



Hate Crime Strategy

**Lincolnshire Community Safety Partnership
2016-2018**

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If you would like a summary of this information in an alternative format (for example large print, electronically, audio tape) or in an alternative language please do not hesitate to contact: Lincolnshire Police on 101, text phone 01522 558140 text mobile on 07761911287

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1) Introduction

This is Lincolnshire's second multi-agency strategy to tackle hate crime and hate motivated harassment and incidents in Lincolnshire. It identifies, co-ordinates and leads on all aspects of our developing work on tackling and reducing hate crime. It covers all partners who together make up the Lincolnshire Community Safety Partnership (LCSP) as well as wider community partners. Further information about the LCSP can be found at www.lincolnshire.gov.uk/lincolnshire-community-safety-partnership.

2) What are Hate Crimes and Hate Incidents?

Hate Crime or Hate Incident

A Hate Crime or Hate Incident is any crime or incident which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person's actual or perceived social group or groups.

For the purpose of this strategy the hate crime strands we will be focusing on are:

- Disability
- Race
- Religion and Belief
- Sexual Orientation
- Transgender

However it is worth noting that malice or ill will towards a social group can be based on any identifying factor including the above groups but not exclusively. Also, some people may experience hate crimes and incidents because of more than one identifying factor, for example, a combination of their race and disability.

It is important to note that some hate incidents may not constitute a criminal offence and therefore will not be recorded as a hate crime, whereas all hate crimes are hate incidents.

Hate crimes and incidents can take many forms including:

- Physical attacks
- Threats
- Verbal abuse
- Murder
- Neighbour disputes

- Arson
- Graffiti
- Intimidation or harassment
- Bullying at school, college or work
- Harassment by phone, text, email or through the internet (Cyber Bullying).

3) What is Mate Crime?

There is no formal agreed definition of Mate Crime however, it is a form of hate crime and can be defined as:

When a person is harmed or taken advantage of by someone they thought was their friend. It is more common with people with learning disabilities and mental health condition but not exclusively.

What Mate Crime may involve

1. Financial Abuse –

- The perpetrator might demand or ask to be lent money and then not pay it back.
- The perpetrator might misuse or borrow and not return property belonging to a person.
- When the person has received their benefits and been shopping the perpetrator may visit and clear the cupboards of food and alcohol.

2. Physical Abuse –

- The person may be kicked, punched etc. for the amusement of the perpetrator and others.
- The person may be seriously injured or ultimately the abuse may result in death.

3. Emotional Abuse –

- The perpetrator might manipulate or mislead the person.
- The perpetrator might make them feel worthless.
- The perpetrator might call them names.
- The perpetrator might groom the person for criminal offences.

4. Sexual Abuse –

- The person might be coerced into prostitution.

- The person might be sexually exploited by someone they think is their partner or friend.
- The person might be persuaded to perform sexual acts they do not feel comfortable with.

Signs and Symptoms:

- Unexplained injuries.
- Bills not being paid/sudden loss of assets.
- Weight loss.
- Isolation from usual contacts.
- Withdrawal from services.
- Changes in behaviour or mood.
- An overly critical or disrespectful friend.

Vulnerable adults often do not recognise that they have been the subject of mate crime. The focus of enabling safety needs to be on encouraging an understanding for the individual of their right to make choices, but also their right to remain free from abuse.

4) Why is this strategy so important?

Hate incidents and hate crimes are an issue of vital social importance because they not only affect individuals and families who experience them but also the communities and social groups to which they belong.

Experiencing hate crime can be a particularly frightening experience due to being targeted because of personal characteristics or perceived characteristics. This can leave individuals feeling vulnerable and negatively impact on their lives; effecting self-confidence, self-worth and health. Research suggests the psychological damage to a victim of hate is greater than with similar crimes that are not motivated by hostility or hatred. Hate crime can also be very isolating and impact on an individual's personal freedom; forcing people to change where they go, work or even live.

5) The Equality Act 2010

This strategy and the actions agreed to tackle hate crime and hate incidents in Lincolnshire take place in a context of the Equality Act 2010, which requires public authorities to consider how they can take action to eliminate discrimination, advance equality of opportunity and foster good relations in the community. A key part of this will be the prevention of hate crime and hate incidents.

6) The local picture

In 2015/16, 306 hate crimes were recorded by the Lincolnshire Police. This is an increase of 92 crimes compared to the same period for 2014/15 (214 crimes).

The tables below shows the number of recorded hate crimes and hate incidents in Lincolnshire over a 2 year period by category.

