

2021 HATE CRIME STRATEGY: STAKEHOLDER ENGAGEMENT SURVEY

Introduction

This Government is committed to cutting crime, delivering safer streets, and restoring confidence in our criminal justice system. This includes a commitment to recruit an additional 20,000 police officers over the next three years, alongside a number of other manifesto commitments and key reforms. Tackling hate crime forms part of a wider commitment to tackle all forms of crime, including bringing the most serious and violent offenders to justice and improving victim care.

The Government is therefore developing plans for a new strategic direction for tackling hate crime, to follow *Action Against Hate: The UK Government's Plan for Tackling Hate Crime* (2016-2020). We believe that it is important that this is well integrated with wider Government plans to reduce crime and, in particular, complements wider objectives on improving police performance and improving public confidence in the criminal justice system across all communities. A robust evidence base will be key to future Government plans and, as such, we are drawing extensively from our learning from the 2016-20 Action Plan, early engagement with Government partners and academic research.

As an important stakeholder with valuable experience and expertise, we are keen to seek your views to assist us with refining our emerging plans. The purpose of this engagement is to consult practitioners and experts to obtain actionable insights and evidence for the 2021 Hate Crime Strategy. Your feedback will help inform the further development of outcomes/objectives that have been subject to some early informal testing with some key partners.

More information on definitions of hate crime and the relevant legislation can be found in the aforementioned 2016-2020 Action Plan, at Annex A, at this link: [Action Against Hate. The UK Government's plan for tackling hate crime \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/531147/action-against-hate-the-uk-government-s-plan-for-tackling-hate-crime.pdf)

This document includes:

- Details of information needs for your consideration (see the section 'Draft strategy direction' below); and
- A **short survey**, comprising four questions, to guide any feedback you wish to give on our proposed direction (attached separately).

You are invited to read the summary below and provide feedback on any of the draft themes on which we seek information and where you have evidence you feel will enhance the understanding of the issues the strategy will need to address.

We require all responses to be returned by email to HateCrimePolicy@homeoffice.gov.uk by 23:59 on 13 May 2021. We may be unable to consider any responses returned beyond that date.

Responses will be shared with Ipsos Mori, via email, who have been commissioned to undertake the analysis of responses.

Please note: this document has been prepared by officials from the Home Office and Ministry of Housing, Communities and Local Government, and should not be read as an indication of future Government policy. Planning is at an early stage and the details set out below are likely to change. Decisions about future Government policy, strategy and programmes to tackle hate crime are a matter for the relevant Government Ministers.

Summary of draft strategy direction

Draft Vision

Build a safe, resilient and inclusive society where hate crime has no place and communities, institutions and groups are supported to challenge and resist it.

Draft Outcomes

(the external change we want to see):

- Increased public knowledge, confidence and awareness to report hate crime.
- Increased public confidence and victim satisfaction in the criminal justice response to hate crime.
- Increased victim awareness of, confidence in, and access to effective support services.
- Faster identification and removal of online criminal content.
- Medium-long term: A continued decline in experiences of hate crime (CSEW).

Draft Themes for Evidence Collection

(the actions we will take):

- 1) Tackle the beliefs, attitudes and behaviours that lead to hate crime through better public awareness, targeted community engagement and education.
- 2) Divert perpetrators from further offending through effective early interventions.
- 3) Ensure we are tackling the most significant emerging harms and bringing clarity to hate crime through legislative reform.
- 4) Increase the reporting of hate crime by identifying and removing barriers to reporting.
- 5) Reduce the gap between police reporting and prosecutions through improved practice and training in the criminal justice system.
- 6) Improve the victim response by enhancing the role and coordination of third party reporting and victim services.
- 7) Build our understanding of hate crime through a more integrated criminal justice system and through local, national and international collaboration.
- 8) Improve the response to [high volume/ high harm] online hate through the Online Harms regulation, better engagement with CSPs and enhanced police response capabilities.
- 9) Improve local resilience and responses to spikes through better incident management structures and early community interventions.
- 10) Improve the physical protection for Places of Worship and those that attend them.
- 11) Improve victim redress through effective use of alternate forms of justice.
- 12) Address the drivers of hate in football through better education, awareness raising and reporting.
- 13) Improve victim confidence in the police and the criminal justice process and build trust in the police across a range of communities.
- 14) Understanding the People's Priorities in tackling crime.

