



Hate Occurrence and Crime Procedure

This document is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

Statement

North Yorkshire Police (NYP) strives to build safer communities by reducing hate crime and anti-social behaviour. A hate crime is one which is committed against an individual or group which is based on the person's protected characteristic i.e. race, sexual orientation, disability, religion or belief and transgender identity.

NYP also record both misogyny offences and offences committed against sex workers as hate crimes as well.

NYP is committed in taking effective action against all forms of hate crime and has robust procedures in place to ensure that offenders are brought to justice.

NYP will prioritise incidents according to the impact they have on the victim, their families and vulnerable communities and will provide an enhanced level of service in the management of such incidents.

This procedure details the process which officers will adopt to ensure an efficient and effective service is delivered to all victims of hate crime.

Aims of Procedure

- To ensure that officers have a clear understanding of the investigative standards required when addressing a hate crime.
- To provide a robust recording mechanism which, through analysis, identifies trends, patterns and actionable intelligence.
- To provide a framework in which all hate crimes are subject to a comprehensive risk assessment process.
- To maintain and enhance public confidence in the management of hate crimes and in NYP.
- To bring hate crime offenders to justice

Linkages

Overarching Policies:

Equality, Diversity and Human Rights Policy

Procedures:

Responding to hate | College of Policing

Responding to non-crime hate incidents | College of Policing

Repeat Victim & Caller Procedure

Domestic Abuse Procedure

Call Handling Procedure

National Crime Recording Standards Procedure

Data Quality Procedure

Collection and Recording of Police Information Procedure

Non-crime hate incidents: code of practice - GOV.UK

Other Documents:

Hate crime | College of Policing

National Crime Recording Standards (NCRS) Procedure

National Standard for Incident Recording (NSIR) Procedure

National Police Race Action Plan

NYP DEI objectives

Plan on a Page 2024

Definitions

Hate Crime

Any **CRIMINAL OFFENCE** which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's:

- Disability or perceived disability.
- Race or perceived race.
- Religion or perceived religion.
- Sexual orientation or perceived sexual orientation.

- Transgender identity or perceived transgender identity.
- Misogyny
- Crimes against sex workers

Misogyny (incorporated from 10 May 2017)

“Incidents against women and girls that are motivated by the attitude of men towards them and includes behaviour targeted at them by men simply because they are women or girls.”

There is no specific NICL qualifier for Misogyny in STORM or Niche. Misogyny hate crimes and incidents must be recorded in STORM using the ‘Prejudice – Gender’ qualifier and the ‘Gender’ hate crime indicator recorded within Niche.

Crimes against Sex Workers (incorporated from 18 October 2019)

‘Any criminal offence which is perceived by the victim or any other person, to be committed by reason of the victim being a sex worker.’

Hate Crimes against Police Officers

Op Hampshire outlines the support, process and guidance to help the police as a whole respond more effectively to assaults and hate crimes on police staff and officers while they are carrying out their duties.

A 7 point plan is to be adhered to which covers all actions to be taken including support for the colleagues through the criminal justice system.

The Hate crime team is working with the PRAP team and the Positive Action on Op Hampshire to ensure that the seven-point plan is followed for police officer victims of hate crime and that the right level of support is offered and provided to all colleagues who are the victims of hate crime.

Hate crime is now discussed at DMM in the same way as other high impact offences to ensure continuity of victim care and that safeguarding and investigative opportunities are maximised.

Hate Occurrences (Non-Crime Hate Incident / NCHI)

Any **NON-CRIME INCIDENT** which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person’s:

- Disability or perceived disability.
- Race or perceived race.
- Religion or perceived religion.
- Sexual orientation or perceived sexual orientation.

- Transgender identity or perceived transgender identity.

In December 2021, following Miller v College of Policing, the way in which the Police record and respond to alleged hate incidents changed.

In June 2023, a new Code of Practice was produced for how NCHI'S should be managed and regarding the recording and retention of personal data.

Responding to non-crime hate incidents | College of Policing

The change in policy means that the personal data of a subject should only be retained where there is a real risk of significant harm to individuals with a particular characteristic and/or that future offences may be committed against individuals or groups with a particular protected characteristic.

If the threshold is met that personal data of a subject is to be retained they the subject must be informed in writing of this.

If the threshold isn't met the data must be removed from both niche and storm where applicable.

Process & Responsibilities

Applicable to all crimes and occurrences with a hate element

Hate crimes and incidents can be reported in a number of ways including;

- 999 calls
- 101 calls
- Third party reporting centres allow victims to report hate crime to other trusted organisations who then notify the relevant police force. Supporting Victims and True Vision are NYP commissioned services. Local charities, services and organisations are also recognized third party reporting centres where victims can attend in person, via telephone or on-line.
- The National Police Chiefs Council (NPCC) has an information sharing agreements with the following organisations who act as hate crime reporting centres:

