Written evidence submitted by the
North East ‘Race’ Crime and Justice Regional Research Network

This response has been drafted by the North East ‘Race’ Crime and Justice Regional Research Network (NERCJRRN) which incorporates experienced researcher representatives from each of the 5 Universities based in the local area – Durham University (through Ustinov College – see - https://community.dur.ac.uk/ustinov.gcp/index.php/race-crime-and-justice/); Newcastle University; University of Northumbria, University of Sunderland, University of Teesside and an Independent Scholar. The group was established by Professor Gary Craig, Dr. Bankole Cole and Professor Maggie O’Neill. The Network initially worked with funding received by Dr. Cole from the Ministry of Justice and Northumbria Police to carry out work looking at ‘Race’, crime and justice in the North East Region. Copies of the final report are available from the Network but the key finding was the widespread incidence of racism and hate crime against BME people in the region. One of the outcomes of this research was a focus group which brought together different stakeholders involved in responding to race equality. Those stakeholders include public sector and voluntary sector organisations and developed with a key ethos of connecting academic research, policy and practice. As a further development the group created and facilitates the North East Race Equality Forum (NEREF). The first meeting of this group was held in December 2014. NEREF brings together all the practitioner-led organisations and has a current membership of over 300. Through the North East Race Crime and Justice Research Network, NEREF members are invited to take part in events.

Nationally the Tell MAMA report indicated in 2015 there was a 326% increase in street based anti-Muslim incidents in comparison to 2014. A particular concern has been fueled by the Brexit campaign and vote - from Police figures and in terms of the North East, since the Brexit vote, a 109% increase in reported hate crimes has been seen. The force breakdown reveals that Durham Police experienced a 181% increase in hate crime in June 2016 as compared to June 2015. Local news reports have suggested that the EU Brexit vote has had a substantial impact in race hate crime with banners following a stand-off between Newcastle Unites and a particular mention is given to the significant police presence in Newcastle on Saturday 24th following a stand-off between Newcastle Unites and the English Defence League. The commentary noted the banners which read, ‘No More immigration.’ These racist incidents were said to have been “fueled” by the result of the EU Referendum. However it is not just extremist views - an interesting insight is provided by Paul Iganski1. His work focuses on the perpetrators and highlights hate crime as every day occurrences and perpetrated sadly by ‘ordinary’ people rather than those who hold more extreme views. The result of this suggests that the work of NEREF is critical in providing a voice to different communities and groups and to influence change amongst partners.

One recent (NERCJRRN & NEREF) event was held in October 2015, where, in partnership with Northumbria Police and Crime Commissioner, we held a conference on Hate Crime (see Appendix 1). This Conference covered all the strands of equality recognising the intersectionality of victims’ experiences. It is upon this basis that the group wishes to feed in to this enquiry and we will draw upon other research of our members which highlights some of the key issues you are seeking to address.

1) The effectiveness of current legislation and law enforcement policies for preventing and prosecuting hate crime and its associated violence.

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1.1 Upon engaging with practitioners within the CJS we can see that committed individuals working within those agencies want to be proactive in getting across the accessibility of services. However, speaking to practitioners who work with those trying to access the police and prosecution services there is a lack of trust in how they will support and pursue any allegations of Hate Crime. A key session within the Conference specifically addressed how the CPS and the Police make their decision as to charge when there has been an allegation of hate crime. There is a need for more transparency in how the legislation is implemented and to what extent the police and prosecution are pursing the aggravating factor as regards hate crime when a criminal offence has been committed.

1.2 Many groups, for example Women’s Aid, noted the concern with the transition from the Equality Act 2007 to the Equality Act 2010 and the subsequent move to a single Public Equality Duty. Whilst pre-2010 there was a Race Equality Duty; Disability Equality Duty and Gender Equality Duty (none for the 3 other protected characteristics), these all became subsumed within the Single Public Equality duty. For some this meant that there would be a dilution of recognition within Public Bodies of the need to recognise fully the protected characteristics within their key decisions. For the criminal justice system there are many priorities on the criminal justice agencies and a concern is that the decisions on charging and prosecuting these offences may become compromised by these priorities – for example, the use of plea bargaining to secure a conviction may not equate to the harm suffered by a victim.

