

TACKLING HATE CRIME :HOMOPHOBIC HATE CRIME

This is one of a series of guides designed to share ideas about tackling hate crime and hate incidents. The ideas are based as far as possible on notable practice we have found around the UK and discussions with a wide range of practitioners. Although, in most cases, they have not been rigorously evaluated, they are reported to have been successful in tackling hate crime and incidents.

This guide focuses on homophobic hate crime, detailing the problems associated with it and solutions to tackling it.

WHO IS THE GUIDE FOR?

This guide is for anyone who might deal with or come across homophobic hate crime incidents in the course of their work, particularly in Community Safety Partnerships or Crime and Disorder Reduction Partnerships (CSP/CDRPs). But also including local authorities, the police, fire, health, social services, schools, healthy/safer schools partnerships, transport providers, the neighbourhood policing team, safer neighbourhoods team, neighbourhood watch, the neighbourhood wardens, Councillors, voluntary organisations including LGBT organisations, and other council services.

The Guide gives examples across the spectrum of tackling homophobic hate crime from prevention and early intervention through enforcement, investigation and prosecution and resolution. It is important that the local partners understand their individual roles across this spectrum and how these interlace. Key within that will be appropriate information / data sharing protocols so as to make best use of information available to the local team.

WHAT IS HATE CRIME?

A **hate incident** is defined as any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.

A **hate crime** is defined as a hate incident, which constitutes a criminal offence, perceived by the victim or any other person as being motivated by prejudice or hate.

This definition has been adopted from the McPherson report in order to cover all aspects of hate crime.

Hate crime is not confined to violence against the person or criminal damage offences. It can also be manifested through any crime type including targeted robbery and blackmail.

WHAT IS HOMOPHOBIC HATE CRIME (or incidents)?

Educational Action Challenging Homophobia (EACH - www.eachaction.org.uk) defines Homophobia as resentment, or fear, of gay and lesbian people. In manifestation it can be just a passive dislike of gay people. At the other extreme it involves active victimisation and can be very destructive.

Such attitudes can impact upon anyone who is perceived to be lesbian or gay, someone who has an association with gay people or does not conform to stereotypical expectations of masculine or feminine behaviour.

This guide is primarily concerned with homophobia that is expressed through homophobic incidents and crimes. The guide refers to the Lesbian, Gay, Bisexual and Transsexual (LGBT) community and people. We understand that issues for the Transgender community are not strictly about sexuality, although they might be. Rather perpetrators will often not distinguish between the different communities and the modus operandi and impact will be broadly similar. There may be differing victim needs. Similarly this guide recognises that members of LGBT communities are not homogenous. Whilst tackling homophobic hate crime, preventative measures should also tackle homophobia itself.

What do we know about Homophobic hate crime?

We have very little national data to draw on. However various local and thematic studies surface consistent characteristics.

Significant proportion of homophobic hate crime occurs

- between 3pm and midnight
- near home, in the streets or in local areas
- more than once to the same victim.

The **perpetrators** tend to be (not exclusively)

- Local youths/neighbours
- Under 24 especially under 20

- Male
- Likely to commit other hate crimes
- Likely to escalate in seriousness if behaviour remains unchallenged
- Act with other perpetrators - so victim(s) is (are) outnumbered.

There is no particular victim group within the LGBT community but young people, are likely to suffer proportionally higher rates of homophobic incidents, ranging from bullying through to physical assaults. Similarly those living in rural areas are also likely to experience higher rates of homophobic incidents and crimes. The LGBT community is likely to experience repeat victimisation and an escalation in seriousness. Under reporting is a significant issue.

IMPACT OF HOMOPHOBIC HATE CRIME

Homophobic hate crimes will have a range of impacts on the victim, depending on the victim themselves, the severity of the incident, the unexpectedness, the reaction of others. There may be costs attached to avoidance strategies, such as a taking a different route home, use of taxis, moving home, taking personal defence classes etc. There may also be increased isolation, fear of being 'outed', fear of repeat attacks. The impact might affect self esteem and therefore relationships (friends, family, partners) or even result in sick absence and underachievement. The may even be long short or long terms mental health needs and in the extreme may even lead to suicide.

Hate crimes can be a **signal** crime. A signal crime is any criminal incident that causes a change in people's behaviour and / or beliefs about their security. A seemingly low level homophobic incident because it is an attack on someone because of who they are can have a devastating effect compared with a similar incident without the hate motivation. The effect may not be limited to the victim. The victim's friends, family and members of the community can become secondary victims.

A signal disorder is an act that breaches acceptable standards of behaviour and signifies the presence of other risks. Low level hate crime which signify that the perpetrator is targeting a particular individual or community carries a threat of further and ongoing action including the threat of escalation. It may therefore increase fear of crime in the community.

HOME OFFICE PRIORITIES FOR TACKLING HOMOPHOBIC HATE CRIME.

We have identified five priorities for tackling homophobic hate crime

1. Increasing reporting by victims and witnesses
2. Improving the effectiveness of the response of criminal justice agencies and other agencies such as crime and disorder reduction partnerships
3. Increasing confidence in the CJS and other agencies' ability to tackle hate crime
4. Improving data available on hate crime, including better use of local intelligence
5. Tackling repeat victimisation.

TACKLING HATE CRIME AND HATE INCIDENTS

Tackling hate crime and hate incidents is not a single agency issue. Victims of hate crime will go to a number of statutory agencies and present for example injuries, or impact of the crimes as part of accessing the service. So GPs will see physical injuries or the impact on self esteem or worse mental health. Similarly social services and housing may get requests for help with moves or complaints about other clients. This is therefore an ideal opportunity to seek further information, encourage the victim to report to the police or to make a third party referral. Third party referrals and reports, at the minimum, allow the local community safety partnership to understand the nature of hate crimes and incidents in the area.

Hate crime is under reported for a number of reasons including distrust, discomfort, confidentiality, not wishing to be 'outed', or embarrassment, especially where individual incidents are relatively low level but have a significant impact because of frequency.