o Community Security Trust (CST) – Anti semitic hate crime

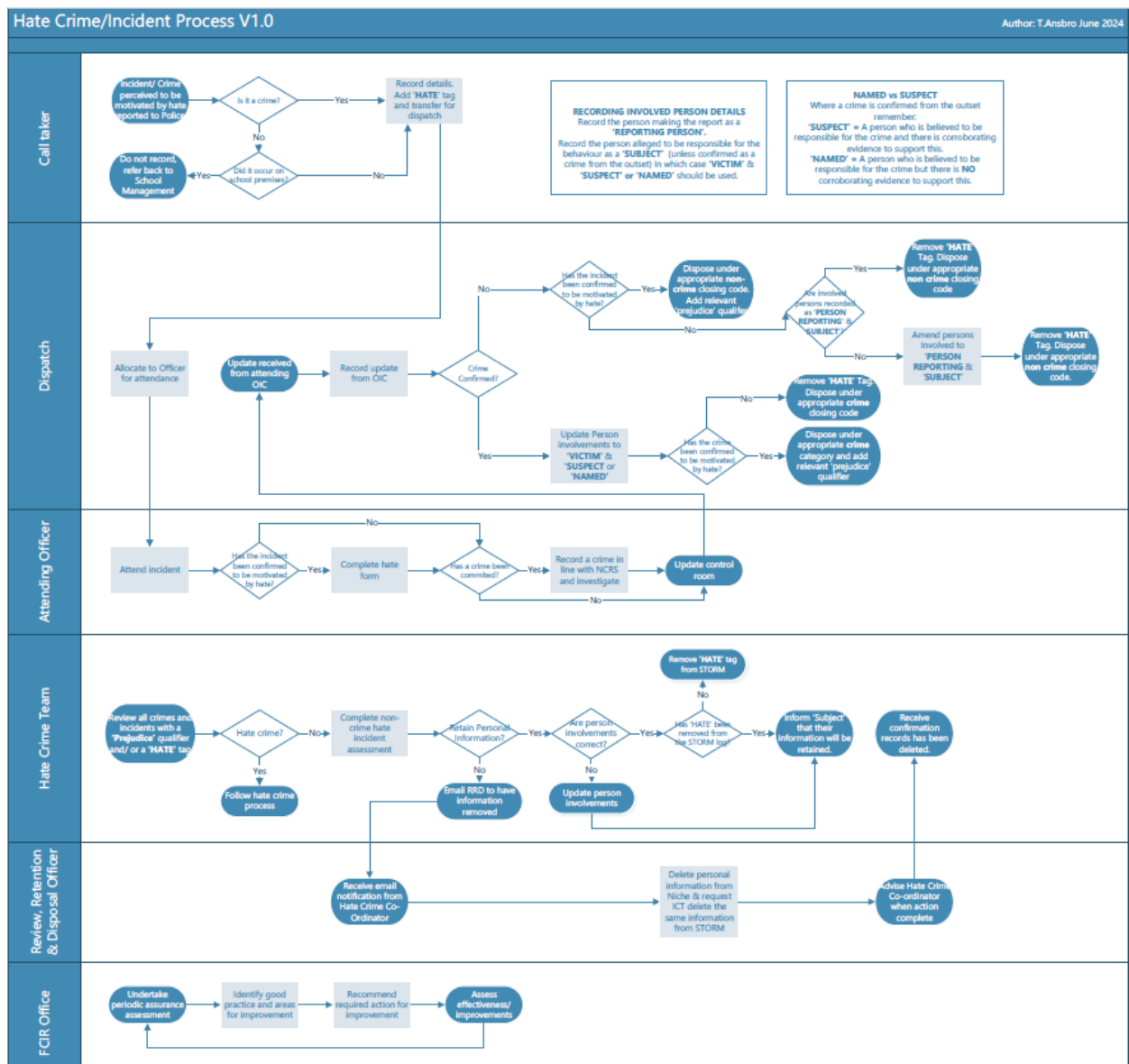
o Tell MAMA – Anti Muslim hate crime

o GALOP – LGBTQ+ hate crime

o True Vision – All hate crime

Reports from hate crime reporting centres are sent directly to the Force Control Room (FCR) inbox.

- On-line Hate Crime Reports – can be accessed by victims and third-party reporting centres via the NYP website



Partnerships

The response to any hate crime/occurrence in general can be greatly improved through the involvement of other public, voluntary and private sector agencies. The police are involved with such partnerships at local and force-wide levels. Membership of such groups would obviously vary according to local needs, but could include:

- Local council
- Housing
- Charities, support groups and networks
- Community groups
- Victim Support

- Schools, universities, colleges and educational departments
- Probation Service
- Youth Justice Services
- Youth offending teams
- Social Services
- Crown Prosecution Service
- Community Safety Partnerships
- Independent Advisory Groups (IAGs)

Partners can be accessed through the Hate Crime Coordinator, Community Safety Hubs and Neighbourhood Policing Teams.

Internal Hate Crime and Occurrences

Hate crimes and hate occurrences may be committed between any officer or staff member of NYP. Such an allegation could lead to a criminal or misconduct investigation. All officers and staff have the fundamental right to be treated with dignity and respect in the workplace.

The Professional Standards Directorate must be notified where such an allegation is made.

The criminal investigation will always have primacy over any discipline investigation.

Where the allegation does not amount to a crime or misconduct, then advice should be sought from their manager and consideration given to the Grievance Procedure.

Hate Crime Case Review

Where there are grounds to indicate that serious harm or death has occurred to a victim or information to suggest organisational omissions or short comings in response to a Hate Crime incident, NYP will complete a Hate Crime Case Review of the application of the procedures and actions to ensure that the procedures have been adhered to.

The purpose of a Hate Crime Case Review is to:

- establish what lessons are to be learned from the response of NYP to the incident or incidents and from the way in which NYP worked with partners or other organisations to safeguard the victim(s)
- identify the lessons to be learned by NYP, how and what timescales they will be acted upon, to identify outcomes; and what is expected to change as a result.
- apply the lessons to service response and to identify and make any changes required to the Hate Crime Procedure and any relevant associated procedures.

- Prevent any future incidents of a similar nature and to improve the service to victims of hate crime, both by improving the response of NYP and co-ordinated inter-agency working.