Written evidence submitted by the Regional Refugee Forum North East

1. We would like to offer some recommendations for practical action that could address distinctive issues facing Refugees and Asylum seekers that deter them from reporting hate crime.

2. These issues and recommendations were identified by Refugees and Asylum Seekers resident in the Local Authority areas of Middlesbrough, Stockton on Tees, Redcar & Cleveland, Hartlepool, Sunderland, Newcastle Upon Tyne, and Gateshead.

3. Terminology:
   - RCOs = Refugee-led community organisations
   - RAS = Refugees and Asylum Seekers

4. Who we are:

4.1 The Regional Refugee Forum North East is an independent grass-roots membership organisation created in 2003 by and for the region's Refugee-led Community Organisations (RCOs) which emerged after Dispersal was implemented. Its diverse membership unites to collectively advocate for change in policy and practice that will promote the settlement and integration of all refugees and asylum seekers living in the region. It empowers the RAS community, through their RCOs, to be actors in change rather than merely recipients of it. The RRF was founded on the understanding that those who are target beneficiaries of a policy or service must be part of the process through which it was developed in order for that policy or service to deliver the intended benefit. Its work has achieved national and regional recognition, including Tees Valley BME Community Organisation 2012, and the VONNE Outstanding Medium Organisation Award in 2013. Our experience shows how change is co-produced, the result of constructive, collaborative working across all sectors, with RCOs engaging with those who have an shared interest in or a role in delivering change.

4.2 Our current membership is 45 active RCOs working across the North East region. In 2015 a total of 146 members from 24 RCOs and 25 countries of origin contributed to our 3 themed Working Groups (Community Safety, Health, and Stronger Families). They engaged with 36 key agencies with significant roles in this agenda, and delivered workshops to 1,162 students of nursing, public health, medicine and social work to build the competences of future practitioners. The RRF is a member of the core stakeholder group of the North East Migration Partnership and Co-Chairs its Move on & Economic Inclusion Subgroup.

4.3 www.refugeevoices.org.uk Registered Charity no. 1109815

5. Experience relevant to this Inquiry:

5.1 During 2015 our Community Safety Working Group, composed of volunteers from across our membership, identified a collective concern across RCOs that victims of hate crime in their communities were suffering in silence because of issues uniquely faced by RAS that deter them from engaging with criminal justice agencies (CJAs) and processes. Because of their unique status, they face a dilemma between seeking intervention and 'remaining under the radar'; they perceive the risks outweigh the advantages. Lacking confidence to report hate crime, victims are not benefiting from any support to help them cope with the immediate impact or their longer term recovery, nor do they have the chance to access restorative justice or see justice done through prosecution of offenders. This situation also reflects the understanding amongst CJAs that despite attempts to promote knowledge of hate crime and its reporting, under-reporting of hate crime is still significant amongst this community, and they are under-represented amongst the users of victim support services. Suffering in
silence impacts mental health. Many suffer anxiety and insomnia, traumatic memories of abuse can be triggered, they develop phobias about going outside, they live in constant fear. Many have no immediate or extended family to offer support. And single parents may struggle to cope with or recover from their experience, which can impact on their children.

5.2 Our Community Safety Working Group presented their findings to the Assistant Chief Constable of Cleveland Police, and in October presented recommendations at the Hate Crime Conference organised by Northumbria PCC and North East Race Equality Forum as part of national Hate Crime Awareness Week. Discussions were also held with the Police & Crime Commissioners for Cleveland and Northumbria, and with the Crown Prosecution Service.

5.3 We have recently secured funding from both the Offices of the Police and Crime Commissioners for Cleveland and for Northumbria to deliver a 9 month project focused on brokering and building relations and collaborative working between 36 RCOs working across Cleveland and Northumbria force areas, Cleveland and Northumbria Police Forces, the Crown Prosecution Service, Victim Care & Advice Service (Cleveland), Victims First Northumbria and Local Authority Community Safety teams. The objective is to promote hate crime reporting and ensure that victims of hate crime who are RAS have an equal chance to access support that meets their needs. Our project and its objectives have received highest level commitment and support from both Police forces and they are actively engaged in its delivery.

