

Tower Hamlets No Place for Hate Forum

Hate Crime Manual - A guide for professionals

12/04/2024



Table of Contents

(1) Introduction	5
(2) Definitions	5
(3) The impact of hate crime	6
Police recorded hate crime 2022/23	8
(4) Specific forms of hate crime.....	9
Age Hate.....	9
Disability Hate.....	10
Faith or Religious Hatred	11
Homophobic Hate	13
Immigration Status or Nationality (“newcomers”).....	13
Race Hate.....	14
Transphobic Hate	15
Gender-Based Hate.....	15
(5) The Links between Hate Crime, Discrimination and Prejudice	17
(6) Challenging Discrimination	18
(7) Reporting Hate Incidents	19
Why it is important to report hate crime?	19
Reporting to the Landlord	20
Reporting online.....	20
(8) Roles and responsibilities in responding to hate crime	23
Action all agencies can take	23
The Role of the Police	24
Reporting Incidents to the police	25
The Role of LBTH Community Safety Team.....	26
The Role of Registered Providers of Social Housing.....	29
Prevention	29
Protection and support for victims.....	29
Re-housing	29
Enforcement Action Against the Perpetrator.....	29
Tenancy Agreements.....	30
Warnings Letters.....	30
Possession proceedings.....	30
Demotion Orders	30
Suspending the right to buy	30
Housing Injunctions	31

The role of Registered Providers of Social Housing (RPSH)	31
Policy	31
Publicity	31
Prevention	32
Encouraging reporting	32
(9) Responding to victims and witnesses	32
Supporting victims	32
Working with perpetrators	33
Risk and vulnerability	33
Working with partners	33
Tools and Powers	33
Re-housing	35
The Role of Schools	35
Bullying in Schools.....	36
The Role of the Tower Hamlets Youth Service	36
Reaching Out to Under- Represented Groups.....	36
The Role of Leisure Facilities	37
The Role of Employers - Responding to Hate in the Workplace.....	37
Violence at Work Procedure	38
Good Practice Guidelines	38
DO	38
DON'T.....	39
(10) The Legal Framework.....	40
Criminal Law	40
Civil remedies	48
Witness Support and Protection	53
Equalities Legislation	54
(11) Partnership groups with a focus on Hate Crime.....	58
(12) Support services and useful contacts	59
Emergency, out of hours and helpline services	59
Key agencies and services in Tower Hamlets	61
Central East Safeguarding Unit	61
Age UK East London	61
Carers Centre Tower Hamlets	62
CATCH (Community Alliance to Combat Hate)	63
elop.....	63
Galop	64

Haven - Whitechapel	64
London Muslim Centre.....	65
Positive East.....	65
Praxis Community Projects.....	66
Providence Row.....	67
Real DPO Ltd	67
Registered Providers of Social Housing	67
Tower Hamlets Education.....	68
LBTH Young People’s Service (YPS).....	68
Tower Hamlets Law Centre	69
The Tower Hamlets Prevent Team.....	69
Tower Hamlets Violence Against Women and Girls and Hate Crime Team	69
National Victim Support Line	70

(1) Introduction

We know that for some people difference is a frightening thing. In difference, they see a threat, and that's when prejudice takes hold. Sometimes this results in the abuse and violence that undermines Tower Hamlets' proud tradition of diversity and tolerance.

The experience of prejudice and hate isn't limited to a specific group. Hate crimes are committed on the grounds of prejudice against people of different races, faiths/beliefs, sexual orientations, gender identities, ages and disabilities. The Tower Hamlets Partnership aims to eradicate all forms of hate and ensure that Tower Hamlets is a safe place for everyone.

The Tower Hamlets we live in today is a diverse and tolerant place where most people treat each other with dignity and respect, the problem lies with a small minority who don't hold those values and perpetrate hate. There is no room for complacency. That's why The Tower Hamlets Community Safety Partnership has made tackling hate crime a priority. A dedicated multi-agency group, the Tower Hamlets No Place for Hate Forum (THNPFHF) is responsible for driving actions on several fronts including prevention and early intervention work, support for victims, staff training, awareness campaigns, and working with partners to ensure enforcement action.

This Hate Crime Manual has been produced as a practical guide to respond to hate crime. It provides information on the impact on individuals and communities and what support, prevention and enforcement tools are available to tackle hate. It is a resource for staff in all agencies that may meet victims, be able to provide an informed and appropriate response.

We aim to ensure that every victim of hate can access timely protection and support, and that, working in partnership, we can pursue every possible avenue to hold hate crime perpetrators to account.

Together we can ensure that Tower Hamlets is No Place for Hate.

(2) Definitions

Hate crime is a manifestation of prejudice and discrimination, where the perpetrators hostility against an identifiable group of people is a key factor in determining who is victimised. Both adults and children can be victims.

Hate Crime is "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; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity." (Police CPS 2007).

The definition used by Tower Hamlets No Place for Hate Forum includes Age, Gender and or any other perceived difference. For further information about violence against women and girls (VAWG) national and local support services for victims and perpetrators of gender-based abuse, visit the council website [VAWG Directory](#)

“Hate incidents” are incidents that do not constitute a criminal offence but cause alarm, distress or harassment where the victim or any other person, is motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."

Hate crimes and incidents can also be directed at whole communities – for example desecration of graveyards, vandalism of places of worship, offensive graffiti in public places, or acts of terrorism.

Hate crime can take many forms, including:

- **Violence:** hitting, punching, pushing, slapping, kicking, beating, assault with weapons, murder.
- **Damage to property:** offensive graffiti, desecration of graves or places of worship, vandalism to cars, smashing windows, arson attacks.
- **Threats:** offensive letters, abusive messages, groups hanging around to intimidate.
- **Verbal abuse:** insults and name-calling.
- **Malicious Communications:** obscene telephone calls/texts, distributing offensive leaflets and posters, threatening letters, hate mail.
- **Online** hate crime using the internet and other social media to spread hatred and target individuals and communities to spread hatred because of who they are or what they believe
- **Isolation:** deliberate exclusion, giving ‘the cold shoulder’, spreading rumours or gossiping about someone.
- **Humiliation and degradation:** putting excrement through letterboxes, spitting, name calling, abusive gestures, spreading malicious rumours.
- **Sexual violence:** rape, sexual assault, sexual intimidation.
- **Harassment:** making unfounded, malicious complaints against someone, repeated, low-level incidents of verbal abuse, threats or intimidation, dumping rubbish outside homes or through letterboxes, stalking, following the victim, persistent phone calls, emails, post or texts.

(3) The impact of hate crime

- Hate crimes are often particularly brutal or violent and victims can feel traumatised and terrified.
- Hate crimes/incidents are based on prejudice and hatred against particular groups which impacts whole communities not just the individual targeted.
- Victims can feel there is no escape – they cannot change or hide their identity to protect themselves.
- People adapt their behaviour to avoid victimisation – for example by not showing affection to a same sex partner in public places, not wearing hijab, avoiding certain areas, not letting children play outside.

- Hate crime limits freedom of movement, freedom of expression, and freedom of association. As a result, it feeds social exclusion and inequality.
- Hate incidents can escalate, prompting retaliatory action, creating community conflict and hate crimes.
- If there is no satisfactory resolution – for example if no-one is brought to justice – the victim and the wider community can be left feeling that the authorities do not care about upholding their rights or discriminate against them by failing to act against incidents of hatred directed at them.
- Hate crime can be a ‘Signal Crime’, which is any crime that causes a change in people’s behaviour and/or beliefs about their security. A seemingly low-level hate incident, because it is an attack on someone because of who they are, can have a devastating effect compared with a similar incident without the hate motivation. The effect may not be limited to the victim. The victim’s friends, members of the community and family can become secondary victims (Home Office website).
- Hate crime impacts negatively on all aspects of the victim’s health and wellbeing
- **Physical health:** injuries sustained in an attack – ranging from minor and short term to permanent disability or disfigurement, or death. Chronic health related symptoms related to stress, sleep disturbance, eating disorders, increased substance use.
- **Mental health:** All victims of serious crime are at risk of psychological trauma; but the problems associated with hate crimes last longer than for “random” crimes. In some cases, individuals may continue to experience high levels of stress for many years resulting in self-harm or suicide. Victims often experience a heightened sense of personal danger, vulnerability and powerlessness. They may also suffer anxiety and depression.
- **Social isolation:** Avoiding certain areas or activities, withdrawing from groups matching the perpetrator profile. Staying indoors for safety. Not participating in community, social or religious activities because of fear of repeat incidents. Keeping children indoors for safety – preventing them from playing outside or joining in youth activities. Moving to live in a different area to feel safe.
- **Disrupted education:** This can be because of the emotional and physical impact, missing school to help parents deal with hate incidents, avoiding school if incidents are occurring there, or a family moving to a new area to feel safer.
- **Financial Loss:** Many victims suffer financially, for example, loss of earnings through sickness, a cab driver targeted because of their race is unable to work because their vehicle is repeatedly vandalised. Also, the costs of additional home security or having to move home or homelessness. Huge

costs to the economy in terms of loss of productivity. Re-housing and refuge costs. Cost of medical treatment i.e., GPs/Hospitals, Policing. A conservative estimate by the Home Office (2010) indicated that any race/faith hate crime harassment (increases depending on the offence and sentencing) at £5,506.15 per incident. This figure does not of course include loss of earnings, and productivity.

- **Feelings of rage, bitterness and hatred** towards people sharing the perpetrators' characteristics.
- Loss of confidence in the public authorities to protect individuals and uphold justice.

Police recorded hate crime 2022/23

- There were 145,214 hate crimes recorded by the police in England and Wales in the year ending March 2023 a decrease of 5% from the year ending March 2022 (153,536 offences), the first fall since the comparable time series began in the year ending March 2013. Before the fall seen this year, police recorded hate crime offences rose between the years ending 2013 and 2022; this prolonged period of increasing offences was thought to have been driven by improvements in crime recording by the police and better identification of what constitutes a hate crime
- there were 101,906 race hate crimes, a fall of 6% from the previous year when there were 108,476 offences, this was driven by a decrease in racially or religiously aggravated public fear, alarm or distress offences
- as in previous years, most hate crimes were racially motivated, accounting for 7 in 10 of all such offences (70%; 101,906 offences) The number of hate crimes recorded by the police has more than tripled since the year ending March 2013, from 41,294 offences to 145,214 offences recorded in the latest year.

Nationally the number of hate crime offences in 2022/23 for the five centrally monitored strands were as follows:

- 101906 (70%) were race hate crimes (accounting for over two thirds 70%: 101,906 offences
- 24,102 were sexual orientation hate crimes down 6%.
- 8,241 offences were religious hate crimes down 4%
- 13,777 were disability hate crimes down 1% and
- 4,732 were transgender hate crimes an increase of 11%.

A hate crime offence can have more than one motivating factor for example, an offence may be motivated by hostility towards both the victim's race and religion which is why although 145,214 offences were recorded total number of motivating factors was 152,758.

(4) Specific forms of hate crime

Hate Crime is where the perpetrator's prejudice against an identifiable group of people is a factor in determining who is victimised.

This includes any crime or harassment based on prejudice or hatred of people who are different, be it because of their age, colour of skin, culture, disability, faith/beliefs, gender, gender identity, race, sexual orientation, or any other identifiable factor, including abuse of people because of their citizenship/immigration status and nationality.

This section gives further information about the different forms of hate crime victims may experience and key agencies that can offer support to victims of specific forms of hate:

- Age hate
- Disability hate
- Faith or religious hatred
- Homophobic hate
- Immigration / nationality
- Racist hate
- Transphobic & Biphobic hate
- Gender-based hate

It is important to be aware that everyone has multiple aspects to their identity and so some hate crime incidents may target someone because of a range of factors, intersectionality – Muslim women, for example, may experience incidents where they face abuse because of their gender, faith and ethnic identity. The information in this section is intended to aid understanding of the different forms of hate crime, not to try to put people into boxes or put artificial limits on their experiences. The complex experiences and needs of individuals should always be recognised and addressed as a whole.

Age Hate

There is no statutory definition of age crime. However, the Association of Chief Police Officers has adopted the definition below:

“Age hate is any incident which is perceived by the victim or any other person to be motivated on the grounds of their age”.

Some crimes against older people have a link to ageism. Similarly racist crime has a link to racism as a prejudicial set of ideas; just as sexual crime or domestic violence has a link to sexism.

There are a range of crimes against the older person such as:

- a. abuse or neglect of an older person where there is a relationship and an expectation of trust (for example, by family members, friends or paid workers).
- b. abuse or neglect of an older person living either temporarily or permanently in an institution.

- c. crimes which are specifically targeted at older people because they are perceived as vulnerable or potentially easy to steal from (for example, muggings of older people or rogue traders).
- d. crimes against older people which are not initially related to their age but may later become so (for example, a burglary where the burglar does not know the age of the householder but later exploits the situation on discovering that the householder is an older person); and maybe by returning to re-burgle at a later date as they may keep cash in the home.
- e. crimes against older people which are in part, or wholly motivated by hostility based on age, or perceived age, (for example, harassment, assault or threats by neighbours).

The crimes described in a) and b) are often referred to as “elder abuse”.)

In 2015/16 the CPS completed 3,759 prosecutions for crimes against older people., an increase of 1.8% on the previous year when it completed 3,693 cases. (CPS Hate Crime Report 2014/2015 & 2015/16.

It is important to recognise the difference between elder abuse and age hate crime. The distinction is that age hate crime is based on hatred and prejudice against old age and elder abuse is a crime against vulnerable people as defined in the Community Care Act. This is important for recognising which department will be lead in handling the case. For example, an elder abused by a family member will be dealt with by the Adults Social Care Adult Protection Team and the Police and age hate crime such as neighbour harassment against older people will be dealt with by the Community Safety Service.

Disability Hate

One in five disabled people have experienced hostile or threatening behaviour or have been attacked [Inclusion London]

Research by learning disability charity United Response found there were more than 6,000 reported cases in 2018-19, a rise of just under 12% in a year.

The perpetrator is often known to the victim

The severity of the crime is likely to escalate if it is left unchallenged

Disability hate crime is significantly under-reported to the police

Disability hate incidents and crimes are a significant barrier to disabled people achieving legal, social, political and economic equality. More research is needed to better understand disability hate crime, encourage more people to disclose it, to access their legal rights and get support.

'Disability' is widely defined as 'any physical or mental impairment that has an adverse or long-term effect on a person to carry out their normal day to day activities.

There is no statutory definition of a disability hate incident. However, the Association of Chief Police Officers (ACPO) has adopted the following definition:

“Any incident, which is perceived to be based upon prejudice towards or hatred of the victim because of their disability or so perceived by the victim or any other person”.

The Criminal Justice Act 2003 section 146 extends the statutory duty to increase sentences for offences aggravated by the victim's race and religion, so that it also includes offences aggravated by hostility towards the victim because of their disability.

There is a distinction between a disability hate crime and a crime committed against a disabled person because of his/her perceived vulnerability. A disability hate crime is any crime committed in any of the circumstances explained above. Not all crimes committed against disabled people are disability hate crimes – some crimes are committed because the offender regards the disabled person as being vulnerable and not because the offender dislikes or hates disabled people. For example - the theft of a wallet from a blind person. If the offender was preying on the victim's perceived vulnerability this will not be a disability hate crime. However, in the criminal courts, the level of culpability is considered higher where the offender deliberately targets a vulnerable victim. (CPS Policy for Prosecuting Cases of Disability Hate Crime 2007)"

Faith or Religious Hatred

"Any incident/crime which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on a person's religion or perceived religion." (CPS definition)

"A racist or religious offence" or crime is an offence where the prosecutor has to prove a racial or religious element as part of the offence itself. There is no single criminal offence of racist crime or religious crime.

Apart from the offences where the CPS must be able to prove a racial or religious element, the criminal courts must treat ANY offence as being more serious. This applies where there is evidence that the accused person demonstrated hostility or was motivated by hostility towards the victim because of the victim's membership of a 'religious group' or a 'racial group'.

'Racial group' is a legal definition which means any group of people who are defined by reference to their race, colour, nationality (including citizenship) or ethnic or national origin. This could include Travellers, refugees or asylum seekers or others from less visible minorities. There has been a legal ruling that Jews and Sikhs are included in the definition of "racial group".

'Religious group' is a legal definition and means any group of people defined by reference to their religious belief or lack of religious belief. For example, this would include Muslims, Hindus and Christians, and different sects within those religions. This would include people with no religious belief at all.

Some offences can be charged as specific religiously aggravated offences which allows for greater sentencing powers. The basic offences that can be charged include harassment, criminal damage and assault. An offence can be religiously aggravated in one of two ways:

- Acting in a hostile way to the victim because the victim belonged to or was thought to belong to a particular religious group, for example being religiously abusive when assaulting someone.

- Motivated by hostility towards the victim, for example breaking a mosque window because the accused disliked Muslims.