1.3 The victim in a hate crime can be/is very vulnerable and there was a recommendation at the Conference that special measures, in the event of a trial, should be applied to victims of hate crime as a default position. The 2006 Report, Are special measures for vulnerable and intimidated witnesses working? Research from the report - Evidence from the criminal justice agencies (Home Office Online Report 01/06, Mandy Burton, Roger Evans, Andrew Sanders) suggests that more work needs to be done, not just to recognise vulnerability within the court setting but also analysis of pre-trial procedures to ensure that victims feel ‘safe’ in reporting these crimes. See also Research Briefing No. 8: http://www.ncl.ac.uk/socialrenewal/engagement/networks/racecrimejustice/#briefings sets out details from the Regional CPS in terms of implementing the CPS strategies for prosecuting hate crime but it was clear that more awareness as to what will happen in reality is needed.

1.4 The representatives from Young Asian Voices who attended the hate crime conference workshop led by the Crown Prosecution Service also identified how reporting is influenced by trusting relationships. For many young people who encompass intersectional identifications as British Asian and Muslim the relationships of trust with statutory services is now absent and requires urgent attention. These expressions of the importance of reciprocity in the time-consuming business of cross cultural dialogue between representatives of the state and young people from minoritised communities were supported by the quantitative research ‘Hate in the City’ presented at the conference by Dr. Macdonald, Dr. Clayton and Professor Donovan.

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

2.1 Concerns raised at the conference equate considerably to those from other victim-related studies. These include a fear of authority, especially if those groups have been victims of coercive force in their own country, fear of not being believed, repercussions for them or their family within their community should they report the crime, having somewhere ‘safe’ to report the crime, unsure of process, unsure of who to report to, lack of translation services so they can fully communicate
how they have been affected, lack of effective outcomes, lack of services in rural communities, lack of awareness that they have been a victim of hate crime.

2.2 The Conference provided the opportunity for the criminal justice agencies to identify what help and support could be provided to encourage victims of hate crime to come forward.

Arising from the hate crime conference NEREF is undertaking research into the lived experiences of 300 young members of the Sunderland based voluntary sector agency Young Asian Voices. The first phase of the research is focused upon surveying their experiences and needs including encounters with racial and / or religious hostility alongside other encounters with hate, for example gendered violence. The long term aim for this research project is to develop a relationship with Youth Projects across the North East beginning with the Young Asian Voices Youth Project (YAV) in order to build an empirical research base encapsulating the perspectives of young people as well as community youth workers. The impact of the Government drive for austerity has, as was identified by the 'Hate in the City' research by Dr Macdonald, Dr Clayton and Professor Donovan, reduced the points of contact for young people to report hate incidents. The knowledge from youth workers with Young Asian Voices concurs with the research evidence that ‘daily’ encounters with hostility are ordinary experiences for many young BME people. These everyday encounters are not reported except to youth workers. As a further consequence of austerity the voluntary sector youth projects do not have the capacity to ‘activate’ the time-consuming business of cross cultural dialogue with the depleted state agencies to make the reporting by young people meaningful as a societal response. One strategic response from the statutory authorities would be to delegate the resource base to youth projects to ensure victims are encouraged to report incidents who can then be guided through the process.

RECOMMEND

I. More transparency in decision-making between Police and CPS to prosecute.
II. Clear and well-explained processes for those who wish to report.
III. Appropriate support provided to victims who wish to make a complaint – a single point of contact to help guide through the process.

3) The role of social media companies and other online platforms in helping to identify online sources of hate crime and to prevent online hate incidents from escalating.

3.1 Social media companies need to be more self-aware of the harm that can be caused through the use of their services. The Chair of MOPAC recently stated that social media "provides hate crime perpetrators with a veil of anonymity, making it harder to bring them to justice and potentially impacting on a larger number of people". The isolation that victims feel can result in tragic cases such as ... Social media companies need to be more proactive in ensuring young people are ‘safe online’ with protective mechanisms clearly explained and applied. Offering a ‘reporting tweet’ mechanism can only go so far.

3.2 The Criminal Justice Agencies need to recognise when hate crime has occurred and ensure that appropriate action is taken. For example, the case in America where students avoided a conviction for hate crime despite racial abuse on Twitter: https://twitter.com/i/moments/702726389863043072 would not provide any confidence of potential victims coming forward to report being the target of a hate crime. The NSPCC reported in 2014 that 38% of young people were being bullied on-line and that 81% thought it was easier to get
away with bullying on-line than if they did it face to face. Social media companies need to act quickly to suspend accounts where the focus of the site is to promote bullying behaviour.

