

<b>Item No.</b> 15.	<b>Classification:</b> Open	<b>Date:</b> 13 December 2011	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Hate Crime Strategy	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Richard Livingstone, Finance, Resources and Community Safety	

**FOREWORD - COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY**

Hate crimes can be part of a sustained campaign against a particular individual or group, they can also occur as random attacks that may lead to serious injury, or death. We know that hate crimes are hugely underreported and as a result, the number of reported incidents remain low in Southwark however we must not be complacent. Hate crime can have a devastating and long lasting impact on victims and we need to continue to encourage people to report. Furthermore we need to ensure that they know where to report and what support is available for them.

We also need to examine how to tackle hate crime in all its forms, strengthen prevention and intervention procedures and improve prosecution rates. We need to continue to work with offenders and look to tackle the root causes of the problem.

With fewer financial resources and subsequently fewer support services in Southwark, the Safer Southwark Partnership has looked at innovative ways to meet the challenges that hate crime brings. Southwark has a willingness and commitment of a dedicated number of people, organisations and community groups supporting the hate crime work. Through partnership working and people actively playing a part, the SSP has been able to develop the first hate crime strategy for the borough.

Furthermore, the SSP needs to ensure that every person living, working or visiting Southwark can live in safety without the fear of being persecuted based on their identity.

**RECOMMENDATIONS**

1. That the hate crime strategy for Southwark 2011-2015, as set out in Appendix 1, be approved.
2. That the cabinet approves the five overarching strategic aims as outlined within the strategy and the supporting delivery plan. The strategic aims are:
  - Re-energise interest in tackling hate crime
  - Promote the support services available
  - Encourage communities to work together to tackle the issue
  - Encourage people to approach services to seek support and report hate crime, and

- To take a robust approach to tackle those who are repeat perpetrators of hate crime.
3. That the cabinet note that “Stop Hate UK”, a charity that provides independent and confidential support to victims of hate crime, has been jointly commissioned between the London Borough of Southwark and the Metropolitan Police Services to run a short pilot in 2011/12.

## **BACKGROUND INFORMATION**

4. The Crime and Disorder Act 1998, first introduced a legislative framework to define and address crime and disorder
5. Southwark does not currently have a hate crime strategy. This strategy for 2011-2015 brings Southwark into line with other local authorities in setting strategic objectives with a supporting delivery plan. These documents outline how the partnership plan to tackle the issues connected with hate crime.
6. As a member of the Safer Southwark Partnership (SSP) the Council has a duty to work with other responsible authorities to formulate, approve and implement strategies. In accordance with the co-operative duties of the 1998 Act. The Council must therefore approve and implement strategies prepared by the SSP.

## **KEY ISSUES FOR CONSIDERATION**

7. The Safer Southwark Partnership has recently redefined its strategic priorities for the next three years to ensure that the limited resources available to the partnership are focused in the areas, at the times and at the people, whether victims or offenders, who are most affected by crime and anti social behaviour.

The priorities are:

- reducing harm (including the harm cause by serious ASB)
  - reducing offending (including reoffending)
  - supporting families and those with multiple disadvantages
  - building sustainable community capacity and public confidence.
8. The unprecedented reductions in central government funding to public bodies has meant that there are fewer services available locally to support victims. The SSP has therefore utilised existing resources to sustain a coordinated approach to local hate crime work through the development of the new strategy.
  9. Southwark does have the commitment and advantage of a dedicated number of people, organisations and community groups supporting the hate crime work, through discussions and actively playing a part in developing how we might create a joined up approach in tackling hate crime.
  10. It is proposed that the hate crime strategy and supporting action plan will be delivered by partners involved in the Southwark Hate Crime Network (SHCN). The SHCN report to the building sustainable community subgroup and that reports to the SSP board.

11. Southwark consistently remains within the top five London boroughs in terms of numbers of hate crime reports made to the police. The hate crime strategy is a live document. We will continue to engage and consult with the communities most affected by hate crime to ensure that the strategic aims and objectives remain pertinent.