Recorded Hate Crimes

CATEGORY	2014/15	2015/16
RACE	206	212
FAITH	20	26
SEX	25	37
TRANSGENDER	6	11
DISABILITY	10	36

*Note some crimes have more than one indicator.

Recorded Hate Incidents

CATEGORY	2014/15	2015/6
RACE	248	250
FAITH	10	10
SEX	20	24
TRANSGENDER	2	6
DISABILITY	59	43
TOTAL	339	333

Given the fact that hate crime is believed to be under reported, there is clearly good cause for agencies across Lincolnshire to join together with a single strategy to tackle it.

7) Hate Crime and the law

Legislation in the UK adheres to the principle that crime motivated by hatred or prejudice towards particular features of a victim's identity, such as their ethnicity, faith, sexuality or disability, should be treated differently from 'ordinary' crimes.

Although current legislation does not specifically cater for Age and Gender the criminal justice agencies are alert to offences where hatred is a factor. This is reinforced by the judge, Anthony Russell who stated that the attack of Robert Maltby and Murder of Sophie Lancaster who were targeted for dressing as Goths was a 'Hate Crime' suggesting that for someone to be considered a victim of hate crime they need not necessarily be a member of one of the 'established' and generally recognised hate crime victim groups (Chakraborti 2010).

Details of current relevant legislation can be found in Appendix 1.

8) Disability

Most people find it difficult to believe that disabled people are attacked or harassed simply because they are disabled. However, for many disabled people, violence and hostility is a daily experience and for many accepted as inevitable.

Statistics released by The National Autistic Society (NAS) in 2013 revealed the extent of disability hate crime on people with autism living in the UK, stating:

- 81% of about 800 respondents said they had experienced verbal abuse,
- 47% reported having received some form of physical assault, and
- 65% had experienced hate crime more than 10 times.

The 2013 'Living in Fear' report found that both individuals with autism and learning disabilities and their carers did not use the term 'hate crime', but more generally referred to people being 'harassed', 'bullied', 'picked on', 'targeted' or 'discriminated against'. 'Hate' was seen to be too strong a word. Often carers did not understand what it meant and how this could be applied in law (LIVING IN FEAR: Better outcomes for people with learning disabilities and autism 2013).

In 2014/15 Home Office figures state 2,508 disability hate crimes were reported to police nationally. However evidence obtained through the Crime Survey for England and Wales estimated 62,000 incidents, highlighting significant under reporting of disability hate crime (Home Office statistical bulletin 2015).

It is believed that many disabled people do not report incidents due to uncertainty on who to report to or through fear of the consequences. The Equality and Human Rights Commission published a second "How fair is Britain?" report in October 2015, also found there was a fear among disabled people that the police or other authorities would not believe them.

A joint review conducted by the Police, Crown Prosecution Service and Probation Trust in 2013 found there to be a lack of clarity and understanding amongst professionals as to what constitutes a disability hate crime causing difficulties in the identification and recording such an offence. The review also revealed examples of poor understanding of the different types of disabilities and a frequent failure to examine the offender's motivation from committing offences, subsequently leading to insufficient evidence to support the courts requirement's for an aggravated offence (Living in a different world: Joint Review of Disability Hate Crime 2013).

9) Race

Nationally the number of race hate crimes increased by 15% (up 5,464 to 42,930) between 2013/14 and 2014/15 (Home Office statistical bulletin 05/15)

Racist hate crime is arguably the most widely recognised form of hate crime; indeed, politicians, journalists, practitioners and academics often fall into the trap of describing hate crime exclusively in term of racist crime, hereby failing to acknowledge the broader dimension of hate crime as a concept (Chakraborti and Garland 2009).

Research published by the Institute of Race Relations (IRR), reveals dangerously high levels of racial violence in the UK - a violence which is spreading into new areas. Analysis of 660 racial attacks in 2009 revealed that certain groups of people are particularly at risk: 'dispersed' asylum seekers, newly-arrived migrant workers, those who look Muslim and/or work in isolating trades such as taxi-cabbing, food take-aways, small shops and eateries.

As Chakraborti and Garland point out the impact, cause and responses to racist hate crime can take many forms for example Travellers and Gypsies have tended to be regarded with fear and suspicion rather than as 'normal' people living an alternative lifestyle". They also comment that the migration of workers from Eastern Europe has reignited age old debates about Britain's allegedly 'soft' immigration policies and the supposed erosion of national identity. In 2003 Stonewall found that more than one-third of adults admitted to being personally prejudiced against Gypsies and Travellers (Profiles of Prejudice 2003). They argue "political and media preoccupation with these issues has helped to foster an environment in which increasingly hostile and prejudicial sentiments are allowed to prosper" (Chakraborti and Garland 2009).