UNDERSTANDING HATE CRIME IN YOUR AREA

It is important that the local partnership, CDRPs / CSPs should understand the nature and extent of hate crime in its areas.

- Do you know where hate crime is occurring in your area?
- Is it being reported?
- Do victims / witnesses report to agencies other than the police? (Eg GPs, Health, Schools, Housing, Highways etc) Do they know what to do?
- Who / what sort of people are the victims and main offenders?
- What is driving the problem?
- What is the nature of the harm / damage?

- How is the harm/damage being committed?
- When is it happening: are there patterns in terms of the time of day, day of the week,
- Is it seasonal or around a specific day(s) such as Halloween?
- Is there, for example, a problem around pubs and clubs at closing time
- Or around schools at dinner time or the end of the day?
- Is it happening in schools? Between lessons? In lessons?
- Or around particular venues at particular times

And for all of these questions,

- Do you know why?
- Have you consulted LGBT communities?
- Have you got input from LGBT people who don't use gay venues?
- Do you understand the impact on LGBT people who are not out?

Answering such questions, as fully as you can, will significantly improve your chances of dealing with the problem efficiently and effectively. Involving the community in answering the questions is essential for the bigger picture.

In Greater Manchester Police Divisional Community and Race Relations Officers produce a weekly **Disorder Risk Assessment Document DRAD**. The DRAD is a compilation of all the incidents reported to the police, the local and national newspapers and far left and far right websites. This information is then split into separate sections: Economic, Political, Reported Hate Crime, Criminal, Media, Future Events, and Community Intelligence. These highlight a range of tensions and the DRAD is used to observe changes in racial and community tensions, and to identify incidents as hate crime incidents that may have previously been overlooked. DRAD is presented to the weekly multi-agency Hate Crime Incident Management Group Meeting (HCIMG) which discusses the tasks that are to be actioned and coordinated. The HCIMG is made up of representatives from the police, Housing services Environmental Services, Oldham council, Oldham Race Equality Partnership, Victim Support Services, Licensing and the Area Action Team.

In some cases homophobic hate crime will be symptomatic of a range of unacceptable behaviour occurring in a particular area with a

handful of people making life intolerable for the whole community. As such it can be more useful to deal with the range of behaviours and symptoms including the homophobic element, using the local community, often a silent majority, as part of the solution.

This **problem-oriented** approach has been used successfully in Operation Mullion in **Portsmouth** where the **SARA** (Scanning, Analysis, Response Assessment) model was extensively employed to deal with antisocial behaviour and criminal activity around a school. Interventions implemented either

- increased the perceived **risk** or **effort** of committing the crime;
- reduced the anticipated **reward**; or
- removed the **excuses** or **provocations**

Collaborative problem solving processes can help identify the most effective interventions.

These will normally fall into three types:

Negotiate and support – challenge the people responsible and get support from other agencies if need help to change. Sometimes quick, simple and direct intervention can solve the problem without the need for further action.

Warn and clean up – firm tactics and legal processes such as eviction orders in order to moderate or change behaviour. Cleaning remedial action where there is homophobic graffiti or littering

Make full use of powers – draw on enforcement powers of all partners. Consider reparation or payback schemes

SUPPORTING WITNESSES AND VICTIMS

Victims and witnesses are at the heart of the need to tackle homophobic hate crime. At present there are pockets of good practice and there is at best variable confidence that a particular homophobic hate crime, if reported, will be taken seriously and something done about it. This will be based on both personal experience and the experience of friends, relatives, peers colleagues and associates. That being the case, any particular member of the LGBT community will have variable perceptions as to the accessibility of local service providers to LGBT or LGBT-friendliness.

Therefore supporting victims and witnesses who do report homophobic hate crime is critical to tackling homophobic hate crime. As is an appropriate risk assessment on repeat

victimisation. Their evidence may not only be needed in court but can also help build intelligence as to what is happening in a particular area and identify high risk areas for preventative interventions.

In Kirklees, the Community Safety Partnership provides Target Hardening of property services for people who have suffered hate crimes or incidents. It also offers counselling if it is needed for up to six sessions. This is because research has shown that LGBT victims of homophobic hate crime can experience long term mental health problems as a result of the victimisation. If the case is pre-court the type of support provided must be compatible with pre-trial therapy protocols.

There may be a fear of reprisals or things getting worse if it is reported and the intervention is inappropriate. A key issue to consider is the need for confidentiality. A victim or witness of homophobic hate crime may or may not be from the LGBT community. Others will be 'out' to their trusted associates but may not be to family, wider friends or even colleagues. In either case homophobic hate crime is unacceptable. Due consideration needs to be given as to whether this is even important to establish whether or not the victim or witness is LGBT. Care should always be taken that victims and witnesses are not inadvertently 'outed' or labelled by insensitive handling. Access to case data should be carefully thought through so it is not misappropriated or misused.

MULTI-AGENCY APPROACH

In order to tackle homophobic hate crime effectively a multi-agency role will be needed. Each agency will have a particular contribution to make. Key within this will be the local data-sharing arrangements. It is highly likely that a range of agencies both in the criminal justice system and outside it, especially CDRPs or CSPs, will hold information about the vulnerability (increasing) of particular victims or set of victims or about a particular perpetrator or their associates including friends and family. Appropriate data sharing will allow burgeoning problems to be identified as an earlier stage.

CHILDREN, YOUNG PEOPLE

We know that a lot of hate crime escalates if it is not challenged. It is often committed by young people and conversely they are also

likely to be victims of homophobic hate crime and some will become isolated from their peer groups. Therefore early intervention and preventative measures are important. An important area then is the role of Schools and Children's and family services.

Child Line published 'casenotes' in August 2006 about calls they received in April 2006 about homophobic bullying and crimes in and around schools. A significant proportion were concerned with homophobic bullying. Some reported a triple sense of isolation from friends, schools and families. Reporting homophobic bullying carries the risk of being 'outed' and a lack of confidence that the person told would react appropriately. Interventions to tackle homophobic bullying need to find ways of allowing someone to report on the perception that they are LGBT without identifying that they are or are not LGBT. Homophobic bullying and crime is unacceptable whether the victim is LGBT or just perceived to be LGBT. <http://www.childline.org.uk/Casenotes.asp> The Childline number is 0800 1111.