The Racial and Religious Hatred Act 2006 created new offences of stirring up hatred against persons on religious grounds.

The new offences apply to the use of words, behaviour or display of written material, publishing or distributing written material, the public performance of a play, distributing, showing or playing a recording, broadcasting or including a programme in a programme service, the possession of written materials with a view to display and possession of recordings with a view to distribution. The words, behaviour, written material, recordings or programmes must be threatening and intended to stir up religious hatred.

Antisemitic Hate Crime Statistics 2022

Community Security Trust (CST) recorded 1,652 antisemitic hate incidents throughout the UK.

in 2022. This is decrease of 27% from the 2,271 anti-Jewish hate incidents recorded by CST in 2021, which was the highest annual figure ever reported, and is in line with sustained high levels of antisemitic incidents recorded over the last few years. 68% of recorded incidents took place in Greater London and Greater Manchester, where the two largest Jewish communities in the UK are located. The victims were largely Jewish individuals and community organisations (especially synagogues) chosen at random, and regardless of their political or other views.

A concerning trend witnessed during 2022 was the high proportion of incidents that involved victims or offenders under the age of 18

Source [CST Antisemitic Incidents Report 2022](#).

Islamophobic Hate Crime Statistics

The terror attacks (15/03/2019) at two mosques in Christchurch, New Zealand had a significant effect in the UK, resulting in a rapid but long-lasting increase in anti-Muslim hatred and Islamophobia.

In the week following the attacks incidents reported to Tell MAMA increased by 692%.

Between January 1 and June 30, 2019, 706 incidents were reported to Tell MAMA, of which 529 were verified as anti-Muslim and Islamophobic. Of those verified 374 occurred online and 155 offline.

Between the same period 20 police forces across the UK recorded 1,213 anti-Muslim incidents. Of these 1,028 occurred offline, 91 online and for 94 reports the nature of the incident was undisclosed.

Incidents in public areas increased by 192% between February and March, from 12 to 35 incidents. Most significantly anti-Muslim incidents targeting mosques or other Islamic institutions increased by 433% between February and March from 3 to 16 incidents respectively.

Homophobic Hate

"Any incident which is perceived to be homophobic by the victim or any other person." (MPS Definition)

Educational Action Challenging Homophobia (EACH – www.eachaction.org.uk) defines homophobia as resentment, or fear, of gay, lesbian and bisexual (LGB) people. In manifestation it can simply be a passive dislike of gay people. At the other extreme it involves active victimisation and can be very destructive.

Homophobic attitudes can impact upon anyone who is perceived to be lesbian or gay, someone who has an association with gay people or does not conform to stereotypical expectations of masculine or feminine behaviour.

This definition mirrors the Stephen Lawrence Report definition of racist incidents – the victims', or any other persons', belief that the incident was motivated by homophobia is sufficient for the police and local authority to record and investigate the incident as such.

We have very little national data about homophobic crime to draw on. However various local and thematic studies surface consistent characteristics.

A significant proportion of homophobic hate crime occurs

- Between 3pm and midnight
- Near home, in the streets or in local areas
- More than once to the same victim.
- The perpetrators tend to be (not exclusively)
- Local youths/neighbours
- Under 24 especially under 20
- Male
- Likely to commit other hate crimes
- Likely to escalate in seriousness if behaviour remains unchallenged

Young people are likely to suffer proportionally higher rates of homophobic incidents. Under reporting is a significant issue.

Two in five (41 per cent) gay young people have attempted or thought about taking their own life directly because of bullying and the same number say that they deliberately self-harm because of bullying. Taken from [The School Report \(2012\)](#) and [The RaRE Research Report \(2015\)](#).

Immigration Status or Nationality (“newcomers”)

There is no statutory definition of hate crime against refugees, asylum seekers, gypsies and travellers however we have adapted the Stephen Lawrence definition **“any incident which is perceived by the victim or any other person to be motivated on the grounds of their immigration status or nationality”**.

Anecdotal evidence suggests these communities are often victimised. Language, fear of authorities and of deportation and a lack of awareness of services and support available create significant barriers to newcomer’s reporting of hate crimes against them. It is important to capture the true levels of hate crime, and this can

only be achieved if the Authorities are made aware of incidents. Anonymous reporting is particularly useful for victims who are asylum seekers as this would tackle the fear of being deported. Generally, the police do not ask one's citizenship status, however this cannot be guaranteed.

“As part of the Tower Hamlets New Residents and Refugee Forum, in 2016 Praxis Community Projects facilitated conversations with migrants in the borough about their experience of hate incidents and crimes after the EU Referendum (Brexit). There was a general consensus that people felt less secure and had more negative experiences in the period after the referendum.”

Race Hate

The Stephen Lawrence Inquiry

The report following the inquiry into the handling of the racist murder of Stephen Lawrence (the MacPherson Report, 1998) found that the police investigation had contained fundamental errors and had demonstrated institutional racism. It has become a seminal document in the progress of handling cases with a racist element. For example, one of the recommendations was that the term 'racist incident' must be understood to include crimes and non-crimes in policing terms. Both must be reported, recorded and investigated with equal commitment.

The definition adopted because of the MacPherson Report for a racist incident is “any incident which is perceived to be racist by the victim or any other person”.

The purpose of this definition is not to prejudge the question of whether a perpetrator's motive was racist or not. The purpose of the definition is not to prejudge the question of whether a perpetrator's motive was racist or not. The purpose of the definition is not to prejudge the question of whether a perpetrator's motive was racist or not. This means if someone perceives it was a racist incident the police must investigate it as such. This definition stands until it gets to court where the incident needs to be proved 'beyond reasonable doubt'. This definition includes hatred because of someone's colour, ethnic origin, nationality or national origins.

In 2022/23 there were 101,906 racist incidents recorded by the 43 police forces in England and Wales ((three quarters of the overall number of hate crimes 145,214). Race hate continues to be the highest reported strand since records began in 2012/13. On Thursday 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union. Following this result, information released by the National Police Chiefs' Council (NPCC), which covers Northern Ireland as well as England and Wales, showed that there had been an increase in the level of reported and recorded hate crime. (Source Home Office Action Against Hate 2016).

Transphobic Hate

Transphobic hate is:

“Any incident perceived by the victim or any other person to be directed at someone because of prejudice or hate of their gender identity or expression.”

It is often linked to homophobic hate as it is partially motivated by an assumption that transgender people are always lesbians or gay – this is not necessarily the case. Transgender refers to a person who identifies as the opposite gender to that at birth. Transgender people may be living as the opposite gender to their “biological” gender while they remain biologically male or female, in a process of transition, or have had surgical intervention to reassign their gender. Issues for the transgender community are not strictly about sexuality, although they might be.

There is very limited UK research or monitoring data about hate crime against transgender people. There is more data on the experiences of transgender communities in the USA, where one study found that 32% of participants reported being victims of transphobic or homophobic hate crime, 26% of respondents said they had experienced harassment, 17% intimidation, 33% assaults, 14% robbery and 14% rape or sexual assault.

What is Biphobia?

Biphobia is a prejudicial attitude toward bisexuality and a source of discrimination and hate crime against bisexual people, often based on negative stereotypes.

Service providers should treat any criminal offence or non-criminal incident as biphobic if the person who experienced or witnessed the incident feels it was motivated by biphobia. Biphobic hate crime can include verbal, physical or sexual abuse from the perpetrator.

Bisexual people can face prejudice from lesbian and gay people as well as from heterosexual people, such as being refused entry to LGBT spaces or inappropriate treatment by LGBT services. Lesbians and gay men working as service providers can also sometimes oppose bisexual inclusion.

Gender-Based Hate

Gender-based hate crimes are criminal offences motivated by bias against a person’s gender. They are a consequence of gender inequalities and disproportionately affect women as well as anyone perceived as not complying with prevailing gender norms. Such crimes target people, property or associations connected with people or groups due to their actual or perceived gender. Calls to make misogyny a hate crime have intensified in the wake of the tragic deaths of Sarah Everard, Sabina Nessa, Nicole Smallman and Bibaa Henry. ‘Misogyny is defined as the dislike of, contempt for, or ingrained prejudice against women or girls’.

Any individual or group, regardless of their gender, can be a victim of gender-based hate crime. However, gender-based hate crime disproportionately affects women and girls. Victims may be selected solely due to their gender, or based on multiple identity traits, such as their gender and religion. Some cases of gender-based

violence can be treated as gender-based hate crimes. However, the perpetrator must have demonstrated a gender bias during the incident for it to be considered a hate crime.

For further information about VAWG national and local support services for victims and perpetrators visit the [VAWG Directory](#). For professionals who need advice on domestic violence contact the LBTH VAWG Team on 020 7364 4986.

Email: Domesticviolence@towerhamlets.gov.uk

“Violence against women and girls and “gender violence” refer to a range of abuses that stem from gender inequality.

In 1993, the UN Vienna Declaration defined violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

This definition includes violence occurring in the family, within the community, and violence perpetrated or condoned by the state. Forms of gender-based violence include, but are not limited to:

- domestic violence/abuse
- sexual abuse
- rape
- sexual harassment
- trafficking in women
- forced marriage
- prostitution
- “honour” based violence
- harmful practices such as female genital mutilation and breast ironing
- dowry related abuse, and faith-based abuse.

Gender violence is an obstacle to women’s opportunities to achieve legal, social, political and economic equality. It is a human rights issue.

Domestic abuse is the most reported form of violence against women – with Tower Hamlets police dealing with over 4,000 calls a year (an average of 10 a day) about domestic violence incidents. Tackling domestic violence is a key priority in the borough’s VAWG Strategy.

For further information about VAWG national and local support services for victims and perpetrators visit the [VAWG Directory](#). For professionals who need advice on domestic violence contact the LBTH VAWG Team on 020 7364 4986.

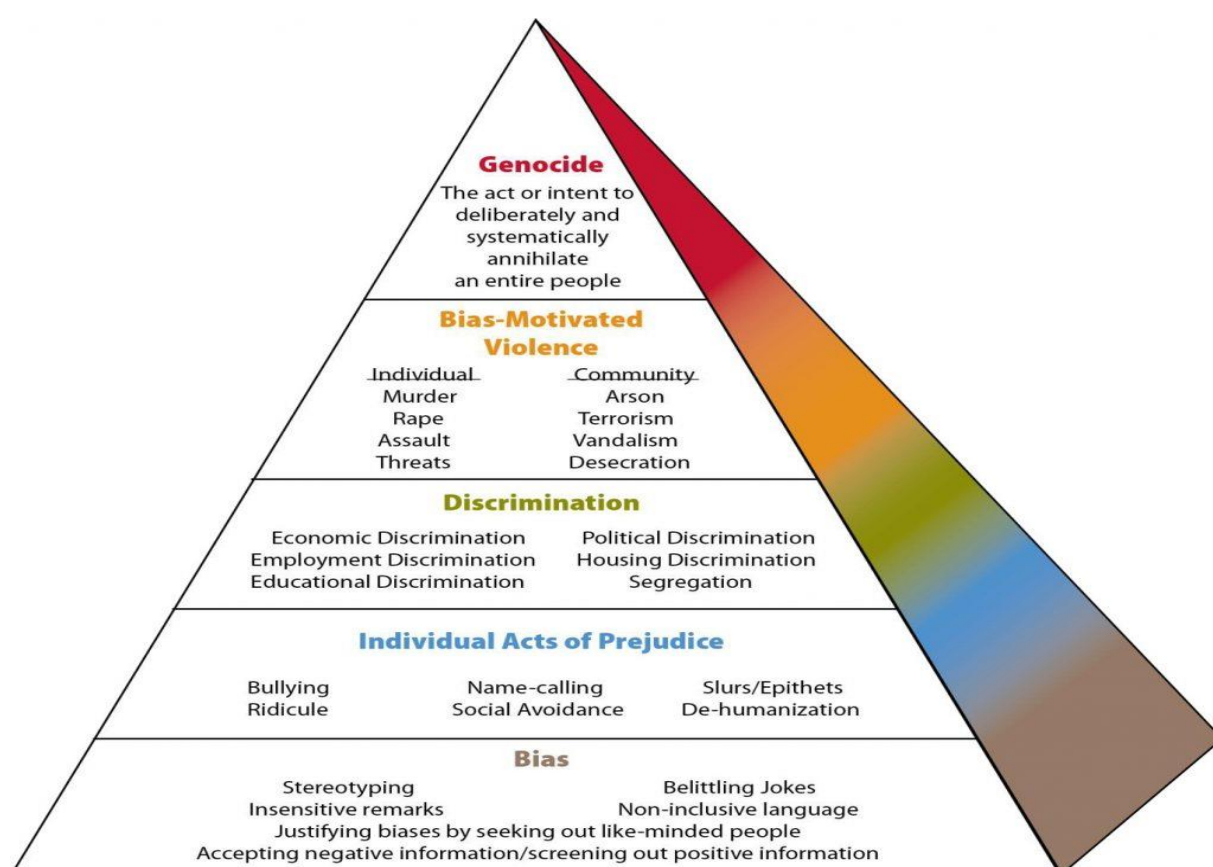
Email: Domesticviolence@towerhamlets.gov.uk

(5) The Links between Hate Crime, Discrimination and Prejudice

There is sometimes only a narrow divide between acts of discrimination prohibited by equalities legislation and acts that would be sufficient to constitute a hate crime. Hate crime is part of a continuum of discrimination that is founded in prejudice and that, at its' most extreme, leads to genocide/terrorism.

The “**Pyramid of Hate**”(Anti-Defamation League 2005) shows the steps between behaviours that we may encounter on an everyday basis up to extreme acts of violence. Failure to challenge more subtle acts of bias or prejudice creates an environment in which hatred and discrimination can flourish.

Challenging discrimination and prejudice is therefore the key to preventing hate crime. In turn, taking robust and effective action to tackle hate crime is a key element of wider diversity and equality strategies.



(6) Challenging Discrimination

Collusion

Silence saying nothing when others tell inappropriate jokes, stereotype or use offensive language about people. Staying “neutral” instead of supporting others who challenge such behaviour. Often justified as a way of avoiding conflict, your silence can be interpreted as approval.

Denial ignoring or minimising discriminatory behaviour to be able to claim that ‘we are all equal here’ Minimising offensive or inappropriate behaviour by dismissing it as a “joke” or accusing those who complain of over sensitivity. You may blind yourself to obvious discrimination because it’s uncomfortable to accept, or because you benefit in some way.

Active co-operation using offensive words or language yourself, laughing at racist, sexist or homophobic jokes, or agreeing with discriminatory comments made by others.

It is always important to challenge discriminatory behaviour, but it can be difficult, especially if you fear the response of the person you challenge. You should only directly challenge discrimination if you feel it is safe to do so. If you do not feel safe, report the behaviour using your organisation’s policies and procedures. The following guidelines can help you to challenge in an effective way:

For example, if a stereotype was made against a particular ethnic group, ask them where their view came from? How many people from that group do they know?

Challenge the behaviour, not the person

Invite the person to question their own behaviour and attitudes to better understand what they are saying and reassess their language and attitudes. Avoid labelling them. Focus on what they have said or done, rather than who they are.

A challenge should be an invitation, not an attack

Very few people think of themselves as prejudiced. People are unlikely to respond positively to an accusation that they are. They may respond by defending their attitude instead of questioning and changing it.

Educate them by providing facts if you have them and promote their thinking

For example, a common prejudiced view is that Asylum seekers come to England and have everything handed on a plate. An appropriate challenge to this would be “Did you know most asylum seekers want to work but the law prevents them from doing so?”

Stay Calm

If you say something calmly, showing consideration for the other person’s feelings you are more likely to get through to them than if you shout or become aggressive. Try to say something like “When you say that it makes me feel...”, “What you are saying could be offensive. What makes you think that I am not

gay/disabled/Protestant?" By admitting to your own feelings, you are also acknowledging theirs.

Talk about "I" not "You".

For example, "I find your jokes offensive and not very funny", instead of "You are racist."

Be Heard

Don't expect the other person to agree with you. Just make sure they have heard what you have said.

Have a private word

Go back to people afterwards if you can't think of the most effective way to challenge them at the time.

Ask for support

Ask for other people's support either in helping you decide how to challenge the behaviour, or in joining the challenge

(Source: Forum on Discrimination September 2007)

(7) Reporting Hate Incidents

The police estimate that most racist and religious hate crime, and as much as 90% of homophobic crime, goes unreported because victims are too frightened or embarrassed to let someone know.

Home Office Website <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/hate-crime/>

Why it is important to report hate crime?

Effective action against specific instances of discrimination can be a powerful deterrent to others. A swift and strong response can help stabilize and calm the community, as well as aid a victim's recovery. Failure to respond effectively to hate crimes may jeopardise public safety, and leave agencies open to increased scrutiny and possible liability. When a hate crime occurs, its effects can reverberate throughout the entire community.

