**Written evidence submitted by Victim Support**

1. Victim Support (VS) is the leading independent charity in England and Wales for people who have been affected by crime and traumatic incidents. Our specialist teams provide individual, independent, emotional and practical help to enable people to cope and recover from the effects of crime. Our services are free and available to everyone, whether or not the crime has been reported and regardless of when it happened. Last year we offered to support to one million people.

2. VS welcomes the opportunity to respond to the Home Affairs Select Committee’s inquiry into hate crime and its consequences. Hate crime can have a profound and destructive impact on individual victims and wider communities and sends a message of hostility to members of the victims’ group in the immediate area and beyond.

3. Last year we offered help to 16,000 victims of hate crime across England and Wales. In addition to the support offered in our core victim services we run four specialist hate crime services working in partnership with the police, local authorities, housing associations and schools.

4. As well as providing frontline support we have also produced research to gain an understanding of the effects of hate crime and the needs of those who fall victim to it.\(^1\) While victims’ reactions to hate crime differ according to their culture, age and gender, we know that it can have a strong effect on the victim because they have been attacked for a central element of their identity. The impact of hate crime can include fear, particularly of repeat attacks; anger; illness including depression and physical ailments; trauma in children; restrictions in lifestyle; and substantial financial loss.\(^2\)

**The effectiveness of current legislation and law enforcement policies**

5. Victim Support believes that the government and law enforcement agencies are strongly committed to tackling hate crime, as demonstrated by the Home Office’s welcome *Action Against Hate* plan. However, there is more that criminal justice agencies can do to effectively combat hate crime.

6. Awareness and understanding of hate crime among police staff who take initial calls and first response officers can vary and as a result not all hate crimes are being identified. We know from our experience that the police do not always establish potential indicators of a hate motivated factor in incident descriptions and that often the onus is on the victim to explicitly state that they believe the incident to be a hate crime. This is evidenced by a 2015 Criminal Justice Joint Inspection looking specifically at disability hate crime which found that of the CPS files that had been identified as hate crime, only 20% had been adequately highlighted as such by the police.\(^3\) We have no reason to believe that this failure to identify cases of hate crime is limited to disablist incidents and we believe that training police first responders to sensitively
and appropriately inquire if the victim believes the incident to be hate motivated would help to improve identification and recording.

7. A visible and accessible community policing and a multi-agency approach to intelligence sharing can aid statutory agency’s response to hate crime. We believe that agencies can learn from the recent improvements in their response to domestic abuse and apply the lessons learned to hate crime. Multi Agency Risk Assessment Conferences (MARAC) are victim focused information sharing and risk management meetings attended by key public and voluntary sector agencies held to discuss high risk cases of domestic abuse and to draft safety and support plans. In particular, VS feels that this type of multi-agency conference when applied to hate crime can help law enforcement agencies to tackle the crime by pooling and sharing information and intelligence about hate crime and its victims in the local area. This should give statutory agencies a better idea of which groups and areas are most affected by hate and will also allow them to work to reduce re-victimisation.

8. There are also issues with the limited ability and capacity of law enforcement agencies to combat online hate crime. Stephen Kavanagh, the NPCC lead on digital crime, has warned that when it comes to online abuse: “I don’t think there is one of the forces across the UK who think we have got this right at the moment” [sic]. MOPAC accepts that: “The police response to online hate crime is inconsistent, primarily because police officers are not equipped to tackle it.” VS believes that officers must have the skills and capability to fully and robustly investigate online hate crime. This is also vital to give victims the confidence to come forward in the knowledge that their allegation will be taken seriously and any investigative leads will be explored.

9. Finally, victims of hate crime who report to the police must be given the chance to make a Victim Personal Statement (VPS). A VPS gives victims the opportunity to explain in their own words the impact the hate crime has had on them, their family and community and how they have been affected physically, emotionally, psychologically, financially or in any other way. It will be taken into account by all criminal justice agencies involved in the case and can play a part in sentencing. However, one third of victims are not given the opportunity to make one, despite it being a key entitlement in the Victims’ Code. The police and CPS must work together to ensure that all victims are given the opportunity to make a VPS so that victims of hate crime have their voice heard in the criminal justice system. We also believe that ‘community impact statements’ for hate crime could be a good means for the wider community to articulate how they have been affected by hate crime and we look forward to the forthcoming publication of guidance on the concept.