Education Action Challenging Homophobia (EACH) has a free phone helpline for young people suffering from homophobic bullying, providing them with confidential advice and support at **0808 1000 143**. EACH also provides teachers and college tutors with school-based training, giving them strategies to tackle homophobic bullying successfully. www.eachaction.org.uk

SCHOOLS

All hate incidents, including homophobic bullying, incidents and crimes will have an impact on the social and emotional aspects of learning, not only for the recipient of such behaviour but for others who identify with the same group, associate with recipients or are similarly different or vulnerable. More information is available on teachernet <http://www.teachernet.gov.uk/teachingandlearning/socialandpastoral/sebs1/seal/> and the DfES Standards Site <http://www.standards.dfes.gov.uk/primary/publications/banda/seal/>

When it comes to reporting and recording hate crime incidents, schools can be a little concerned about a negative impact on their reputation, that it would be perceived as a school which has problems rather than one which deals with them positively. Some partnerships are trialling centralised reporting

which involves each report being sent, electronically, by fax etc, to a central point. This allows a hate crime coordinator to offer external help where it's requested or where the situation demands it. It also allows trends to be identified, leading to re-juggling of resources and proactive preventative policies being put in place.

STONEWALL and EDUCATION FOR ALL have produced an anti-homophobic bullying package for teachers called **Spell It Out** complete with a booklet and a DVD. Spell It Out, set in a school, uses a series of sketches of teachers and pupils to discuss the issues surrounding the assumptions teachers make about pupils in their schools, the use of homophobic language, the school culture- in terms of whether gay or lesbian teachers feel comfortable in schools, the stereotypes of lesbians and gay individuals and what teachers can do to better the situation. At the end of the DVD, a number of initiatives are focused on which schools can adopt to combat homophobic bullying
www.stonewall.org.uk/education_for_all/

The issue of reputation management is circumvented by collating the information from incidents in a way that allow the issues such as incident type, hate motivation, ethnicity, sexuality, disability, date, time, seriousness etc to be collated without identifying the school. Indeed schools actively managing such issues can point to proactive management of homophobic and other bullying / incidents / crimes as a positive factor – a safer, healthier school. Giving due consideration to Childline's findings it would be dangerous to assume that homophobic incidents do not occur in a particular school as victims and witnesses might be too worried or frightened to bring the abuse to greater attention. Online reporting systems also allow pupils and parents to make referrals direct if they feel the school is not taking the issue seriously. This whole agenda is very much part of the ethos of 'healthy schools' and 'safer schools' programme.
www.teachernet.gov.uk/wholeschool/behaviour/saferschoolpartnerships

It might also be useful to tackle homophobic hate crime as part of a drive to improve behaviour generally, such as dealing with anti-social behaviour, unacceptable behaviour and hate crime generally.

'Wired for Health' includes programmes for healthy schools. It includes [Stand up for us](#) which aims to help schools to challenge

homophobia in the context of developing an inclusive, safer and more successful school environment for all. It is intended for anyone who works in early years settings, primary, secondary and special schools, off-site units and Pupil Referral Units (PRUs). It highlights the imperative for addressing homophobia and tackling homophobic bullying in schools:

<http://www.wiredforhealth.gov.uk/cat.php?catid=1101&docid=7707>

In **Kent**, the Safer Schools Partnership was set up in 1998. The police monitor security in and around schools, and have encouraged students to identify, design and lead the development of approaches to deal with crime and safety issues. Moreover, training and support is given to schools that want to develop integrated peer-led approaches to deal with bullying, vandalism, racism, and drugs. Whilst reducing crime and nuisance in and around schools, this approach also reduced truancy and school exclusions; improved the perceptions of young people in the local community; and helped prepare them to engage in decision-making processes. Between 1998 and 2000, incidents of vandalism in and around schools in Kent decreased by 63%.

The seriousness of using homophobic language is not fully appreciated in schools. Whilst it is probably made clear to pupils that the use of racist language is unacceptable, the same is not true for use of homophobic language. However, constant use of such language and homophobic crimes and incidents will have an effect on pupils ability to learn, or willingness to stay on in schools. Research shows that pupils who are victims of homophobic bullying are more likely to leave the education system at 16 years old, less likely to go on to higher education and more likely to be the lower- achievers.

www.standards.dfes.gov.uk/primary/publications/banda/seal

In **Wigan** the Community Safety Partnership has set up a centralised reporting system for all schools on hate crime. Reports come into a central point and if help is requested the hate crime team provides assistance. The individual reports allow identification of the problem and emerging trends. There is no stigma attached to being a school that proactively engages on this basis. Managerial

reports do not identify the individual schools which helps with reputation management for the schools. However crucial information identifies key characteristics such as the type of hate crime, sex date, time, type of incident which help with intelligence, helps make decisions about deploying further resources.

Manchester City Council has implemented a number of initiatives aimed at tackling homophobic bullying in schools:

- The *Children Service Sexuality Guidance* based upon the *Every Child Matters* an advisory document for adults who work with children for tackling homophobic bullying
- A teachers' newsletter on eradicating homophobic bullying distributed to schools across Manchester and consisting of contributions from organisations such as Healthy Schools and Lesbian and Gay Foundation (LGF).
- Mainstreamed modules on homophobic bullying into the national curriculum
- Allowing young people to record race and homophobic incidents online

HOMOPHOBIC CRIMINAL DAMAGE

Hate Crime and incidents can cover crime including criminal damage, vandalism and acquisitive crime. In March 2006, the Home Office criminal damage team produced five guides on tackling criminal damage and vandalism more effectively. These tools and strategies are available on <http://www.crimereduction.co.uk/vandalism01.htm> and should be used to tackle homophobic graffiti, criminal damage and vandalism as with any other comparable crime. If the situation does not improve, an evidence-based audit trail of interventions will build a picture of persistent homophobic behaviour, repeat victimisation, seriousness and impact and help to improve the quality of the case being brought. It may also allow an inference to be drawn about the criminal behaviour being intentional rather than born of ignorance.

