

SAFER YORK PARTNERSHIP

EMBRACING DIVERSITY

**A Multi-agency Hate Crime Strategy for the
City of York**

2012-2015

INTRODUCTION

Safer York Partnership is committed to making sure that all citizens, regardless of disability, age, race, sexual orientation, religion or gender feel included in the life of York. Our vision is of a city where people feel a strong sense of belonging, are treated fairly, are able to actively participate and have their contributions valued.

York is widely regarded as a thriving and attractive place to live, providing a good quality of life for local residents. There is a strong sense of civic pride and low levels of inequality and crime. York's growing population is increasingly diverse, with more people from different ethnic and national backgrounds, growing numbers of older people, rising student numbers and more people with disabilities. With these trends set to continue, it is important that a co-ordinated and consistent approach to preventing and addressing hate crime is adopted.

Hate crime and incidents serve to undermine the vision for an inclusive city. The impact of hate crime is often significant, not only for those subject to it but also within the wider community. Left unaddressed, hate crimes undermine social cohesion and sow the seeds of wider conflict.

WHAT IS HATE CRIME?

A hate crime or incident is 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 actual or perceived social group or groups. These groups can be defined in relation to the following:

- Disability
- Race
- Sexual orientation
- Religion or belief
- Transgender

Although current legislation does not specifically cater for age and gender, the criminal justice agencies are alert to offences where hatred is a factor.

BACKGROUND

York's overall population is estimated to be just over 202,000 and growing. According to the Centre for Cities report 2011, York has the second fastest growing population in the UK. Particularly significant within this growth is an increase in the black minority and ethnic (BME) community from 4.9% in 2001 to an estimated 11.4% in 2009. A study in 2010 found 78 different first languages being spoken within the city.

In January 2008, City of York Council launched its first Hate Crime Strategy. However, since that launch the number of hate crimes reported to the police has declined. Consultation with agencies providing support to particular community groups in the context of writing this strategy suggests that under-reporting is a significant factor. It is widely acknowledged that the recorded statistics of hate crime reporting across all agencies may be a significant under-representation of the true picture.

Safer York Partnership is a community safety partnership created under the Crime and Disorder Act 1998. The partnership is comprised of representation from City of York Council, North Yorkshire Police, York and North Yorkshire Probation, York and North Yorkshire Primary Care Trust, North Yorkshire Fire & Rescue Service and North Yorkshire Police Authority. The partnership is committed to reducing crime and anti-social behaviour within the City of York and aligned to that is a commitment to protect vulnerable members of the community. It is therefore appropriate that responsibility for the development of a hate crime strategy should sit with the partnership as part of the overall remit to facilitate and co-ordinate a multi-agency problem solving approach to tackling crime.

Police data has been included in this strategy to show the local picture in relation to recorded hate crime statistics in York. However, it has been acknowledged that this may be an under-representation of the true picture. A key action in the delivery of this strategy will be to improve the quality of data captured. This will be achieved through a combination of working closely with those agencies which represent particular community groups and ensuring that communities know how to report incidents and are confident that when making reports, action will be taken.

In developing this strategy, thirty individuals and organisations were consulted to draw upon the expertise and experience of those who represent communities of interest. This information has informed the strategic aims and objectives and the work plans which will underpin delivery of the strategy.

THE NATIONAL CONTEXT

The MacPherson Report on the Stephen Lawrence Inquiry changed the way that racist hate crime and institutionalised racism was understood. From the Inquiry, a definition of a racist incident was developed which has since been extended to cover other forms of hate crime and is widely used by central and local government.

Moreover, the Stephen Lawrence inquiry report was the catalyst for a number of institutional changes within the police and statutory service providers to improve responses to racist incidents and racism. The Home Office has subsequently produced guidelines in relation to racist incidents, religious discriminations and more recently guidelines for tackling hate crime.

Today, the terms gay and lesbian are used to describe women and men who seek same-sex partners. Homophobia can manifest itself in a number of different forms. The Government currently estimates that approximately 5-7% of the population are either: gay, lesbian or bisexual. However, there is very limited data on the number of lesbians, gay men and bisexuals in the UK as no national census has ever asked people to define their sexuality. A national study of violence against lesbians and gay men in Britain, found that one in three gay men and one in four lesbians had experienced at least one violent attack, and found that the vast majority of homophobic incidents go unreported, with around 18% reporting incidents.

The understanding of disability is enhanced by what is known as the 'Social Model' of disability, which recognises that disability occurs because barriers hinder disabled people from taking a full part in the community. Research by Mencap demonstrated that 8 in 10 people with learning difficulties had experienced bullying and harassment 66% of people with learning difficulties have been bullied regularly with 32% stating that bullying was taking place on a daily or weekly basis.