Even if the perpetrator of a specific incident cannot be identified, reporting hate incidents can provide the police and community safety services with intelligence that can help to identify areas of concern and support other investigations. This can help inform decisions about deployment of resources – setting up surveillance operations or increasing Safer Neighbourhood Team patrols in an area where a pattern of hate incidents has been identified, for example.

By reporting, hate crime victims can also access support and advice to help them cope with the effects and increase their safety.

- There is a range of options available to victims of hate crime to report it to either the police or their housing provider (i.e. landlord), or council, if a private

tenant or business is a victim of hate, the council will investigate. To report call 020 7364 5292.

Reporting to the Landlord

- In person: at their Local Housing Office. A Housing Officer will complete a reporting form and investigate.
 - Reporting to the police:
 - **Telephone:** The quickest way to report an incident to the police is to phone 999.
999 should always be used in an emergency - for example if the incident is happening, the perpetrator is in the vicinity, someone has been injured or there is a risk to life.
The 999 service can access the Language Line interpreting service as needed.
101 for non-emergencies
 - In person: Victims can report hate incidents in person by attending any police station. The report will be investigated by the police station covering the area the incident happened.
- Online:** The following categories of crime or incidents can be reported via the MPS website www.met.police.uk
- Theft excluding robbery (where you or the person you are reporting for was subjected to violence or the threat of violence) and burglary (a building has been broken into).
- Criminal Damage
 - Theft from a Motor Vehicle
 - Criminal Damage to a Motor Vehicle
 - Hate Crimes and Hate Incidents
- There is a link to the online Hate Crime reporting web page on the MPS website.
- At a Police Station:
You can report a crime or incident at any police station front counter. To find your local police station and opening times please use the Your Borough link on the MPS website.
- Over the telephone:
Dial 101 if:
 - A crime or incident has already happened
 - You want to make us aware of any policing issues in your local area.
 - If you are deaf, deafened, hard of hearing or have a speech impairment, a text phone is available on 18001 101.

Reporting online

- True Vision www.report-it.org.uk

The online reporting facility has been developed so that you can report hate crimes online if you do not want to report directly to the police. The police take hate crime very seriously and will record and investigate this offence even if you do not want to give your details. However, you must note that the investigation and ability to prosecute the offender(s) is severely limited if the police cannot contact you.

- You may also specify how you want to be contacted and if contacting you would cause you any difficulties. The police will not pass on your details without your consent and would ask you to consider giving your details confidentially.
- To report a hate crime - please select the county/area where the crime happened from the drop-down list on police website and you will be taken to the correct reporting form. You can use the postcode search at www.police.uk to check the name of your local area.

Barriers	Overcoming the barriers
Language	<ul style="list-style-type: none"> • display leaflets and posters in community languages • ensure you have access to interpreting services or colleagues with appropriate language skills
Fear of not being taken seriously	<ul style="list-style-type: none"> • ensure you treat complainants with dignity and respect – demonstrate that you are taking them seriously by following the good practice guidelines in this handbook.
Fear of not being believed	<ul style="list-style-type: none"> • ensure thorough and accurate records are kept using an appropriate reporting form • part of the investigation will involve asking them detailed questions about the incident – this doesn't mean that they are not believed – but the authorities need strong evidence that will stand up in court to take legal action – the evidence may not be strong enough to take legal action, but this doesn't mean the complainant isn't telling the truth
Belief that no action can or will be taken	<ul style="list-style-type: none"> • explain the importance of reporting hate incidents and how this can help inform decisions about preventative action, even if it isn't possible to take formal action against the perpetrator • information about even apparently “minor” incidents can help to build up a picture of problems in particular areas that may warrant further investigation
Lack of knowledge about what action can be taken	<ul style="list-style-type: none"> • use the information in this guide to explain the kinds of action that can be taken • invite a member of the Hate Crime Team or a NPFH Hate Crime Champion to give a talk to your service users to inform them what actions can be taken against hate crimes
Fear of retaliation	<ul style="list-style-type: none"> • explain confidentiality – no information will be disclosed without their permission. • They will be informed of any proposed action in relation to the perpetrator. • Their safety will be taken seriously and a risk assessment will be conducted to identify and manage the risks
Threats of retaliation by the perpetrators	<ul style="list-style-type: none"> • Ensure you fully record any threats and specific fears the victim or witness has in the hate crime reporting form • a number of measures can be put in place to support and protect victims and witnesses – the police and the Council Hate Crime Team can advise • witness intimidation is a criminal offence – the perpetrator could face additional penalties and be remanded in custody.
Lack of confidence in	<ul style="list-style-type: none"> • The Police and the Council have a duty to respond effectively to hate incidents, and there is a strong commitment to making Tower Hamlets a safe place for

the police and the authorities	everyone – this is why the Police, Council and wider partnership invest resources into investigating and preventing hate crime and have made reducing hate crime a priority in the borough’s Community Safety Partnership Plan.
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(8) Roles and responsibilities in responding to hate crime

All agencies, statutory, voluntary, community and the private sector, have a role to play in tackling hate crime within the wider community safety partnership framework.

This section outlines action that all agencies can take to contribute to tackling hate crime and summarises the specific roles and responsibilities of key services, including the Police, LBTH Community Safety Service, Housing Services, Youth and Community Services, Schools, Sports facilities, employers and Victim Support.

Action all agencies can take

- Promote and implement a policy that promotes diversity and equality and challenges all forms of discrimination.
- Ensure that employment and health & safety policies and procedures deal effectively with hate crime or incidents that occur in the workplace – whether between employees, or against staff by members of the public.
- Display No Place For Hate (NPFH) posters and leaflets in public reception areas condemning all forms of hate crime and providing information for victims to encourage reporting. These can be provided by the Hate Crime Team upon request. Review the way your agency responds to the needs of service users who may have experienced hate crime. This is particularly important if your agency provides services to a specific community or group and it is likely that some of your service users will experience hate crime directed at them. Seek service user feedback on how to improve your response.
- Train staff on hate crime issues and how to respond to victims who report incidents to them. If you work with vulnerable people the training should include equipping staff with the skills to recognise signs and proactively ask service users if they have experienced hate crime or victimisation.
- Monitor the cases of hate crime that are reported to your agency, and ensure appropriate records are kept securely of all reports and action taken in line with Data Protection Act
- Share monitoring information about the number and types of cases that come to your attention with the Tower Hamlets No Place for Hate Forum (THNPFHF) to contribute to creating a better picture of hate crime in the borough.
- Make referrals to the monthly Hate Incident Panel (HIP) for a coordinated approach to resolve cases.

- Identify a “hate crime champion” to take a lead on participating in local partnership forums and events and maintaining up to date information on hate crime issues and service developments in the borough.
- Sign the personal pledge via www.towerhamlets.gov.uk/hatecrime
- Hard copies are available from the Hate Crime Team.

Information Sharing

The Crime and Disorder Act 1998 established a clear framework for information sharing. Section 115 of the Crime and Disorder Act 1998 contains an explicit power for people to disclose information to several different agencies including crime and disorder reduction partnerships, local authorities, probation committees, health authorities, or to persons acting on their behalf to reduce or prevent crime.

Personalised information should usually be shared only with the consent of the individual concerned. There are exceptions to this if there is a serious risk to life or if a child is at risk of harm.

The Tower Hamlets Partnership has a Community Safety Partnership Information Sharing Protocol in place that sets out the parameters and processes for information sharing. For further information about the protocol contact the council’s Information Governance Manager on 020 7364 4354’ or 020 7364 4736.

The Role of the Police

- The Home Office Code of Practice sets out the requirements on criminal justice agencies for incident reporting and recording.
- The code contains a model recording system for racist incidents that is suitable for use by all criminal justice agencies, as well as by crime reduction partnership and criminal justice boards. With minor adaptations it could also be used by housing providers dealing with racially motivated anti-social behaviour and racial harassment. This is available from Home Office (2000), Code of Practice on Reporting and Recording Racist Incidents.
- The Metropolitan Police Safeguarding Unit is a specialist department within the police that deals with both domestic violence and hate crime.

The police believe that by taking robust action against perpetrators, supporting and recognising the needs of victims, and working in partnership with external support agencies, they can make the lives of those suffering hate crime safer, protect their families, their communities and prevent re-victimisation. The motivation for crimes is not always clear from the outset. Care needs to be taken, assumptions and stereotypes challenged.

Investigators in the Safeguarding Unit at all stages will use comprehensive evidence gathering in their investigations, combined with multi-agency responses to support victims. The primary aim of a hate crime investigation is to identify and prosecute offenders to the satisfaction of the victim and the community. The secondary aim is to identify and pursue alternative courses of action, where appropriate, in conjunction with partner agencies.

In those cases where there is a sexual offence committed, the crime will be investigated by the Sapphire Unit which is a unit dedicated to the investigation of sexual offences. Sapphire Unit officers are specially trained in providing support to victims of sexual offences and will act as a gateway to a number of other support

agencies such as the Haven (Whitechapel) which is a Sexual Assault Referral Centre.

The police engage with the community on many levels, through meetings open to the public and liaison with the local authority. The police are members of the Tower Hamlets No Place for Hate Forum, where along with partner agencies, long term strategies are implemented to reduce hate crime across the borough.

Reporting Incidents to the police

If a member of the public calls the police on the phone asking for their attendance a report is created called a CAD (Computer Aided Despatch). This is not a crime report but a record of a request for police attendance.

When the incident is reported either at the police station, or to police who attend the scene, a computerised crime report (known as a CRIS) is created. The CRIS number is then given to the member of the public as a crime reference number. This is normally given later over the phone or in the form of a letter once the report has been created as the report can take some time to complete.

The reporting police officer will make initial enquiries and, in most cases, take a statement from the victim and any available witnesses. This statement is a signed document and it is an offence to provide false information in a statement. It is this statement that will form the basis of the victim or witnesses evidence in court as opposed to the CRIS report. In complex cases a statement can take many hours to complete and an experienced detective may take the statement at a later time or date.

Police will then make enquiries to identify and locate the suspect and arrest where appropriate. At this stage responsibility for the further investigation of the matter is transferred to the Safeguarding Unit. The Safeguarding Unit will make every effort to update victims and let them know whom the investigating officer is. In most cases victims can expect contact from the Safeguarding Unit the day after a crime is reported where no suspect is arrested.

Where no suspect has been arrested, the MPSU will make further enquiries to identify or locate the person responsible. This could take any length of time from a few days, to in complex cases several months. These enquiries can involve speaking to witnesses, locating and viewing CCTV and technical enquiries involving phone billing and examination of computers. At this stage the CSU will also refer the victim to support agencies such as Victim Support if the victim wishes this.

It is difficult to give a normal length of time of any investigation, it can vary due to many factors including the type of crime and the nature of the required enquiries. The CSU always attempt to resolve issues with 28 days, however this is not always possible.

If the police arrest a suspect the following sanctions are available:

Not proceeded with: This is where there is insufficient evidence for police to be able to charge or caution the suspect. In these cases he/she would be released and no further action would be taken unless other evidence came to light.

Harassment warning: In certain circumstances police may issue a Harassment Warning. The suspect will be released from custody, however they will be informed that any continuation of their conduct in the future, may be treated as harassment for which they can be arrested and possibly charged.

Caution: If the suspect has admitted guilt and the matter is a relatively minor one (a one-off incident with little or no previous history) he/she may be given a Caution and released from custody. When deciding whether to issue a Caution, the police consider such things as the victims' wishes and also the suspect's previous history. This caution is not a criminal conviction however if there are further incidents details of the Caution could be given to a court and considered. If the suspect is under the age of 18, they would be given a reprimand or final warning instead of a Caution.

Charge: The suspect is sent to court for trial. Depending on the circumstances, the suspect may be on bail with or without conditions or remanded in custody at a prison until trial. If they are found guilty, the offender can be sentenced to a custodial prison sentence, fined, or ordered to complete community service. The sentence will depend on the seriousness of the offence and the offenders' prior history.

Bail: Where further enquiries are necessary police can bail individuals to return to the police station later. During this period of bail police can, if appropriate, apply conditions. These can be conditions to not contact certain people or not to enter certain areas. If these conditions are breached the suspect can be arrested.

RIU: Where the suspect is released without bail while still under investigation. During this period the suspect is informed that they are being released without bail, but still under investigation and liable to further arrest or questioning under caution if further evidence becomes known or available, or existing evidence is examined, which could not reasonably have been achieved before their initial release without bail. The suspect is also informed that their biometric data (fingerprints, photographs, DNA samples) will also be held by Police whilst under investigation.

Alternative courses of action As stated above, in those cases where the evidence is insufficient for criminal charges, police in conjunction with partnership agencies such as the local authority, will look at alternative courses of action.

Reporting to the police

Telephone: The quickest way to report an incident to the police is to phone 999. This number should always be used in an emergency – for example if the incident is happening or there is a risk to life.

In person: Victims can report hate incidents in person by attending a Police Station.

The Role of LBTH Community Safety Team

The Community Safety Team (CST) is responsible for co-ordinating the Council's statutory responsibilities under the Crime & Disorder Act 1998.

The Community Safety Team co-ordinates the Tower Hamlets Community Safety Partnership, ensuring that this statutory board fulfils its statutory duties under the Crime and Disorder Act 1998, including having a Community Safety Partnership Plan. The Team also provides guidance on relevant policy and legislation to council

leaders, develops local policy and strategy. It works with partners and the community to identify community concerns, then facilitates the co-ordination of partnership resources to address community safety concerns in the borough.

CSS Operations Responsible for the Council's operational response to complaints of anti-social behaviour and hate crime by private residents and businesses only including surveillance and intelligence and management of the CCTV system.

Investigations

CSS Operations Investigates complaints of serious anti-social behaviour, including violence, drug dealing, prostitution, damage to property, harassment, and hate crimes. Investigators interview victims and perpetrators (if identified), put strategies in place to resolve issues informally where appropriate, and collect evidence to support enforcement actions.

CCTV

The CCTV control room is staffed 24/7 by controllers who monitor screens and direct recording from CCTV cameras across the borough. The Controllers work in partnership with the police to detect and prevent crime and anti-social behaviour.

Surveillance and Intelligence

The Surveillance and Intelligence Team works covertly to gather independent evidence in cases where ASB or crime is being committed but the perpetrators have not been identified, or where additional evidence is needed to support enforcement action.

VAWG & Hate Crime Team

Responsible for the development, implementation, commissioning and co-ordination of the Violence Against Women & Girls (VAWG) Strategy and partnership responses to VAWG ,domestic abuse and hate crime.

Hate Crime

The Hate Crime part of the team is responsible for development, implementation, commissioning and co-ordination of partnership strategy to tackle hate crime. The team co-ordinates the Tower Hamlets No Place for Hate Forum (THNPFHF). This multi-agency forum has an annual action plan and delivers projects to promote cohesive communities, support victims and hold perpetrators to account. Projects include No Place for Hate Champions, No Place for Hate Campaign & Pledge, training and workshops, and awareness raising work around specific forms of hate. It also coordinates the Hate Incident Panel, where key staff from the Police, RPSH's, CATCH and various Council departments meet monthly, to ensure a coordinated response to hate incidents, in particular a focus to ensure civil enforcement where threshold for criminal enforcement action is not viable.

The team provides specialist advice and information to professionals in the borough on responding to hate crime cases.

The VAWG Team supports the development of a co-ordinated community response to VAWG, domestic abuse (DA) that aims to prevent VAWG, DA and reduce the harm it causes. They co-ordinate the borough's DA Forum, VAWG Steering Group and the Multi Agency Risk Assessment Conference (MARAC) where key agencies review and plan action in high risk cases.

The team provides training, seminars and events, undertakes outreach work, campaigns, Sanctuary Project, Criminal Justice Partnership programme of work, VAWG Champions and provides telephone information and signposting service for professionals during office hours.

Substance Misuse Team

The Substance Misuse Team is responsible for implementing the National Drug Strategy at a local level; working in partnership to ensure a strategic response to substance misuse issues across the partnership and providing integrated prevention and intervention services to respond to the needs of drug and alcohol users and those affected by someone else's substance use.

The Team commissions and coordinates drug and alcohol treatment services within the community and the Drug Interventions Programme caters for drug and alcohol users who are involved in the criminal justice system. For further information contact 020 7364 3176.

Extremism & Hate Crime

Whilst it is important to recognise the differences between Hate Crime and extremism, one should be aware of the linkages often found between the two. Extreme views can lead to incidents of Hate Crime, and vice versa instances of Hate Crime left unchecked can foment extremism, both as a response (by victims) and by the perpetrators as part of a continuum of hatred.

Extremism is defined as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Extremism also includes calls for the death of members of the armed forces. (Revised Prevent Duty Guidance for England and Wales, 2015).

Ultimately the solution to both Hate Crime and extremism broadly lies in the same dynamics- building a cohesive and tolerant society that feel valued equally and is consistent with a set of values such as the rule of law and mutual respect.