A range of tools and measures are available to tackle this.

Any damage to, or destruction of, property by vandalism is likely to be a criminal offence under the Criminal Damage Act 1971. The damage does not have to be permanent. Maximum prison sentences are:

- life for arson, criminal damage that endangers life, or for threat or possession with

intent to commit criminal damage involving explosives;

- 14 years where racially or religiously aggravated; and
- 10 years for all other forms of criminal damage, including threat or possession with intent to commit criminal damage.

Often, however, the cases will be minor and so can be dealt with in a magistrates' court. The court will take into account the damage and trouble caused in restoring the property when sentencing:

- if the value of exceeds £5,000, the maximum penalty is six months in jail and a £5,000 fine
- if the value is less than £5,000, the maximum sentence is three months imprisonment or a fine of £2,500

In Kirklees the community safety partnership works in partnership with the Council's Highways Services to ensure removal of all homophobic graffiti with 24 hours (and indeed other hate crime graffiti). This has increased victim satisfaction and confidence in the police and other agencies.

PENALTY NOTICES

The police have the power to issue a range of penalty notices to tackle vandalism. These are fines that can be issued by police and a limited range of other people ("accredited persons") for offences that would normally be tried in court, offering a fast alternative to the judicial process. Community Safety Accreditation was established under the Police Reform Act 2002 (sections 40-42). It allows chief officers of police to accredit non-police employees working in a community safety role with a discretionary and limited range of police powers similar to those of PCSOs. A wide range of different people can be accredited including neighbourhood wardens; security guards; fire and rescue service personnel; housing association employees; environmental health officers; and others working in a community safety role.

Fixed Penalty Notices (FPNs): police, PCSOs, local authority authorised officers and persons accredited by the chief officer of the police force may issue a fixed penalty notice of £50 for minor graffiti and fly posting (both of which are likely to constitute criminal damage) to individuals aged 10 years and over.

Penalty Notices for Disorder (PNDs): police and PCSOs (but not accredited persons) may also issue a penalty notice for disorder of £80 to those aged 16 years and over for destroying or damaging property that is valued at under

£500. A PND of £40 for the same offence may also be issued to 10-15 year olds in a number of pilot police forces across the country, including West Midlands Police (including British Transport Police), Essex Police, Lancashire Constabulary, Nottinghamshire Police, Merseyside Police and the Metropolitan Police Kingston Division.

ANTI-SOCIAL BEHAVIOUR POWERS

There a range of ASB tools that can be considered as part of a strategy to drive down harassment including homophobic harassment.

On a deprived estate in **Preston**, a collaboration between victimised shop owners, the police and the local authority aimed to tackle a rising problem of loss of customers due to youths hanging around the shopping area and causing criminal damage to the buildings (including damage to the roof of one of the shops). A mixture of **high visibility policing** and **professional witnesses** were deployed to collect evidence of the harassment and damage. The local authority housing department identified and approached parents of offending youths to inform them of the **Harassment Act** and using **housing tenancy agreements** to lever them to take responsibility for their children's anti-social behaviour. This project led to a 71% reduction in reported incidents in the area. Fourteen youths were arrested and one ABC was applied (the first one used in the area).

Acceptable Behaviour Contracts (ABCs):

These are non-legal contracts between a perpetrator and a relevant authority in which the perpetrator agrees not to perform certain antisocial acts. These are useful early intervention tools, designed for very low level anti-social behaviour. These have been used successfully to curb the behaviour of those who are involved in harassment and vandalism at a very low level.

In **Loughborough**, local residents were suffering from anti-social behaviour from a range of youths who were involved in criminal damage as well as abuse and intimidation of other young people. Persistent ASB had engendered a feeling of fear and intimidation amongst local residents. The result being that this group felt they were untouchable. A group application for **8 ASBOs** was made against the main perpetrators, prohibiting them from committing anti-social acts, including vandalism. This application was approved and

in the following 6 months there was an **88%** reduction in incident reporting and a **45%** reduction in crime, including vandalism.

Anti-Social Behaviour Orders (ASBOs) and injunctions:

These civil orders protect the public from behaviour that causes - or is likely to cause - harassment, alarm or distress. ASBOs and injunctions prohibit the perpetrator from undertaking specific anti-social acts. Breach of an ASBO or injunction can lead to a custodial sentence. They can be used effectively to prevent criminal damage by targeting persistent offenders and include appropriate prohibitions to ensure that perpetrators do not engage in persistent vandalism. There are 3 types of injunction that could be used to tackle vandalism issues: an anti-social behaviour injunction; an injunction against unlawful use of premises; and an injunction against breach of a tenancy agreement.

In Bexley, London, about £100,000 of criminal damage was caused to Welling School over 2 years. All the partners involved agreed to the police team having an office in the school as the long-term solution. The police at the school also set up activities, such as simulation police training, and a young persons' film-making club, which gives young people the chance to make films tackling real issues affecting their lives and communities. Moreover, the school hosts regular meetings with local residents to ensure that concerns can be raised and addressed in an open manner. Vandalism and antisocial behaviour has virtually been eradicated in the school, and complaints from local residents about people being on school grounds outside school hours have stopped. Staff and pupil morale has increased. With their expertise in crime reduction, the police are also well placed to help address the underlying causes of criminal behaviour. Safer Schools Partnership (SSP) Officers can help deliver law and order education as part of the citizenship curriculum, whilst police in areas without SSPs can engage in local schools and youth inclusion projects by giving talks or holding workshops. Such initiatives also assist in developing stronger relations between the police and the local community, particularly young people.

Working in partnership with schools and with healthier / Safer Schools programmes it should be possible to find times within each year groups' timetable to slot in work on citizenship and on homophobia. Similarly themes can be discussed in, for example, Anti-Bullying week,

A hate crime awareness week, an LGBT awareness month.

