

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – HEALTH AND COMMUNITIES

10 January 2019

**Report of the Strategic Director Commissioning,
Communities and Policy**

Draft Tackling Hate Crime Together Policy

1. Purpose of Report

To seek Cabinet Member approval for a draft Tackling Hate Crime Together Policy and to undertake public consultation on the draft policy.

2. Information and Analysis

The aim of the Tackling Hate Crime Together Policy is to strengthen the Council's commitment to tackling hate crime and incidents in Derbyshire, and to ensure victims of hate crimes and incidents are offered support. It is also intended to complement other Council policies around equality, diversity and human rights issues.

The Policy applies to all employees and Elected Members of the County Council, and also extends to any other person, group or organisation employed or commissioned by the Council to deliver services or carry out work on its behalf. The draft policy is attached as Appendix A.

Diversity is valued in Derbyshire and makes the county a unique and vibrant place to live, work and visit. Everyone has the right to live without fear and harassment, however, it is acknowledged that some individuals face discrimination, harassment, hate crime or hate incidents. The policy outlines the importance of recognising and reporting hate crimes or incidents and understanding what services are available to support those affected.

The policy clearly defines the difference between a hate crime and a hate incident:

- A **hate crime** is any crime which is perceived by the victim or anyone else, to be motivated by a hostility or prejudice towards someone because of: disability, gender identity, race or ethnic origin, religion or belief including alternative sub-cultures and sexual orientation. It can also be against an individual or their property.

- A **hate incident** is a non-crime incident, but can feel like a crime to those who suffer from an incident like this. Just as a hate crime, it is an incident which is perceived by the victim or anyone else, to be motivated by a hostility or prejudice towards someone for the same reasons as a hate crime.

Hate crimes can be, but are not limited to:

- a physical attack like hitting and assault
- verbal abuse or insults including name calling or offensive jokes
- offensive graffiti
- spitting, insulting gestures
- neighbourhood disputes
- threats, harassment or intimidation
- unfounded malicious complaints
- people doing things that frighten, intimidate or distress
- offensive letters, posters, emails, texts, phone calls, social media messages, photographs and videos
- damage to property or belongings, arson and vandalism
- dumping rubbish outside homes or through letter boxes
- bullying at work, at school or college or university
- befriending vulnerable people to take advantage of, exploit and or abuse them – often referred to as ‘mate crime’.

It is proposed that a six week period of consultation is undertaken following the approval of the draft policy. To help ensure that the opinions of Derbyshire’s diverse communities, customers and employers are taken into account the consultation will be promoted using a range of methods. These include the “Have you Say” webpages and social media. In addition, consultation with a range of groups and boards, which represent the wide range of protected characteristic groups in Derbyshire, will also take place. The draft policy will then, if appropriate, be amended in light of the feedback received and presented to the Cabinet member for formal approval.

3. **Equality Considerations**

Having an up to date Hate Crime Policy will help to ensure that the Council can meet its statutory duties, deliver services fairly to the residents of Derbyshire and maintain its status as a fair and inclusive employer which does not tolerate hate crime.

4. **Background papers**

Held on file within the Commissioning, Communities and Policy Department. Officer contact details – Michelle Collins, extension 38951.

5. **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, financial, legal, human resources, environmental, health, property and transport considerations.

6. **Key Decision**

No

7. **Call-In**

Is it required that call-in be waived for decision on this report? No.

8. **Officer Recommendation**

That the Cabinet Member, Health and Communities approves:

1. The draft Tackling Hate Crime Together Policy
2. Undertaking a public consultation on the draft Policy.

Emma Alexander
Strategic Director for Commissioning, Communities and Policy



Tackling Hate Crime Together Policy

Derbyshire County Council is committed to reducing hate crime across Derbyshire. The Council will work with its staff, partners and communities to tackle hate crime and incidents.

This Policy applies to all employees and Elected Members of the County Council. This Policy also extends to any other person, group or organisation employed or commissioned by the Council to deliver services or carry out work on its behalf.

