also play a key role in gathering evidence, supporting victims and tackling perpetrators.
- 2 **Mediation** – if hate crimes are part of a pattern of anti social behaviour between neighbours or people who see each other on a regular basis then mediation may be an option if the victim(s) do not want formal proceedings to be taken.
- 3 **Neighbourhood Problem Solving Partnerships** – can be called to tackle targeted repeat incidents of hate crime. Normally set up by a member of the Neighbourhood Tactical and Co-ordination Group (TACG), the partnership will bring together various agencies that can assist victims and tackle perpetrators. The partnership will consider a number of options including crime prevention, environmental changes and using appropriate enforcement powers. The partnerships will adhere to the same problem solving partnership protocols as the ECSP guidance describes.
- 4 **Case Conferences** – case conferences can be called by any signatory agency in response to a particularly serious hate crime or incident in order to support a victim or their family. Involving the victim(s) and effective multi-agency working



between the signatories is critical. However, the victim may not want to attend and this should be respected and arrangements put in place to ensure all the dealings of the case conference are communicated clearly and in an appropriate format to the victim.

- 5 **City wide/Regional responses** – in the event of international incidents, major civil disturbances or rises in community tensions that lead to significant peaks in hate crimes a city wide or regional response maybe required. In these instances a community reassurance group will be called by the Police. This will be known as a silver security liaison group. Key public services and the community/voluntary sector will be involved in such a group to ensure rapid reaction to such critical incidents.

The Council and Police in Edinburgh have already developed a Critical Incident Plan which is specific to major terrorist incidents and deploys a number of rapid reaction responses to such incidents in order to offer community reassurance to vulnerable groups in the city.

E Reporting and recording standards

- 1 Participating agencies should be aware of the Scottish Government's best practice guidance (appendix 3), based on McPherson Report findings, when dealing with victims who report hate crimes or incidents. All participating agencies will agree to promote best practice in this regard.
- 2 All participating agencies will agree to utilise robust reporting systems to record hate crimes. It should be noted that the implementation of standardised forms across the city to report and record hate crimes is not seen as viable or desirable. Currently, many agencies utilise different forms that are specific to the needs of those agencies and to change these would take a long time. Rather, this strategy will promote the use of minimum data fields, which must be included in all systems to ensure consistency of recording crimes and incidents.
- 3 A Good Practice Toolkit and training will be further developed to provide participating agencies with support and advice in meeting the requirements of this strategy.



- 4 There should be robust internal procedures, involving senior officers, when signing hate crime reporting forms off. This will promote internal accountability and improved quality of the data recorded.
- 5 Recording consent from a victim is a vital part of the process.

F NIM Model

- 1 All participating agencies must commit to a common monitoring approach. Common monitoring is encouraged by the McPherson Report, following the Stephen Lawrence Enquiry.
- 2 Common monitoring enables trends and patterns of hate crimes and incidents to be identified, analysed and tackled through multi-agency solutions. If effective it can provide a wealth of information about incidents within an area that can be useful for prevention as well as investigation.

G Information Protocol

- 1 Information will be shared under the terms of the Data Protection Act 2004, the Antisocial Behaviour Etc (Scotland) Act 2004 and Joint Protocol between Lothian and Borders Police and the City of Edinburgh Council. **All representatives at the Operational Group must have attended the necessary National Intelligence Model and Information Sharing Training Course.**
- 2 Information sharing is a mutual process and all partners should be conversant with the Protocol and aware of information that they may share.
- 3 During the course of the Hate Crime Operational Group, information may be disclosed which is pertinent to the prevention of crime or antisocial behaviour. This information may be considered as intelligence, the use of which is subject to rigid protocols.





ACTION & MONITORING

ACTIONS

A detailed action plan will be developed by the Hate Crime Operational Group in order to deliver the strategy.

Initial suggestions are:

- improve information sharing
- increase public awareness of remote reporting
- extend remote reporting sites to include a 24 hour service
- develop the good practice toolkit and appropriate training
- improve monitoring, including developing minimum data fields.

MONITORING EFFECTIVENESS

ANALYTICAL REPORT*

Top line reporting: every six months

- percentage of perpetrators brought to court receiving tailored programmes, fines or custodial/suspended sentences (to be supplied by The Scottish Court Service)
- number of hate crimes per 10,000 populations per type.

