



**What is a hate crime
and how to report it**



**Devon & Cornwall
POLICE**

**We don't accept hate in
our communities. Report it.**

What is a hate crime?

A **hate crime** is any **criminal offence** which is perceived by the victim or any other person to be **motivated by hostility or prejudice** based on the following:

- a person's race or perceived race, or any racial group or ethnic background including Gypsy and Traveller groups
- a person's religion or belief, or perceived religion or belief, or any religious groups including those who have no faith in a theology
- a person's sexual orientation or perceived sexual orientation
- a perceived disability, including physical disability, learning disability and neurodiversity or developmental conditions
- a person who is transgender or perceived to be transgender, including people who are transsexual and those who hold a Gender Recognition Certificate under the Gender Recognition Act 2004

While a crime may be recorded and flagged as a 'hate crime', where perception of the victim or another person feels a person has been targeted because of a protected characteristic, it may only be prosecuted as such if **evidence of hostility** is submitted as part of the case file. These protected characteristics are monitored 'hate strands', which the police report back to the Home Office.

A hate crime targets an individual for who they are, or what they believe in. While this may often be due to ignorance of the offender, support and reassurance are of great importance to a victim of hate crime and reporting it is a key way to access these services.

A form of hate crime known as **mate crime** is a term used by some disability organisations to raise awareness of situations where disabled victims are befriended by either an individual or a group, who then harm them. Abuse can be financial or violent and often has an escalating nature. This would be recorded as a disability hate crime.

In addition to the five national monitored strands, Devon & Cornwall Police also monitor the additional strand of sex for both hate crime and non crime hate incidents

What is a non-crime hate incident?

Where it is established that a criminal offence has **not** taken place, but the victim or any other person perceives that the incident was motivated wholly or partially by hostility, based on a monitored strand or protected characteristic then police **can** record a non-crime hate incident.

Where police **decide** that a 'hate incident' requires recording and dealing with, this must be done by the **least intrusive method** and achieves a legitimate policing purpose.

To achieve the least intrusive method, officers and staff must apply proportionality, common sense and discretion when deciding when to record a hate incident, based on the available facts.

Police **will not record** a non-crime hate incident where it is trivial, it is irrational or there is no basis to conclude that an incident was motivated by hostility.

Recording non-crime hate incidents provides the police with a tool to build intelligence about patterns of behaviour and emerging tensions before they escalate into serious harm. This data is vital for helping the police to build community confidence and to understand better where to work in partnership and target resources.

Examples of hate crimes and non-crime hate incidents include:

- Verbal abuse, insults or harassment, such as taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.
- Physical attacks, such as physical assault, damage to property, offensive graffiti and arson.
- Threat of attack, such as offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded malicious complaints.

Reporting a hate crime

When reporting a hate crime/incident to the police, it will be recorded and investigated as appropriate. If police aren't told that hate crime is occurring, they are unable to do anything to change the type of behaviour involved.

The minimum detail required to make a report of a hate crime/incident is:

- What happened
- Where it happened
- When it happened

When an investigation takes place, evidence will be gathered by the police. If evidence is found which shows hostility or prejudice has been a factor in the circumstances of a crime this will be taken into account. If the case goes to court this evidence may enhance any sentence given to the individual(s) committing the offence.

You can report anonymously (if preferred).



www.report-it.org.uk

or call **Crimestoppers**
anonymously **0800 555111**
www.crimestoppers-uk.org

Third party reporting

If someone prefers to report a hate crime/incident to a third-party instead of direct to the police, there are options to do so. There are many organisations who support third-party reporting.

A list of local hate crime reporting centres is available on the Devon & Cornwall Police website:

www.devon-cornwall.police.uk/reporthc

If a victim prefers to remain anonymous, this is possible when reporting via a third party.

Information about hate crime/incidents help the police understand local community issues and it gives a greater understanding of any feelings of increased tension. It is important that police are notified so that they can monitor tensions and respond appropriately.

If you are interested in finding out more about being considered as a third party reporting centre please email:

diversitydevon@dc.police.uk
diversityplymouth@dc.police.uk
diversitycornwall@dc.police.uk

How do the police respond to a report of hate crime?

When a victim of a hate crime is known **and they request to be spoken to by police**, the police will listen to what has happened. The police will seek to understand the impact that the crime has had on the individual(s).

