**Performance and Resources Scrutiny Programme 2017/18**

**Report to: the Office of the Police, Fire and Crime Commissioner for Essex**

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| **Title of Report:** | **Hate Crime** |
| **Chief Officer** | **Assistant Chief Constable Andy Prophet.** |
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| **Report from:** | **Essex Police** |
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| **Author on behalf of Chief Officer:** | **DC David Acres** |
| **Date of Approval:** | **12th May 2018** |

1. **Purpose of Report**

This report provides a summary of Essex Police’s performance in terms of hate crime for 2016/17 – 2017/18, and focuses primarily on recorded crime and prosecutions.

1. **Recommendations**

No specific recommendations but that the Board notes the key issues and updates highlighted.

1. **Executive Summary**

The current position informed by the available data suggests the following:

* Essex Police has seen little change in the number of non-crime incidents being recorded whereas there has been a significant increase in the volume of recorded crime investigations during the reporting period.
* In respect of victims, racial hatred remains the most acutely targeted characteristic in Essex accounting for two thirds of all recorded occurrences, that said reports in respect of disability, sexual orientation have also increased markedly compared to the same period last year.
* When considering positive outcomes or the ‘solved rate’, around one in seven investigations results in a sanction with slightly under half of these cases being placed before the courts. However, the reporting period has seen a notable increase in the use of alternative disposals[[1]](#footnote-1) for hate crime offences.
* The increased reporting of hate investigations points to improved recording by officers and staff at the point of contact with the public and subsequent incident to crime conversion. Increased investment in the use of third party reporting mechanisms such as Hate Incident reporting centres (HIRCs) has enhanced the volume of recorded hate crime.
* External scrutiny by HMICFRS[[2]](#footnote-2) and CPS[[3]](#footnote-3) suggests Essex Police needs to improve the way it manages hate crime investigations, particularly around victim contact and case finalisation.

**4.0 Introduction/Background**

This report provides information on Essex police’s performance in respect of recorded hate crime and prosecutions. Particular focus is given to two priority areas within the service regarding hate crime, namely increased reporting across all protected characteristics and improving positive outcomes of hate crime investigations.

Hate crime as an area of policing is under reported nationally and satisfaction rates for service users have trailed behind other crime types. The force has made gains in increasing the reordering of prejudice/hate based incidents which have been trending upwards. Investment in third party reporting mechanisms has assisted in this process.

There has however been cause to reflect on the handling of hate crime investigations. Firstly in November 2017 the CPS notified Essex Police of a significant drop in the number of referrals they received for charging advice which could possibly be due to:

* Inappropriate disposal methods for hate crime being used;
* Cases with potential for charges are not being presented to the CPS.

Secondly in January 2018 the HMICFRS conducted a pilot inspection of the force in respect of hate crime. This was the opportunity for the Inspectorate to test a newly designed assessment tool, to examine how effectively hate crime was being dealt with once it has been reported to the police. The HMICFRS visit to Essex Police has raised a number of issues around how the force manages hate crime investigations principally:

* Supervisory oversite of investigations;
* Maintaining contact with victims.

This report will comment on the plan in place around enhancing current performance in respect of increased reporting but in particular developing the quality of hate crime investigations.

I should also be noted that the HMIC inspection was not an official one, and no written report or feedback was provided.

**5.0 Current Work and Performance**

**Hate Crime Recording**

In order to meet ambitions in respect of increasing hate crime reporting, Essex Police has taken an approach based primarily on community engagement. This has focused on the development of third party reporting options, namely Hate Incident Reporting Centres (HIRCs) and the promotion of online reporting via National True Vision.

The role of HIRCs is to support and encourage increased reporting of hate crime within the community at locations where victims of hate crime feel safe and comfortable.

HIRCs will report all incidents to Essex Police including those incidents whereby the victim wishes to remain anonymous. Such incidents are recorded on Athena and investigated in line with force policies and procedures. In establishing HIRCs the force has sought to raise hate crime as an issue to members of the public but also to reach historically disconnected or hidden communities.

The response to HIRCS tends to support the understanding that hate crime is under reported within Essex. An additional 37 reports have been captured between January and March 2018[[4]](#footnote-4) which in the absence of HIRCs are unlikely to have come to the notice of Essex Police. A causal relationship is suggested between the activities of HIRCS, for example hate crime awareness raising events and increased reporting by previously under represented communities[[5]](#footnote-5).

Along with HIRCS, Essex Police has also sought to increase hate crime reports to National True Vision5 and this reporting method has been promoted via HIRCs and by Essex Police via its website. Referrals to National True Vision generated an additional 119 hate crime reports in 2015/16[[6]](#footnote-6) for Essex Police.