In Tower Hamlets we ensure that those vulnerable to radicalisation are supported as part of our consistent safeguarding duties for vulnerability to several risks. Both adults and children can be supported if thought at risk of radicalisation.

The Prevent Team work closely with colleagues from the Hate Crime team in order to promote the borough as 'no place for hate' and one that will not condone extremism of any kind.

If you need support or are worried that someone else needs support then call the Prevent team at Tower Hamlets on 020 7364 4691 or 020 7364 0248.

If you have a concern related to terrorist activity call 999 in emergency or 0800 789 321 at other times.

The Role of Registered Providers of Social Housing

Policies and procedures

The Housing Act 1996 states that housing providers (including social landlords and local authorities) must have a policy on anti-social behaviour including hate crime. Housing providers should:

- Inform tenants and other local residents how they can report incidents of anti-social behaviour, racial harassment and other forms of hate crime involving one of their tenants or in or around one of their properties.
- Have a simple recording system in place so that all staff are able to take incident reports
- Train staff in how to receive reports and how they are expected to respond.
- Monitor the numbers and nature of cases reported to them, the outcomes, and customer satisfaction with their response.

Prevention

Housing providers can put measures in place to make anti-social behaviour less likely. Within certain bounds landlords can influence how the stock is designed, who it is allocated to and the terms of the tenancy agreements. They can also set up visible security patrols to make people feel safer and provide support to young people and families.

Protection and support for victims

Housing providers have an important role in protecting and supporting victims, through both practical measures such as “target hardening” (improving home security) and helping them to access support and advice by providing information and making referrals to other agencies.

Re-housing

If a victim is unable to remain in their home because of a threat of violence that is likely to be carried out they may be able to seek statutory homelessness assistance from the council’s Homelessness & Housing Advice Service. Council and RSL tenants may also be able to apply for a management transfer through their landlord. Each housing provider will have its own policy and procedure for transfers – seek advice from the relevant local housing office for information.

Enforcement Action Against the Perpetrator

Social landlords have a range of legal powers that can be used to act against perpetrators of hate crime – this includes taking eviction action for breach of tenancy conditions, demoting tenancies, securing injunctions and seeking Civil Injunctions. The main powers are outlined as follows:

Tenancy Agreements

A tenancy agreement is the most important tool when a landlord is considering and taking legal action against perpetrators of anti-social behaviour or hate crime. Tenancy agreements should make clear the standards of behaviour that are required of tenants and reference should be made to any tenancy clauses relating to ASB or nuisance. Tenants can have an injunction brought against them making them responsible for the behaviour of others visiting or residing in their property, for example, if someone is dealing drugs in the tenant's home.

Injunctions can also be brought against owner-occupiers or leaseholders for anti-social behaviour.

Warnings Letters

Before taking any legal enforcement action perpetrators of anti-social behaviour or hate crimes or harassment should be warned that they should stop the unacceptable behaviour. If they fail to stop legal action might follow. Warnings should be in writing. Warnings may be enough to deter perpetrators from further anti-social behaviour. Legal action is unlikely to succeed if warnings have not been given.

Possession proceedings

Whether possession or demotion can be obtained depends on the nature of the tenancy. Most tenants of social landlords will be either be secure tenants under the Housing Act 1985 or assured tenants under the Housing Act 1988, and possession or demotion must be sought in accordance with those Acts.

Landlords have powers under the Housing Act to serve notice of seeking possession on a tenant who breaches any of their tenancy conditions including causing antisocial behaviour, nuisance or harassment including any form racial abuse or conduct against others. The landlord must apply to court for an Eviction Order in most cases before a tenant can be lawfully evicted.

Demotion Orders

Under sections 14 and 15 of the ASB Act 2003 tenants that choose not to respect their homes or the communities they live in, could face losing their home unless their behaviour changes. If a tenant behaves anti-socially or allows a member of their household or visitors to do so, the landlord can apply to the court for a Demotion Order ending the tenant's existing tenancy and replacing it with a less secure demoted tenancy. This removes the tenant's Right to Buy and security of tenure for at least a year. At the end of a year, if the landlord has been satisfied by the tenant's conduct of the tenancy, a review will take place to reinstate the original status.

Suspending the right to buy

Since amendment to the Housing Act 1985 by Housing Act 2004, social landlords have been able to apply for an order suspending the right to buy. Under s.121(A), the landlord may apply to the county court for an order suspending a secure tenant's right to buy for such period as the court may specify. This period is known as the suspension period.

Housing Injunctions

The landlord may obtain an injunction from the court without notice on the day ASB occurs. This power enables landlords to apply to the court for housing injunctions to prevent behaviour capable of causing nuisance and annoyance which indirectly or directly affects their housing management functions.

The ASB Act 2003 created a new class of injunction, commonly referred to as housing injunctions, under which the Council will have to prove that a defendant is engaging, or has engaged or threatens to engage in conduct, which is capable of causing nuisance or annoyance to the following groups:

- A person with a right to reside in or occupy housing accommodation owned or managed by the relevant landlord.
- A person with a right to reside in or occupy other housing accommodation in the neighbourhood of housing accommodation owned or managed by the relevant landlord; (Including owner-occupier).
- A person engaged in a lawful activity in or in the neighbourhood of housing accommodation owned or managed by the relevant landlord.
- A person employed (whether by the relevant landlord) in connection with the exercise of the relevant landlord housing management functions.

The role of Registered Providers of Social Housing (RPSH)

We all understand the importance of living in a home where you feel safe; with neighbours who respect each other; and with access to support if things go wrong.

With their residents, RPSH's work hard to create places where people want to live. They celebrate diversity, promote equality and tackle anti-social behaviour. They work closely with the council, the Police, statutory and voluntary agencies. Together they focus on finding solutions to the problems caused by prejudice and discrimination.

Policy

Each organisation has its own policy setting out what it will do in response to incidents.

Having a policy is important as it sets out what residents can expect. You can usually find the policy on the RPSH website or can ask for a copy to be sent to you.

Publicity

RPSH's use a variety of ways to publicise their stand against hate incidents, and what they will do when an incident is reported.

Posters, newsletters, leaflets, door knocks and letters are traditional ways to publicise information. Increasingly, social media – such as Twitter and Facebook – is used to get information to a lot of people very quickly.

Hosting and sponsoring events such as fun days, debates, meetings and workshops are opportunities for two-way information sharing.

Prevention

With partners, RPSH's are involved in lots of initiatives to try to prevent hate incidents. They do this by:

- challenging attitudes and behaviours
- encouraging early intervention
- increasing reporting
- investing in community, vocational and diversionary initiatives
- responding quickly to reports
- using the available tools and powers

Encouraging reporting

Those that experience or witness hate incidents need to be confident to report what has happened.

Publicity is important in encouraging victims, family and neighbours to report incidents.

Housing associations have different ways to report incidents e.g. in person, by phone, text, social media, on-line, phone app. They can also offer support to people with learning disabilities/difficulties, or whose first language is not English.

Some groups are particularly reluctant to report to the Police and so RPSH's often act as a 'third-party' reporting sites so everyone feels comfortable in coming forward.

(9) Responding to victims and witnesses

RPSH's will listen to and make a record of all incident reports.

When a report is made, RPSH staff will apply the 'perception test'. This is to decide whether the incident is 'perceived' by the victim or witness to be motivated by hate. Applying this test means that incidents are taken seriously, recorded, and lead to an appropriate response.

What happens next will vary between organisations, in some the Housing Team will follow-up on the report; others have a dedicated team to investigate what happened; and depending on the type of incident it may be referred to another agency such as the council or the Police.

In all cases, the person reporting should be given a named contact and told what will happen next.

Supporting victims

The support that a victim or witness may need following a hate incident will vary with each individual. Support aims to inform, support and empower.

RPSH's will either provide, or work with partners to provide, appropriate support such as:

- immediate practical steps like securing doors and windows
- providing personal alarms
- home security improvements
- reassurance or more in-depth counselling

Working with perpetrators

Many RPSH's work directly with, or fund specialist agencies to work with, people involved in hate incidents to try to reduce their anti-social behaviour, and the risk they pose to themselves and others.

In many cases, perpetrators are also victims and can be very vulnerable or experiencing mental health issues. Providing appropriate support, as well as sanction, can reduce and prevent hate incidents occurring.

Risk and vulnerability

RPSH's will usually carry out some form of risk of harm vulnerability assessment when someone reports an incident. This will identify what support is needed. In some cases, the results may be shared with other agencies that have expertise in providing specialist support.

Some will also carry out an assessment for those involved in hate incidents to help work out the most appropriate way to approach working with them to prevent future incidents.

Working with partners

RPSH's work with their residents, and with statutory, voluntary and other organisations. The agencies can include the Council, the Police, faith groups, Victim Support, London Fire Brigade, schools, health professionals and a vast array of other specialists.

The common purpose for partnerships is always to work more effectively on behalf of residents to prevent incidents, respond to reports, and support victims and witnesses.

Some are formal partnerships where agencies can share information, resources and best practice. Others are less formal partnerships that come together to react to a specific issue or incident.

Tools and Powers

RPSH's have a range of civil tools they can use to respond to hate incidents. They also have legal obligations related to how they respond to hate incidents. They can rely on the obligations set out in their tenancy agreements and leases if the person involved in the incident lives in one of their homes.

Many of the legal tools available are set out in the Anti-social Behaviour, Crime and Policing Act 2014 – although some of these tools have to be implemented by the council and the Police:

- Absolute ground for possession – for possession of secure and assured tenancies where anti-social behaviour or criminality has already been proven by another court
- Acceptable Behaviour Contract - is a written agreement between a (usually young) perpetrator and the Housing Association. While there are no formal sanctions associated with breaching an ABC, the consequences of doing so are usually legal proceedings
- Civil Injunction - issued on application by the county court and High Court for over 18s and the youth court for under 18s it is an Order that can include prohibitions and positive requirements to get the perpetrator to address the underlying causes of their behaviour.
- Closure Power - allows the Police or Council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder
- Community Protection Notice - to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life
- Community remedy - gives victims a say in the out-of-court punishment of perpetrators
- Community trigger - enables victims to require agencies to carry out a review where they feel they did not get a satisfactory response
- Criminal Behaviour Order - issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity
- Dispersal Power - requires a person committing or likely to commit anti-social behaviour, crime or disorder to leave an area for up to 48 hours
- Mediation - can be an effective tool, solving the issue by bringing all parties to the table in situations where it can sometimes be difficult to identify the victim and the perpetrator
- Parenting Contract - where an informal intervention is used against under 18s, parents or guardians can play an important role which can be formalised in an ABC
- Public Spaces Protection Order - designed to stop individuals or groups committing anti-social behaviour in a public space
- Other legal obligations under the Care Act 2014, Data Protection Act 1998 and the Equalities Act 2010.

The Regulator, the Homes and Communities Agency, also sets out expectations for Registered Providers of Social Housing (RPSHs).

Even if a RPSH has a dedicated specialist team that leads on hate incidents; it is good practice to equip their staff with training. This means that if they are the first person that an incident is reported to they react appropriately, and give confidence to the person reporting.

The training will vary, but most will include

- how to respond to the person reporting

- recognising different levels of incident
- understanding different types of discrimination
- what to do if there is an incident

Re-housing

Tower Hamlets has a Common Housing Register which all RPSH's are partners to. This means all applications for re-housing are assessed in the same way according to the same policy.

Anyone who needs to be re-housed as a result of a hate incident will be referred to the council's Housing Options Team which will carry out a statutory assessment of whether a homelessness duty is owed. Generally, requests for additional priority for re-housing (known as management transfers) will not be considered, because of the length of time an applicant will have to wait for an offer of re-housing, even with additional priority.

Anyone subject to enforcement action for being involved in a hate incident will not normally be registered on the housing list.

The Role of Schools

Since many incidents involve young people of school age, teachers and schools are important partners in dealing with hate crime and anti-social behaviour. They can be an important source of information about the identity of perpetrators of anti-social behaviour. They can play a role in drawing up and signing acceptable behaviour contracts and monitoring their enforcement. Young people who are not attending school or have been excluded are also more likely to be involved in anti-social behaviour, or even crime. Therefore working with schools to ensure that pupils who should be at school attend and exclusion is avoided wherever possible, is an important part of an anti-social behaviour strategy. They can also play an important role in educating young people about the impact of anti-social behaviour on others in the community, as well as pointing out the potential consequences for young people themselves: they may find themselves subject to a Civil Injunction or, in extreme circumstances, if their parents are tenants of a social landlord, they may lose their home.

Local authority children's trusts or children's and young people's services will often be the commissioner and providers of services for young people. Many of these services are important diversionary activities from anti-social behaviour. For more serious and persistent cases of anti-social behaviour children's trusts and children's services also have child protection and parenting powers which may play a part in curbing the most extreme forms of anti-social behaviour and crime by young people.

If a school is concerned that the hate crime is motivated by ideological extremism, it must immediately refer to the Social Inclusion Panel via its safeguarding lead using an Early Help Assessment and take advice from the LA about parental consent.

For support with curriculum development and mapping around the issues of hate crime and violent extremism schools can contact.

- 020 7364 6476
- 07984 277158

Bullying in Schools

The London Borough of Tower Hamlets Children's Services endorses the right of every pupil to be educated in an environment that is safe, secure and supportive. Children's Services allocates funding to enable schools to address key recommendations of the Stephen Lawrence enquiry report and raises racism awareness in schools.

This includes a programme of workshops, training days and briefing sessions which has been developed that reaches teachers, support staff, pupils, parents, governors and all members of the school community; to raise awareness about racism and other prejudicial issues in school and how all can play a part in challenging and eliminating it.

A leaflet has been produced which sets out the guidance regarding bullying of/by pupils in schools, explaining to parents what they can do if they think their child is the victim of racial bullying or any other form of discriminatory behaviour and how the school will respond. This is available from Tower Hamlets Children's Services on 020 7364 6461 or from local schools.

The Role of the Tower Hamlets Youth Service

Tower Hamlets Youth Services provide a range of personal and social development opportunities for young people aged 13 to 19 and up to 25 for those with Special Educational Needs or Disability. Through projects and activities, they provide a service to over 6000 young people each year. Around 40% of these achieved a national accreditation or certificate.

Preventing discrimination and hate crime amongst young people:

Youth work helps to prevent discrimination and hate crime by promoting cultural awareness and equality and diversity amongst young people.

- Encourages integration between young people of different personal, social and cultural backgrounds.
- Promotes respect and facilitates mutual understanding amongst young people of different backgrounds and between young people and other members of the community.
- Challenges stereotyping amongst young people and dispels the negative images of discriminated groups.
- Develops a supportive climate in which young people can explore and challenge discrimination; and
- Provides positive role models through youth workers recruited from a wide range of backgrounds.

All youth workers are trained in how prejudice, discrimination and oppressive behaviour affect the lives of young people. They can develop strategies to help young people challenge prejudice and to enable young people to take responsibility for their own decisions.

Reaching Out to Under- Represented Groups

As well as ensuring that universal youth work provision is accessible to all young people, the Youth Service undertakes targeted youth work with the following groups:

- Girls and young women
- Young people from Black, Asian and Minority Ethnic groups
- Young people with special educational needs and/or disability (SEND)
- Young gay, lesbian, bisexual and transgender people (LGBT)
- Young people of different faiths
- Looked after young people and young care leavers

Tackling discrimination and hate crime:

Where hate crime exists, either within services or affecting young people who access them, the Youth Service seeks to combat it and address its causes.

All youth centres are encouraged in the reporting of hate crime amongst the young people accessing services.

For more information contact Integrated Youth and Community Services on 020 7364 3272.

The Role of Leisure Facilities

Anti Racism in Sports Charter

This Charter applies to all users of council sports facilities-swimming pools, sports centres and parks sports facilities. The Charter states:

- All users of sports facilities to be able to participate in sports without fear of racial harassment.
- Commitment to combating racism and other prejudicial barriers in sport in the borough of Tower Hamlets.
- Commitment to promotion of racial harmony.
- Will ensure that all participating in sport in the borough will be able to play and enjoy their sport free from the threat of intimidation, harassment and abuse.
- Will encourage all sports groups to oppose racism and promote equal opportunities.
- Want to play our sport in a borough where all communities are valued and respected.

All teams or individuals violating the Charter will be liable to withdrawal of the use of the council's leisure facilities. If you experience or witness a hate crime/incident in the council's leisure facilities, notify the leisure Centre Manager immediately.

The Leisure Centres have their own reporting form and process, for more information contact the leisure centre directly. You can google Leisure Centres in Tower Hamlets.

The Role of Employers - Responding to Hate in the Workplace

People may experience hate crimes and incidents in the workplace – either from customers, members of the public, or at the hands of colleagues. Employers have a

responsibility for the health and safety of their staff. A wide range of legislation and Employment Regulations protects employees against harassment at work. If a member of staff suffers hate crimes or incidents at work, they may be able to take their employer to an employment tribunal if they do nothing to stop it. They may also be able to take action against the person who is harassing them under the Protection from Harassment Act 1997. An overview of relevant legislation can be found in the Legal Framework Chapter.

