

Tackling hate crime and hate incidents during the Covid-19 crisis

Sadly since the outbreak, there have been increased reporting of incidents of hate crimes based on race, faith, sexuality and gender identity in the community.

At Public Health Wales NHS Trust we want you to know that such behaviour will not be tolerated and we ask that you report such incidents to your line manager, the People and OD Team or via the helplines below.

This guide looks at everyone's role in identifying and encouraging reporting of all forms of hate crimes and incidents at work and outside the workplace. We know that some staff in other NHS organisations, if wearing their uniform or ID badges, have been targeted for abuse. The guide discusses the difference between a hate crime and a hate incident. The information in this guide has been developed from Unison guidance as well as other agencies.

Why does this matter?

The number of people who have reported and been subject to a hate crime has increased in the last 5 years and sadly this increase shows no sign of slowing. Home Office statistics from 2015/16 show that over 62,000 people reported an incident of hate crime to the police. This was a 19 per cent increase on the year before and there were increases in all five of the monitored hate crime strands (race, sexual orientation, religion, disability and transgender). There has been a further surge since the referendum on leaving the EU and now we are seeing more incidents related to Covid -19.

However, hate crime remains under-reported.

The current laws on hate crime in England and Wales

Hate crime legislation in England and Wales is focused on five protected characteristics – disability, race, religion, sexual orientation and gender identity. Hate crimes are dealt with by arresting and charging the perpetrator with the criminal offence. For example, if you were assaulted, they would be charged with assault. The hate – for example homophobic - element is an aggravating feature which is taken into account in sentencing.

Any regular criminal offence can be aggravated by having a hate element. A criminal offence where hate is a motivating factor can lead to a longer sentence.

Stirring up racial and religious hate and hate because of sexual orientation are specific offences. These hate crimes can lead to significantly longer sentences than other hate crimes. Some police forces in England and Wales also record and monitor hate crime based on misogyny, age, 'alternative subcultures' or targeted at sex workers'¹. These subcategories cannot be prosecuted as hate crimes, but monitoring enables the police to respond more effectively.

Coughing and Spitting on a health worker

People who deliberately cough on emergency workers during the Covid-19 outbreak will be jailed for up to two years, prosecutors have warned. The Crown Prosecution Service (CPS) said coughing will be charged as an assault on an emergency worker, or common assault if used against other key workers or members of the public. The intervention came amid numerous reports of police and healthcare workers being deliberately coughed and spat on by people claiming to have coronavirus.

In a climate where hate crimes and incidents are on the increase, there is no doubt that they have a direct impact on workplaces and workplace culture. Victims of hate crime are four times more likely to experience depression, post traumatic stress disorder (PTSD) and/or anxiety². Hate crime is a workplace issue.

PHW staff may have been subjected to or witnessed a hate crime or incident at work or outside of the workplace and not known what to do or lacked confidence in reporting it.

¹ Tackling hate crime in the UK – Amnesty International

² Community impacts of hate crime - University of Sussex

What are hate crimes and hate incidents?

A hate crime or incident can be a one-off incident or part of an on-going campaign of harassment and intimidation. It involves acts of hostility, intimidation or violence against people because of their race, religion, sexual orientation, disability or their Transgender identity. It can include verbal abuse, harassment, bullying, threats, abusive phone calls or text messages, hate mail, on-line abuse (for example on Facebook or Twitter), graffiti, displaying or distributing discriminatory literature or posters, malicious complaints, physical attacks, arson, damage to property or possessions.

Hate incidents

The police define an incident as a 'hate incident' if the victim or anyone else thinks it was motivated by hostility or prejudice based on someone's disability or perceived disability; race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation or a person who is transgender or a person is perceived to be transgender. There is no legal definition of hostility so the Crown Prosecution Service (CPS) uses the everyday understanding of the word which includes ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike³.

It can happen anywhere – face to face, against property, in writing, online or via social media.

Hate crimes

A hate incident becomes a hate crime when a criminal offence has taken place. Hate crimes include assaults, criminal damage, harassment, murder, sexual assault, theft, fraud, and hate mail.

A judge can award tougher penalties and enhanced sentencing for those found guilty of committing a hate crime. The CPS has some key principles it upholds when making decisions about prosecutions. Prosecutors must be satisfied that there is a realistic chance of a conviction and that it is in the public interest to prosecute.

Online hate

There is growing recognition of the damage caused by online hate, which represents an increasing proportion of hate incidents and can have a devastating impact on people's lives. However, it can be hard to tackle

and the CPS has acknowledged that more needs to be done. Anti-LGBT+ violence charity Galop has produced factsheets on tackling online hate which apply across strands.

Hate Crime – What it is and how to support victims and witnesses (CPS)
This can be summarised as:

- Stay calm and don't retaliate with abuse or insults
- Tell someone: a friend, the platform, a third party reporting agency, and/or the police
- Keep a copy of everything.