LOCAL PROBLEM LOCAL RESPONSE

The vast majority of hate crimes appear to occur in and around local areas, the neighbourhood, around schools, around people's homes and properties and within daily routines. The roll out of neighbourhood policing teams provides another resource for tackling hate crime at a point where it makes a difference – at local or neighbourhood level. Partners within this include Police officers and police community support officers, special constables, Neighbourhood community wardens, neighbourhood managers, Councillors, voluntary and community organisations, communities, volunteers, Neighbourhood Watch schemes and Community Safety Accreditation Schemes. In addition they can involve a range of service providers including Planning, Children's services, Social services, Youth Services, licensing and trading standards and environmental services. All have a duty to provide services in the local area and can consider how they might alter their service provision to deal with both individual cases and growing trends.

High visibility policing by police officers, police community support officers, and neighbourhood or street wardens can act as an effective deterrent to hate crime, as well as being a reassurance to the community. It is however resource intensive so to be cost effective it needs to be well targeted at the main hotspots and times. Taking an evidence led problem-orientated approach is vital; the evidence could be based on number of reports but might equally act on community information and concerns.

The **North Wales Police** encourage open communication and two way dialogue between senior officers and delivery staff to gauge each others concerns and opinions. In addition, senior officers frequently visit officers on the beat and assess how effectively resources are being directed in the fight against crime. This strategy also enables the police to ensure that police community support officers and neighbourhood wardens are well tasked.

To maximise the evidence base, it is important that people are encouraged to report hate incidents and crimes in the local area. It is

also important that local people are involved in creating and owning the solution.

COMMUNITY ENGAGEMENT

Community engagement needs to go beyond public meetings and needs to include street briefings, house to house calls, have a say days, meeting the community on its turf, focus groups, neighbourhood panels, surveys, meetings with particular groups, www.communityengagement.police.uk. Partners will of course want to coordinate so as not to overlap and to fill gaps in their natural interests.

Listen
Inspire confidence
Support with information
Take ownership
Explain
Notify people

This provides a good basis for ensuring community engagement is effective and fit for purpose.

It is important to provide the LGBT community with **Access** to policing and community safety services, **Influence** over community safety priorities, the **Opportunity** to take joint action and feedback regarding solutions and

Answers

Information

When dealing with information given either through community engagement or through reporting of a crime, care needs to be taken to respect the confidence of the person giving the information. Police intelligence have a '5x5x5 intelligence/ information report' which helps consider anonymity. More information in the ACPO (2006) Guidance on the management of Police Information.

AWARENESS RAISING / INCLUSION OF COMMUNITIES

Hate crime can be manifested in many ways. It can be overt or subtle. It can therefore be very difficult for individuals to recognise it or to feel able to report its occurrence. Commonly victims and witnesses believe that nothing can be done about it, or they would not be believed or that the behaviour is not a crime. Consequently they suffer in fear, isolation and silence. This can have very damaging long term effects. In addition members of the LGBT

community may not be out to everyone in their lives or frequent LGBT venues and events. Reaching those who might be most vulnerable requires creative thought. Targeting mainstream events and places that anyone and everyone attends or uses such as supermarkets, shopping centres, sporting events, musical events, school events etc is therefore important. Some members of the community will not approach LGBT specific stalls so displaying LGBT friendly logos such as the rainbow logo might help. This stops accidental outing.

Many CDRPs/CSPs have held awareness raising events or days/ weeks. Some have annualised these events so that they become a normal part of the area's public events and become a norm.

In **Wigan** a Hate Crime Awareness week is held annually in February to coincide with Valentine's day. A range of hate crime and homophobic hate crime specific events are held across the city. This includes addressing the issue in existing playshemes, schools, libraries, sports events etc as well as bespoke additional events. 2007 will include a poster competition giving all members of the borough, particularly in schools, youth and community groups, to 'say something positive' about equality themes. The posters will be displayed across the borough during hate crime awareness week.

Awareness raising events that are aimed at a wider audience, such as in shopping centres, libraries, post offices, supermarkets can be helpful in identifying individuals to conduct more focused follow up research on the needs, including needs as a victim of hate crime, of individuals in LGBT communities. This is particularly true for people who are not out or who do not frequent LGBT venues and events.

Kirklees Community Safety Partnership holds an annual 'Out and About Festival' to celebrate the Lesbian, Gay, Bisexual and Transgender communities in the Kirklees area. The Festival aims to raise the profile and expectations of the LGBT communities, to demonstrate a commitment to equality and to celebrate the contributions made by LGBT people to society. In 2006, this took place over four months including Pink Picnics, Art exhibitions, a fashion show, various music, dance and theatre events, a film festival, sports and youth events. The events are open to everyone and has endorsements from an

MP, the local authority, local newspapers.

In **Hull** a day long awareness raising event was held in the exhibition space of a city centre shopping centre. This included theatre and music on different forms and motivations of hate crime and a Question time style event. The purpose was to raise awareness of all hate crime and to simultaneously launch third party reporting centres and **True Vision** as a self-reporting pack. The neutral space meant the event reached people who might not identify with particular community groups or go to community specific events or organisations. In the month following the event there was an increase in reporting including 35 from True Vision – more than 50% of that month's reports.

Hosting '**police hate crime**' stands in city centres and at 'gay scenes' has been a helpful way of providing access to the police. Moreover, displaying LGBT literature and logos, as well as literature on other types of hate crime, on the police stand creates a more 'gay-friendly' atmosphere and as such attracts more members of the LGBT community. People can talk through concerns and trends, without disclosing sexuality.

VALUE OF USING PUBLICITY

Publicity can play an important part in maximising the impact of interventions. It can:

- Have an impact before implementation;
- help to increase impact by deterring offenders, and
- reassure the community;
- Inform the community;
- gaining the support of the local community.

Publicity can be proactive and reactive. By not being too specific about exactly what is happening, when and where, the potential deterrence effect could possibly be increased even further. Care must be taken, though, not to glamorise the criminal behaviour or possible consequences, or to give offenders information which assists them to circumvent any tactics being employed. Where applicable, publicity should be timed around specific dates to make it easier for local people to make a connection.

