
Overview and Scrutiny Management Board – 15th January 2020

Report of the Director of Housing

Hate Crime Overview

Purpose

1. To provide Overview and Scrutiny Management Board with an overview of Hate Crime work within Dudley and the partnership approach that Safe and Sound, Dudley's Community Safety Partnership are taking.

Recommendations

2. It is recommended:-
 - That the Board notes the contents of the report.
 - That the Board gives consideration to any particular area of the work relating to the Hate Crime agenda that it would wish to scrutinise in more detail in future;
 - That the board comment on the DRAFT 2020 – 2023 Community Cohesion and Hate Crime Strategy – See Appendix 1.

Background

3. A Hate Crime or Incident is defined as:

“any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.”

A crime or incident is classed as 'hate' crime or incident if the person the act is aimed at, or a person witnessing the act, perceives it to be because of any of the below characteristics of the victim:

- race or ethnicity
 - religion or belief
 - sexual orientation
 - gender identity
 - disability
4. A victim of a hate crime/ incident does not have to be a member of a minority group or someone who is generally considered to be vulnerable. Effectively anyone can be the victim of a hate crime/ incident.
 5. Incidents may involve physical assault, damage to property, bullying, harassment, verbal abuse or insults, offensive graffiti or letters /text messages emails/ comments over social networks.
 6. The National Hate Crime Action Plan, Action Against Hate: The UK Government's Plan For Tackling Hate Crime (2016) focuses on four strands:
 - prevent and respond to hate crime
 - increase reporting of hate crime incidents
 - improve support for victims
 - build an understanding of hate crime
 7. Existing stereotypes need to be addressed and the reality behind negative myths needs to be exposed. Education and early intervention is also required to prevent our children and young people from growing up with prejudices against other groups within the Borough.
 8. National research has shown that incidents of hate crime are under-reported. Partners in Dudley are committed to offering a variety of reporting mechanisms to ensure people are able to report in confidence where they feel most comfortable. These include the traditional route of reporting to West Midlands Police, online via the true vision website or via the Boroughs Third Party Reporting Centre's which allow victims to report acts of hate confidentially.
 9. Partners in Dudley from both statutory and voluntary, community and faith sectors work closely together to raise awareness of what constitutes a hate crime or incident and encourage those that experience hate crime or incidents to report what has happened to them.

Governance

10. Priorities for the Community Safety Partnership are identified through Dudley Borough's Strategic Assessment and consultations and in line with legislative requirements. 2019/20 priorities include:-
 - Tackling and Reducing Violent Crime (including gang and knife related crime)

- Reducing Reoffending (including links to Youth Offending Service – under 18's and First Time Entrants)
 - Reducing Victimisation (including Domestic Violence and Abuse, Violence Against Women and Girls Agenda, **Community Cohesion and Hate Crime**)
 - Reducing Vulnerability – (including Substance Misuse, Mental Health, Modern Slavery, Prevent, **Counter Extremism and Community Cohesion**)
 - Reducing Burglaries (links to organised car crime)
 - Anti-Social Behaviour
11. The Hate Crime work stream is currently overseen and led via Dudley's Community Cohesion Strategic Group, a sub group of safe and sound, Dudley's Community Safety Partnership as part of their overarching action plan.
 12. Hate crime trends across the Borough are monitored via quarterly reports received by the Community Cohesion Strategic Group and actions identified as appropriate.
 13. There are links with Dudley Safeguarding People Partnership and Dudley Health and Wellbeing Boards.

Prevalence

14. 342 hate crimes were recorded in Dudley in 2018 / 2019. This was a 24% increase on 2017/2018. However it is acknowledged that this increase could be in part due to the work taking place to raise awareness of what constitutes hate crime and reporting routes, such as our third party reporting centres.
15. Overwhelmingly name-calling stands out as the predominant cause of recorded racially / religiously aggravated intentional harassment alarm or distress. Which tend to be triggered by an incident such as road, traffic or parking / parking space related incidents. Offences directed at victims through their occupation are also high, these included Police Officers, Security Guards, Door Staff, Taxi Drivers, Bus Drivers, Support Workers, Environmental Protection Officers, Shop Staff, Bar Staff and Librarian staff members. A number of offences took place as a result of the offender being identified and challenged for inappropriate behaviour such as re-entering a premises from where they had already been banned, prevented from stealing, recognised from a previous offence, or whilst under arrest.

Activity Undertaken

16.
 - Standing agenda item on Community Cohesion Strategic Group
 - A safe and sound Community Cohesion and Hate Crime event took place in October 2019. This included: an update on the counter extremism strategy; local and regional updates on cohesion and hate crime; promotion of hate crime week and resources; and the opportunity to input into the refresh of Dudley's Community Cohesion and Hate Crime Strategy.