Background to the draft Themes

1. Tackle the beliefs, attitudes and behaviours that lead to hate crime through better public awareness, targeted community engagement and education.

This theme focuses on how we prevent hate crime before offending occurs. Some stakeholders have identified the drivers of hate crime to be based on deeply held and cogently developed attitudes and behaviours; however, some literature suggests hate crime is more often a product of other drivers, such as social isolation, feelings of exclusion and disenfranchisement. Offending as a frequent product of 'thrill seeking' behaviour is also cited in literature.

There is limited and mixed evidence about what works to target hate crime perpetrator motivations, including the impact of public awareness campaigns, community engagement and education initiatives. For example, evaluation of previous Government hate crime campaigns has shown that those who recognise campaigns have an increased awareness of hate crime, but impact on wider attitudes among the public (and those who held prejudiced views) was more limited. There is limited evidence on the effectiveness of education programmes in reducing prejudice attitudes, including whether they have positive impacts on offending behaviour. There are also several education programmes already in existence which consider challenging prejudice and intolerance towards others.

Additional evidence is therefore needed to show that public awareness, community engagement and educational initiatives contribute to preventing hate crime, beyond the levers needed to address anti-social behaviour and general anti-crime initiatives. Research suggests these types of interventions should focus on helping to empower the perpetrator to achieve their potential.

2. Divert perpetrators from further offending through effective early interventions.

This theme aims to stop known hate crime actors from reoffending. There is limited evidence on the impact of programmes which aim to influence attitudinal changes and rehabilitate hate crime offenders. This means we have seen limited insight as to whether this will have a decisive effect on reducing reoffending, and makes it difficult to focus on certain methods over others. Research does indicate some benefits and insights about what works in reducing the likelihood of reoffending, including programmes to improve critical thinking skills and dispel prejudicial myths; however, evidence on long-term impact is limited.

Additional evidence is needed on whether working with offenders in this way will contribute to a reduction in repeat offences and therefore a reduction in harm caused to victims. Criminal justice agencies may need to improve their understanding of and build consensus on which forms of early intervention for offenders are most effective.

3. Ensure we are tackling the most significant emerging harms and bringing clarity to hate crime through legislative reform.

This theme builds on the Government commitment in 2018 to ask the Law Commission to undertake a full review of the coverage and approach of current hate crime legislation. This recognised that the legislation, having been developed and added to over time, raises some concerns by stakeholders about perceptions of unequal treatment across the existing protected characteristics.

The Law Commission review is examining the coverage and current approach of hate crime legislation, including consideration of whether other protective characteristics, such as sex/gender and age, should be included. The Law Commission's consultation to support the review closed on 24 December 2020. The Government will respond to the review when it is complete, but this theme reflects the possibility of legal changes to hate crime laws within the life cycle of the future strategy.

4. Increase the reporting of hate crime by identifying and removing barriers to reporting.

This theme sets out to improve reporting mechanisms for hate crime victims by addressing the reasons why some victims do not report incidents to the police. Data shows that the number of police recorded hate crime offences in England and Wales in 2019/20 were 105,090, an increase of 8% on 2018/19 (103,379). This was largely attributed to improvements in the way police record these offences. Reporting is also generally higher than average compared to other crime types. However, some academic studies suggest that many victims are still reluctant to report to the police. Factors for this include: a fear of not being taken seriously; a lack of awareness regarding what is a hate crime; and repeat victimisation leading to experiences of hate crime being 'normalised', amongst others.

Recognising the progress that has been made in improving reporting, this theme would aim to identify and address remaining key factors that are a barrier to reporting. This could include more targeted public awareness campaigns, building on the learning identified in Theme 1.

5. Reduce the gap between police reporting and prosecutions through improved practice and training in the criminal justice system.

A wide body of research suggests that victim experiences when interacting with the police and wider Criminal Justice System (CJS) are a key factor in the willingness of some victims to report hate crimes and levels of confidence in the criminal justice system as a whole. There is evidence to suggest that some hate crime victims find interaction with the criminal justice system alienating or distressing, deterring continued engagement with the CJS to pursue a criminal complaint.

A 2018 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) hate crime thematic inspection report also found a lack of central police (National Police Chiefs' Council) resource as a key barrier to delivering nationally consistent training and standards. The report also noted police practice related to the initial reporting, recording and

investigation of hate crime was uneven across police forces. Improved police and criminal justice practitioner training, practice or guidance on hate crime may serve as a specific focus area for improving victim experiences of the CJS, and thereby minimise risks of victims dropping out of the CJS process. It may also contribute to longer-term outcomes related to improving victim confidence in the criminal justice system.