## **National context**

### **Hate crime: overall key findings**

12. The Equality and Human Rights Commission's newly published report 'Hidden in plain sight: Inquiry into disability-related harassment' (September 2011) highlights the fact that many more incidents of violence and hostility are either not reported or not dealt with properly by public bodies, such as social housing providers, public transport bodies and the police.
13. Nationally we know that hate crimes are hugely under-reported, estimates suggest that a mere 20-30% of all hate crimes are actually reported to the police (Lambeth Hate Crime Strategy). Furthermore, it is difficult to know how to interpret fluctuations in the numbers of reports of hate crime incidents. There are several possible explanations for reports of hate crime increasing for example:
  - More crimes taking place
  - Projects encouraging people to report
  - People having more confidence in reporting structures
14. Prosecutions
  - Nationally, in the four years ending March 2010, more than 53,600 defendants were prosecuted for hate crimes through the Crown Prosecution Service (CPS).
  - The most commonly prosecuted offences were those against the person and public order offences (43% and 40% of the total respectively).
  - The conviction rate rose from 77% in 2006-07 to 82% in 2009-10.
  - Guilty pleas increased from 64% to 70%.
  - The proportion of cases failing due to key reasons such as victim issues (comprising retraction, non attendance and non supportive victim evidence), acquittals after trial and essential legal elements missing increased from 63% to 67% of all unsuccessful outcomes.
15. Perpetrators
  - In the four years ending March 2010 the majority of defendants across the hate crime strands were men, typically young white males.
  - 50% of defendants across the hate crime strands were aged between 25 to 59 and 30% between 18 to 24.
  - Broken down further, most race hate offenders are under 30 and most homophobic offenders are aged 16 to 20 years old.
  - Most hate crime perpetrators live in the same neighbourhood as their victims.
16. Victims
  - Data on victim demographics are less complete and remain under development. However, where gender is known, men formed the largest proportion of victims across all strands, at 68% of the total.

- The majority of hate crimes happen near to the victim's home while they are going about their daily business, and an offence is most likely to be committed between 3.00 pm and midnight.
17. The Home Office provided in excess of £300,000 in 2009/10 for hate crime victim projects through the Victims' Fund Hate Crime Section. The total cost of hate crime to society in England and Wales is currently unknown.
  18. Official data on hate crime reporting suggests that there has been a significant decrease in the reporting of hate crime across the London area in 2010 to 11. Nationally in 2010, the police recorded 48,127 crimes where the victim, or any other person, perceived the criminal offence to be motivated by hostility based on a person's race, religious belief, sexual orientation, disability or where the victim was perceived to be transgender. This compares with 51,920 crimes in 2009. In Southwark for the 12 months to August 10 there were decreases in numbers of both Racist & Religious (291 compared with previous of 467) and homophobic hate crimes (68 compared with previous of 87)
  19. The MPA are in the process of examining this issue to establish if there has been a decrease in the reporting of hate crimes across all diversity areas and a decrease in reporting to the organisations that support hate crime victims and third party reporting.

### **The Southwark approach**

20. The following data for the year 2010/2011 is derived from the Crime Reporting Information System (CRIS) which outlines demographics of both those accused of committing hate crimes in Southwark and those who are the victims of it. (NB. 'Accused' is defined as those individuals who have been charged with a hate crime offence, who may or may not have been convicted).

#### **Race hate crime**

##### Perpetrators

- For the year 2010/2011 the majority of those accused of a race hate crime were males (81% male compared with 19% female).
- Local data indicates that the majority age group of those accused of race hate crime was 31 – 35 (14%) with the second largest group being 41 – 45 (12%)
- The ethnicity of those accused of a race hate crime in Southwark were, in the main, white European (67%) with Afro-Caribbean being the second largest group (28% of total).