6. The distinct barriers that prevent RAS from reporting hate crime

NB: we have focused on identifying distinctive issues faced by RAS in reporting hate crime which are not shared by the wider non-refugee BME community. We have no reason to believe these distinctive issues are specific to the North East, but rather are likely to be generic for RAS across the UK

6.1 RAS are vulnerable to being targets of both race and religious hate crime. Dispersal accommodation for asylum seekers is cost based, sourced in areas of lowest housing demand which correspond to wards of highest multiple deprivation where crime rates are higher for all. Ipsos Mori’s 2014 survey of public opinion (‘Perceptions & Reality: 10 things we should know about attitudes to immigration in the UK’) showed 67% of people in asylum dispersal areas want to see immigration reduced ‘a lot’ and the most mentioned are refugees or asylum-seekers, despite these being the least common immigrant type.

6.2 The majority of RAS have no secure status in the UK – they have the legal right to be in the UK (either waiting for a decision on their asylum claim, for the result of a fresh claim or an appeal, or for renewal of their time-limited leave to remain) but it is time-limited and conditional. During this wait they believe positive decisions are conditional on ‘keeping out of trouble’. They fear that appearing on Police records, even as victims, is a risk to securing the sanctuary that is their priority and without which they face return to danger. They want to remain under the radar.

6.3 There are many refused asylum seekers facing return to their countries of origin, who do not want to come into contact with any agencies that may share information with the Home Office so will avoid seeking any intervention or support.

6.4 Many associate the Police in the UK with their role in immigration enforcement and removal. (Under the Immigration Act 2016 the police will have enhanced powers to detect those who have no legal right to remain in the UK). And many RAS have the experience of being asked questions relating to their immigration status in every encounter they have with the police. in what circumstances will police ask questions relating to immigration status
when investigating a hate crime incident? Relations are damaged if the Police try and mix an engagement strategy with an Intelligence gathering policy. We often feel their primary interest in us relates to immigration enforcement and tackling extremism. We would like to know how the Police manage this challenge of objectives.

6.5 Many base their perception of Police in the UK on prior experience of persecution from uniformed services in countries of origin, where the police are seen as agents of an oppressive state apparatus, with the ability to abuse their power and act with impunity, being directly involved in rape, torture, corruption and exploitation.

6.6 Many fear reprisal or revenge from family and friends of perpetrators who are prosecuted, or when people are released. Asylum Seekers cannot choose where to live, they cannot opt to remove themselves from the risk. They are housed under a support contract between UK Visas & Immigration and the COMPASS service contractor (G4S in the North East). They can only move residence if the COMPASS contractor applies for special permission from the Home Office. So some RAS would prefer the option of a graduated response to identified perpetrators, with opportunities for education to change attitudes, and apologies being given, saying ‘We have to live with these people every day. Ultimately we want peace. We want harmonious community relations. We don’t want cycles of resentment and revenge’. But other RAS support a policy of Zero tolerance as the best route to deterring hate crime.

6.7 RAS are foremost a community united by a unique shared lived experience rather than identity. With lives framed by forced migration, UK Asylum Policy, the implications of Limited Leave to Remain as Refugees and public attitudes to sanctuary, and very little social capital, they face vulnerabilities and challenges distinct from the experience of the wider non-refugee BME and white community. They are part of the region’s changing demographics, of increasing diversity within the BME category, for which customized policy and practice responses are required.

7. The role of Refugee-led voluntary/community organisations (RCOs)

7.1 RCOs have a unique role to play not just in identifying issues and needs, but also in identifying practical solutions and being partners in delivering them. RCOs clearly felt under-supported and underutilised by Criminal Justice Agencies, who more often approached them as Gateways to the RAS community rather than partners in the delivery of solutions. Change is a collaborative process. Trusting and sustained relations grow from collaborative working. Developing better coordination between agencies will make best use of existing resources: A genuinely multi-sector collaborative approach will help mobilise all resources most effectively, including the underutilised value of RCOs.