Finally, there has been a fall in cases referred by the police to the Crown Prosecution Service, particularly since 2014/15.

The strategy is an opportunity to identify, isolate and address any systemic performance issues contributing to attrition in hate crime cases.

6. Improve the victim response by enhancing the role and coordination of third-party reporting and victim services.

We understand that some communities do not report hate crime to the police for a wide range of reasons. To help rectify this, the last Hate Crime Action Plan explicitly recognised the value of Third Party Reporting Centres (TPRCs), usually run by charities, as an alternative to reporting directly to the police. However, the coverage of TPRCs varies, resulting in a 'post-code' lottery of availability across the protected characteristics. Moreover, such services are often separate from each other or unconnected to relevant agencies, such as police or local authorities.

This theme will seek to remedy the geographical disparity of services and bolster the collaboration across different services across geography and strand, and deliver more effective and integrated third party support services for victims. By doing so, it aims to improve the provision of victim services and bolster data sharing between TPRCs and public authorities. Evidence on the general efficacy of TPRCs is also generally limited. We would value further insights into what works well with respect to TPRCs, what could improve, and what role the Government can play in improving their effectiveness.

7. Build our understanding of hate crime through a more integrated criminal justice system and through local, national and international collaboration.

This theme is about improving the mechanisms for collecting data on hate crime (such as victim demography) and how this data is shared across the criminal justice system (including an offender's progress through the CJS). It is also about building understanding across all aspects of hate crime through better domestic and international engagement.

There are currently limits to understanding the prevalence of hate crime across certain communities due to a lack of available victim data. Steps have already been taken to resolve this, including disaggregating hate crimes by religion for the first time under the last Action Plan. However, this theme will seek to build on this progress by building a richer picture of the profile of hate crime victims.

Similarly, an offender's progress through the criminal justice system typically involves separate interactions with multiple agencies. A consistent flow of offender-related information is not always readily available across justice agencies in England and Wales. A common platform is one idea that has been proposed for the Crown Prosecution Service,

policing and Her Majesty's Prison and Probation Service to more accurately identify trends and patterns by sharing information at all stages of the criminal justice process. This theme will aim to achieve better data consolidation by improving the mechanisms these organisations use to share information.

8. Improve the response to [high volume/ high harm] online hate through the Online Harms regulation, better engagement with CSPs and enhanced police response capabilities.

We know that online hate affects all hate crime strands and is becoming a more prominent challenge, especially given high volumes. The continuous nature of online hate can often have longer term impacts on victims than offline hate crime. Research also shows that online hate is often a pre-cursor to, or an extension of, offline hate crime, which can multiply and intensify the effects, especially following 'trigger' events such as a terror attack, where online hate can spike for 24-48 hours and remain at elevated levels for several months.

A key challenge in tackling online hate is distinguishing between 'hate speech' (a term which has no legal meaning in the UK and includes legal but harmful content) and 'hate crime' (content which passes the illegal threshold). The interplay between tackling online hate and protecting freedom of speech also needs to be considered. A new Online Safety regulatory framework means that companies will be held to account for tackling illegal activity and content, such as hate crime, as well as that which may not be illegal but is nonetheless damaging to individuals and society, such as the majority of hate speech. Increased engagement with Communications Service Providers (CSPs) will help provide greater clarity on Government's expected outcomes for tackling concerning and criminal content. Additionally, enhancing police response capabilities will help to ensure cases of online hate crime are effectively investigated and victims are supported throughout the process.

9. Improve local resilience and responses to spikes through better incident management structures and early community interventions.

A 'spike' refers to a period of increased hate crime. Spikes may be linked to a specific event or incident (such as a terrorist attack in the UK or abroad) or wider political or other events (such as the Covid-19 pandemic). We know that in the week following the 2019 terrorist attacks in Christchurch, New Zealand, the number of hate crimes recorded by police forces in England and Wales rose by 35% compared with the previous week (with anti-Muslim hatred increasing disproportionately).