##### Victims

- For the year 2010/2011, the majority of victims of race hate crime in Southwark were male (56% compared with 34% female - 9% unknown).
- The majority age group (18%) of victims were from the 26 – 30 group with 36 – 40 being the second largest group (15%).

- The majority of victims of race hate crime were from the Afro-Caribbean community (65%) followed by White European (28%) and Asian groups (24%).

### **Homophobic hate crime**

#### Perpetrators

- For the year 2010/ 2011 the majority of those accused of a homophobic hate crime in Southwark were males (97% compared with 3% female).
- The majority age group of those accused of homophobic hate crime was 21 – 25 (31%) with the second largest age group being 26 – 30 (16%).
- The ethnicity of those accused of a homophobic hate crime were, in the main White European (53%) with Afro-Caribbean being the second largest group (30%).

#### Victims

- For the year 2010/2011, the majority of victims of homophobic hate crime in Southwark were male (76% male compared with 21% female, 3% unknown).
- The majority age group of victims were from the 26 – 30 group (19%) with 31 – 35 being the second largest group (18%).
- The majority of victims of homophobic hate crime were from the white European group (53% of total) with Afro-Caribbean (31%) coming next. This is different to race hate crime where the majority of victims were Afro-Caribbean (65%).

### **Hate Crime Network:**

21. The Southwark Hate Crime Network (SHCN) has been developed to bring key organisations and individuals together in partnership to develop new initiatives to promote hate crime support and consider how to prevent these crimes occurring. It is facilitated by the Council.
22. The SHCN was formed in September 2010. The current membership includes a broad spectrum of organisations to help develop a grounded and robust response to the challenges of hate crimes.
23. The SHCN has identified five strategic aims:
  - Re-energise interest in tackling hate crime
  - Promote the support services available
  - Encourage communities to work together to tackle the issue
  - Encourage people to approach services to seek support and report hate crime and,
  - To take a robust approach to tackle those who are repeat perpetrators of hate crime.

## **Event: Prevent it, report it**

24. The SHCN worked in partnership to develop an event (Prevent it, report it) in June 2011, which brought together five speakers to discuss themes including:
- The Government's approach to hate crime
  - Enabling Communities to identify hate crime and to build trust and confidence in agencies to report it
  - Restorative justice
  - National hate crime work
  - Work taking place in schools to tackle homophobia.
25. The event, attended by 100 people from a broad range of services, community groups and voluntary, statutory and non-statutory organisations, proved to be a success in terms bringing individuals and organisations together to share ideas and concepts. The key objectives and recommendations raised by participants at the event have been incorporated into the new strategy and supporting action plan. These recommendations include:
- The majority of hate crime's experienced go unreported to the police, the reasons for not contacting the police may include fear of reprisals, feeling that the crime won't be taken seriously, feeling isolated from support and commentary structures, or simply not knowing what support is actually available and how to access this.
  - Individuals and community groups need to be informed of what a hate crime is, how to spot it and how and where to report.
  - Need to be able to reach people whose first language may not be English and/ or people with learning disabilities individuals and community groups need to have information in accessible ways that are offered beyond the usual text format.
  - There is a correlation between ASB and hate crime, work needs to happen to look at what these might be and encourage people to report both ASB and hate crime.
  - Terminology can be a barrier for people accessing appropriate support, individuals may not understand what a hate crime or ASB is or what choices to tackle the behaviour are available. Targeted work should be developed to support community groups and those offering support to raise a greater understanding and awareness of the issues to ensure individuals receive the appropriate signposting and/ or support when disclosing.
  - People with learning disabilities currently have no way of viewing local accessible information.
  - People from the LGBT community may not wish to 'out' themselves due to fear of a negative reaction to their disclosure.
  - More awareness of hate crime has to be disseminated widely and in inventive ways and formats.
  - Repeat victims of hate crime may not report due to events happening too frequently, work needs to happen to encourage vulnerable repeat victims to seek support.