Leaflets or other printed materials such as posters or newsletters can be distributed one to two weeks in advance of any work and reports are shared with the public one or two weeks afterwards. It is important to ensure the service is able to live up to the promise that publicity creates. Otherwise it will only add to

the perpetrators' perception that they can get away with it and the community's perception that nothing is done about it.

What are Neighbourhood Wardens?

Neighbourhood Wardens provide a highly visible, uniformed, semi-official presence in residential and public areas, town centres and high-crime areas with the aim of reducing crime and fear of crime; deterring anti-social behaviour; fostering social inclusion and caring for the environment. Their overall purpose is to improve quality of life and contribute to the regeneration of an area. The wardens have a number of roles depending on local needs, such as:

- Promoting community safety and assisting with environmental improvements, such as litter, graffiti, dog fouling and housing.
- They also contribute to community development and provide a link between local residents, key agencies such as the local authority and the police.
- Wardens engage well with local residents. For example many schemes have organised 'litter picks' with young people, helped set up football teams and visited schools.
- Wardens are providing an information service to the public. Many are escorting and providing a visiting service for vulnerable groups such as the elderly, the disabled and victims of crime.

www.neighbourhood.gov.uk

A national evaluation of the Neighbourhood Warden Scheme found that there had been a 28% reduction in the overall rate of crime in warden areas, compared with 5% increase in comparator areas (residents' survey evidence). This is significant because residents in warden areas are often at a higher risk of becoming a victim of crime than the national average.

The evaluation identified four key elements of successful and sustainable neighbourhood warden schemes:

- Employing people with good interpersonal skills
- Tailoring approaches to local problems eg by involving young people or providing information and assistance to groups that are particularly vulnerable
- Strong and effective partnerships
- Good scheme management

INFORMATION SHARING

In order to understand the local needs for tackling hate crime the team will need community information which may come from the communities themselves or from partners who will hold case information about a given area, person or community. This includes the police, health, probation, education, fire, housing and social services. Partners will therefore need to draw up data-sharing processes. Community information can give information about crime and disorder but equally it will surface community problems and help monitor changes in tensions between different communities and people within the same community and risk and vulnerability of some communities. If you think the information you have might be useful to another partner you should at least talk this through with your manager. Similarly if your staff come to you with information which you might not act on but would be useful to another partner you should consider its usefulness for the partners you work with.

POLICE COMMUNITY SUPPORT OFFICERS

Police Community Support Officers (PCSOs) also provide a visible and uniformed presence in the community, directly helping the police to tackle criminal behaviour, and freeing up police officers from some of the time spent on routine tasks. Moreover, they provide a valuable service in reassuring the local community. In relation to vandalism, PCSOs can be particularly useful in:

- attending incidents of low-level disorder and antisocial behaviour;
- dealing with community issues such as littering and dog fouling;
- reporting and removing abandoned vehicles;
- gathering evidence through observation;
- speaking to young people who might be drunk and causing problems, confiscating alcohol and tobacco, if necessary; and
- assisting the police with recording names and addresses or door-to-door enquiries.

Some PCSOs – depending on their role – are given police powers including issuing fixed penalty notices, and the ability to detain an individual for up to 30 minutes – enabling them to obtain back-up from a police officer.

PCSOs can help provide access to the police and other services for the LGBT community. They can also provide a fuller picture of what is going on in a particular area.

Lancashire police have a PCSO who is a dedicated LGBT liaison officer. The PCSO is well known and attends LGBT venues and events and liaises with LGBT organisations that might not necessarily liaise with the police. This provides a trusted form of access to the police. The PCSO can provide assistance to both police and victims by helping with making reports and during investigations. The PCSO can also get attendance at consultation events from a range of LGBT people, so ensuring that the diverse needs within that group are heard. Contact details for the PCSO are made available to the LGBT community.

In Gateshead, there was a lack of communication between the residents of an estate and the local agencies, as well as a lack of community confidence. A multi-agency response included a high level presence from police community support officers, clean up operations and housing inspections. A large amount of information regarding residents' concerns was gathered, and enforcement action was undertaken against a number of households on the estate. Moreover, relationships have been improved with local residents and the front line services, including the police, PCSOs and the housing company

The neighbourhood team will also need support to reinforce the local drive. Examples include:

- Call handlers and response officers being aware of the most vulnerable neighbourhoods and public priorities
- Giving intelligence gathered from local people proper recognition
- Reflecting community concerns about confidence and feelings of safety in briefings
- Using local knowledge of neighbourhood team when investigating
- Using problem solving techniques

Neighbourhood management also has a role to play in making sure that partnerships at local level are successful. Key features of successful neighbourhood management include:

- A clearly defined neighbourhood
- Resident involvement so improvements are customer-led
- A Dynamic neighbourhood manager with credibility and authority
- A local partnership to provide strategic direction and focus (residents, councillors, service providers)

- Support and commitment from the local authority and local strategic partnership
- Good information about communities, their needs and evidence for change and on the impact of interventions
- Commitment from service providers to engagement between services and residents.

Further information at www.neighbourhoodmanagement.net and www.neighbourhood.gov.uk

LIASING WITH LOCAL SERVICE PROVIDERS

Local council services such as the Housing Service are vital to the success of a multi-agency approach. As these services regularly come into contact with victims of crime it is imperative that strong communicative links are formed between these services and the police, local LGBT organisations, legal services and other authorities that may also have some involvement. Representative from each should be chosen and should have consistent meetings on hate crime cases.

Manchester City Council's Housing Service and Greater Manchester Police are working in partnership to run the Housing Service's reporting centre and help line for victims of hate crime. Victims, if experiencing problems with neighbours and landlords and suspect that this may be hate-related can report the incident to the reporting centre or call the Housing Help line for help and advice. In both cases the disclosure of the victim's identity and reporting of the crime to the police is entirely at the discretion of the victim'

Manchester City Council's Housing Service regularly liaises with **Greater Manchester Police, the LGBT safe group, the Health Authority, Primary Care Trusts and local LGBT organisations**. This has helped to bring more offenders to justice.