Overall, an upwards trend[[7]](#footnote-7)has been noted in the number of reported hate crimes over the last 12 months. Conversely the number of hate incidents has begun a decline. This could be an indication that efforts to improve the volumes of recorded hate crime are showing signs of success. This however, could potentially indicate that hostility/prejudice is increasing in severity within the county, resulting in more hate crimes being recorded as opposed to hate incidents. Further analysis is required in this respect.

**Hate Crime Data (Crime Recording)**

Table 1- Hate Investigations

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **HATE INVESTIGATIONS** | | | | | |
|  | **NON CRIME** | | **CRIME** | | | |
|  | **2016/17** | **2017/18** | **2016/17** | | **2017/18** | |
|  | Recorded | | Recorded | Solved | Recorded | Solved |
| February | 43 | 27 | 77 | 18 | 160 | 24 |
| March | 33 | 60 | 114 | 18 | 195 | 23 |
| April | 43 | 53 | 120 | 21 | 174 | 23 |
| May | 52 | 47 | 149 | 30 | 219 | 30 |
| June | 59 | 44 | 143 | 27 | 245 | 27 |
| July | 70 | 61 | 217 | 23 | 213 | 38 |
| August | 59 | 39 | 216 | 40 | 157 | 30 |
| September | 50 | 50 | 191 | 37 | 158 | 21 |
| October | 38 | 35 | 175 | 19 | 166 | 20 |
| November | 48 | 37 | 131 | 19 | 144 | 21 |
| December | 29 | 30 | 130 | 15 | 148 | 27 |
| January | 49 | 31 | 124 | 26 | 152 | 14 |
| **Total** | **573** | **514** | **1787** | **293** | **2131** | **298** |

Table 1 – Hate crime investigations indicate the following with regards crime and non-crime:

* Non-crime incidents have declined by a total of 59 reports or 10.2 % overall in 2017/18 when compared with 2016/17.
* Total reports for recorded crime have increased markedly by 344 reports or 19.2 overall in 2017/18 when compared with 2016/17.
* As a percentage of overall recorded hate crimes, solved rates in 2017/18 have dropped to 13.9 % of the total, compared with a solved rate of 16.4% for the 2016/17 reporting period.
* The drop in the solved rate is attributable to the large increase in the number of recorded hate crimes and the solved number of hate crimes remaining largely unchanged.
* Essex Police will remain committed to increasing the number of offenders brought to justice, but the uplift in reporting is still broadly considered to be an indicator that trust and confidence in the police is improving.

Table 2 –Non Crime hate Incidents by Month/Characteristic



Distribution of non-crime hate incidents amongst the protected characteristics for 2016/17 and 2017/18 remains largely unchanged at this time. Racial non –crime incidents account for approximately two thirds of those reported.

Religion and Transgender characteristics have seen the largest increase in reports increasing from 32 to 51 reports (or 59.3 %) and 17 to 25 reports (or 47%) respectively between 2016/17 and 2017/18.

Table 3- Hate Crime Investigations by Month/Characteristic



Distribution of hate crime investigations amongst the protected characteristics for 2016/17 and 2017/18 indicates that the characteristics of disability and sexual orientation have increased markedly by 63 reports (or 38.4%) and 61 reports (or 37.4%) respectively. Racial crime investigations still account for approximately two thirds of those reported.

**Hate Investigations**

Essex Police is seeking to better understand issues around the quality of investigations and this has prompted a review of current practices which has been conducted by the Strategic Change Team.

The findings by the review team have covered both the reductions in referrals to CPS[[8]](#footnote-8) and issues around the handling of hate crime highlighted by HMICFRS a summary of the aggregate response is shown below:

* An increase in ‘alternatives to charge’ disposals has been noted in solved hate crime investigations for 2017/18 when compared with 2016/17. This has the effect of reducing the number of cases presented to the CPS.
* The Victims’ Code is not being met in some cases given that hate crime victims are specifically categorised under the code as ‘victims for the most serious crime’ and therefore entitled to an enhanced service.
* The opportunity to provide a Victim Personal Statement is not being given in some cases and on occasion, a detailed summary of the investigation and the support provided to victims at the finalisation stage is not being adequately documented.

**Hate Crime Data ‘Solved Rates’**

Table 4 ‘Solved’ Hate Crime Investigations by Disposal Feb 2016 – Jan 2017

Table 5 ‘Solved’ Hate Crime Investigations by Disposal Feb 2017 – Jan 2018

Distribution of solved outcomes shows that charges for hate crime offences have reduced by 14 overall (or 8.3%) between 2016/17 and 2017/18. This supports the CPS assertions that hate crime referrals have reduced however the difference in the number of referrals is not that significant.