1 Introduction

1.1 This is the Council's Tackling Hate Crime Together Policy. The Policy covers our commitment to tackling hate crime and incidents in Derbyshire.

1.2 The Policy is one of a set of policies and guidelines around equality, diversity and human rights issues. The other policies in the set include:

- Equality and Diversity Policy
- Domestic Abuse Policy
- Harassment & Bullying Procedure

These policies are supported by guidelines and an Everyday Guide to Equality.

2 Aims of the Policy

2.1 The aims of this Policy are to strengthen the Council's commitment to tackling hate crime and incidents in Derbyshire and to make sure support is always available to people who are victims of hate crimes and incidents.

3 Our commitment

3.1 We value our diverse communities which make our County a unique and vibrant place to live, work and visit.

3.2 However, we know that these diverse communities can face discrimination, harassment and hate crime and incidents. There is no place in Derbyshire for these forms of prejudice and hate and we will do all we can with our partners to tackle this.

3.3 We will:

- work with partner agencies to raise the profile of hate crime in Derby and Derbyshire
- work with Derbyshire Police and the Office of the Police and Crime Commissioner to make sure the right strategies are in place to respond to hate crime and incidents and community tensions
- promote third party reporting services
- work with schools and youth organisations on hate crime training
- work with community organisations on tackling hate crime
- develop an on-line hate crime awareness training module for all our employees.

4 Definition of a hate crime or incident

4.1 A **hate crime** is any crime which is perceived by the victim or anyone else, to be motivated by a hostility or prejudice towards someone because of:

- disability
- gender identity
- race or ethnic origin
- religion or belief including alternative sub-cultures
- sexual orientation

It can be against an individual or their property.

4.2 A **hate incident** is a non-crime incident, but can feel like a crime to those who suffer from an incident like this. Just as a hate crime, it is an incident which is perceived by the victim or anyone else, to be motivated by a hostility or prejudice towards someone for the same reasons as a hate crime.

4.3 The Police can only prosecute if the law is broken, but they can work with partners in the community and with offenders to try and prevent these types of incidents happening.

4.4 **Hate crimes can be, but are not limited to:**

- a physical attack like hitting and assault
- verbal abuse or insults including name calling or offensive jokes
- offensive graffiti
- spitting, insulting gestures
- neighbourhood disputes
- threats, harassment or intimidation
- unfounded malicious complaints
- people doing things that frighten, intimidate or distress you
- offensive letters, posters, emails, texts, phone calls, social media messages, photographs and videos
- damage to property or belongings, arson and vandalism
- dumping rubbish outside homes or through letter boxes
- bullying at work, at school or college or university
- befriending vulnerable people to take advantage of, exploit and or abuse them – often referred to as ‘mate crime’.

5 Reporting hate crimes and incidents

5.1 Everyone has the right to live without fear and harassment and so it is really important that you report a hate crime or incident. This is whether you have been a victim, a witness or you are reporting on behalf of someone else, for example a friend, family member or for one of your employees at work. We all have a duty to keep our community and workplace safe and unless we know what is happening we can’t do anything about it. Reporting does make a difference and you can stop it happening to someone else. You will also help the Police to

understand the level of hate crime and incidents in our local area and improve the way they respond to them.

How to report a hate crime or incident

- 5.2 Here are the organisations where you can report a hate crime or incident.

The Police

- 5.3 In an emergency you need to call the Police on **999** – Deaf people can use the Police [emergencySMS](#), but make sure your mobile is registered with them. Deaf people can also use the New Generation Text Relay Service to contact the Police in an emergency.

For non-emergencies call the Police central number on **101** – there is access for [Deaf and hearing impaired people and people with speech impairments](#) to contact them using video relay and New Generation Text Relay as well as sms. There are more details about the [Police and hate crime](#) on their website and this is available in a range of languages too.