Increases in hate crime are usually closely linked to heightened community tensions, which may reflect increased targeting of particular communities (or the fear of it). Community representatives have been clear about the need for such risks to be identified and mitigated more effectively to increase safety and reduce anxiety and division, although the evidence on what approaches are most effective is less clear. This theme seeks to improve the collective response of Government, policing and other partners to trigger events and longer-term trends. It will also look to build common understanding of problems and solutions and enhance critical relationships (which in many cases already exist). Ultimately, we want to

minimise the harms to communities caused by any future spikes in hate crime through swift responses, reassurance and community engagement.

10. Improve the physical protection for Places of Worship and those that attend them.

Feedback from representatives of religious communities suggests there is growing concern about the security of places of worship including, but not limited to, churches, mosques, gurdwaras, synagogues and temples. This worry has been particularly acute following the terrorist attacks on mosques in Christchurch, New Zealand, churches in Sri Lanka and synagogues in Pittsburgh and Poway in the USA and Halle, Germany.

Immediately following the Christchurch attack, the then Home Secretary committed to take actions on protecting places of worship and ensuring they are safe places for communities to gather. Since then, we have quadrupled the annual budget for the Places of Worship Protective Security funding scheme. In addition, we also launched a consultation on what more can be done to protect places of worship on the first anniversary of the Christchurch attacks (15th March 2020), which closed 28 June 2020.

11. Improve victim redress through effective use of alternate forms of justice.

Research studies show that blanket punitive approaches and heavy prison sentences for hate crime perpetrators do not always maximise victim satisfaction. The length of time taken for justice being done and lack of a restorative element can hamper victims' recovery process. Victims surveyed have expressed a preference for more tailored approaches including education, mediation and community resolutions.

However, the evidence has been less clear about the efficacy of restorative approaches on reducing prejudice and reoffending. We understand that use of alternative forms of justice for hate crimes is low (the Crown Prosecution Service has a general policy against the police use of conditional cautions for hate crime). Therefore, we want to ensure that the effective use of restorative approaches – whether as an Out of Court Disposal or an element of a criminal sanction – is maximised. To do that, we first need to improve understanding of the scale and effectiveness of existing use of alternative disposals and restorative measures. This may help to improve the case for further support for such schemes, whilst maintaining Government's strong stance against hate crime offending.

12. Address the drivers of hate in football through better education, awareness raising and reporting.

This theme seeks to combat the growing rise of hatred in football. Experimental Home Office published data for 2018/19 season show that the number of regulated domestic matches with reported incidents involving hate crime (all types) rose from the 2017/18 season to the 2018/19 season. This data compounds the growing number of high-profile cases covered in the national media and the growing interest across the political spectrum to eradicate racism in sport in general.

Whilst the police have a range of relevant powers to take action on racist chanting or abuse, this theme will seek to bolster criminal sanctions by focusing on education initiatives, awareness raising and improved reporting.

A key challenge is recognising that existing penalties for hateful behaviour at matches, such as banning orders, are a relatively blunt instrument and only provide a short-term fix. This type of intervention overlooks the more fundamental problem that hatred in football is emblematic of hate in society more generally, and therefore any government action in this area needs to take a more multifaceted approach.

13. Improve victim confidence in the police and the criminal justice process and build trust in the police across a range of communities.

A 2018 report commissioned by HMICFRS found that public confidence in the police remains high. The Crime Survey for England and Wales also found in the year ending March 2020, overall confidence in the police was 74%. However, levels of confidence vary across ethnicity and socio-economic status. Victim satisfaction in how the police dealt with crime also varies by crime type, with satisfaction levels being greater for violent crime and generally lower for theft offences and criminal damage.

The factors which affect both victim and wider public confidence in the police are not unique to hate crime. We are keen to understand any insight you hold regarding the drivers of victim/public confidence in the police, reasons behind lower levels of confidence and the ways in which confidence in the police could improve.

14. Understanding the People's Priorities in tackling crime.

For the public, tackling hate crime represents a priority alongside a range of other priorities on crime. We know that serious violence is an issue of significant public concern. Hate crimes are shown to be more costly to society than equivalent non-hate motivated offences, mostly due to the higher emotional harm experienced by victims of hate crime, and 'violence with injury' is the most costly form of hate crime.

We are keen to understand any insights you hold on public priorities regarding tackling of hate crime, including which aspects of hate crime are of greatest concern. Related to this, we are keen on any insights regarding factors which determine public priorities on tackling hate crime (e.g. do some forms of hate crime generate greater concern, and if so, why).