INCREASING REPORTING

Homophobic hate crime is likely to be significantly underreported. Anecdotal evidence and qualitative research indicate that any particular victim of homophobic hate crime and incidents will have had many such experiences, some more serious than others before reporting. Almost like the straw that breaks the camel's back. There are a number

of reasons behind victims being reluctant to report a homophobic hate crime or incident:

Victims might not recognise a particular incident as being a crime, especially if they have endured similar incidents, or they might not feel anything can be done about it. It may be the case that the victim feels as though the CJS will not take their case seriously and therefore if they report a homophobic incident to the police, nothing will be done. Moreover, if victims have previously reported an incident, which, in their experience, was not taken seriously by the criminal justice system. This might make them less willing to report a crime if they become a victim at another time.

Historically, there was a fear of adverse consequences from coming to the attention of the police as being LGBT either as a result of engaging in certain activities such as cruising or becoming a suspect for other crimes. Victims may also feel embarrassed about being a victim of homophobic hate crime. There may also be a fear of interventions leading to the situation becoming worse or the attacks becoming more serious. This is a real fear in all hate crime and personal crimes.

Victims may also have a very real fear that their sexual orientation, or perceived sexual orientation, will be disclosed by the police or any other agency and the media if they report the incident. This will be particularly important to them if members of their family, friends or colleagues do not know they are LGBT.

Due consideration needs to be given as to whether it is even important to identify victim as being or not being LGBT. The crime is still a crime and unacceptable behaviour is still unacceptable behaviour.

GREATER USE OF DIFFERENT REPORTING STYLES:

It is important that homophobic hate crimes are reported. If the crime is reported, the chances of the perpetrator being found and brought to justice or account increases, whether that results in a criminal charge or prosecution. Only if homophobic crimes and incidents come to light can the police, local authorities, CDRPs and CSPs gather data and intelligence, understand the nature of the problem and therefore take interventions to tackle homophobic hate crime and bring perpetrators to justice. Some victims do not want police action, but do want to pass on the information so preventative action might be taken.

Consideration needs to be given to allowing reporting so a victim or witness is able to pass on the information without follow-up action on the case in question. Third Party reporting allows this function to be fulfilled

Direct Reporting: One of the most effective reporting methods is reporting a hate crime or incident directly to the police and providing them with a statement on the crime. In an emergency that should always be 999. However consideration should be given as to how LGBT people might become familiar with other ways of reporting to the police, for example, though contacting the local police station. There is also scope for creative reporting opportunities. Some organisations will host either one off or regular sessions where the police are present on their premises and clients can either talk to the police about their concerns or even report their experiences. This acts to help increasing reporting but also to boosting the quality and quantity of local information about the occurrence of homophobic crimes and incidents. The police also provide a online direct reporting service through www.police.org or www.online.police.org.

In **Hull**, a mobile police station was positioned in various parts of the city. Officers patrolled from it and it also provided a place for local residents to drop in to report problems etc. improving police–community relations. Before moving on to the next location, efforts were made to leave something behind for the community, such as a new community centre

Self-reporting: This involves filling out self-reporting forms or reporting the incident via the internet.

Self-reporting systems should be marketed and distributed widely. As well as including LGBT organisations they should be distributed across the community. Examples include local schools, colleges and universities, libraries, post offices, shops, citizen’s advice bureaux, hospitals, GPs, council services, indeed anywhere that people go and can pick up information. This will help to reach the LGBT community across age groups and including those who do not access LGBT specific venues, services and organisations.

In 2004, the Police Service launched a self-reporting pack called **TRUE VISION**. The aim is to encourage victims of homophobic incidents to report them by filling in reporting forms detailing the incident(s). True Vision

allows those victims who feel uncomfortable reporting a crime directly to the police and who wish to report crimes at their own discretion. Variable results have been reported in getting reports but the best results occur when it is a part of a package of measures to increase reporting. They need to be backed up with awareness raising events and with the ability to process reports quickly and effectively once received.

When a victim does report an incident to the police, care should be taken to ensure that any requests for confidentiality or for example not ringing on a land line are respected and that the victim is informed of the steps that will be taken and of any progress made. Processes are covered in the ACPO Hate Crime: Delivering a Quality Service. Good practice and tactical guidance.

Self- Reporting Websites: Websites such as www.report-it.org give victims of hate crime can report the crime online rather than directly to the police. The victim can chose to reveal their identity.

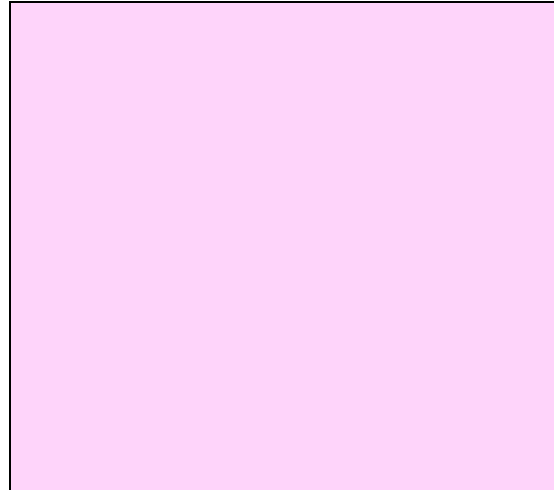
Third Party Reporting Centres: Third party reporting centres run by local LGBT organisations can increase reporting amongst victims who may feel more comfortable talking to organisations that cater directly for their needs rather than reporting the incident directly to the police. Similarly other reporting sites, perhaps providing other services, can provide a more accessible reporting facility. GUM clinics are a good example

Third party reporting centres will need one central point of collation and a locally agreed single reporting form and system should usually be in operation. Cases should have a unique reference number so they can be followed up by victims and partners. There will also need to be a good basic data sharing protocol which also considers the need for confidentiality.

Careful consideration needs to be given as to what will make the reporting centres successful. Staff taking reports will need training on handling and on what's important for recording purposes.