Employers should have clear procedures that explicitly address issues of bullying, harassment and discrimination in the workplace, and ensure protection from victimisation of members of staff who make complaints under these procedures.

Tower Hamlets Council employees should refer to the Combating Harassment and Discrimination (CHAD) procedure available on the council's Intranet. Other agencies employees should refer to their own procedure.

Violence at Work Procedure

Employees in public facing or front-line roles may experience hate directed at them in the course of their work. Employers should ensure that there are clear procedures in place to prevent, respond to and monitor such incidents and ensure that staff suffering such incidents are offered appropriate support – such as provision of workplace counselling, time off to attend police stations, solicitors etc. Speak to your HR or line manager if affected. An Occupational Health referral should be made where required.

Good Practice Guidelines

This section sets out good practice for front-line officers in all agencies when responding to and supporting victims and witnesses of hate crime. Providing an immediate, appropriate and sympathetic response to victims and witnesses is vital in building confidence in services, encouraging reporting and sending a clear message that we take hate crime seriously and are committed to protecting and supporting victims and holding perpetrators to account.

DO

- Interview in private. Take them to a safe, private area to enable them to speak in confidence with no distractions.
- Ask about their immediate safety and welfare as the first priority. Have they been injured? Are they at immediate risk of further harm or intimidation? What are their fears or concerns? Have they received specific threats?
- If they are in immediate danger or need urgent medical attention call 999.
- Address their access and support needs. Do they need an interpreter? Do they have accessibility needs?
- Clearly explain your role and what you can do, e.g. listen, offer initial advice, complete a reporting form, help them to report to the police, help them to access specialist advice and support.
- Explain confidentiality – only share information about their case with their explicit agreement unless there is serious risk to life such as children being at immediate risk, danger to life and matters of national security.

- Explain that you will need to take notes but that you are listening to them and that they can check the completed form to ensure accuracy.
- Be objective, avoid stereotyping or making judgemental comments.
- Give them time to talk and take time to listen. Use non-verbal signals to demonstrate you are listening. Allow silences, it gives them an opportunity to think. Don't feel you have to jump in with more questions if they are quiet for a short time.
- Be aware of your body language, use open body language and facial expressions demonstrating you are listening i.e. leaning forward and looking concerned.
- Use a warm friendly tone. It may help to think about how you would support or speak to a family member or friend who is extremely upset.
- Ask open questions and allow them to tell you what happened in their own words.
- Summarise and paraphrase what they are saying to check your understanding and demonstrate that you are listening.
- Preserve evidence. If they have evidence with them i.e. a malicious letter, provide them with a bag to preserve the evidence. Take copies of any letters etc. – sign and date the copy and keep it on file.
- Provide information about services that are available to them. Give leaflets about local services they may wish to use.
- Offer to make referrals with their consent.
- Give a clear explanation of what will happen next, and what action you are going to take.
- Make sure they have your name and contact details in case they need to speak to you again.

DON'T

- Ask leading questions. Let them tell you what happened in their own words.
- Use children as interpreters.
- Crowd them, touch them or invade the personal space.
- Try to minimize or justify the perpetrators' behaviour. Take care not to say things that sound like you are making excuses for the perpetrator, or that the victim is over-reacting or over sensitive – for example “what did you do to make him/her so angry?” implies the victim provoked the incident by their behaviour, whereas “what were you doing before he/she shouted at you?” will establish what happened immediately before the incident, without implying that the victim is responsible.
- Put words into their mouth. The record you make of the incident could form evidence in future legal proceedings. Let them use their own words to tell you what happened.
- Judge or blame. Avoid asking questions or making statements that suggest the victim has provoked the incident in some way.
- Raise unrealistic expectations about what will happen or possible outcomes of the case. It is important to explain that all legal proceedings require investigation and evidence – at the point of initial reporting it is not possible to guarantee what the outcome of the investigation will be. Make sure any

information you provide about the role of other agencies is accurate and up to date.

(10) The Legal Framework

There is a range of legislation that can apply to hate crime and incidents. This section gives an outline of some of the main provisions that provide a framework for acting against perpetrators and protecting victims. It is intended to provide a basic guide to the kinds of legal actions that can be taken, rather than a comprehensive description.

Users of this guide should be aware that, although the information in this section is correct at time of publication, law can, and does, change. Having a basic understanding of the law may help you support a victim to consider options for action in an informed way. It is advisable to seek advice from the Police, the Council's Community Safety Team or a solicitor in relation to specific cases.

Criminal Law

Crime and Disorder Act 1998 (as amended)

This Act created several specific offences of racially aggravated crime, based on offences of wounding, assault, damage, harassment and threatening/abusive behaviour.

Section 28(4) of the CDA, 'racial group' means a group of persons defined by reference to race, colour, nationality (including citizenship), or ethnic or national origins."

The Act was amended by the Anti-terrorism Crime and Security Act 2001. It extended the scope of the Crime and Disorder Act by creating new specific religiously aggravated offences and applying the same sentencing duty to all other offences where there is evidence of religious aggravation.

To prove that an offence is racially or religiously aggravated, the prosecution has to prove the "basic" offence followed by racial or religious aggravation, as defined by section 28 Crime and Disorder Act 1998. An offence will be racially or religiously aggravated if:

- (a) at the time of committing the offence or immediately before or after doing so the offender demonstrates towards the victim of the offence hostility based on the victim's membership (or presumed membership) of a racial or religious group, or
- (b) the offence is motivated wholly or partly by hostility towards members of a racial or religious group.

A racial group means any group of people defined by reference to their race, colour, nationality, (including citizenship), ethnic or national origins (see *R v Rogers* [2007] 2 AC 62 for further explanation of the term racial group).

It is not necessary for the Defendant to belong to a different racial group. In *R-v-White* (2001) 1 WLR 1352 – the words "African" in the insult "African bitch" describes a racial group and it is no defence that the defendant is in the same racial group.

The offences do not require particular words to be used but the hostility could be demonstrated in other ways, such as the wearing of swastikas or the singing of certain songs. But it will normally be proved using some well-known terms of abuse.

In *DPP v McFarlane* (2002) EWHC Admin 485, the words “jungle bunny”, “black bastard” and “wog” were uttered immediately before and at the time of an offence of violent disorder under section 4 of the Public Order Act 1986 and so as the words were of a racial nature and threatening and abusive towards the victim, the aggravated version of the offence was made out. Rose LJ found that once the “basic” offence was proved and that racist language was used that was hostile or threatening to the victim, it made no difference that the defendant may have had an additional reason for using the language, the test under section 28(1)(a) was satisfied.

In *DPP v Woods* (2002) EWHC 85 Admin, the defendant used racially abusive language to a doorman at a nightclub when expressing anger and frustration over being refused admittance. It was held, as in *McFarlane*, that the fact that the primary reason for the offence was other than a racist motivation; nonetheless, the use of racist abuse during the commission of the basic offence made out the test for racial aggravation in section 28(1)(a). The point was made that ordinarily, the use of racially (or religiously) insulting remarks would in the normal course of events be enough to establish a demonstration of hostility.

Source: CPS (2003), Guidance on prosecuting cases of racist and religious crime

The Assaults on Emergency Workers (Offences) Act 2018 came into force on 13 November 2018. The Act creates a statutory aggravating factor where an offence is said to have been committed against an “emergency worker acting in the exercise of their function as such a worker”. Before the introduction of the 2018 Act, any assault e.g. on a police constable during the execution of their duty was charged under s.89 of the Police Act 1996. Under the 2018 Act where an emergency worker is subject to a racially/religiously aggravated assault, a sentence uplift would also be sought under section 2(6) 2018 Act to reflect the statutory aggravating factor of the victim being an emergency worker.

Examples include a recent case where the CPS prosecuted a case involving racially aggravated intentional harassment, alarm or distress, and common assault of an emergency worker. The defendant had racially abused a police officer and deliberately coughed in the face of the victim in the police car saying he had coronavirus. The abuse focused on the officer’s mistaken ethnicity and on the perception that he was a “foreigner”. The defendant pleaded guilty and was sentenced to 16 weeks for the assault on an emergency worker and six weeks for the racially aggravated intentional harassment alarm or distress to run concurrently.

In another matter the CPS prosecuted a case involving charges of theft from a shop, common assault and racially aggravated intentional harassment, alarm or distress. The defendant was seen by shop security staff tampering with a security lock on produce and then taking a bottle of cider. When approached he spat at one of the security staff saying that he had Coronavirus. He then made comments to one member of the security team of Chinese appearance that he and his country were responsible for Coronavirus. The defendant pleaded guilty to all charges and was sentenced to six weeks' imprisonment for the assault and six weeks for the racially aggravated harassment, alarm and distress, to run concurrently. The imprisonment

for harassment would have been four weeks, but for the evidence of racial aggravation.

Public Order Act 1986

Section 4 deals with threatening, abusive and insulting Conduct. It provides that:

A person is guilty of an offence if he -

(a) uses towards another person threatening, abusive or insulting words or behaviour, or

(b) distributes or displays to another person any writing, sign or other visible representation which is threatening, abusive or insulting, with intent to cause that person to believe that immediate unlawful violence will be used against him or another by any person, or to provoke the immediate use of unlawful violence by that person or another, or whereby that person is likely to believe that such violence will be provoked.

An offence under this section may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the writing, sign or other visible representation is distributed or displayed, by a person inside a dwelling and the other person is also inside that or another dwelling.

(3) A constable may arrest without warrant anyone he reasonably suspects is committing an offence under this subsection.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 (Currently £5,000) on the standard scale or both.

Section 4(A)(1) of the 1986 Act deals with the offence of causing harassment, alarm or distress; a person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, s/he – “uses threatening, abusive or insulting words or behaviour or disorderly behaviour; or displays any writing, sign or visible representation which is threatening abusive or insulting, thereby causing that or another person harassment, alarm or distress”.

Section 5 makes it a criminal offence to use threatening, abusive, insulting words or behaviour or disorderly behaviour within the hearing or sight of a person likely to be caused harassment, alarm or distress by that behaviour. There must be a victim present at the scene for this offence to be made out.

Disorderly, threatening, abusive or insulting words or behaviour:

- a. causing a disturbance in a residential area.
- b. persistently shouting abuse or obscenities at passers-by.
- c. rowdy behaviour in a street late at night.
- d. using slogans or language that causes distress.
- e. threats or abuse directed at individuals carrying out public service duties.
- f. throwing missiles.
- g. minor violence or threats of violence.
- h. incidents between neighbours that do not justify a charge of assault.
- i. an individual who is picked on by a gang where the behaviour does not justify an assault charge.

The offender must first be warned by the police about the behaviour and can only be arrested if the behaviour is repeated.

Part 3A of the Public Order Act 1986 ('the 1986 Act') was amended in 2010 so as to create offences of intentionally stirring up hatred on the grounds of sexual orientation. The offence deals with conduct (either words or behaviour) or material which is threatening in nature, and which is intended to stir up hatred against a group of people who are defined by reference to sexual orientation. The term 'hatred on the grounds of sexual orientation' is defined in the new section 29AB of the 1986 Act and is expressly limited to orientation towards persons of the same sex, the opposite sex or both. It does not extend to orientation based on, for example, a preference for sexual acts or preferences. The offence is committed if a person uses threatening words or behaviour, or displays any written material, which is threatening, if he intends thereby to stir up hatred on the grounds of sexual orientation. Possession, publication or distribution of inflammatory material is also an offence. The offence can be committed in a public or private place, but not within a dwelling, unless the offending words and behaviour were heard outside the dwelling and were intended to be heard.

Malicious Communications Act 1988

The MCA prevents the sending of communications (including online messages or letters) that convey a threat, a grossly offensive or indecent message, or false information, if the intention of the sender is to cause distress or anxiety to the reader or recipient. The offence covers communications that are offensive, obscene, menacing or false. There is no legal requirement for the communication in question to reach the subject or intended recipient; it is the act of publishing or sending the communication and the intention to cause distress that counts. An offence under the MCA is listed by the CPS as one of the offences most likely to be committed by the sending of communications via social media. The offence is punishable by up to six months in prison or a fine.

Section 3 Football Offences Act 1991 (as amended)

This offence is committed when a group of people, or one person acting alone, chants something of a racist nature at a designated football match. "Racist" means the same as "racist". To prove this offence, the prosecution has to show that the chanting, which means the repeated uttering of words or sounds, was threatening, abusive or insulting to another person because of that person's colour, race, nationality (including citizenship) or ethnic or national origin. It is not necessary to prove that the chanting was directed at a particular individual or group, although it will often be directed at a player or players from Black and minority ethnic communities. The offence only applies to a "designated" match as specified in the Football (Offences) (Designation of Football Matches) Order 2004. If convicted, the accused person can be fined (level 3), and, in addition to any other penalty, banned from attending football matches both in this country and abroad.

Section 127, Communications Act 2003

Section 127 of the CA provides that the use of public electronic communications equipment to send a message that is false, grossly offensive, or of an indecent, obscene or menacing character, will be punishable by either an imprisonment term not exceeding six months, or an unlimited fine, or both. It is also an offence to send a

communication through a public network intended to cause annoyance, inconvenience or needless anxiety to the recipient. The sender must intend the unpleasant effect of the message, but there is no need for the message to have been received by the intended recipient. No one needs to have seen it or been offended by it at all for the offence to have been committed.

Section 127 was successfully invoked in a case involving a blog in which the writer had posted hyperlinks to YouTube videos of herself performing three grossly offensive antisemitic songs. She was convicted by the Magistrates' Court under section 127(1)(b) in relation to the hyperlinks and under section 127(1)(a) for the uploading of the YouTube video of one of her performances and the Crown Court dismissed her appeal. The Administrative Court, in a judicial review hearing of the Crown Court decision also dismissed her appeal (R. (on the application of Chabloz) v CPS [2019] 10 WLUK 494).

The Gender Recognition Act 2004 (GRA 2004)

This provides for the legal recognition of the trans person in their acquired gender and the opportunity to acquire a new birth certificate for their new gender. The GRA 2004 also protects those who have received or who are in the process of receiving a Gender Recognition Certificate from having this information revealed without their consent. Under section 22 GRA 2004, it is an offence for a person who has acquired "protected information" in an "official capacity" to disclose the information to any other person UNLESS circumstances set out in statute. That "protected information" includes information regarding the application process itself, whether it has been applied for, started or concluded OR, if a Gender Recognition Certificate has been granted, the gender status of the individual before his or her acquired gender. Schedule 21, paragraph 5(2)(g), provides for a starting point of 30 years (rather than 15 years) for the minimum term for a life sentence for murder aggravated on the grounds of the victim's sexual orientation or transgender identity.

The CPS (Yorkshire & Humberside) prosecuted case of arson which was transphobically aggravated. The defendant and two friends had been openly hostile to their neighbour who is a Trans woman. Amongst abusive remarks, the defendant repeatedly referred to her by a male name by which further insult was intended. The victim's car was vandalised and a sofa put out for collection, set on fire.

The defendant set fire to the front door of the victim's flat and whilst the victim was not at home but her flatmate and the occupants of the downstairs flat were. A neighbour was able to put out the fire as the fumes were beginning to overcome the downstairs neighbour. In sentencing, the Judge said "the aggravating features in your case as considerable.

You were under the influence of alcohol, you used accelerant, there was a significant degree of planning, three people's lives were endangered, and this was a targeted attack similar in character to a revenge attack. Most seriously, this was an offence motivated by hostility towards the victim's transgender identity, which is a very significant aggravating feature." For the offence of arson being reckless as to the endangerment of life, the sentence was five years and 10 months. A restraining order was made for a period of 10 years.

Racial and Religious Hatred Act 2006

On 1 October 2007 the Racial and Religious Hatred Act 2006 came into force. The Act amends the Public Order Act 1986 ("the 1986 Act") by creating new offences of stirring up hatred against persons on religious grounds and amends section 24A of the Police and Criminal Evidence Act (PACE) 1984 so that the powers of citizens' arrest do not apply to the offences of stirring up religious or racial hatred.

The new offences apply to the use of words or behaviour or display of written material, publishing or distributing written material, the public performance of a play, distributing, showing or playing a recording, broadcasting or including a programme in a programme service and the possession of written materials with a view to display, publication, distribution or inclusion in a programme service or the possession of recordings with a view to distribution, showing, playing or inclusion in a programme service.

For each offence the words, behaviour, written material, recordings or programmes must be threatening and intended to stir up religious hatred. Religious hatred is defined as hatred against a group of persons defined by reference to religious belief or lack of religious belief. The new criminal offence carries a fine or a prison sentence of up to seven years if convicted.

Groups of people who belong to a faith group that also defines their race, such as Sikhs and Jews, are covered by the Public Order Act. It would, therefore, be unlawful to stir up racial hatred against Sikhs or Jews because their race is defined in terms of their religious affiliation.