Local research found that 37% of migrant workers have experienced some kind of harassment or discrimination (The Dynamics of Migrant Labour in South Lincolnshire).

The EHRC (2010) inquiry into recruitment and employment in the meat and poultry processing sector found that "particular nationalities were targeted for

verbal abuse with crude racial insults being directed towards workers, mainly Eastern European, Asian and Black African agency staff". The report found that one-third of interviewees described verbal abuse in the workplace, often as an everyday occurrence. Migrant workers commonly described the abuse as not being treated as a human being, but as an 'animal' or 'object'. Some interviewees said that factory managers and agencies knew that migrant workers would put up with poor treatment as they had limited choices.

10) Sexual Orientation

There is very little empirical information on the experience of LGB (Lesbian; Gay and Bisexual) people in Lincolnshire something, which this strategy will aim to address through engagement with the LGB community.

Nationally there is more information about homophobic crime. In 2008 Stonewall published the Gay British Crime Survey, they surveyed 1721 gay, lesbian and bisexual people across Britain. The survey asked what their experiences were and about their fear of homophobic hate crime and incidents. The survey also asked what action victims took to report or respond to the incidents and the impact it had on their lives

The survey found:

- Britain's 3.6 million lesbian and gay people are still concerned by the fear of homophobic hate crime.
- One in eight have been a victim in the last year.
- One in five have been a victim to a homophobic hate crime or incident in the last three years. Often these incidents occur repeatedly and around people's homes.
- It is not just lesbian and gay people who become victims of homophobic crime, but their children, friends and family too.
- One in five lesbian and gay people in Britain have been a victim of one or more homophobic hate crimes or incidents in the last three years.
 - Three in four of these did not report them to the police.
 - Only 6% reported them to third parties
 - Seven in ten did not report hate crimes or incidents to anyone.
- 8% of all black and minority ethnic lesbian and gay people have experienced a physical assault as a homophobic hate incident, compared to 4% of all lesbian and gay people.
- One in eight lesbian and gay people experiencing homophobic hate incidents have experienced unwanted sexual contact as part of the incident.
- Overall, three in five lesbian and gay people have been a victim of any crime or incident in the last three years.

11) Religion and Belief

Nationally religious hate crime increased by 43% (up 985 to 3,254 offences) between 2013/14 and 2014/15 (Home Office statistical bulletin 05/15).

Home office data showed that race and religiously motivated incidents peaked around the time of particular incidents like the Lee Rigby murder.

Religion and the Law -

Certain offences, including assault, harassment, criminal damage and public order offences can be prosecuted specifically as racially or religiously aggravated offences. The defendant faces a harsher sentence than if he or she were found guilty of a non-racial or religious crime.

Incitement to religious hatred –

It is illegal to say anything or produce any written material that tries to persuade someone to commit a criminal offence against another race or group of people. This means that leaflets, flyers or speeches that promote crime against people because of their religion are against the law. This is called incitement to religious hatred. However, it is not against the law to disagree with or criticise someone because of their religion or their beliefs

Hate crime relating to religion is not a new phenomenon examples from the past include the Ottoman genocide of Armenians, and the Nazi "final solution" for the Jews, and more recently, the ethnic cleansing in Bosnia and genocide in Rwanda. Religiously motivated Hate crimes have shaped and sometimes defined world history (www.direct.gov.uk).

In other parts of the country religious hate crimes and incidents have seen a significant increase.

We work with Tell Mama (Measuring Anti-Muslim Attacks) as well as Stop Hate UK to monitor hate crimes and incidents and to promote the reporting of such incidents and highlight the support available.

12) Transgender

Existing evidence suggests that transgender people experience and are badly affected by transphobia, in a wide range of forms. This includes bullying and discriminatory treatment in schools, harassment and physical/sexual assault and rejection from families, work colleagues and friends. For example, Morton (2008) found that 62% of respondents had experienced transphobic harassment from strangers in public places who perceived them to be trans. Whittle et al (2007) also found that a majority of respondents had faced harassment in public spaces. They noted that '73% of respondents experienced comments, threatening behaviour, physical abuse, verbal abuse or sexual abuse while in public spaces.'

EHRC Trans review found:

- Despite the research suggesting that a high proportion of Trans people experience hate crime, much of it may go unreported.
- 62% experienced transphobic harassment from strangers in public places, but only 15.5 per cent had reported harassment to the police
- Trans people were less likely to be confident that they would be treated fairly if they were victims of crime.
- UK research indicates that around 62% to 73% of transgender people have experienced harassment or violence because they were identified as Trans. This included verbal abuse, threatening behaviour, physical assault and sexual assault. Poorer Trans people were more likely to experience violence.
- Reported rise in Trans hate crime.