Main body of the report:

- number of hate crimes reported to the agency, victim characteristics, locations, dates, times, places, nature of the incident
- number of repeat victims reporting hate crime
- method of reporting: direct/remote reporting
- course of actions – information on agency responses such as PSP's, Case Conferences and Mediation sessions will need to be developed
- outcomes
- were there initiatives undertaken that may influence any stats, i.e. major work was undertaken in Edinburgh by the Council and the Police after the July bombing of Glasgow airport – did the stats show an increase in reporting?
- recommendations.

*Appropriate versions will be made publicly available where possible.

APPENDICES

APPENDIX 1

Hate Crime Operational Group membership

The City of Edinburgh Council

Lothian and Borders Police (A Division)

Lothian and Borders Procurator Fiscal Service

Membership from the Voluntary Sector (representing each strand from the hate crime strategy)

Deaf Action

Edinburgh Inter Faith Association

Lesbian, Gay, Bisexual, Transgender (LGBT) Centre for Health and Wellbeing

Edinburgh and Lothians Racial Equality Council (ELREC)

Edinburgh Development Group

Edinburgh Choice Action Support (ECAS)

APPENDIX 2

Participating Agencies

The agencies below have been identified as key partners in delivering this strategy. Either by helping victims of hate crime directly or by delivering strategically, all agencies will play a pivotal role in helping to make Edinburgh safer for everyone.

Edinburgh Community Safety Partnership	Lothian Gay & Lesbian Switchboard
Edinburgh Inter Faith Association	Move On
Enable	Multi-Cultural Family Base
Engender	North Cairn Tow Gypsy Traveller Site
Men in Mind	Number 6
NHS Lothian	Pakistan Society Edinburgh
Remote Reporting Sites	Piershill Community Flat
Africa Centre	Polak w Szkocji
AMINA – The Muslim Women’s Helpline	Randolph Crescent Hostel
Black Community Development Project	Resource Outreach & Advice for Men (ROAM)
Castle Cliff Hostel	Sacro Community Links
Deaf Action	Saheliya
Edinburgh Development Group (EDG)	SCORE Scotland
Edinburgh and Lothians Racial Equality Council (ELREC)	Scottish Prostitute Education Project
Edinburgh Chinese Elderly Support Association	Shakti Women’s Aid
Edinburgh Refugee Centre	Sikh Sanjog
Ethnic Minorities Law Centre	Streetwork UK
Gay Men’s Health	Swietlica
Gay Police Association	The Advice Place
Heriot Watt Student & Advice Centre	The Ark Trust
Jardine Clinic and Day Hospital	The Central Mosque
LGBT Centre for Health and Wellbeing	The Cowgate Centre
LGBT Youth Scotland	Trans Men Scotland
Local Neighbourhood Offices	Victim Support Edinburgh

APPENDIX 3

Best Practice Guidance

Good practice when dealing with victims reporting hate crimes/incidents

DO

Ask factual questions about the incident.

Consider the need for a formal/qualified interpreter for evidence gathering purposes.

Offer support, guidance and be prepared to act as a witness (this can include interpreters/translators) – if asked to do so by the police. Failure to act as a witness limits the ability of the criminal justice system to tackle hate crimes.

Supervise and respect rights to silence and reasonable privacy.

Make clear your role and the agency's responsibilities.

Operate in a manner consistent with legal requirements, within the agency's rules and responsibilities.

Make clear the limits of confidentiality and refer the incident to the agency's nominated contact officers.

Record the facts on a standard pro forma. Store this in a secure place.

Consider language requirements or other needs of the victim or witness, for example, disabilities.

Ensure the quality of data contained on the form and ensure another person checks the data before sending off.

DO NOT

Ask leading questions.

Make assumptions about guilt.

Make any statement that might be prejudicial to the position of any individual, whether inside the organisation or outside, or indeed the agency itself.

Comment on events outside the agency's responsibilities.

Pledge secrecy or keep hate crimes or incidents to yourself (you alone cannot have an overview of the situation and the risk factors).

Rely on memory or general impressions – they may be inaccurate and make it more difficult for others to help/obtain evidence.

Assume the victim or witness speaks English, can hear or see well, or does not have communication/access needs.

Leave the form in an unsafe place and forget to either check the form with somebody else or pass the form on to the relevant recording centre/system.