THE LOCAL PICTURE

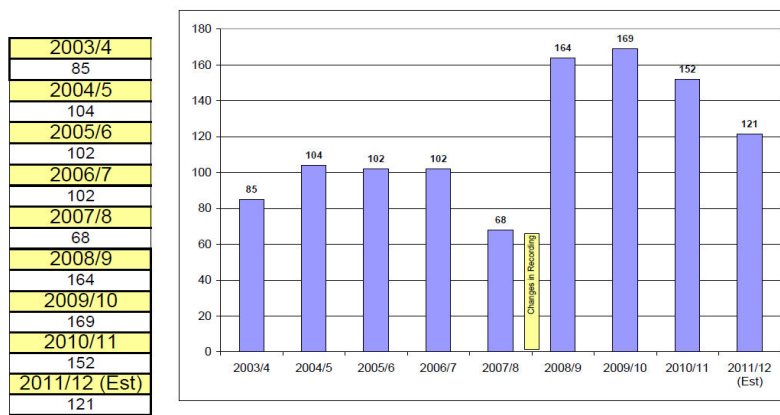
Recorded hate crime incidents:

York Community Safety Partnership (Safer York Partnership) monitor hate crimes reported to North Yorkshire Police (NYP) as shown by the following graph

NYP Recorded HATE Crime and Incidents in YORK

Fig. 1 of 4

North Yorkshire Police - York Recorded Hate Crime & Incidents



This is Data is Created from the Hate Crime / Incident Download Provided by NYP Performance Unit. It is Based on START DATE

Document created on 19/01/2012

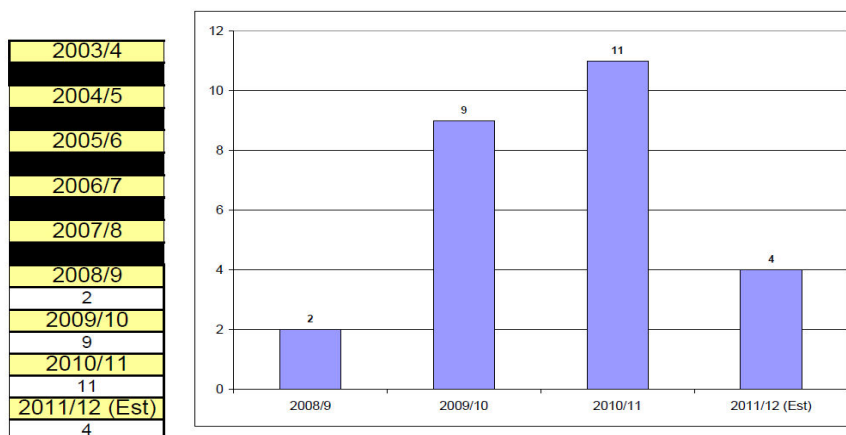
Disability

Disability related hate crimes in York are shown in the graph below.

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Disability Incidents



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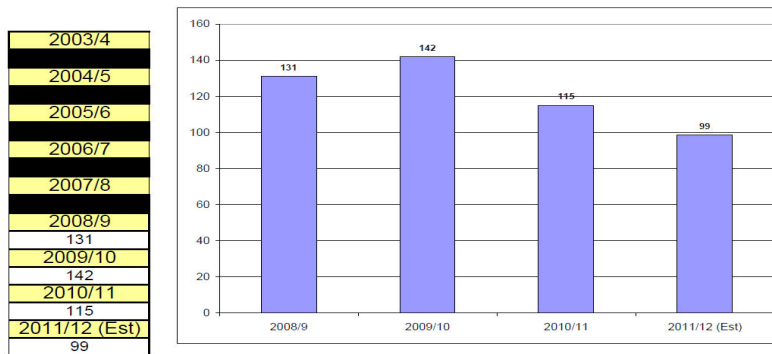
Race

Racist hate crime is arguably the most widely recognised form of hate crime. The graph shows racially motivated hate incidents recorded by North Yorkshire Police in York.

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Racial Incidents



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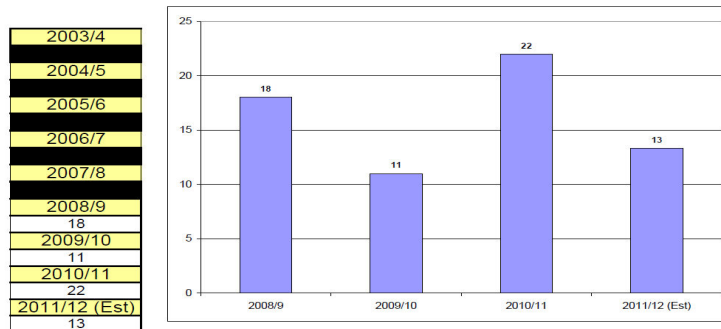
Sexual Orientation

The following graph show the Homophobic incidents reported to North Yorkshire Police.