8. Recommendations for action to address under-reporting of the Hate crime experienced by the RAS community

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<tr>
<th>Recommendation</th>
<th>Further detail</th>
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<td>8.1 Strengthen the Police role in how Hate Crime and non-crime Hate incidents are identified and recorded.</td>
<td>Examples of incidents being re-recorded after investigation by the Cleveland Police Authority (prior to PCC being established)</td>
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<td>To prevent Hate crime being mis-recorded by Police as Anti-social Behaviour, Police &amp; Crime Commissioners can work with Police to periodically review ASB records and Call Handler records.</td>
<td>Recommendation 13 of the <a href="#">Stephen Lawrence Inquiry Report</a></td>
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<td>Too many victims are not aware of the category</td>
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themselves. Policy cannot be effective if the onus is upon the victim themselves to identify the incident as a hate crime. There must also be an active commitment from the Police to identify if a hate motive is involved.

Confusion about the distinction between a hate crime and a non-crime hate incident and the significance of that distinction may be preventing reporting and recording. Recording and response to non-hate crime incidents can play an important role in preventing escalation, and such incidents still have immediate and longer term impact on victims.

8.2 Understand the significance of independent Victim care services and 3rd party reporting systems that allow the victim to remain anonymous, and promote their accessibility and response offer directly to RCOs. This will ensure that victims receive support while resources can still be mobilised to tackle hate crime hotspot even when the victim does not wish to be identified to the Police.

Hardly any RCOs knew that victims of hate crime could access support for immediate impact of the crime and for their longer term recovery without seeking Police intervention. RCOs need to be connected to support offers from Local Authority Community Safety Teams and from Victim Care services (commissioned by PCCs).

A direct relationship between RCO and Victim care service need to be brokered and built for mutual benefit; RCOs can then help RAS self-refer to the service, volunteers within RCOs can be trained as Hate Crime champions, Victim care services can recruit volunteers from the RAS community to volunteer within their service, and Victim care services can refer isolated victims to RCOs for social support if not already connected to the community.

Arranged visits to 3rd Party reporting centres should also be organised for RCOs so that they can confidently promote their use by RAS.

As well as accessing support for the individual victim through this route, the Victim care service and Local Authority can provide anonymised statistics to the Police to identify hate crime hot spots which will allow police to mobilise and target resources to promote safety for all RAS living in that locality.

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required: "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"

Additional evidence on importance of 3rd party reporting systems in Research report July 2016: A critical portrait of hate crime/incident reporting in North East England: The value of statistical data and the politics of recording in an age of austerity  
http://nrl.northumbria.ac.uk/27324/

ARCH analysis shows most reporting is done through the most trusted relationship, which is via the community itself
8.3 Developing direct relationships between RCOs and these key agencies (Police, Victim care services, and Local Authority Community safety teams) is fundamental to promoting reporting and securing equal access to support for victims of hate crime who are RAS.

The models of community engagement developed by different police forces should be compared to identify the elements of most successful practice for points of contact and building trusting relations with the Police. For example some forces may deploy a force-wide specialist RAS or BME liaison officer. Others may focus on the use of local PCSOs to develop local relationships. Strengths and weaknesses of both approaches could be compared and contrasted.

However, it should be recognised that even if community engagement policies and procedures are excellent and lead to increased confidence to report hate crime, it will be the First Responders who actually deliver the interface when 999 is called. Unless these officers have also been given training to understand the distinctive issues facing RAS and increase their competence in working with diversity, then the efforts of community engagement will be undermined. If you have great neighbourhood officers who have built trust with the community, then you have emergency response officers that are intimidating then however much you encourage people to report hate crime, they will avoid it.

Often training to front line staff is described as ‘Cultural awareness’. We suggest training across public facing staff should best be described as building understanding and competence to deliver the service to communities of identity or of shared experience so that they may benefit from the service equally (for example, to increase understand about the distinct issues facing RAS, or the blind, where ‘cultural’ identities are not homogenous). Training that incorporates the authentic voice of RAS (or any community or identity or shared experience) should be encouraged as the authentic voice is a very powerful learning tool. However, the authentic voice should refer to collective shared experience rather than relate an individual story, which may or may not reflect wider shared experience.