## **Policy implications**

26. This strategy is aligned to existing policy frameworks, including the Safer Southwark Partnership's statutory rolling action plan, the violent crime strategy

2010-2015, the Southwark antisocial behaviour strategy 2011-15 and the Southwark Council Plan, particularly, the pledge to; 'Work with residents and the police to make the borough safer for all by cracking down on antisocial behaviour and implementing our new violent crime strategy'.

27. The strategy has been developed taking into consideration similar strategies from other London boroughs.

### **Community impact statement**

28. Tackling crime and ASB was the top priority that Southwark residents chose when identifying what the council should focus its resources on as part of the most recent reputation tracker survey.
29. The ASB Community Research Project set up in 2010 asked people from different communities about their experiences of crime and ASB, as victims and as concerned residents. The project trained residents from various community groups as ASB researchers and asked them to undertake surveys with people who came from similar (and different) backgrounds. The researchers and the people they surveyed were Somalian, Bengali, people attending local faith groups, including African managed churches and mosques, young people from various ethnic backgrounds, Polish residents, older people from black African, black Caribbean and white British backgrounds, residents from French speaking African countries, Vietnamese residents, Latin American residents and members of the lesbian, gay, bisexual and trans (LGBT) community.
30. Over four hundred local people, whose views were sought via the community researchers, have informed this strategy and will support future policy development by council officers continuing to engage with the community researchers to promote examples of positive outcomes to encourage people to engage with support services
31. As noted above the SHCN worked in partnership to develop an event (Prevent it, report it) held at council premises in June 2011, echoed the views of the crime and ASB research with community groups and hate crime research:
- The majority of hate crime's experienced go unreported to the police, the reasons for this are many and include fear of reprisals, feeling that the crime won't be taken seriously, being isolated and not knowing what support is actually available;
  - Individuals and community groups need to be informed of a what a hate crime is, how to spot it and how and where to report;
  - To be able to reach people who first language may not be English and/ or people with learning disabilities individuals and community groups need to have information in accessible ways that are offered beyond the usual text format;
  - There is a correlation between ASB and hate crime, work needs to happen to look at what these might be and encourage people to report both ASB and hate crime;
  - People from the Black Minority and Ethnic (BME) community may not know what a 'hate crime' is and work needs to happen to address the balance of awareness and knowledge;
  - People with learning disabilities currently have no way of accessing local accessible information;

- People from the LGBT community may not wish to 'out' themselves due to fear of a negative reaction to their disclosure;
32. People may believe that no action can or will be taken and therefore resist reporting. Experiencing a hate crime as an individual or witness may leave the person feeling angry, fearful, that they should stay at home and isolated from community life. This strategy proposes that work be carried out to promote the support services available utilising the community groups available to broaden the scope and reach of the work
  33. The continuing development of the diversity of the SHCN group will help steer the action plan of the strategy. The SHCN together with the council's community engagement team will ensure that we maximise the communities that we engage with to encourage participation and to seek support when required. This will demonstrate a positive commitment by the local authority and its partners that we actively are working towards inclusivity.
  34. An Equalities Impact Assessment (Equality Analysis) will be developed in line with the hate crime strategy to assess the impact that the policy may have on individuals and communities. The new Equality Duty as outlined in the Equality Act 2010, replaces the three previous duties on race, disability and gender, bringing them together into a single duty, and extends it to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment (in full).
  35. The new Equality Duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services. Public bodies should consider the needs of all individuals in their day to day work, in developing policy, in delivering services, and in relation to their own employees.

### **Resource implications**

36. The resourcing of this strategy and its recommendations are contained within existing budgets.
37. The core Safer Southwark Partnership board in its rolling action and commissioning plan (May 2011), agreed to commission a campaign working with "Stop Hate UK" under the priority area; Building Sustainable Community Capacity and Public Confidence at a cost of £7,000. The campaign will provide independent and confidential support to victims of hate crime in Southwark
38. We have successfully secured partnership funding from the Metropolitan Police for half of the cost of the campaign, total £3,500.
39. This report does not seek to commit us to extending the pilot or purchasing additional services. Officers will review the impact after the six month pilot and review in the light of funding available.
40. Staffing to deliver the Strategy and its recommendations is contained within existing staff structures.