To address issues identified in the Trans Review the Home Office have supported the development of a website to encourage greater reporting nationally of transphobic hate crime and incidents. www.tcrime.net

A recent study into the under reporting of transphobic hate crime, and police interactions with the Trans community between 2013-2015 in Greater Manchester Police (GMP) found: (Lee Broadstock)

- 41.4% of respondents had been a victim of hate crime in the last 12 months.
- 67.6% didn't report incidents to the police.

Reasons given included:

- 38.8% didn't think the incident was serious enough
- 35.8% thought they would be perceived as timewasting
- 28.4% Didn't want to inform people of their trans status
- 22.4% Feared of being outed

43.21% of respondents were not aware of third party reporting of hate crime, but

65.9% would consider the use of a third party reporting mechanism to report a crime or incident.

The report recommends:

- Ongoing engagement with the Trans community.
- Hate crime awareness campaigns to be inclusive and targeted.
- Review and assessment of third party reporting, and hate crime reporting mechanisms.
- Consider the use of restorative justice for transphobic hate crime cases.
- Public transport to be made safer.
- More empathy from frontline staff when dealing with Trans hate crime victims.

13) Reporting Hate Incidents and Hate Crimes

In Lincolnshire victims of hate incidents or hate crimes can report their complaint to either the Stop Hate help line or directly to Lincolnshire Police.

Stop Hate UK

The Stop Hate Line service is operated by independent charity Stop Hate UK. The service is available 24 hours a day and can be accessed via Phone, Text, Text-Relay, Web-chat, Email, Online Form, BSL and Post. The helpline supports reporting of all forms of hostility (crimes and incidents) and other forms of discrimination. Service users are offered immediate practical and emotional support and where consent is given a referral to Police and other local support agencies can be made. The service also provides the option for anonymous referrals to aid collection of intelligence and tension monitoring.

Lincolnshire Police

Lincolnshire Police adopts a victim led approach to reports of hate incidents and hate crimes. All complaints will be recorded and thoroughly investigated using the information available. Victims may be asked to provide a statement to account for what has occurred, which either can be written or video-recorded, dependant on the circumstances or needs of the victim. If the decision is taken to close the investigation, it does not mean that the crime is not important, or closed permanently. It may be that there are no further lines of enquiry or evidence available. If more information comes to light at a later date, the case will be reviewed and if necessary investigated further.

14) Supporting Victims of Hate Crime

Victim Lincs

Victim Lincs provides a high quality service that offers help, support and guidance to victims of crime. They have a dedicated Complex Case Worker, to specifically support victims of hate crime. Their role is to gather further information on your case and keep you informed of any progress, whilst also providing support and reassurance and access to other specialist coping and recovery services such as, Victim Support, Citizens Advice Bureau and Witness Care Unit.

15) How do we propose to tackle Hate Crime and Hate Incidents?

Tackling hate crimes and hate incidents will be a challenge for Lincolnshire; however this strategy acknowledges and builds upon good practice that is already evident both nationally and locally.

Good practice, which already exists in Lincolnshire includes:

- Commissioning of Stop Hate UK – countywide 24 hour third party reporting mechanism and support service.
- Hate crime Signposting Centres to facilitate reporting hate incidents.
- Partnership sign up to a Hate Crime and Mate Crime Charter.
- Hate Crime and Keeping Safe Working Group (a sub group of Lincolnshire’s Learning Disability Partnership Board).
- Just Lincolnshire’s – Hate Crime Project
- A range of generic advice services that respond to hate crime and incident issues through Victim Support.
- Op REVIVE – Police project to support victims of hate crime and mate crime.
- Youth Service and Schools Anti Bullying Strategy
- Regional Hate Crime Scrutiny Panels - Hate crime scrutiny panels have contributed to increased success in prosecuting hate crime. The panels enabled the Crown Prosecution Service decision-making process to be opened up to external scrutiny by community representatives.

Five key strategic areas have been identified which we believe will make a difference to the people of Lincolnshire.

These are:

- 1) Achieve a better understanding of hate crime and hate incidents in Lincolnshire.

- 2) Increased awareness about hate crime and hate incidents.
- 3) Increased confidence in reporting of hate crime and hate incidents.
- 4) Tailored support and advice for victims of hate crime and hate incidents.
- 5) Reduction in the risk from hate crime and hate incidents to victims, perpetrators and communities.