The strands of hate crime currently covered in UK law are set out in the table below:

Race hate crime	Crime which is perceived to be motivated because of a person's race or, ethnicity - either their actual ethnicity or ethnicity as perceived by the offender. According to the Home Office statistics race related hate crimes are the most common
Homophobic, biphobic and transphobic hate crime	Crime perceived to be motivated by the offender's hostility or prejudice towards lesbian, gay, bi or trans people. Hate crime against lesbian, gay and bi people in Britain has increased by 78 per cent since 2013. Two in five trans people have experienced a hate
Disability hate crime	Crime perceived to be motivated by the offender's hostility or prejudice towards a person because of their disability or perceived disability. The Crime Survey for England & Wales estimates that disability hate crimes account for 32% of all hate crimes. Despite this, just 5% of hate crimes recorded by the police in England & Wales during 2014/15 were disability hate. Disability hate crimes include 'mate crimes', where a perpetrator befriends or becomes a carer for someone in order to exploit this 'friendship' for financial gain or some other criminal purpose, including physical and sexual

Religious hate crime	Crime perceived to be motivated by hostility or prejudice based on the victim's belief or faith or perceived belief or faith. Anti-Muslim hate and antisemitism are examples of
**Crimes against older people	Although older people are not specifically protected in hate crime legislation, the CPS makes clear that crime directed at older people in the community can be prosecuted and the CPS regards crimes against older people as
Hate crime based on misogyny	Some police services are beginning to address misogyny as a hate crime, recording incidents as such. It could apply to incidents from street harassment through to physical intrusions on women's space. It is defined as 'Incidents against women that are motivated by an attitude of a man towards a woman and includes behaviour targeted towards a woman by men simply because they are a woman.' It does not change the offence but the misogyny category acts as a flag or 'qualifier' on the incident log. For example an incident of anti-social behaviour would become anti-social behaviour with a 'misogyny hate crime qualifier'.

Reporting a hate crime or hate incident

There are many different ways to report a hate crime or incident, you can inform your line manager, the Diversity and Inclusion Manager, or Trade Union. Below is a list of additional reporting areas, some not either directly to the police or through a third party reporting centre:

Additional Reporting:

PHW People Team	PeopleSupport.PHW@wales.nhs.uk
In an emergency	Call 999

Contact the police	Call 101 (non emergency) to report an incident. You can speak to the police in confidence and you do not have to give your personal details, however this would impact on the investigation and Police's ability to prosecute the offender if the police cannot contact you. To find your nearest police stations go to www.police.uk
True Vision	This is the official website for reporting hate crime – www.report-it.org.uk True Vision have information about third party reporting centres for those that do not want to go to the police directly. In Wales we have the National Hate Crime Report and Support Centre run by Victim Support where you can report online at www.reporthate.victimsupport.org.uk Via email Hate.CrimeWales@victimsupport.org.uk Via telephone – 0300 3031 982
Self reporting form	You can download a self reporting form and send this to your local police force via the True Vision website or Victim Support website www.reporthate.victimsupport.org.uk
Crimestoppers	If you do not want to speak to the police or fill in a form you can still report the incident by calling crimestoppers on 0800 555111 or via their website. This can be done anonymously and is confidential.

**Third Party Reporting
Centre**

Local organisations like the Citizens Advice Bureau, Victim Support, Community Voluntary Service or your local Trade Union branch can help with support and direct you to charities and organisations which offer third party reporting facilities.

Victim Support run a free 24/7 helpline to report incidents on 0300 3031 982 and you can also report online

Stop Hate UK provides a confidential 24 hour helpline – 0800 138 1625 where you can report incidents.

CORONAVIRUS/COVID-19 UPDATE

The targeted nature of hate crime alone can make victims feel incredibly isolated. During the coronavirus outbreak, we recognise that victims of hate crime may be facing the added worries around accessing support services. We want to assure all the people we support, now and in the future, that Victim Support's National Hate Crime Report and Support Centre will continue to provide advice, support and referrals 24 hours a day, 7 days a week, 365 days a year. You can contact The National Hate Crime Report and Support centre on:

Telephone: 0300 3031 982

Website: www.reportheate.victimsupport.org.uk

Email: Hate.CrimeWales@victimsupport.org.uk

We are closely following government advice and have suspended face-to-face support to safeguard the health of staff and victims. Our specialist caseworkers are continuing to support clients with 1:1 support remotely through telephone and Skype. Additionally any planned events, training or volunteering opportunities in the coming months will be postponed based on current government guidance.

Please contact Hate.CrimeWales@victimsupport.org.uk for any further information relating to this.

Lastly we want to encourage you all to stay safe, follow Government guidance and continue to report any hate crimes and incidents you might experience. During this challenging time, Victim Support's message is clear: our specialist support services are still open and we are here for you whenever you need us.



Other advice and support services

Stop Hate UK - <https://www.stophateuk.org/> – Provides support and resources for branches to promote National Hate Crime Awareness Week. Main number is 0800 138 1625. They have a report LGBT Hate Crime helpline 0808 801 0661 (certain areas only) and a Stop Learning Disability Hate Crime helpline 0808 802 1155 (certain areas only). They also provide a means of contacting them using British Sign Language (BSL).

True Vision – <http://www.report-it.org.uk/home> - Stop Hate Crime –

Provides advice and support to victims of hate incidents and crime – you can also report incidents through this website

Galop – <http://www.galop.org.uk/> - The National LGBT+ Anti violence charity provides advice and support to victims of hate crime and non-crime hate incidents . Their helpline is on 020 7704 2040

Tell Mama – <https://tellmamauk.org/> - Tell Mama supports victims of anti-Muslim hate and is a public service which also measures and monitors anti-Muslim incidents

Community Security Trust do a similar job to Galop and Tell MAMA but for antisemitism – www.cst.org.uk

Sikh Resources Centre – for advice and support call 0117 952 5023 (based in Bristol)

Stand up against racism and inequality (SARI) – <https://www.sariweb.org.uk/> - provides a third party hate crime reporting service

ACAS – <http://www.acas.org.uk/> - offers workplace training and advice if you have experienced/witnessed a hate crime/incident in the workplace.

The Equality and Human Rights Commission
<https://www.equalityhumanrights.com/en>

Equality Advisory Support Service – <http://www.equalityadvisoryservice.com/> - helpline 0808 800 0082

Citizens Advice Bureau – <https://www.citizensadvice.org.uk/> - Information and advice on hate crime