On Monday, 10 August 2020 at Highbury Corner Magistrates' Court, during his first appearance, a teenager (15-year-old, who cannot be named for legal reasons) admitted punching, wounding or inflicting grievous bodily harm a man and saying, 'I don't want your coronavirus in my country'. The teenager launched the unprovoked attack on the victim who was walking alongside a friend towards Tottenham Court Road tube station on Oxford Street on Monday, 24 February. He will be sentenced at the same court on 7 September.

In another case, the CPS (West Midlands) prosecuted a man over a coronavirus-related hate crime. The 27-year-old was sentenced at Walsall Magistrates' Court for racially aggravated harassment, assault by beating and theft from a shop. The defendant was arrested at the B&M store in West Bromwich for stealing £100 worth of aftershave. He became aggressive towards the officers and in the presence of members of the public, shouted out a series of racist abuse while referring to the coronavirus. At his first hearing at Wolverhampton Magistrates' Court on 7 March 2020, he pleaded guilty to all counts and was jailed for 16 weeks extended by one month to reflect the racially aggravated element of his offending.

Protection from Harassment Act 1997

Two offences arise under this statute which may be relevant to the sanctioning of hate motivated harassment:

The offence of harassment: this arises under section 2 of the Protection from Harassment Act 1997. The Prosecution must prove:

1. That the Defendant had pursued a course of conduct on at least two separate occasions.
2. That the Defendant's course of conduct amounted to harassment of another - what constitutes 'harassment' tends to be a matter of common-sense e.g. the repetition of racist or homophobic remarks could amount to harassment.
3. That the Defendant knew or ought to have known that the course of conduct amounted to harassment.

The offence of putting people in fear of violence arises under section 4 of the Protection from Harassment Act 1997. To secure a conviction the Prosecution would need to prove that the Defendant had pursued a course of conduct on at least two occasions; that the course of conduct had caused another to fear that violence will be used against him and that the Defendant knew or ought to know that his course of conduct will cause the other to fear violence on each occasion.

The criminal court dealing with an offence under this Act may grant a Restraining Order as part of the package of punishment, preventing the Defendant from repeating his offending behaviour.

With effect from 15 March 2019, when the Stalking Protection Act 2019 came into force, magistrates have power to grant, in response to an application by a local chief police officer, a civil stalking protection order in England and Wales to prevent offence of stalking under section 2A of the Protection from Harassment Act 1997, or the offence of stalking involving fear of violence or serious alarm and distress under section 4A of that Act.

The order is designed for use particularly in cases where the stalking occurs outside of a domestic abuse context, or where the perpetrator is not a current or former intimate partner of the victim. It might also be appropriate when the criminal threshold has not, or has not yet, been met (such as while a criminal case is being built), or the victim does not support a prosecution.

Prosecution of Hate Crimes

The police will investigate and obtain evidence to show a crime has been committed. This includes gathering evidence that the victim has been targeted because of their race, religion, disability, sexual orientation and/or transgender identity or because of what the offender believes to be their race, religion, disability, sexual orientation and/or transgender identity. The Crown Prosecution Service (CPS) is responsible for deciding which cases go to court. This includes taking a decision on whether there is enough evidence to prosecute a crime as a hate crime. To prosecute any hate criminal offences, the case must satisfy the two stage test set out in the Code for Crown Prosecutors. The first is the requirement of evidential sufficiency and the consideration of the public interest. For the evidential stage, a prosecutor must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction. This means that an objective, impartial and reasonable jury (or bench of magistrates or judge sitting alone), properly directed and acting in accordance with the law, is more likely than not to convict. It is an objective test based upon the prosecutor's assessment of the evidence (including any information that he or she has about the defence). A case which does not pass the evidential stage will not be progressed by CPS, no matter how serious or sensitive it may be.

Powers of Court - Sentence uplift under s66 of the Sentencing Act 2020

If an offender pleads not guilty the CPS are responsible for preparing and presenting the case against them at court. The courts must treat offences more seriously where there is evidence that the offender demonstrated hostility on the basis of the victim's actual or presumed race, religion, disability, transgender identity or sexual orientation, or the offence was motivated on the basis of hostility towards one of these characteristics. The CPS is also responsible for asking the courts to increase the sentence that an offender receives – to reflect the fact that the crime they committed was a hate crime.

Examples

The victim installed CCTV on his property, which led to an argument between him and his neighbour. The argument became heated, and the defendant made racist remarks towards the victim. He was found guilty after trial at the magistrates' court to using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence and one charge of using threatening language. The defendant was sentenced to a 12-month community order, uplifted from six months. This included five rehabilitative requirement activity days (Humberside Case).

A youth was waiting at a fast-food restaurant and became agitated towards staff members. This escalated and he racially abused a staff member. The defendant pleaded guilty at the magistrates' court to using racially aggravated threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced to a four-month referral order, uplifted from three months, and ordered to pay £107 in costs (West Yorkshire Case).

The victim was assaulted by two females, who used racially abusive language during the assault. The defendants pleaded guilty prior to the trial in the Magistrates' Court to racially aggravated assault occasioning actual bodily harm. They were sentenced to six months' imprisonment, uplifted from four months and ordered to pay £128 surcharge (West Yorkshire case.)

The defendant was an in-patient at the hospital and was racially abusive towards a number of staff. The defendant pleaded guilty in the Magistrates' Court to three charges of using racially aggravated threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced to 12 weeks' imprisonment, uplifted from eight weeks (Humberside Case.)

The Police, Crime, Sentencing and Courts Act 2022

Non- Crime Hate Incident

A non-crime hate incident (NCHI) means an incident or alleged incident which involves or is alleged to involve an act by a person ('the subject') which is perceived by a person other than the subject to be motivated - wholly or partly - by hostility or prejudice towards persons with a particular characteristic. In December 2021, the Court of Appeal ruled in *Miller v College of Policing* (20/12/21), that the recording of Non-Crime Hate Incidents (NCHIs) is lawful if there are robust safeguards in place so that the interference with freedom of expression is proportionate. Subsequently,

the Police, Crime, Sentencing and Courts Act 2022 was enacted and it includes provisions that enable the Home Secretary to issue a statutory code of practice to the police about the recording and retention of personal data relating to non-crime hate incidents.

A draft code of Practice (CoP) was also published on the Recording and Retention of Personal Data, pursuant to Section 61(1) of the Police, Crime, Sentencing and Courts Act 2022. The Code of Practice addresses concerns that NCHI recording infringes on the right to freedom of expression; emphasises this fundamental right and will ensure that it is taken into consideration by police officers/staff during the recording process. The Code provides detailed information on freedom of expression.

Protest and Public Assembly

Part 3 of the Police, Crime, Sentencing and Courts Act 2022 gives police forces broad authority to place restrictions on protests and public assembly. The Police are allowed to place restrictions on protests they believe would otherwise constitute an existing offence of public nuisance, including imposing starting and finishing times and noise limits, and be able to consider actions by one individual as protests under provisions of the Act. Protestors disobeying such instructions from the police may be committing a criminal offence. Section 82 of the 2022 Act introduces expedited Public Spaces Protection Orders (“PSPOs”), which allow local authorities to make PSPOs outside schools, vaccine and test and trace centres, where protests are, or are likely to have the effect of harassing, intimidating or impeding those who work and use the services of these sites. Expedited PSPOs can last for a maximum of six-months and are not subject to the usual pre-consultation requirements of normal PSPOs. However, the council must carry out the necessary consultation as soon as reasonably practicable after making an expedited PSPO.

Civil remedies

Warnings Letters

Before taking any legal enforcement action perpetrators of anti-social behaviour, hate crime/incidents as well racial harassment should be warned that they should stop the unacceptable behaviour. If they fail to stop legal action might follow. Warnings should be in writing. Warnings may be enough to deter perpetrators from committing further offences. Legal action is unlikely to succeed if warnings have not been given.

Acceptable Behaviour Contracts (ABC)

An Acceptable Behaviour Contract is a written agreement between a person who has been involved in antisocial behaviour and one or more local agencies whose role it is to prevent such behaviour. ABCs are most used for young people but may also be used for adults.

Community Protection Notice (CPN)

The community protection notice (CPN) is intended to deal with particular, ongoing problems or nuisances which negatively affect the community’s quality of life by targeting those responsible. A CPN is a notice that imposes requirements on the

individual or body issued with it e.g. a requirement to stop doing specified things or/and a requirement to do specified things or/and a requirement to take reasonable steps to achieve specified results.

A CPN can be issued by Council officers, Police officers, Police community support officers (PCSOs) if designated, and Social landlords (if designated by the council), if they are satisfied on reasonable grounds that the conduct of the individual, business or organisation is having a detrimental effect on the quality of life of those in the locality; is persistent or continuing in nature; and is unreasonable.

A CPN can be issued against any person aged 16 or over or a body, including a business. A CPN can only be issued for behaviours that are persistent or continuing and unreasonable,

Also before a CPN can be issued, a written warning must be issued to the person committing anti-social behaviour.

Breach is a criminal offence. A fixed penalty notice can be issued of up to £100 if appropriate. A fine of up to level 4 (for individuals), or £20,000 for businesses. On conviction for an offence of failing to comply with a CPN, the prosecuting authority may ask the court to impose a remedial order and/or a forfeiture order. A remedial order may require the defendant to carry out specified work (this could set out the original CPN requirements) or to allow work to be carried out by, or on behalf of, a specified local authority.

Following conviction for an offence under section 45 of the 2014 Act, the court may also order the forfeiture of any item that was used in the commission of the offence. This could be spraying paints, sound making equipment etc. Where items are forfeited, they can be destroyed or disposed of appropriately.

In some circumstances, the court may issue a warrant authorising the seizure of items that have been used in the commission of the offence of failing to comply with a CPN.

The Criminal Behaviour Order (CBO)

The Criminal Behaviour Order (CBO) is available on conviction for any criminal offence (including hate crimes) in any criminal court.

The court will grant a CBO, if it is satisfied, beyond reasonable doubt, that the offender has engaged in behaviour that caused, or was likely to cause, harassment, alarm or distress to any person; and that the court considers making the order will help in preventing the offender from engaging in such behaviour. CBO will include the details of what the offender is not allowed to do (prohibitions) as well as what they must do (requirements).

The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court. The prosecution, usually the Crown Prosecution Service (CPS), but in some cases it could be a local council, may apply for the CBO after the offender has been convicted of a criminal offence. The prosecution can apply for a CBO at its own initiative or following a request from a council or the police. The CBO hearing will occur after, or at the same time as, the sentencing for the criminal conviction.

It is a criminal offence if an offender fails to comply, without reasonable excuse, with either the requirements or prohibitions in the CBO. The court has the power to impose serious penalties on conviction, including on summary conviction in the magistrates' court a maximum of six months in prison or a fine or both OR on conviction on indictment in the Crown Court a maximum of five years in prison or a fine or both.

Special measures are available in proceedings for CBOs in the case of witnesses who are under 18 and vulnerable and intimidated adult witnesses (sections 16 and 17, Youth Justice and Criminal Evidence Act 1999).

Civil Injunctions

Under the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCPA), a court may grant an injunction against a person aged 10 or over ("the respondent") if the court is satisfied, on the balance of probabilities, that the respondent has engaged or threatens to engage in anti-social behaviour AND that the court considers it just and convenient to grant the injunction for the purpose of preventing the respondent from engaging in anti-social behaviour.

An injunction may be granted only on the application of a local authority, a housing provider, the chief officer of police for a police area, the chief constable of the British Transport Police Force, Transport for London, the Environment Agency etc.

An injunction may for the purpose of preventing the respondent from engaging in anti-social behaviour prohibit the respondent from doing anything described in the injunction and/or require the respondent to do anything described in the injunction.

An application for an injunction may be made without notice being given to the respondent.

Under the ASBCPA 2014, "anti-social behaviour" means—

- a. conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- b. conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- c. conduct capable of causing housing-related nuisance or annoyance to any person.

Exclusion Order and Power of Arrest

An injunction under section 1 of the ASBCPA 2014 may have the effect of excluding the respondent from the place where he or she normally lives ("the premises") only if the respondent is aged 18 or over, the injunction is granted on the application of a local authority, OR the chief officer for the police area that the premises are in, or if the premises are owned or managed by a housing provider, that housing provider, and the court thinks that the anti-social behaviour in which the respondent has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons, or there is a significant risk of harm to other persons from the respondent.

A court granting an injunction under section 1 of ASBCPA 2014, may attach a power of arrest to a prohibition or requirement of the injunction if the court thinks that the anti-social behaviour in which the respondent has engaged or threatens to engage

consists of or includes the use or threatened use of violence against other persons, or there is a significant risk of harm to other persons from the respondent.

Where a power of arrest is attached to a provision of an injunction, a Police Constable may arrest the respondent without warrant if he or she has reasonable cause to suspect that the respondent is in breach of the provision.

Otherwise, where no power of arrest is attached to the injunction, if the person who applied for an injunction thinks that the respondent is in breach of any of its provisions, the person may apply for the issue of a warrant for the respondent's arrest.

The court has the power to remand a perpetrator in custody or on bail after they have been arrested for suspected breach of the injunction (with or without warrant).

Closure Powers

The closure power is a fast, flexible power that can be used to protect victims and communities by quickly closing premises that are causing nuisance or disorder. The power comes in two stages: the closure notice and the closure order which are intrinsically linked. The closure notice can be used by the council or the police out of court. Following the issuing of a closure notice, an application must be made to the magistrates' court for a closure order, unless the closure notice has been cancelled.

A closure notice can be issued for 24 hours if the council or police officer (of at least the rank of inspector) is satisfied on reasonable grounds that the use of particular premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public; or • that there has been, or (if the notice is not issued) is likely soon to be, disorder near those premises associated with the use of those premises, and that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.

A closure order can subsequently be issued if the court is satisfied that a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises; or that the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public; or that there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises, and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

A Closure Order can close premises for up to six months and can restrict all access. Both the notice and the order can cover any land or any other place, whether enclosed or not including residential, business, non-business and licensed premises.

Before issuing a notice the police or council must ensure that they consult with anyone they think appropriate. This should include the victim but could also include other members of the public that may be affected positively or negatively by the closure, community representatives, other organisations and bodies, the police or local council (where not the issuing organisation) or others that regularly use the premises.

An offence is committed when a person, without reasonable excuse, remains on or enters a premises in contravention of a closure notice or a closure order. Breaching a closure notice or temporary order is a criminal offence carrying a penalty of either imprisonment for a period of up to three months or an unlimited fine or both.

Breaching a closure order is a criminal offence carrying a penalty of either imprisonment for a period of up to six months or an unlimited fine, or both. It is also a criminal offence to obstruct a police officer or local council employee who is serving a closure notice, cancellation notice or variation notice or entering the premises; or securing the premises. This offence carries a penalty of either imprisonment for a period of up to three months or an unlimited fine, or both.

Dispersal Power

The new dispersal power under the ASBCPA 2014, is available to uniformed police officers and designated PCSOs to deal with individuals engaging in anti-social behaviour, crime and disorder not only when they have occurred or are occurring, but when they are likely to occur and in any locality. The new dispersal power replaces those available under section 27 of the Violent Crime Reduction Act 2006 and section 30 of the Anti-social Behaviour Act 2003.

Two conditions must be met for a direction to be given namely that; the officer must have reasonable grounds to suspect that the behaviour of the person has contributed, or is likely to contribute, to members of the public in the locality being harassed, alarmed or distressed; or crime and disorder occurring in the locality AND that the officer considers that giving a direction to the person is necessary for the purpose of removing or reducing the likelihood of anti-social behaviour, crime or disorder. The test includes behaviour that is likely to cause harassment, alarm or distress, allowing the dispersal to be used as a preventative measure.

The dispersal power is for use in public places, this includes places to which the public has access by virtue of express or implied permission.

Under the 2014 Act, there is no longer a requirement for the pre-designation of a "dispersal zone" in which the power can be used therefore it can be used in any locality immediately; the power is also available to disperse individuals without a requirement that two or more people be engaged in the offending behaviour. There is an additional power to confiscate items associated with the behaviour of the person being directed to disperse, for example alcohol, offensive material, noisy equipment or eggs and other missiles used for Halloween "tricks". Also, the period of a person's exclusion from a specified area has been extended to a maximum of 48 hours and there is no longer a requirement for the police officer or PCSO to definitively establish the person's age as the new power is available if the person appears to be aged 10 or over

The power is preventative as it allows an officer to deal instantly with someone's behaviour and nip the problem in the bud before it escalates. In authorising the dispersal power the inspector (or above) must have regard to Articles 10 and 11 of the European Convention on Human Rights that provide for the right for lawful freedom of expression and freedom of assembly.