NYP Recorded HATE Crime and Incidents in York

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North Yorkshire Police - York Homophobic Incidents



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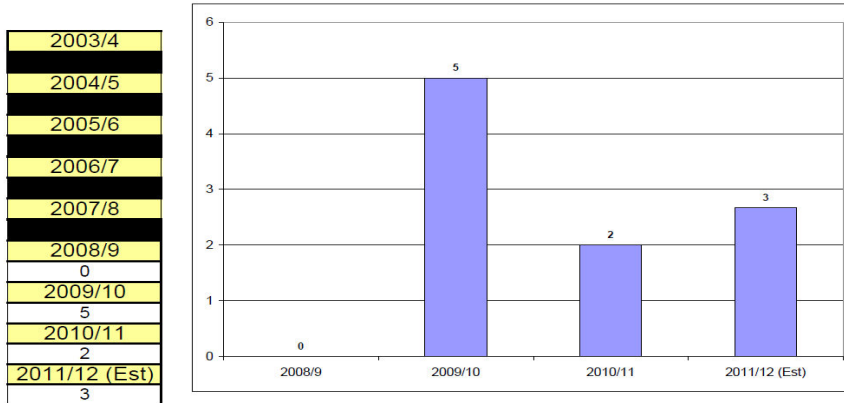
Religion or belief

Religious incidents reported to North Yorkshire Police

NYP Recorded HATE Crime and Incidents in York

Pg. 1 of 2

North Yorkshire Police - York Religious Incidents



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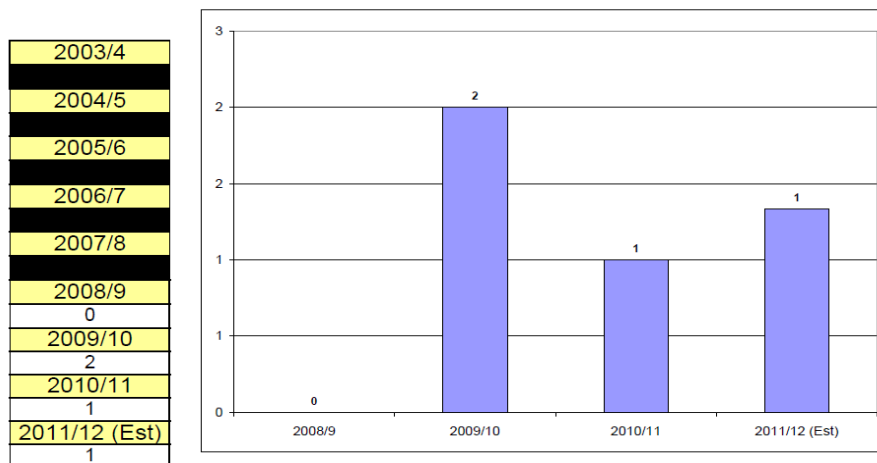
Transgender

Transphobic incidents reported to North Yorkshire Police shown on the graph below:

NYP Recorded HATE Crime and Incidents in York

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North Yorkshire Police - York Transphobic Incidents



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Document created on 19/01/2012

STRATEGIC AIM AND OBJECTIVES

Our overall **strategic aim** is to help stop hate crime occurring in the first place through a programme of hate crime prevention and where it does occur, to respond in a timely and effective way that addresses its impact on victims and the wider community.

We will measure progress by monitoring the incidents of hate crime recorded by the police and Local Authority, maintaining close dialogue with support agencies to capture qualitative and anecdotal information.

To achieve this **strategic aim** a number of objectives have been identified as follows:

Objective 1: Raise awareness of hate crimes to aid prevention

- To improve prevention of hate crime through education and awareness raising programmes within key stakeholder agencies
- To increase public awareness and ensure that information on hate crime is widely available
- To work closely with and strengthen the links between the statutory and voluntary sector agencies engaged in tackling hate crime

Objective 2: Make it easier for people to report hate crime

- Work with relevant agencies to improve the reporting of hate crime incidents
- Develop alternative ways to report crimes that meet the specific needs of particular groups
- Develop a campaign to raise public awareness on how to report hate crime

Objective 3: Improve the support available to victims of hate crime

- Ensure that information relating to support groups is made widely available to the public and key partners engaged in tackling hate crime
- Develop multi-agency training that will result in a measurable improvement in services to victims and an increase in victim confidence
- Develop a multi-agency problem solving approach to tackling hate crime

Objective 4: Improve data capture and develop a more accurate reflection of the extent and breakdown of hate crimes and incidents

- Work with statutory and voluntary sector agencies to improve the capture, recording and analysis of data relating to hate crimes and incidents
- Ensure that mechanisms are in place to identify repeat and/or vulnerable victims and flag these to the relevant agencies and support groups
- Develop an annual forum for statutory and voluntary agencies to share information, understanding and experience in relation to tackling hate crime

PERFORMANCE MANAGEMENT

Detailed action plans aligned to the aims and objectives of the strategy will be developed by the Safer York Partnership Hate Crime/Prevent Co-ordinator, reporting to the Anti-social behaviour task group. Reports on delivery of and performance against the action plans will be submitted to the Safer York Partnership Board at six and twelve monthly intervals. These reports will also be provided to the relevant stakeholder' internal groups eg. EAG within City of York Council and the Independent Advisory Group, North Yorkshire Police.

LEGISLATION

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 or 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 to 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 the 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

S145: 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.

S146: 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.