Achieve a better understanding of Hate Crime and Hate Incidents in Lincolnshire.

In a time of spending cuts having a more accurate picture of what is happening in the county with regards to hate crime and hate incidents will help all partners to target their resources where they are most needed.

We will do this by:

- Producing a hate crime profile for Lincolnshire.

Increased awareness about hate crime and hate incidents

“Hate crime and hate incidents are an everyday feature of the lives of some people and occur in ordinary everyday circumstance.” (Government Cross Cutting Hate Crime Strategy 2009).

“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 can be disempowering. It can equally reflect victim’s negative perception of the criminal justice system, either because of their own experiences or what they have heard from the experiences of others (Ibid).

To address this and to highlight unacceptable behaviour we propose to challenge hostile behaviour within the community and encourage people to report hate crimes and incidents.

We will do this by:

- Continuing to undertake awareness raising with diverse groups within the community.
- Raise awareness about hate crime within the local community and statutory and commercial agencies across Lincolnshire.
- Developing a communication strategy to underpin this work which makes sure any initiatives undertaken take the access needs of all in the community into account.

- Delivering of targeted campaigns.

Increased confidence in reporting of hate crime and hate incidents.

In 2014/15 the overall number of hate crimes reported by the police in England and Wales was 52,528. However an estimate based on data by the British Crime Survey (BCS) put the number of hate crimes in England and Wales at around 222,000 during this period and gives a very rough indication of the scale of under-reporting.

Current statistics across some strands of hate crime in Lincolnshire (like Disability and Transgender hate crime) would suggest that hate crime is not a major issue for the people of Lincolnshire. However a lack of reported incidents does not mean it is not happening; research suggests that all it means is that there is little confidence in reporting systems, there are no reporting systems or people are having difficulty accessing reporting avenues.

In response to this we will:

- Continue to commission Stop Hate UK and work with them to develop a co-ordinated approach to third party reporting across Lincolnshire.
- Train staff to effectively identify hate crime and understand reporting options.
- Improve understanding of reporting options with diverse groups within the community.
- Promote the importance of reporting and how reporting what some may perceive as a low level incident or crime can in fact help the police and criminal justice agencies improve their understanding of hate crime and incidents.

Tailored support and advice for victims of hate crime and hate incidents

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

- Anger and fear of repeat attacks;
- Depression and worsening of existing conditions (e.g. mental health needs, physical ailments);
- Becoming isolated and remaining in the confines of their own home.
- 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 crime or hate incidents by changing their appearance, interactions with other, accommodation and daily patterns (Garcia, et al 1999).

As noted above many victims do not necessarily know that what they are experiencing is hate crime as they are not familiar with the terminology.

Researchers have found that many victims do not receive support because they are simply not referred to specialist agencies or opt not to seek support independently. For instance Stonewall found that 9 out of 10 victims of homophobic hate incidents did not seek any form of advice or support. The reasons given were not wanting to discuss the incident or not knowing that support was available (The Gay British Crime Survey 2008 Stonewall).

Recognising the importance in supporting victims of hate crime we will:

- Identify current support provision in Lincolnshire and provide information about services in accessible formats.
- Improve referral pathways with Victim Support and other local agencies.
- Promote Op REVIVE (a Lincolnshire Police initiative) and continue to train volunteers to support, educate and work members of the community at risk of or experiencing hate crime and mate crime.

Reduction in the risk from hate crime and incidents to victims, perpetrators and communities.

Prevention of hate crime and hate incidents includes engaging with communities to celebrate diversity and promote good community relations as well as targeted work around hate crime with young people.

Prevention work will include:

- Positive multi agency action to engage communities in preventative measures that seek to reduce community tension, promote cohesion and celebrate diversity and everybody's contributions to Lincolnshire.
- Preventative work in schools and youth organisations through the Stay Safe Partnership Programme.
- Focused work in areas with elevated levels of hate crime and hate incidents or where community tensions have been identified.
- Regular awareness campaigns to challenge public perceptions and attitudes that lead to hate crime and hate incidents.
- Work with perpetrators of hate crime where appropriate to prevent future offending.
- Explore the use of restorative justice principles for hate crime incidents.

16) Monitoring Delivery of the Strategy

This Strategy will be monitored by the Hate Crime Delivery Group and reviewed annually.

Appendix 1

Legislation

We recognise that legislation is constantly changing, some of the key legislation to date is:

Equality Act 2010

Provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

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

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.

Source: Hate Crime the Cross Governmental Action Plan 2008 and http://www.equalities.gov.uk/equality_act_2010.as

Partner Agencies