In London Galop, which supported by the Metropolitan Police Service, provides LGBT individuals with a wide range of services:

Victims can call Galop's **Helpline** for support and advice. Victims can also communicate



Although it is best if all details are available to the police and if every report is followed up, some victims will want to remain anonymous and therefore not want follow up action. In these cases the information can be sanitised and crucial information about the incident including location time, date, homophobic aggravation, number of attackers, lone incident, details of the perpetrator(s), nature of incident harm/damage done.

In November 2005, the **Lancashire Police Service** set up a service called **Blue Phone**: victims can call Blue Phone anonymously and speak to a volunteer. The incident is then reported to an LGBT officer in the police. Blue Phone is advertised in LGBT venues and hotels.

Kirklees Community Safety Partnership has set up over 60 reporting centres in its area, including eight based specifically in LGBT organisations. It also includes an online self reporting site. Reporting centres all report to a single point of contact within the Partnership. People who use the service have a choice of no further action, or the case being taken further and being contacted by the police. In either case the information allows the partnership to build a fuller picture of incidents and crime in the area. The partnership then matches hotspots and trends with the use of resources, viring them as necessary to deal with current trends.

A good example of this is the police drop-in surgery run by Merseyside police.

Merseyside Police Service ran a three year **drop-in surgery** at a local gay bar in the local LGBT community. The use of posters, LGBT literature and visible uniformed police officers

around the gay bar encouraged victims and witnesses to report homophobic incidents they had seen and encountered.

This has had a positive effect on relations between the police and LGBT community and has increased reporting figures. Police forces are looking to expand this initiative elsewhere.

In the first half of 2006, **Croydon Council** encouraged local newspapers in the Croydon area to publish 218 **good news stories** concerning victims of crime. Such an initiative made individuals aware if they are a victim of crime, there is a good chance the perpetrator will be brought to justice and that victims need not stay silent.

MORE EFFECTIVE INVESTIGATION

A key factor in improving the way hate crime is tackled is through effective investigation. The ACPO guidance on Hate Crime provides excellent advice. There is however a multi-agency role in ensuring all information is available for consideration and a role for members of the LGBT community.

Scrutiny panels provide an independent source of information and for ensuring all lines of enquiry are followed.

Kirklees Community Safety Partnership has set up an independent panel of lesbian, gay, bisexual and transgender representatives which provides a scrutiny panel on homophobic hate crime. It meets monthly and provides advice and avenues to explore to West Yorkshire Police. The panel offers time on a voluntary basis, leaving minimal costs for expenses and refreshments. This is overseen by the partnership's Sub-Group on homophobic hate crime.

Similarly some forces use their Independent Advisory Group members as a sounding board when considering particularly difficult cases or if worried about handling.

In 2006 **Greater Manchester Police Authority (GMPA)** established the **LGBT Independent Advisory Group (IAG)**. This group is made up of a panel of expert individuals from the LGBT community who advise the police and the police authority on any issues relating to homophobia or the LGBT community. The Diversity Command Unit in the GMP has a list of contact details of

MULTI-AGENCY RISK ASSESSMENT (MARAC):

MARAC is a risk-assessment carried out by the police on people suspected of being subject to domestic violence. Police officers are asked to carry out a risk assessment on females who have obtained suspicious looking bruises.

Once the assessment has been carried out, the police must share the information they have gathered with other CJS and non-CJSs that may be involved.

MARACs three objectives:

1. To gather detailed information from victims to be shared with other agencies.
2. To identify those who will need more intensive support
3. To make agencies aware of whom the most dangerous offenders are.

This can be emulated for hate crime to help tackle hate crime more effectively. It can help perpetrators to be brought to justice on more substantive evidence and brought to trial quickly and efficiently.

The **MARAC risk assessment checklist** is most commonly used in Domestic Violence and is for very high risk victims. The checklist asks questions about any injuries incurred, the use of weapons, whether the assailant has a criminal record or was experiencing financial problems, whether the assailant has threatened to kill anybody or has attempted to harm the victim and so on. Once the checklist is complete, the residing police officer must fill out a referral form stating the name and addresses of victims and witnesses and the reasons for the referral.

Tackling Homophobic Hate Crime : Summary

Understanding the local problem:

Do you know the nature of hate crime in your area?
Do you know how it fits with the local pattern of crime generally?
Is there a driver for these problems?
Do you know what type of homophobic hate crime? Where? Who the victims/ perpetrators?
How? When? Why?
Is it being reported? Who to? Do they know what to do?
Impact of hate crime? – support?
Who are the partners for tackling the issues?
Is there an issue around schools?

Does this information go into the local community tension briefing? Risk assessment processes

Engaging with the community / LGBT Community about homophobic crime

How/when/who do you engage?
How ensure feedback feeds into policies and interventions
How support the community? Training for service providers
Multi-Agency role - Neighbourhood policing/ wardens/ safer neighbourhoods/ neighbourhood renewal/ housing/ social services/ PCSOs etc
How engage with wider community? Using shopping malls/centres, post offices, GP services, libraries, stations, hospitals, LGBT events, LGBT venues?
How engage with community organisations?
How to include those who are not out or do not access LGBT venues and services?
Awareness raising events? Annualised events? Pink Picnic etc
Publicity

Involving schools

Is there a tackling homophobic incident/ bullying/ crime policy?
Is it part of improving behaviour generally?
Standards website
Is there a reporting system – Centralised?
Using Safer Schools / Healthy Schools/ Teachernet/ Spell it out/ Other package / Social and emotional aspects of learning (SEAL)?
Reputation management

Tools for tackling criminal damage / vandalism/ graffiti

Use of Fixed Penalty Notices and Antisocial Behaviour powers.

Increasing reporting

Internet / police stations/ telephone / text/ third party centres/ other service providers/ assisted/ self reporting
Support for victims and witnesses

Prevention

Have you target hardened?
Risk Assessment
Preventing repeat victimisation, Tackling trends / patterns
Changes to service provision
Personal safety advice

Home Office
Dec 2006