- Public and partnership consultation on refresh of community cohesion and hate crime strategy, including via community forums, press release and via the safe and sound website has taken place. 27 responses to the consultation were received via community forums and Survey Monkey, while approximately 80 delegates at the Community Cohesion and Hate Crime event
- Online hate crime has been incorporated into the Childrens workforce online safety training, with links to resources for practitioners to use following the training.
- Community Safety Team and West Midlands Police continue to engage with a support our Third Party Reporting Centres. Third Party Report Centres play a vital role in being an alternative option for people to report hate crime and receive or be sign posted to support. Safe & Sound hosted their third annual tea party during hate crime week in order to thank Thirty Party Reporting Centres for their work and provide updates to partners which was a two way process.
- Educational Resources have been promoted to schools via the Safeguarding in Education Lead and are available to access via the safe and sound website.
- A new online hate crime video was created and promoted as part of hate crime week.
- Community safety Team and West Midlands Police (Dudley Neighbourhood Policing Unit (NPU)) colleagues) continue to attend and input into the regional hate crime meeting.
- The Anne Frank Trust have completed their 'Building a Stronger Britain Together' (BSBT) programme in Dudley schools and achieved our targets between September and December 2019. Additional schools, in particular primary, also received alternative programmes once the BSBT programme was full. The Anne Frank Trust will continue to work in the region into 2020 and beyond now that links have been established within the area and the schools.
- Work has been taking place with the What Centre to support the Beehive project that seeks to support those living with or at risk of HIV and runs Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) groups.

17. Communications and resources

- Included as part of Safe and Sound Communications plan
 - Specific focus around hate crime week
- Leaflets
 - Safe and sound hate crime leaflets have been updated, promoting reporting routes including 3rd Party centres and the hate crime app, these have been distributed across the Borough

- Website
 - The dedicated hate crime page of the safe and sound website continues to be updated and promoted:
<https://www.dudleysafeandsound.org/hatecrime>
- E-learning
 - Free online training is available to access at:
<https://www.dudleysafeandsound.org/hatecrime>
- Educational resources
 - Educational resources help hub page of the website includes resources for those that work with children and young people
<https://www.dudleysafeandsound.org/educationalresources>

18. Support for Victims

Locally, Victim Support have support workers specially trained in Hate Crime to work with victims.

Additional advice for victims to access is highlighted on the safe and sound website. <https://www.dudleysafeandsound.org/hatecrime>

19. Dudley now has 30 third party reporting centres, to enable victims to report via alternative routes to the police. These centres are across a mixture of venues, and represent different strands of hate crime. There are a minimum of one centre for each specific strand, and several 'generic' centres, such as Dudley Council Plus, Family Centres and Victim Support.

20. Next Steps

- Complete Strategy refresh
- Identify new / emerging work streams with partners
- Continue to engage with regional work

21. Links to the Council Plan, Corporate Priorities and the Borough Vision

The Hate Crime agenda aligns with the corporate priority of 'stronger, safer communities', however it could be linked to many aspects of the Council Plan, in particular:

- Educational Outcomes: Closing The Gap For Disadvantaged Pupils:
- Children's Social Care: Building Strong Partnerships; Safeguarding In Practice
- Adult Social Care: Reducing Social Isolation
- Health & Wellbeing: Growing Resilient Communities
- Housing: Supporting Vulnerable People

22. The Hate Crime agenda links to ‘#HOME Of Warm Welcomes and Close-Knit Communities’ of the Borough vision 2030: A place of healthy, resilient, safe communities with high aspirations and the ability to shape their own future.

Finance

23. There are no immediate financial implications arising from this report.

Law

24. The Police and the CPS have an agreed definition of hate crime as:

“any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.”

A crime or incident is classed as ‘hate’ crime or incident If the person the act is aimed at, or a person witnessing the act, perceives it to be because of any of the below characteristics of the victim.

- race or ethnicity
- religion or belief
- sexual orientation
- gender identity
- disability

The Crime and Disorder Act 1998 and the Criminal Justice Act 2003 allow sentences to be increased if the offence is classed as a hate crime.

The legislative context is provided by the Equality Act 2010 which sets out the framework of protection from discrimination, for people defined by the protected characteristics of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

While the Equality Act applies to all organisations, section 149 of the Act – the public sector equality duties – applies only to listed public authorities (including all local authorities). These require public authorities to do more than other bodies and

be at the forefront of making positive changes in respect of equality, specifically to pay due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Equality Impact

25. There are no equality impact implications arising directly from this report. However, there are differential impacts on individuals, families and communities in respect of issues relating to Hate Crime, this needs to be borne in mind when planning and delivering work and services
26. Communities, including young people have been consulted with in order to inform the refresh of the Community Cohesion and Hate Crime Strategy.
27. An Equality Impact Assessment will be conducted on the new strategy
28. Work will have a positive effect on children and young people who may be affected by Hate Crime

Human Resources/Organisational Development

29. Whilst this report does not have any immediate organisational development/HR or transformational implications, it is important to build the confidence of the workforce in respect of issues relating to all forms of Hate Crime and to ensure that the Council is meeting its statutory requirements and safeguarding individuals, families and communities

Commercial/Procurement

30. There are no commercial or procurement implications arising directly from this report

Health, Wellbeing and Safety

31. Hate Crime can affect any individual or community. It can lead to the physical and mental ill-health of victims and their families, community resilience can be undermined and there can be an increase inequalities in health.
32. Work around this agenda will have a positive impact on the safety of communities - both actual and perceived

33. There are not any negative health, wellbeing or safety implications with continuing to develop work. Conversely, taking work forward on the Hate Crime agenda will improve health, wellbeing and safety outcomes for individuals within the Borough



Mark Rodgers
Director of Housing

Contact Officer: Sue Haywood
Telephone: 01384 818115
Email: sue.haywood@dudley.gov.uk

Katriona Lafferty
Telephone: 01384 813278
Email: katriona.lafferty@dudley.gov.uk

Appendices

Appendix – DRAFT Community Cohesion and Hate Crime Strategy 2020 - 2023