Relations are damaged if the Police fail to distinguish between different objectives when building relations of trust with RAS community to promote hate crime reporting. If delivering support to a victim of crime is confused by other objectives of intelligence gathering, immigration enforcement, and tackling extremism then engagement will fail. For example, if police ask questions relating to immigration status when

Cleveland Police’s Everyone Matters programme is an example of training about the distinct issues of communities of shared experience, involving authentic voices, delivered to officers across all departments (although its still titled ‘Cultural Awareness’!)
investigating a hate crime report.

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<th>8.4 Provide narratives of positive experience and peer voices from RAS community</th>
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| Unsatisfactory responses by the police to incidents reported to them by RAS via 999 calls lead to and consolidates widespread feelings amongst RAS that ‘they would do more/treat us differently if we were white’, ‘we don’t get any attention from them if we’re victims but they’re all over us if they think we’re up to something wrong or don’t have the right papers’, leading to ‘there’s no point in contacting them’.

These negative narratives circulate within communities where word of mouth is the main communication route. Alternative narratives are needed to promote confidence to seek police intervention and involvement. |

| Case study available |

| 8.5 Review the effectiveness of the COMPASS contract reporting requirements and multi-agency information sharing protocols where a service user (an asylum seeker housed under the COMPASS contract) is the victim of hate crime either within their accommodation or outside. (We note that no reference to Hate Crime is made in Home Office (UKVI) documents detailing the contract or policy: incidents are referred to as ‘public harassment’, ‘racist incidents’, harassment’, ‘anti-social behaviour’, ‘violence’ or ‘abuse’)

There are concerns that Asylum Seekers are not being supported to access victim support on an equal basis to any other local resident because they are supported through a unique contractual arrangement. They risk being additionally vulnerable if front line staff and management of COMPASS are not effectively or consistently operationalising the Home Office’s policy and procedures which describe how racist incidents should be reported and responded to.

The Home Office logs referrals of racist incidents perpetrated by members of the public on its COMPASS service users as ‘public harassment’ on its National Compliance Database. This can then be used to look at trends and heat mapping in certain areas. In July 2016 they checked this database and found that over the last year they had received approx. 21 referrals for public harassment. They would be interested to know if that figure is due to under-reporting.

Under-reporting is particularly significant for the asylum seeker community as safety is a key consideration in the |

| The COMPASS contract Statement of Requirements (sections 4.5 and C3) |
| The Home Office’s report published Feb 2016 Asylum seeker accommodation in Middlesbrough: audit. ‘The report also includes a list of recommendations, which have all been accepted and will be implemented’ See points 24 to 26 (page 6), 30 – 32 (page 7) and 42 to 44 (page 9-10). |
procurement of dispersal accommodation. The danger is that if there is chronic under-reporting of hate crime by asylum seekers housed in an area being used for dispersal, and if hate crime statistics are used to inform further procurement of dispersal accommodation in that area, then they will present an inaccurate picture of the real safety risks in that area and could place more asylum seekers at risk.

This concern about articulation with mainstream policies and processes for tackling hate crime also applies to Syrian refugees supported by Local Authorities under the Syrian Vulnerable Persons Relocation programme (SVPR).

8.6 More opportunities to hear the voice of RAS speaking about their distinct issues.

Our members are concerned about what they experience as an over-reliance on representation through BME platforms and ‘BME representation’ at IAGs. But many RAS report that they do not feel comfortable or confident to engage with existing BME engagement platforms. Agencies assume too much shared experience, understanding and solidarity within the BME community. In reality the BME community in the region is now hugely diverse. RAS report they feel their voices are drowned by the non-refugee BME voice and agenda, from voices that are more well established. The asylum and refugee community is constantly renewing as new communities are created by new conflicts in the world. They find it hard to make their voices heard equally. RAS have also experienced discrimination and separatism with the BME community. The non RAS BME community may also hold negative opinions about RAS and want to reduce the number of asylum seekers. There is racism within the BME community itself. And different groups compete for a greater slice of the cake for their own section of the community.

This reinforces the importance of key agencies creating direct relations with RCOs.

8.7 Encourage discussion between RCOs and Crown Prosecution Service to explore policy responses to hate crime: understanding the role of zero tolerance in preventing hate crime in the UK so as to appreciate the value of prosecuting cases, exploring reassurances on
witness protection and prevention of re-victimisation.

Submitted by

Georgina Fletcher
Chief Officer
Regional Refugee Forum North East