Failure to comply with the direction is a summary only criminal offence which will be dealt with in the magistrates' court or youth court for people under the age of 18. On conviction it carries a maximum penalty of a level 4 fine and/or three months

imprisonment, although those people under the age of 18 cannot be imprisoned. Failure to surrender items is also a criminal offence with a maximum penalty of a level 2 fine.

Witness Support and Protection

Witness harassment or intimidation is a criminal offence under the Criminal Justice and Police Act 2001. Sections 39, 40 and 41 of the 2001 Act create two new offences intended to increase protection of witnesses in all proceedings including civil proceedings for an injunction or an anti-social behaviour order, civil tort proceedings etc.

Under the 2001 Act, it is an offence for a person to intimidate another person (the victim) where s/he knows or believes that the victim is, or may be a witness in any relevant proceedings, with the intention of perverting, obstructing or interfering with the course of justice. An offence is committed only where an act of intimidation occurs after proceedings are commenced. The maximum penalty is five years of imprisonment or unlimited fine or both.

Intimidation includes threats against a person or against a person's finances or property. It is irrelevant whether the act of intimidation is carried out in the presence of the victim, whether it is done to the victim or through a third party. Obstructing, perverting or interfering with the course of justice need not be the predominant purpose of the act.

A witness includes someone who gives or is able to give hearsay evidence. It includes someone who has given evidence but may give further evidence.

Section 40 of the Criminal Justice and Police Act 2001 makes it an offence for a person to do an act which harms, and is intended to harm another person, or, if intending to cause another person to fear harm, he threatens to do an act which would harm the other person. In order to commit the offence, the person doing or threatening to do the act must do so knowing or believing that another person has been a witness in relevant proceedings and he must do or threaten that act because of that knowledge or belief. The act must be committed after the commencement of proceedings, and within a year of that commencement. The penalty is up to five year imprisonment or an unlimited fine or both.

Protection from Harassment Act 1997 – under section 1 of the Protection from Harassment Act 1997 the term “harassment” applies to a course of conduct which harasses or alarms another or which causes that person distress. The criminal offence of harassment is set out in section 2. There is also a civil remedy against harassment provided in section 3 in the form of a restraining injunction.

Witnesses attendance may be dispensed with by the court powers to admit hearsay evidence. Where witnesses are not attending the Claimant will have to serve a Civil Evidence Act Notice.

Special measures are also available in court to protect witnesses who are vulnerable or intimidated and find it difficult to give evidence in the best way possible. The measures can be allowed by the court if the witness suffers from a mental illness or have limited understanding or have a physical disability or is suffering from a

physical disorder or if their evidence is likely to suffer because they are afraid or distressed at giving evidence in the proceedings.

The Serious Organised Crime and Police Act 2005 introduced special measures which are applicable in ASBO related hearings in the Magistrates court. The provisions were previously only available in criminal proceedings, but the extension should prove very useful in civil cases. Special measures include:

- Screens – to ensure that the witness does not see the perpetrator; a screen is placed around the witness box so that the witness and defendant cannot see each other
- Live Link – allowing a witness to give evidence from outside the court room; the witness sits in a room away from the courtroom where the case is being tried and gives evidence through a live TV link.
- Evidence in private – the court can be cleared of most people, except legal representatives and other essential personnel; and
- Video recorded evidence in chief – this allows an interview with a witness that was recorded before the hearing to be played to the court. That is before the trial, the witness is recorded on video answering questions asked by a legal representative. The video is shown as the witness's evidence-in-chief (main spoken evidence before cross-examination). The witness is questioned by the other side before the trial. The questioning is recorded on video and shown instead of the witness being questioned live at the trial.

Where it is known that a particular defendant may be violent or potentially violent as a result of mental illness or known to have any firearms and weapons or likely to be violent to a witness attending the hearing or have a criminal record of violence, the court officials should be alerted. If court staffs fear a breach of peace, the police should be alerted to attend court if necessary.

The Witness Support Service based at Bow Magistrates Court can provide support on the day and arrange for separate victim/perpetrator waiting room and entrances to prevent intimidation whilst at court.

Equalities Legislation

The Equality Act 2010 brings together and re-states all the following enactments (and several other related provisions):

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- the Employment Equality (Religion or Belief) Regulations 2003
- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Age) Regulations 2006
- the Equality Act 2006, Part 2
- the Equality Act (Sexual Orientation) Regulations 2007,

The Equality Act 2006 remains in force (as amended by the Act) so far as it relates to the constitution and operation of the Equality and Human Rights Commission; as will the Disability Discrimination Act 1995, so far as it relates to Northern Ireland.

The 2010 Act places a new duty on certain public bodies to consider socio-economic disadvantage when making strategic decisions about how to exercise their functions.

The Act extends the circumstances in which a person is protected against discrimination, harassment or victimisation because of a protected characteristic.

The Act extends the circumstances in which a person is protected against discrimination by allowing people to claim if they are directly discriminated against because of a combination of two relevant protected characteristics.

The Act creates a duty on listed public bodies when carrying out their functions and on other persons when carrying out public functions to have due regard when carrying out their functions to the need to eliminate conduct which the Act prohibits the need to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and the need to foster good relations between people who share a relevant protected characteristic and people who do not.

The practical effect is that listed public bodies will have to consider how their policies, programmes and service delivery will affect people with the protected characteristics.

The Act allows an employer or service provider or other organisation to take positive action so as to enable existing or potential employees or customers to overcome or minimise a disadvantage arising from a protected characteristic.

The Act amends family property law to remove discriminatory provisions and provides additional statutory property rights for civil partners in England and Wales.

The Act amends the Civil Partnership Act 2004 to remove the prohibition on civil partnerships being registered in religious premises.

The key concepts on which the Act is based includes the characteristics which are protected (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation).

The definitions of direct discrimination (including because of a combination of two relevant protected characteristics), discrimination arising from disability, indirect discrimination, harassment and victimisation.

Discrimination in the Provision of Goods & Services & Facilities

Part 3 of the Equality Act 2010 (EA 2010) makes it unlawful to discriminate in the provision of goods, services and facilities (referred to throughout this note and the EA 2010 as "services") and in the exercise of public functions. However, there are various statutory exceptions where a service provider may be able to lawfully discriminate. Most of the exceptions in relation to goods, services and public functions are set out in Schedule 3 of the EA 2010.

Examples include:

1. There is no breach of the EA 2010 where a service provider or person exercising a public function does anything that is proportionate to do for the purpose of safeguarding national security (section 192, EA 2010).
2. Equality Act 2010 permits restricting accommodation on the basis of gender reassignment if it is a proportionate means of achieving a legitimate aim

(paragraph 3(4), Schedule 23. In addition, Paragraph 30A of Schedule 3 to the EA 2010 provides an exception for service providers to provide age related concessions, benefits or discounts. For example, the exception allows service providers to continue to provide reduced rates for students and senior citizens in respect of travel fares, discounted tickets for performances, discounted prices for meals, student discounts in clothing stores and so on. A concession in respect of a service is a benefit, right or privilege having the effect that the manner in which the service is provided, or the terms on which the service is provided, are more favourable than is usually provided to the public (paragraph 30A(2), Schedule 3, EA 2010).

3. Paragraph 30C of Schedule 3 to the EA 2010 allows a retailer (or their employee or agent) to challenge a prospective customer's age when selling age restricted goods, such as alcohol, cigarettes or fireworks. It can also refuse the sale of such goods or the provision of an age restricted service if the customer cannot produce when challenged satisfactory identification (photo ID will be required other than in licensed premises) showing that they have reached the statutory age.
4. Insurers may in certain circumstances take into account an individual's disability when deciding whether to provide insurance and on what terms (paragraph 21, Schedule 3, EA 2010).
5. The EA 2010 gives an exception for religious or belief organisations who, if certain conditions are met, will not discriminate against a person on grounds of religion or belief or sexual orientation where they restrict any of the following: membership ; participation in activities undertaken by or on behalf of the organisation, or under its auspices; the provision of goods, facilities or services in the course of such activities undertaken by the organisation or on its behalf or under its auspices; or the use or disposal of premises owned or controlled by the organisation. (Paragraph 2(3), Schedule 23, EqA 2010.)
Examples:
 - a. A Catholic seminary can restrict places for students to those of the Catholic faith. This would not be unlawful religion or belief discrimination.
 - b. A Church refuses to let out its hall for a Gay Pride celebration as it considers that it would conflict with the strongly held religious convictions of a significant number of its followers. This would not be unlawful sexual orientation discrimination.
 - c. A religious organisation which has a contract with a local authority to provide meals to elderly and other vulnerable people within the community on behalf of the local authority cannot discriminate because of sexual orientation.
6. The Marriage (Same Sex Couples) Act 2013 (M(SSC) Act 2013) allows same sex couples to marry in England and Wales. However, the Act provides that it is not unlawful discrimination for individuals or religious organisations to refuse to conduct, be present at, or participate in a religious marriage or marriage ceremony of a same sex couples (section 2(1) - 2(3)). The M(SSC) Act 2013 amended section 110 of the Equality Act 2010 and introduced paragraph 25A to Schedule 3.
7. A blood service can refuse to accept a donation of blood if, following a clinical or epidemiological assessment, or other data obtained from a source on which it is reasonable to rely, it is reasonable for it to refuse the donation

because it considers that there would be a risk to the public or the individual donor if the donation were accepted (paragraph 13(1), Schedule 3, EqA 2010).

8. A bed and breakfast business can benefit from the exception if it offers accommodation, plus activities and travel arrangements to people of a particular age group such as pensioners. In these circumstances the bed and breakfast could refuse accommodation to non-pensioners. However, if it offered accommodation, alone or with travel or other facilities to the public at large, it could not refuse accommodation to guests because of their age, unless it could provide objective justification if challenged (for example, because young people had caused damage to rooms in the past).
9. The prohibition on discrimination in section 29 of the EqA also does not apply to anything done for the purpose of ensuring the combat effectiveness of the armed forces (in respect of the protected characteristics of age, disability, gender reassignment and sex).

Part 4 including Schedules 4 and 5 makes it unlawful to discriminate against, harass or victimise a person when disposing of (for example, by selling or letting) or managing premises.

Part 5 including Schedules 6, 7, 8 and 9 makes it unlawful to discriminate against, harass or victimise a person at work or in employment services. It also contains provisions restricting the circumstances in which potential employees can be asked questions about disability or health.

Part 6 including Schedules 10, 11, 12, 13 and 14 makes it unlawful for education bodies to discriminate against, harass or victimise a school pupil or student or applicant for a place.

Part 7 including Schedules 15 and 16 makes it unlawful for associations (for example, private clubs and political organisations) to discriminate against, harass or victimise members, associates or guests and contains a power to require political parties to publish information about the diversity of their candidates.

Part 8 Prohibits other forms of conduct, including discriminating against or harassing of an ex-employee or ex-pupil, for example instructing a third party to discriminate against another; or helping someone discriminate against another. Also determines the liability of employers and principals in relation to the conduct of their employees or agents.

Part 9 including Schedule 17 deals with enforcement of the Act's provisions, through the civil courts (in relation to services and public functions; premises; education; and associations) and the employment tribunals (in relation to work and related areas, and equal pay).

The International Development (Gender Equality) Act 2014

The International Development (Gender Equality) Act 2014 received Royal Assent on 13 March 2014. The Act amends the International Development Act 2002 ("the 2002 Act"). The Act extends to England and Wales, Scotland and Northern Ireland. Subsection (2) of section 1 of the Act provides that, before providing development assistance under section 1 of the 2002 Act, the Secretary of State shall have regard to the desirability of providing development assistance that is likely to contribute to

reducing poverty in a way which is likely to contribute to reducing inequality between persons of different gender.

(11) Partnership groups with a focus on Hate Crime

Tower Hamlets No Place for Hate Forum (THNPFHF)

The THNPFHF is a quarterly multi-agency forum which develops and implements the borough's Hate Crime Strategy. It is a sub group of the Community Safety Partnership, the statutory crime governance board under the Crime and Disorder Act 1998. Membership is drawn from a range of statutory and voluntary agencies, including representatives from race, age, gender, faith, lesbian, gay, bisexual, transgender and disability organisations.

THNPFHF aims to tackle hate and promote community cohesion, by developing and implementing a partnership action plan. This aims to tackle incidences of hate crime in the borough by providing effective responses to victims through support and protection, bringing offenders to justice through enforcement action and prevention through promoting awareness of hate crime issues through training and outreach activities.

An important role of THNPFH is to identify and address any gaps in services and barriers to effective partnership delivery of hate crime objectives and to respond quickly and robustly in tackling hate crime. The THNPFH Action Plan includes projects providing training, equality focussed events, evaluation and publicity campaigns around the key equality strands.

Hate Incidents Panel (HIP)

HIP is a monthly multi-agency case panel, where key staff from the Police, Housing Providers, third sector and various departments from within the Council. The Panel ensures a coordinated response to hate crime/incidents and provides a forum for case officers to get advice, information and support to tackle complex, high risk or high profile cases. It works to ensure victims of hate crimes/incidents receive the best possible service and have access to appropriate support and protection.

The Panel also aim to ensure more civil enforcement action where the threshold for criminal sanctions are not met. Agencies can make a referral on behalf of any victim of hate crime/incident. For further information contact the Hate Crime Partnership Officer on 020 7364 6120

Tower Hamlets Lesbian, Gay, Bisexual, Transgender + Forum (LGBT+ Forum)

Membership of the Forum comprises community members and representatives from Tower Hamlets Council, the Police, Positive East and ELOP.

The LGBT+ Forum works with members of the LGBT+ community living, working or studying in the borough to identify local needs, help shape local services and extend good practice. The Forum also seeks to improve the council and its partners' understanding of sexual orientation equality and LGBT+ needs.

It reviews key challenges facing the LGBT+ community in the borough and uses a framework of community engagement activity, as a way of hearing the voice and improving the representation of LGBT+ residents, particularly in relation to these issues.

People who identify as LGBT+ and who live, work or study in Tower Hamlets are welcome to join the forum. The Tower Hamlets LGBT+ Forum carries out research, organise social events and aims to improve public, health and social care services for the LGBT+ community in the borough.

For further information, contact LBTH Equalities and Scrutiny Team on 020 7364 3890.

Tower Hamlets Inter Faith Forum (THIFF)

The Tower Hamlets Inter Faith Forum (THIFF) provides the opportunity to celebrate the significant contribution that faith organisations have in the lives of people in Tower Hamlets, and provides the space to identify how faith organisations can play an even bigger role in the future success of all communities who live and work here.

One of the most important roles of the Inter-Faith Forum is to facilitate better communication and understanding between the different faiths in Tower Hamlets. In the current international climate, this role is a vital one. The Inter Faith Forum is working closely with many faith leaders, representing the broad range of faiths in the borough, the council, the Police and local umbrella and network bodies.

THIFF brings together all religious faith organisations in Tower Hamlets to:

- provide solidarity in breaking down faith-based prejudice and discrimination.
- develop and promote a shared understanding of the common values of the different religious faiths and their communities.
- facilitate greater understanding and respect between faith communities, and contribute to greater community cohesion and energy for positive change.
- recognise and celebrate the important contribution that religious faith has in the lives of local people.
- secure a bigger role for faith organisations in the regeneration of Tower Hamlets, and the implementation of the Community Plan.
- provide a forum for sharing knowledge, resources and good practice, and for developing a shared understanding on important public issues impacting on the lives of local communities.

For further information, contact 0800 804 8829 or www.faithintowerhamlets.org.

(12) Support services and useful contacts

Emergency, out of hours and helpline services

Police/Ambulance/Fire Services

Dial 999

101 The police non-emergency number

Tel: 101 is the number to call when you want to contact your local police in England, Wales, Scotland or Northern Ireland - when it's less urgent than a 999 call.

MPS Textphone Service (for those with hearing & speech impairment) For 999 emergencies 18000, for 101 non emergencies 18001, True Vision www.report-it.org.uk.

Royal London Hospital Accident & Emergency Department

Ground Floor, Alexandra Wing Whitechapel Road, E1 1BB

Tel: 020 7377 7000

The Samaritans - 24 hour helpline

Freephone: 116123

Childline

Tel: 0800 1111

National Victim Support line

Tel: 0808 168 9293

LBTH Adult Social Care Team

Tel: 020 7364 5005

LBTH Children Social Care

Tel: 020 7364 5006

LBTH Child Protection Advice Line (Schools and Children Centres ONLY)

Tel: 020 7364 3444

Emergency LBTH Social Care Team (Children & Adults)

Tel: 020 7364 4079 (after 5pm)

LBTH Housing Options Team

Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BJ

- Tel: 020 7364 7474
- Fax: 020 7364 7222

Shelterline

Tel: 0808 800 4444

NHS Direct – 24 hour health helpline

Tel: 111

Tower Hamlets Primary Care Trust Psychology and Counselling Team

info@compasswellbeing.co.uk

Counselling to the above service can only be accessed via referrals from a GP or other health professional.