The barriers that prevent individuals from reporting hate crime, and measures to improve reporting rates

10. The Crime Survey for England and Wales estimates that only 48% of hate crime is reported to the police, while research from the University of Leicester found that only 24% of victims reported their most recent hate crime experience to the police. The reasons for under-reporting hate crime are numerous and varied, with different communities facing different barriers to reporting.
11. Research by the University of Leicester found the most frequently cited reasons for not reporting hate crime to the police are that the victim feels the police would not take the incident seriously; that the incident was dealt with personally or with the help of others; that the police could not have done anything; or that it was a private matter. Believing the incident to be too trivial and belief in police inaction are often highlighted as the main reasons for not reporting a hate crime. Victims also do not report due to fear of reprisal, previous bad experiences of the police or because the incidents experienced are so common that they have become normalised.

12. However, while some common themes arise, the reasons for not reporting hate crime can vary among different communities, as highlighted below.

13. Members of the LGBT community state that one of the main concerns with reporting homophobic or transphobic crimes is the fear of being ‘outed’ by doing so. For victims whose friends, family members, colleagues or community might be unaware of their sexual or gender identity this is a significant barrier to reporting. Some LGBT victims also express discomfort with the police and other agencies recording data that describes them as LGBT, also creating a barrier in using online reporting mechanisms.

14. Relatively poor perceptions of the police among some ethnic minority groups may also represent a barrier to reporting racially or religiously motivated hate crime. Black British and mixed race adults report lower levels of confidence in the local police and are much less likely to believe that they will be treated with respect. They also report lower levels of trust in the police; black people are 12% less likely to say they trust the police than average.

15. Disabled people also face specific barriers; certain victims may require a support worker to recognise and report the crime while others may not report as they do not wish to be perceived as vulnerable or disabled. VS research on crime experienced by people with mental health problems found that fear of being blamed for causing the incident and having their mental health issues used by the criminal justice system as a basis for discrediting them can result in victims being less likely to report.

16. In order to improve reporting rates, steps need to be taken to address the perception that hate crime is too trivial to be reported. The police and other statutory as well as voluntary agencies must raise awareness of the importance of recognising and reporting hate crime. Messages need to be targeted at communities and their social networks elucidating what constitutes a hate crime and highlighting the purpose of reporting. For example, hate crimes have a successful conviction rate of between 75% and 84% and the Government is right to commit to working with the police and CPS to publicise successful prosecutions in order to encourage more people to come forward.

17. We know from our experience that third party reporting centres can be a useful means of enabling people to report hate crime who for a variety of reasons are reluctant to report to the police. One of our reporting centres has received 195 cases since launching just under two years ago; not one of these victims had also been to the
police. Third party reporting centres allow victims to receive support who may otherwise have gone unidentified and the data from these centres can better inform statutory agencies’ response to hate crime in their local area by providing information on its scale and scope. Third party reporting centres also allow individuals who experience hate crime to report anonymously, thus further increasing their reach and enabling victims who do not want to hand over personal information, such as some LGBT victims, to report. Just over one third (35%) of people reporting to our third party centres do so anonymously.

18. However, reporting to third party reporting centres remains low and this is a problem that needs to be addressed. Awareness raising campaigns need to focus on the purpose of reporting to a third party centre and clearly set out what the benefit of doing so is to the victim and the wider community. VS found that by undertaking an awareness raising campaign of hate crime reporting and our third party centre in a particular location, reports to us increased by over 100%. This demonstrates that strong and focused messaging can have a real impact on reporting. Third party centres also need to be rooted and visible in at-risk communities in order to build trust with, and reach out to, hard to reach victims. Strong co-ordination with community leaders, professionals and volunteers who work closely with communities is essential to spread awareness and create a positive image of these reporting centres.

19. Safety programmes in schools can also play a significant role in identifying victims of hate crime and helping them to cope with its impact and effects. VS runs the Switched On schools safety programme and since 2013 has worked with over 12,000 children in schools aged 11 - 18 years. 9.5% of these young people reported experiencing a hate crime incident that targeted their identity, an average of three children in a class of thirty. Children are not always aware of what constitutes a crime and crime against children is substantially underreported; safety programmes equip children with the information they need to understand crime and cope with its impact and can help to drive up awareness and reporting among children and young people.

20. The police also need to ensure that victims who report a crime are kept updated and informed about the progress of their case. A report by Victim Support found that victims are only being kept updated in around half of all reported incidents, and in a third of cases the victim hears nothing more from the authorities after their first contact with the police. Lack of communication can lead to dissatisfaction and a loss of confidence that can make victims disengage from the criminal justice system altogether and make it less likely that they will report any further incidences to the police in the future. Keeping victims updated and informed about their case demonstrates to victims the value of reporting and that the police are taking the reported crime seriously.