The impact of hate crime on an individual is often compounded due to the way it seeks to harm the personal identity of its victim.

By speaking with the victim, police are able to identify a victim's needs, determine any vulnerabilities and seek to understand how the victim may wish for the incident to be resolved.

Where any additional support is identified, this will be put into place and support from other agencies can be provided where necessary.

Victim care

The Victim Care Unit is a dedicated team within the police who can discuss how a crime has impacted a victim and offer tailored support to meet their needs. Should a victim wish to seek direct support from the Victim Care Unit, they can be contacted direct on:



Tel: 01392 475900 Web: victimcaredevonandcornwall.org.uk/

In line with the Code of Practice for Victims of Crime, police must keep in regular contact with the victim of a hate crime and update them on any key developments during an investigation.

How best to resolve a case of hate crime will be discussed with the victim, unless the circumstances (with evidence gathered) are so serious that it must follow the criminal justice route through the court system. Sometimes the wider community impact and any possible associated community tensions will be considered by the police. These will be monitored in the most appropriate way.

It is paramount that we work together to support people from our communities during the process of reporting, recording and investigation, through to the final outcome of a hate crime.

How do the police deal with an offender of a hate crime?

The police will investigate the circumstances of a hate crime and will look to find evidence to support this. Without evidence, it is not possible for an investigation to be taken to court.

Evidence can take many forms:

- Forensic: fingerprints, DNA
- CCTV
- Photographs of injuries
- Graffiti
- Hate mail
- Text messages
- Social media posts/messages
- Unsolicited e-mails
- An admission by the perpetrator

When a hate crime is reported, statements may be obtained from victims and witnesses. First accounts from a witness can be a key piece of evidence. A support service assisting a victim with a third-party report may be asked to give a first account statement by the police.

The **Crown Prosecution Service** is the organisation which takes an investigation to court to prosecute someone for a hate crime.

However, following the criminal justice route through the court isn't the only way to deal with an offender.

There are different ways to deal with an offender of a hate crime depending on certain factors and it is important that the police discuss these options with the victim.

These may include ways to deal with the offender out of the court system and may include adult simple caution or community resolution, incorporating education or words of advice.

In deciding whether an out of court disposal is suitable, the police will have to look at the seriousness of offending, the impact upon and views of the victim, the prevalence of the offence and community impact, nature and frequency of any previous convictions, age and vulnerabilities of the offender, remorse and admission of guilt.

To report a hate crime to the police, please see the back page for details.

Zero tolerance to hate crime pledge

We encourage individuals and organisations to pledge their support to the **zero tolerance to hate crime** campaign.

By pledging support, it will send a powerful message to our communities that hate crime will not be tolerated.

The pledge aims to:

- Increase knowledge and understanding of hate crime among communities.
- Promote reporting methods including third-party reporting.
- Explain how the police respond to a victim of hate crime.
- Help individuals understand how we can deal with those individuals who commit hate crime.

If you are interested in signing up to the pledge please visit www.devon-cornwall.police.uk/zero-tolerance for further details.

You will be able to access a variety of online materials to display within your organisation.

There is also the option to download hate crime materials and posters from the Devon & Cornwall Police website.



We support the campaign

By pledging support we will:



Promote an equal society to uphold the rights of everyone and we will work to eliminate unlawful discrimination, harassment, victimisation and unfair treatment.



Foster good relations by promoting respect for each other and tackling prejudice



Report any incidents of hate that are witnessed within our organisation / premises

To report a hate incident or
crime to Devon & Cornwall Police:



Don't suffer in silence

Report it

www.devon-cornwall.police.uk/reporthe



Non-emergency
dc.police.uk



If a crime has already happened or
to give information about the crime



101

Non-emergency



999 Emergency

When life is threatened, people are
injured, offenders are nearby or
immediate action is required



**Contact details for Deaf, hard
of hearing or speech impaired**



Emergency



999 BSL

(video relay for
BSL users)



emergencySMS

(To use this Text the word
'register' to 999)



18000

**Minicom/
textphone**

Non-Emergency



convo

Non-emergency
Video Relay - BSL



**Text
67101**



18001 101

Minicom/textphone



**Talk to a
police officer**



**At a police
station**