

Northamptonshire Police



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Hate Crime Deployment and Investigation Policy and Procedure

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Department Responsible	Local Policing Command – Prevention and Community Protection		
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Senior Owner	Mick Stamper (X0080)		
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Type	Policy & Procedure		

1. Introduction

Purpose and scope of policy

To establish guidelines and best practices for the force in relation to the recording, risk assessment and management of hate crimes and incidents. The policy has been created to assist officers and staff with the decision making processes and procedures around hate crime and incidents.

Definitions

A hate crime is defined as 'any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic'.¹

A hate incident is defined as 'any incident which may not constitute a criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic'.¹

The nationally monitored personal characteristics are:

- Race or perceived race
- Religion or perceived religion (or no religion)
- Sexuality or perceived sexuality
- Transgender or perceived transgender
- Disability or perceived disability

Northamptonshire Police includes two additional personal characteristics of:

- Individual characteristic that makes someone appear different, e.g. alternative lifestyle, culture, physical appearance and style of dress.²
- Gender based hostility.³

2. Legislative Compliance

This document has been drafted to comply with the principals of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the individuals and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with current Equality Legislation and policies.

In addition, Data Protection, Freedom of Information and Health Safety issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all legislation and internal policies.

3. Policy Statement

Northamptonshire Police seeks to “Deliver the best possible quality of policing service to the people of Northamptonshire”. Our approach to hate crime will be victim-focused with emphasis on early intervention, prevention, investigation and prosecution with support to victims throughout.

We will participate in effective partnership working - the overriding aims of this policy are to lower incidents of hate crime and reduce the harm and impact these types of crimes can have on victims and their families. In fulfilling these obligations Northamptonshire Police will work in partnership with other criminal justice agencies, as well as statutory and voluntary sector services.

The force will engage with the diverse communities within Northamptonshire to build trust, confidence and understanding of differing community needs, as well as to aid integration and to help encourage reporting.

We will proactively identify offenders and challenge and influence changes in perpetrator behavior. We will use appropriate enforcement to tackle offenders of hate crime.

4. Operational Guidance

4.1 All reports of hate incidents and crimes received by the FCR will be recorded on the command and control system and initially classified as a hate incident; the incident will be assessed and graded following FCR operating procedures. Reports from 3rd party reporting centres and partner agencies should be treated in the same way as a direct report into the FCR.

The THRIVE risk assessment will be applied to determine the appropriate response. Victims of hate crime are often vulnerable by definition and most victims will have suffered hate motivated attacks a number of times in their life before contacting the police. Call handlers should consider use of local hate champions (details on [Force net](#)) in the case of a victim who expresses reluctance to meet with police officers or accept a telephone appointment

4.2 In the case of reports of hate incidents made by a 3rd party steps should be taken to identify and speak with the victim to confirm that a crime or incident has taken place. In such cases where the victim is not available to us a full record of the incident will be made on Command & Control, and recorded as an incident only.

National Crime Recording Standards allows for crimes to be recorded on the word of a 3rd party without confirmation from the victim in a limited number of very specific circumstances including hate crime

4.3 Social Media

Reports of hate related material on internet webpages and social media should be taken seriously as they can have a detrimental and damaging effect on individuals and

communities; failure to deal appropriately with such matters can further undermine confidence in policing within vulnerable communities.

When dealing with reports of online hate speech and social media posts which are not directed at one specific individual but that would be deemed as 'grossly offensive' by a reasonable person, consultation should be sought from CMU as to whether this meets the criminal threshold. If it is agreed that this threshold has not been met then a hate incident should be recorded in all cases.

In each case a visit to the perpetrator will be considered based on the circumstances and on the severity of what's being reported, when a visit is deemed appropriate it will be tasked to an appropriate resource to complete (assuming they reside in Northamptonshire) or an intelligence package will be forwarded to the Force for the area they live in.

5. Recording

5.1 All reports where the victim is identified and the circumstances amount to a crime will be recorded on Niche as a hate crime and the appropriate hate motivation specified. All reports where the victim is identified but the circumstances do not amount to a criminal offence will be recorded on Niche as a hate incident non-crime and again the appropriate hate motivation specified. *There is no evidential test for what amounts to a hate incident non-crime, simply that the victim or any other person perceives it as such.*

In cases where more than one motivation is perceived all should be recorded (e.g. in the case of a gay Muslim attacked both for their religion and their sexuality).

5.2 There will be very few (if any) occasions when an incident initially recorded as hate related will not be recorded as either a hate crime or hate incident non-crime, dispatchers are expected to robustly challenge attending staff who attempt to endorse hate incidents as "nothing to record" or "ASB only", etc. The perception of any incident or crime occurring due to motivation of hate sits with the victim or the individual reporting, regardless as to whether an officer or staff member has the same perception or not.

5.3 A hate crime risk assessment is required for all victims of hate incidents and crimes at point of recording. Staff and officers are required to use the hate risk assessment in-built on the Pronto platform. The e-form 1432 should only be used for additional victims and as the risk assessment is repeated throughout the investigation/case management process.

6. Investigation/Case Management

6.1 Once recorded hate crimes will either be retained by the OIC or allocated for further investigation in accordance with usual crime investigation policies. The investigation will be recorded and managed on Niche. OIC's should give consideration to having high and medium risk hate crimes risk reviewed at a partnership Hate and Anti- Social Behavior Group (HASBAG). This should also be considered when investigating hate crimes which have an ongoing nature, such as hate related neighbour disputes. HASBAG meetings are chaired by the local authority and a list of the chairs can be found in section 9 appendices.

6.2. Once recorded hate incident non-crimes will be retained by the OIC except in cases

of an on-going nature, those requiring extensive partnership liaison and those where failure to progress quickly will have a negative impact within communities; in which case (with agreement of the relevant NPT supervisor) they may be owned by suitably skilled staff in Neighborhood Policing Team and heard at the relevant HASBAG meeting

6.3 A supervisor's review is required on all hate crimes in line with the mandatory 24 hour supervisor crime review. All supervisors should then raise a task in Niche to their Inspector for an Inspector review to be completed.

6.4 Inspector reviews should be completed on all hate crime prior to closure and added to Niche on an OEL. The hate crime inspector review can be found here:



Inspector review
template.docx

6.4 The local Hate Champions, Force Community Engagement Officers and the Force Hate Crime Officer are available to assist officers with understanding of sensitivity and needs of certain victims, responding to community impact and details of local groups who may be able to assist both us and the victim during the investigation.

6.5 The Force hate crime officer will conduct regular dip sampling of hate crimes and incidents to ensure policy compliance and to identify any potential individual or organisational training or knowledge gaps.

Notes

1. Common definitions agreed in 2007 by the police, Crown Prosecution Service, National Offender Management Service and other agencies that make up the criminal justice system.
2. This additional personal characteristic is not covered by any legislation but inclusion is recommended by the College of Policing in their report *Hate Crime Operational Guidance (2014)*.
3. This additional personal characteristic is not covered by any legislation but has been adopted under the direction of the National Police Chief's Council and the Safer Northants partnership.

7. Monitoring and review

The senior owner will review the content of this guidance annually to ensure that this is relevant and up to date. The author has agreed that this document will be reviewed within 12 months of the effective date.

8. Related Documents



Internal Hate Crime
Policy - 2020.docx

Internal Hate Crime Policy

9. Appendices



HASBAG chairs.docx