The role of the voluntary sector, community representatives, and other frontline organisations in challenging attitudes that underpin hate crime.
21. The voluntary sector can play an important role in challenging the attitudes behind hate crime by undertaking awareness raising exercises among their service users and wider community to highlight the importance of recognising and reporting hate crime.

22. In addition to challenging the attitudes underpinning hate crime, due to their reach the voluntary sector can also play a role in providing advice and support to communities at risk from hate crime. Charities such as VS are able to reach victims who may be reluctant to approach the police to offer support and advice, while other charities such as LGBT support services, ethnic minority forums and disability support services are able to reach victims within their specific communities.

**Statistical trends in hate crime**

23. In 2015/16 VS offered support to 16,000 victims of hate crime in England and Wales; this includes victims referred to us from the police and other statutory agencies as well as individuals who self-refer. The changing landscape of victims’ services commissioning makes it difficult to compare trends year-on-year, however we have noticed certain statistical movements around specific events.

24. We saw a spike in the number of referrals we received in the immediate aftermath of the referendum on Britain’s membership of the European Union on 23 June 2016. In the ten days following the vote we saw a 44% rise in referrals compared with the ten days prior. We also received a notable increase in referrals following the attacks in Paris and Nice.

25. We are unsure whether these increases represented an actual rise in hate crimes following these events, or whether the increased publicity of hate crimes, in particular in the aftermath of the EU referendum, encouraged more people to report and seek support. Either way it is notable that the number of people reporting and seeking support increases following high profile events that prompt debate about religious, racial or national identity.

**The type, extent and effectiveness of the support that is available to victims and their families and how it might be improved.**

26. Improved and more co-ordinated use of research, intelligence and data on hate crime is vital to ensure that the police and other agencies can understand the scale of hate crime and that public and voluntary agencies can target the right people with the right support. All hate crime victims that come into contact with statutory agencies must be signposted and have access to voluntary sector specialist support providing support, practical safety planning and recovery strategies.

27. Strong preventative programmes that target schools, colleges, workplaces, public transport and community spaces are also useful to provide victims and at risk individuals with safety strategies and information on where and how to seek help.
28. A range of safe reporting options that clearly communicate their processes and purposes can help to improve support for victims. If people are more aware of what constitutes hate crime and are confident to report then they are better able to come into contact with the relevant support agencies. Raising awareness of the ability to report confidently and anonymously is also key to ensuring that more people who wouldn’t otherwise report are able to get information about, and access to, the support available.

29. Education and restorative approaches can also improve the support available to victims, address the power imbalance between victim and perpetrator and can help to prevent re-victimisation. This can include restorative justice (RJ) and in particular victim led 3rd party RJ, involving representatives from those groups of people affected by hate crime meeting with perpetrators. As hate crime is targeting a specific identity and community due to prejudice or hostile belief against it, these underlying beliefs need to be addressed. Perpetrator programmes can be a good way of doing this, which is again a lesson that can be learned from the response to domestic abuse. Perpetrator programmes work to re-education offenders and teach them to understand the impact of their behaviour. They provide clear information about what is acceptable and unacceptable conduct and work to address the behaviour and triggers behind the abuse. VS believes that this can be an effective way of tackling some hate crime offending and can support victims allowing them to continue to live in their community without being re-victimised.

30. Training those providing public services, such as schools, social services, housing officers, GPs and youth workers, in identifying hate crime victims and providing support strategies is also a good means of ensuring that victims gain access to support services. Parallel to this, training the same services to identify and challenge hate incidents, and document occurrences, will also help equip communities with the tools to tackle hate crime and address intolerance.

Sources:
4 https://www.theguardian.com/uk-news/2016/apr/14/online-abuse-police-inconsistent-digital-crime-stephen-kavanagh
8 http://www2.le.ac.uk/departments/criminology/hate/documents/fc-full-report
9 http://www2.le.ac.uk/departments/criminology/hate/documents/fc-full-report
10 http://shura.shu.ac.uk/10393/1/Hate-Crime-in-Suffolk.pdf
12 Crime in England & Wales, year ending March 2016 - Supplementary tables Table s5
16 https://www.victimsupport.org.uk/sites/default/files/Left%20in%20the%20dark%20-%20why%20victims%20of%20crime%20need%20to%20be%20kept%20informed.pdf