## **Consultation**

41. The strategy has been produced in partnership with all relevant departments in order to ensure that the document and the recommendations outlined within it are realistic, deliverable and achievable.
42. Members of the Southwark hate crime network were integral to the development of the strategy. The SHCN will continue to engage and consult with the communities most affected by hate crime to ensure that the strategic aims and objectives in the strategy remain pertinent.
43. As described point 27 above a community hate crime event was held in June 2010. From the facilitated workshops discussions, a broad range of recommendations were made and have been incorporated into the strategy.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Communities, Law & Governance**

46. The Crime and Disorder Act 1998, as amended, established Crime and Disorder Reduction Partnerships, now known as Community Safety Partnerships ("CSPs"), in order to facilitate a multi-agency approach to the reduction of crime, substance abuse, anti-social behaviour and reoffending.
47. The 1998 Act imposes statutory duties on local authorities, police authorities, fire and rescue authorities, Primary Care Trusts, and the Probation Service, known as "responsible authorities", to form CSPs and work together to review crime and disorder in their area and implement a strategy to tackle priority problems. In Southwark the CSP is called the Safer Southwark Partnership ("SSP").
48. The Police and Justice Act 2006 amended the partnership provisions of the 1998 Act to make CSPs a more effective resource, and imposed obligations on CSPs to implement strategies to tackle the different types crime which affect their areas, such as hate crime. The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 make provision as to the formulation and implementation of such strategies.
49. Under the requirements of the 1998 and the 2007 Regulations the SSP has prepared a strategy to address hate crime in Southwark.
50. As a member of the SSP the Council has a duty to work with other responsible authorities to formulate, approve and implement such strategies. In accordance with the co-operative duties of the 1998 Act the Council must therefore approve and implement strategies prepared by the SSP.
51. Under Part 3 of the Council's Constitution, the approval of the hate crime strategy is a decision for the cabinet, as the strategy may impact on a number of portfolios.
52. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties, with regard to race, disability and gender. Race equality duties were introduced by the Race Relations Amendment Act 2000

which amended the Race Relations Act 1976. Gender equalities duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995.

53. Equality impact assessments are an essential tool to assist councils to comply with our equalities duties and to make decisions fairly and equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.

#### **Finance Director**

54. This report asks the Cabinet to approve the 2011-15 Hate Crime Strategy.
55. The Finance Director notes that the cost of the strategy can be met from within existing budgets, including the £7k cost of the Stop Hate UK pilot campaign, 50% of which will be funded by the Metropolitan Police

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
The violent crime strategy (2011 – 2015)	CSPS, Floor 3, Hub 3 160 Tooley Street London SE1 2QH	Dax Ashworth, 020 7525 5659
Southwark Antisocial Behaviour Strategy 2011-2015	CSPS, Floor 3, Hub 3 160 Tooley Street London SE1 2QH	Dax Ashworth, 020 7525 5659
Hate crime and crimes against older people report - Crown Prosecution Service (CPS) 2009- 2010	CPS publication available online	Dax Ashworth, 020 7525 5659
The Cross-Government Hate Crime Action Plan – Home Office 2009	Home Office publication available online	Dax Ashworth, 020 7525 5659
London Borough of Redbridge hate crime strategy 2011	London Borough of Redbridge publication available online	Dax Ashworth, 020 7525 5659

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Draft Southwark hate crime strategy 2011 – 2015

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Richard Livingstone, Finance, Resources and Community Safety	
<b>Lead Officer</b>	Gill Davies, Strategic Director Environment & Leisure	
<b>Report Author</b>	Jonathon Toy, Head of Community Safety & Enforcement (E&L)	
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Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
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