**6.0 Implications (Issues)**

See Areas for Improvement (Section 8.0)

**6.1** **Links to Police and Crime Plan Priorities**

The work undertaken by Essex Police to improve the volumes of reported hate crime links to the Police and Crime Plan by supporting Priority 6– Protecting Children and Vulnerable People from Harm as evidenced by:

* Community engagement events[[9]](#footnote-9) that have led to an increase in volunteers becoming involved with Hate Incident Reporting Centres (HIRCs). This extra resource has enabled more HIRCs to open[[10]](#footnote-10);
* More importantly the new HIRCs are connecting with communities previously in marginal contact with Essex police. This supports communities vulnerable to hate crime with all protected characteristics now represented within the HIRC network and this report has noted that early signs are encouraging with volumes of reported hate crime on the increase.

Improving investigative outcomes (see sections 8 and 9 below) will increase the confidence of communities to report hate crime and support future initiatives to tackle this crime type.

**6.2 Demand**

Local Policing Areas (LPAs) now hold the portfolio for hate crime operationally. Whilst volumes of reports are trending upwards hate crime does not make a significant contribution to the key incidents/crimes which place demand on LPAs when compared to other crime incident types[[11]](#footnote-11).

**6.3 Risks/Mitigation**

**Force Risk Register**

These are significant risks to the force which have been identified and the associated plans to mitigate them are owned by Local Policing and Crime &Public Protection Command.

Hate Crime Investigations (Risk URN 1665): Inconsistent standard of Hate Crime Investigations identified from an internal review. These are paramount to the forces effectiveness and efficiency. Poor Hate Crime Investigations could lead to missed opportunities to safeguard victims and witnesses. This will result in damage to public confidence and potentially risk to life.

**6.4 Equality and/or Human Rights Implications**

None identified within the content of this report.

**6.5 Health and Safety Implications**

None identified within the content of this report.

**7.0 Consultation/Engagement**

Data has been supplied by the Performance Analysis Team and the respective subject matter expert/s and force leads have been consulted.

**8.0 Actions for Improvement**

A hate crime Task and Finish Group has been convened, chaired by a Detective Superintendent in order to improve the overall management of hate crime from the point of report and through the criminal justice process. The group will also seek to improve the overall solved rate for this crime type. Referral rates to CPS will be monitored with a review of progress in this area is due to take place in the summer of 2018.

The task and finish group is also addressing issues around the management of investigations to ensure compliance in areas such as the victims code and proper finalisation of case work. Hate Crime CPD days have been launched for supervisors and managers to support development in this area with the CPS in attendance and providing a vital input on management of cases. The first CPD day was held on February 8th 2018.

Furthermore, a decision was taken in January 2018 that all standard and medium risk hate crime investigations would be dealt with by the Community Policing Teams as opposed to Local Policing Teams. It was felt a more problem solving, partnership focus was needed to support victims and communities and tackle hate crime in a more holistic way.

**9.0 Future Work/Development**

The force expects to see improvements in the quality of case work around hate crime investigations and the overall service provided to victims. The hate crime Task and Finish Group will likely function until the above improvements can be evidenced, which should include improved assessments at future inspections and most importantly, victim satisfaction levels.

In the long term, Essex Police is a contributor the Strategic Hate Crime Partnership (SHCP) hate crime action plan. This document commits the service to a programme of work up until 2020 to meet the requirements of the Governments Hate Crime Action Plan.

Police specific actions centre on the delivery of quality investigations, victim care and satisfaction, providing a legacy to the Task and Finish Group. The action plan is due for launch around May 2018.

**10.0 Decisions Required by the Police, Fire and Crime Commissioner**

None identified within the content of this report.

1. For example cautions or community resolutions. [↑](#footnote-ref-1)
2. Her Majesty’s Inspectorate of Constabulary, Fire and Rescue Service. [↑](#footnote-ref-2)
3. Crown Prosecution Service. [↑](#footnote-ref-3)
4. First full reporting period for HIRCS [↑](#footnote-ref-4)
5. For example increased reporting of disability and Transgender hate crime in line with the creation of two transgender specialist HIRCS and 3 disability specialist HIRCS in Essex in 2017/18 [↑](#footnote-ref-5)
6. 2016/17 data not yet published. MSG average is 70 reports, National average is 110 reports. [↑](#footnote-ref-6)
7. See Table 1 Hate Investigations [↑](#footnote-ref-7)
8. CPS Referrals received 2014/15 (397), 2015/16 (248), 2016/17 (172), 2017/18 (153). Overall drop of 244 referrals or 61% between 2014 and 2018. [↑](#footnote-ref-8)
9. For example 23 events for National Hate Crime Awareness Week (11th-17th October 2017). [↑](#footnote-ref-9)
10. The number of HIRCS County wide has grown from 21 to 43 by April 2018. [↑](#footnote-ref-10)
11. Key incidents for LPAs are DA, Missing, and ASB, Burglaries, Road traffic and Sudden death. Key crimes are DA, Theft, Public Order, violent crime, sexual assault, modern slavery and fraud. [↑](#footnote-ref-11)