Beaumont Society – 24 hour information line 24/7/365

Tel: 01582 412 220

Transgender support network for transgender, transvestite, transsexual and cross dressing community in the UK.

National Domestic Violence 24 hour helpline

Tel: 0808 2000 247

LBTH VAWG Directory

[Violence Against Women and Girls \(VAWG\) service directory](#)

Key agencies and services in Tower Hamlets

Central East Safeguarding Unit

Address: Bethnal Green Police Station, 12 Victoria Park Square, London E2 9NZ

Tel: 999 Emergencies or 101 Non-Emergencies

Website: www.met.police.uk True Vision www.report-it.org.uk

Client(s) service aimed at: Victims of hate crime and domestic abuse in Tower Hamlets

Opening times: 24hrs

Language Provisions: Bengali and Sylheti speaking staff and access to telephone interpreting service.

Disability Access: Wheelchair accessible. Braille and sign language service available upon request.

Referral Route: Directly to a Police Station, online, reporting applications or via telephone.

Service Profile: The Central East Safeguarding Unit investigates Hate Crime and Domestic Abuse within Tower Hamlets. All forms of Hate Crime. Also crimes including, domestic and honour based violence, forced marriages and violence against women and girls. **In an emergency you must dial 999.**

Community Faith Liaison Officer 07785 373 768 (Monday to Friday, 9am to 5pm)

Metropolitan Police Hate Crime Co-ordinator and LGBT+ Adviser 07825 733 998 (Monday to Friday, 8am to 4pm)

Age UK East London

Address: 82 Russia Lane, London, E2 9LU

- Tel: 020 8981 7124
- Fax: 020 8980 1546

Email: info@ageukeastlondon.org.uk

Website: www.ageuk.org.uk/eastlondon/

Client(s) service aimed at: All elderly people and carers living and working in Tower Hamlets

Opening Times: Mon-Fri, 9:30am to 1pm, 1.45 to 4pm

Language Provisions: Bengali staff available

Disability Access: Wheelchair accessible

Referral Route: Via phone, email, fax, drop-in. Appointment only service. Referrals from external organisations

Service Profile:

- Provide advice, information and befriending services for elder people.
- Home and Care
- Volunteering services
- Older people's resource centre
- OPRG
- Handyperson

Carers Centre Tower Hamlets

Tel: 020 7790 1765

Email: enquiries@ccth.org.uk

Client(s) service aimed at: Unpaid/family/friend carers of people who live in Tower Hamlets.

Opening Times: Mon to Fri, 9am to 5pm

Language Provisions: English, German, Somali, Igbo, Bengali / Sylheti, Hindi, Amharic and Urdu spoken.

Referral route: Via email or telephone

Service Profile:

The Team supports unpaid carers who provide regular help and support to a partner, relative, friend or neighbour, who could not manage without their help. This could be due to age, physical or mental illness, addiction or disability. The Centre undertakes Carers needs assessments, ongoing support, one to one support, information and advice, welfare benefit and housing advice/support.

The team provides Care Act advocacy including Safeguarding, VAWG, DV, MARAC and Hate Crime signposting and referrals.

- The Carers Centre is represented on the No Place for Hate Forum and advises at HIP.
- The Centre delivers training on hate crime to carers by staff and carer hate crime champions, has organisationally pledged to No Place for Hate Campaign.

CATCH (Community Alliance to Combat Hate)

Tel: 020 7704 2040

Fax: n/a

Email: referrals@galop.org.uk

Website: www.catch-hatecrime.org.uk

Client(s) service is aimed at: Individuals experiencing Race, LGBT, Antisemitism, Islamophobia and Disability hate crimes.

Opening Times: Tuesdays 10 am to 5 pm

Language provision: English

Disability Access: No Access

Referral Route: Self-referral and agency referral

Service Profile:

CATCH is a group of charities (Galop, The Monitoring Group, CST, Tell MAMA, CHOICE in Hackney, Real, Stay Safe) working to end hate crime. We're here to give specialist advice and help to people targeted with violence, abuse or harassment because of their race, religion, disability or gender identity. CATCH is open to anyone experiencing hate in London. If you experienced a hate crime elsewhere, you can still get in touch.

Elop

Address: 56-60 Grove Road, London, E17 9BN

Tel: 07908 553744

Fax: NA

Email: info@elop.org

Website: www.elop.org

Client(s) service aimed at: LGBT+ community

Opening Times: Mon-Thurs 9am to 5.30pm, Fri 9am to 5pm

Language Provisions: None

Disability Access: Wheelchair accessible

Referral route: Via phone or email

Service Profile:

- LGBT+ Counselling
- LGBT+ Mental health support & crisis prevention
- LGBT+ Befriending programme
- LGBT+ Social support groups
- LGBTQ+ Youth services

- LGBTQ+ Youth mentoring (12-24 yrs)
- LBTH LGBT+ Community forum
- LGBT+ Over 50 group
- LGBT+ Social support group
- LGBT+ Community events
- Advice & information
- Community safety initiatives
- Volunteering opportunities
- Training and consultancy

Galop

Address: Resource for London: 356 Holloway Rd, London N7 6PA

Tel: (office): 020 7697 4081

(Advice Line): 020 7704 20 40

Email: info@galop.org.uk

Website: www.galop.org.uk

Client(s) service aimed at: LGBT people affected by violence and abuse, including hate crime, domestic abuse and sexual violence.

Opening Times: Office hours Mon-Fri 10am to 5pm

Shoutline: Monday, Tuesday, Thursday, Friday: 10 to 4pm (Closed daily 1 to 1.30pm) and Wednesday: 1.30 to 4pm

Language Provisions: Limited access to translation services

Disability Access: Wheelchair accessible with disabled toilets. BT type-talk service available for callers of the Shoutline

Referral Route: Call the Advice line 020 7704 2040 or visit our website: www.galop.org.uk. Send referrals to referrals@galop.org.uk

Haven - Whitechapel

Address: Confidential address

Tel: 020 3299 6900 to self-refer to the service either daytime or out of hours

Email: kch-tr.Havensinfo@nhs.net

Web address: www.thehavens.org.uk

Client(s) service is aimed at: Everyone

Opening Times: Daytime hours are Monday- Friday 9am to 5pm. The contact telephone number for general enquires is 020 3299 1599.

Language Provisions:

- Access to interpreters in all languages

- Access to health advocates speaking Somali, Bengali, Urdu, Hindi, Vietnamese and Turkish Languages

Disability Access: Wheelchair accessible and disabled toilets.

Referral Route: Self-referral and agency referral

Service Profile:

- The Haven Whitechapel is part of The Havens which has been managed by Kings College Hospital Foundation Trust
- We are a three site service located at Whitechapel, Paddington and Camberwell. We operate 24 hours, 365 days of the year
- The Haven is a 24 hour specialist service for women, men and children who have been raped or sexually assaulted.
- Provide forensic examination, medical help/advice regarding Sexually Transmitted Disease (STI's), counselling, psychologist, practical and emotional support and safety planning.

London Muslim Centre

Address: 46 Whitechapel Road, London, E1 1JX

Tel: 020 7650 3000

Fax: 020 7650 3002

Email: info@eastlondonmosque.org.uk

Website: www.eastlondonmosque.co.uk

Client(s) service aimed at: Anyone who is living studying or working in London.

Opening Times: Mon-Sun, 10am to 9pm

Language Provisions: Arabic, Bengali, Urdu and Somali

Disability Access: Wheelchair Accessible

Referral Route: Drop in or via phone.

Service Profile: Wide range of community support initiatives ranging from religious, spiritual, social welfare, community cohesion, education, training and economic development.

Positive East

Address: 159 Mile End Road, London, E1 4AQ

Tel: 020 7791 2855

Email: talktome@positiveeast.org.uk

Website: www.positiveeast.org.uk

Client(s) service aimed at: Any communities affected by HIV and AIDS.

Opening Times: 10am to 5pm or After 5.00 by appointment

Language Provisions: All languages available via Language Line.

Disability Access: Wheelchair accessible and disabled toilets

Referral Route: Open referral system. Service for people who live in or use a HIV clinic in East London. Referrals can be made over the phone, by email, via a letter, in person, or through fax by any agency.

Service Profile:

- Advice and information and support services to improve the physical, economical economic and psychological quality of the life for individuals and communities living with HIV in East London.

Services include:

- Advice on Housing , welfare rights and immigration support
- Counselling and women's psychology service
- One to one and group peer support
- Workshops and courses
- HIV testing and STI screening
- Condom distribution
- Training to community groups and professionals on HIV related issues.

Praxis Community Projects

Address: Pott Street, London E2 0EF

Tel: 020 7729 7985

Fax: 020 7729 0134

Email: admin@praxis.org.uk

Website: www.praxis.org.uk

Client(s) service aimed at: Migrants, refugees and asylum seekers

Opening Times: Mon-Fri 9am to 5pm

Language Provisions: As of 2017 we have staff and volunteers who can speak Bengali, Danish, French, Italian, Lithuanian, Russian, Spanish and Tigrinya. Access to interpreters for other languages is by appointment.

Disability Access: Wheelchair accessible, disabled toilets

Referral Route: Self or agency referral

Service Profile:

- Advice to Tower Hamlets residents on immigration issues, housing, homelessness, welfare benefits and debt.
- Advice to people from across London on immigration issues
- Support groups for migrants including a group for young people, a women's group, and a men's group
- Partnership with Doctors of the World who hold drop-in medical clinics at our building
- English as a Second Language classes

- Health and wellbeing workshops such as healthy eating and yoga classes
- Community Café
- For up-to-date times on our advice services, please visit www.praxis.org.uk/advice

Providence Row

Address: 82 Wentworth Street, London, E1 7SA

Tel: 020 7375 0020

Fax: 020 7377 5366

Email: info@providencerow.org.uk

Website: www.providencerow.org.uk

Client(s) service is aimed at: Women and men

Opening Times: Mon-Fri 9.15am to 3.30pm.

Language provision: dependant on staff available on day.

Disability Access: Disabled toilets.

Referral Route: Self-referral and agency referral

Service Profile:

The centre provides an essential service for people sleeping rough or living in a hostel, but also plays an important part in supporting people who are permanently housed but living in poverty, in danger of becoming homeless and isolation. Drop in service is available, where support, advocacy, advice is provided, advice from HELP (mental health worker and Women's Link) and ADDACTION (providing access to help with substance misuse issues). Also provide showers, food, benefits advice, substance misuse advice, housing advice and counselling. Learning programme

Real DPO Ltd

Address: Jack Dash House, 2 Lawn House Close, London E14 9YQ

Tel: 020 7001 2177

Email: local-link@real.org.uk

Website: www.real.org.uk

Local Link: locallink@real.org.uk Tel: 020 7001 2175

Service Profile: In 2016 Trust for London awarded a grant to Real DPO Ltd to set up a third party disability hate crime reporting service in Tower Hamlets for disabled people who live, work, socialise or study in the borough. More information is available on the Real website.

Registered Providers of Social Housing

Registered Providers of Social Housing (RPSH) are required to undertake their own case management for their tenants. However, LBTH can provide advice, guidance and information to RPSH on case management where required. So where a victim or witness is a RPSH tenant, they can report direct to the RPSH, Police or online. The report will then be referred to the appropriate landlord. A full contact list of all RPSH's in the borough can be found on www.towerhamlets.gov.uk

Tower Hamlets Education

Tel: 020 7364 6476

Email: liam.mcquade@towerhamlets.gov.uk

Website: www.towerhamlets.gov.uk

Client(s) service aimed at: We offer free cyber safety parents' sessions; anti-bullying and hate crime policy advice, lessons and assemblies to secondary schools. We can provide free restorative justice conferences to secondary schools to help resolve disputes between pupils or between schools and parents. The same services are available to primary schools and other educational settings but are chargeable.

The Prevent curriculum lead offers assemblies, lessons and staff training on a wide range of diversity issues free to all schools.

Opening Times: Mon-Fri 8 to 5pm during term time

Language Provisions: English

Referral route: Via email or telephone

LBTH Young People's Service (YPS)

Address: Tower Hamlets Town Hall 160 Whitechapel road E1 1BJ.

Tel: 020 7364 3272

Website: www.towerhamlets.gov.uk/youth

Client(s) service aimed at: Tower Hamlets Youth Services provide a range of personal and social development opportunities for young people aged 13 to 19 and up to 25 with Special Educational Needs or Disability, including young people affected by hate crime.

Opening Times: Each project has their own timetable but generally services run from Monday to Friday from 6 to 9pm. Saturday 12pm to 5pm

Language Provisions: English/Sylheti/Somali

Disability Access: Yes

Referral Route: Self refer or School

Service Profile: Tower Hamlets Youth Services provide a range of personal and social development opportunities for young people aged 13 to 19 and up to 25 with Special Educational Needs or Disability. Through projects and activities they provide a service to over 6000 young people each year. Around 40 per cent of these

achieved a national accreditation or certificate. There are 8 Youth Hubs across the borough and eight additional youth projects delivered by our partners.

Tower Hamlets Law Centre

Address: St. Anne Street, off 789 Commercial Road, London E14 7HG

Tel: 020 7538 4909

Email: info@thlc.co.uk

Website: www.thlc.co.uk

Client(s) service aimed at: Anyone who is living or working in Tower Hamlets

Opening Times: Mon-Fri 10am to 1pm and 2 to 4pm

Language Provisions: Access to interpreters

Disability Access: Wheelchair accessible and disabled toilets

Referral Route: Drop in or phone for an appointment

Service Profile: Legal advice and help on housing, immigration and welfare benefits

The Tower Hamlets Prevent Team

Address: Tower Hamlets Town hall, 160 Whitechapel Road E1 1BJ

Service Profile:

- If you have concerns relating to extremism and radicalisation and want advice or need to refer, in the first instance please call: 0207 364 4691
- Terrorism: if you suspect it, report it. Call the confidential anti-terrorist hotline on 0800 789 321
- In emergencies always call 999

Tower Hamlets Violence Against Women and Girls and Hate Crime Team

Tel: 0800 279 5434

Email: domestic.violence@towerhamlets.gov.uk

Client(s) service aimed at: This is not a front line service – the team does not undertake direct casework, but can advise professionals and support front-line services on VAWG and hate crime.

Opening Times: Mon-Fri, 9 to 5pm

Language Provisions: English and Bengali / Sylheti spoken.

Referral route: Via email or telephone

Service Profile:

The Team supports the development and implementation of a co-ordinated community response to VAWG and hate crime that aims to prevent VAWG and hate crime to reduce the harm it causes to individuals, families and the community as a whole.

- Co-ordinates Tower Hamlets VAWG Steering Group and No Place for Hate Forum and Safety Planning Panels such as MARAC and Hate Incidents Panel
- Delivers the Sanctuary Project providing free tailor-made security for victims of domestic abuse at risk of homelessness
- The team provides a telephone information and signposting for professionals in borough 9am to 5pm from Mon-Fri on hate crime and domestic abuse
- Organises and delivers training on hate crime and VAWG including undertaking outreach work as part of the wider No Place for Hate Campaign and Pledge with the Hate Crime Champions training.

National Victim Support Line

Tel: 0808 168 9111 (Freephone, operates 24/7, every day of the year including Christmas)

Deaf and hard of hearing victims can contact us using Text Relay 18001 0845 30 30 900 or visit www.victimsupport.com

Service Profile: An independent charity who work towards a world where people affected by crime or traumatic events get the support they need and the respect they deserve. National Victim Support line help people feel safer and find the strength to move beyond the crime. The support is free and confidential.

17-24-30 National Hate Crime Awareness Week (Charity No 1184819)

Address: Studio 151,15 Ingestre Place, London W1F 0JH

Tel: 07791724459 ask for Mark.

Email: info@nationalhcaw.uk

Website: www.linktr.ee/nationalhcaw

Client(s) service aimed at: People and organisations organising hate crime awareness activities.

Language provision: English

Referral route: Self-referral and agency referral

Service Profile:

17-24-30 National HCAW was founded in March 2009 and registered with the Charity Commission in 2019. The anti-hate crime charity aims to eliminate all forms of hate crime by promoting a message of H.O.P.E. H for Hate crime awareness, O for improving Operational responses to hate crime, P for Preventing hate crime and E for community Engagement. We deliver; volunteer opportunities, engagement activities (including three online meetings in Spring, Summer and Winter), the April Acts of Remembrance (marking the anniversaries of the London Nail Bomb attacks 17 April Brixton, 24 April Brick Lane and 30 April Soho), an annual H.O.P.E.

Campaign, National Hate Crime Awareness Week in October, facilitate Networking and Partnership opportunities (UK Hate Crime Network group on LinkedIn), fundraising activities, hate crime projects (hate crime stalls, hate crime resources, hate crime directory, hate crime reference folders), and our Rainbow Boroughs Project (working with LGBT+ communities). NB: Whilst we may refer victims of hate crime to other services, we do not take on hate crime casework, advice or support.