True Vision

- 5.4 [True Vision](#) is a Police website based reporting system www.report-it.org.uk It gives lots of details about how to report hate crimes and incidents and also includes a video clip in British Sign Language. There is a True Vision mobile phone app you can download.

Stop Hate UK

- 5.5 We know that not everyone wants or is able to report hate crimes and incidents directly to the Police. So you can report them to an independent organisation [Stop Hate UK](#) telephone **0800 138 1625**. They offer a free 24 hour phone service and a video relay service for Deaf people or New Generation Text Relay on **18001 0800 138 1625**. They also offer a service for reporting online at talk@stophateuk.org as well as by text on **07717 989 025**, web forum or post. Stop Hate UK is totally independent of the Police and will not pass on your details without your explicit consent. If you wish, Stop Hate UK will report the incident to the Police on your behalf.

Derbyshire County Council

- 5.6 If you are a Council employee and you come across another employee or a customer who you feel has experienced a hate crime or incident, please ask them to report it. If an employee or customer complains to you that another Council employee has committed an alleged hate crime or incident you will need to report the issue to their manager. If you are a manager you need to use the Council's appropriate system in the Disciplinary Procedure to deal with the issue. Where safeguarding concerns exist refer to the Council's safeguarding procedures.

If there are no safeguarding concerns and the incident or crime needs reporting to the police, you must obtain the consent of the victim before proceeding further.

6 Support

- 6.1 It is really important that anyone who has suffered from a hate crime or incident or witnessed it gets the right kind of support. So, we have a contract with [Derbyshire Victim Services](#). They will help and support you if you are a victim of crime and those close to you. The local team will offer a friendly, free and confidential service to anyone living in Derbyshire. It doesn't matter if you haven't reported the crime to the Police or any other reporting agency or your manager – they are there to help you with any practical advice and emotional support. The phone number is **0800 612 6505** or text “**CORE**” to **82005** or New Generation Text Relay for Deaf people on **18001 0800 612 6505** or email support **@derbyshirecore.org** The website www.core-derbyshire.com and features videos in [British Sign Language](#) and other languages.

Young people under 18

- 6.2 If you are under 18 and have been the victim of a hate crime or incident or any of your friends have, contact Derbyshire Victim Services' [Got your back](#) or tweet @gotyoursocial for help and support.

Derbyshire Victim Services are available Monday to Friday from 8 am until 8 pm and on Saturday 9 am until 1 pm.

Derbyshire County Council employees

- 6.3 If you are a County Council employee who needs help and support following a hate incident or crime you can contact Derbyshire Victim Services but you can also get help from within the Council.
- An employee counselling service is provided by in house counsellors. There are many advantages in having counsellors based within the organisation; the key one is that they have a greater understanding of the culture and demands facing employees.
- The counsellors are based in the Occupational Health Unit at County Hall, Matlock and can normally be contacted during office hours, 8.30am to 5pm tel: 01629 536954. Where a hate incident or crime is disclosed then the counsellor would generally not need to report this to the police unless there was a threat of serious harm either to themselves or someone else.
- If you require further information please contact Occupational Health tel: 01629 536969, email: occupational.health@derbyshire.gov.uk

Community Safety Unit

- 6.4 For any help and support in the process of reporting a hate crime or incident or investigating, please contact:

Seamus Carroll – Senior Community Safety Officer
Email: seamus.carroll@derbyshire.gov.uk
Tel: 01629 538494
Mobile: 07771 980107

7 Monitoring this Policy

- 7.1 We will monitor this Policy on a regular basis and take feedback from the people who use it and make changes as necessary.

For more details or to give us your comments please contact:

Seamus Carroll – Senior Community Safety Officer
Email: seamus.carroll@derbyshire.gov.uk
Tel: 01629 538494
Mobile: 07771 980107

Or write to us at:

Community Safety Unit
Room Q10
Stable Block
Derbyshire County Council
County Hall
Matlock
DE4 3AG