3.3 Social media companies need to work closely with the police to refer any incidents of hate crime. The recent development of the Reporting Hate Crime Hub by the metropolitan police needs to be consistently applied throughout all police forces to tackle hate crime.

3.4 Use social media positively as a reporting tool but ensure action is taken when online abuse is reported. See development of truVision: http://www.report-it.org.uk/home and the Reporting Hate Crime App: http://www.northumberland.gov.uk/Partners/Safer/News-and-Events/Hate-crime-app.aspx. However, whilst useful tools the key message is that reporting needs to be acted upon.

RECOMMEND

I. More coherent strategies for monitoring the use of social media and protective mechanisms implemented and applied

II. More effective regulation of social media and on-line groups

III. Effective penalties and criminal sanctions of platform/service providers

IV. Development of the Reporting Hate Crime hub for online hate crime and abuse across all police forces

4) The role of the voluntary sector, community representatives, and other frontline organisations in challenging attitudes that underpin hate crime.

4.1 The Group believe community participation and the voluntary sector are fundamental to awareness-raising and changing attitudes. This to be done alongside public bodies and agencies to challenge attitudes. Public bodies taking hate crime seriously and community based organisations having the trust and confidence that it will be taken seriously will allow for more encouragement in victims reporting crime.

4.2 The Group refers below (point 7) to some work that is being done to identify areas of best practice in promoting race equality. This is not yet completed but the response so far show a variety of work that community organisations are involved in, for example, the use of participatory research and participatory arts such as theatre, drama (Gateshead Interfaith Forum, Crossings and GemARts) as well as animations being developed that can be delivered in schools and different organisations. There is a long history (particularly since the Cantle report 2001 in the wake of the ‘race riots’ of 1995 and 2001) of using participatory or community arts in addressing and challenging race hate and educating and promoting race equality in communities. See also Women, Well-being and community for an example of work conducted by network members focusing upon the experience of women asylum seekers, refugees and undocumented using filmic methods. http://www.humiliationstudies.org/documents/O'NeillWomensProject2012.pdf; https://www.youtube.com/watch?v=SjT5LENgA_M. See also ‘Why the Hijab?’ (http://www.allinyouthproject.com/post/why-the-hijab) a documentary made by three young Muslim women from the All In Youth project based in South Bank in Redcar and Cleveland. The documentary sets out to address ignorance surrounding women who decide to wear the hijab and details the abuse these women receive which constitutes a hate crime.

4.3 A key finding from the Conference was the reliance that victims place on community-based organisations but a concern was raised about the lack of funding available to maintain these organisations. One specific organisation – ARCH – Agencies against Racism and Harassment – has
seen their funding cut completely. ARCH is a network of over 40 organisations working together to stop hate crime and reduce community tensions in Newcastle. They get the right help to victims and take action against attackers. Originally established to tackle racist crime, it has extended to cover other types of hate crime. It has a web-based system for reporting racist, homophobic, transphobic, religious incidents and bullying of young people. The impact that this organisation had across the city was very clear – it ensured that there was a 24-hour freephone reporting line offering live translation in over 100 languages; multiagency casework files with automated referrals and case updates to agencies; multi-agency case analysis and service level agreements; partnership performance management systems. The system expanded to all young people experiencing bullying of any type to report and get support, both in and out of school. ARCH also provided support and training to its partner agencies. [See Dr Stephen Macdonald, Dr John Clayton, Professor Catherine Donovan: 'Hate in the City': similarities and differences in third party reporting across categories of hate in Tyne and Wear and for profiles - Catherine Donovan http://www.sunderland.ac.uk/faculties/es/staffdirectory/facultyofeducationsociety/socialsciences/profcat herinedonovan/#d.en.44341 and Steve Macdonald http://www.sunderland.ac.uk/faculties/es/staffdirectory/facultyofeducationsociety/socialsciences/drstep henmacdonald/#d.en.44344]

RECOMMEND

I. Ensuring secure funding for organisations that aim to support victims of hate crime.

II. Recognise that regional needs may be different – national strategies may not ‘fit’ local communities.

III. Coordination of appropriate signposting and referral mechanisms.

IV. A scoping study of all organisations and the services provided both regionally and nationally

V. Recognition that victims of hate crime (in general) in rural and semi-rural areas are more isolated and face multiple barriers especially young people and BME women, therefore more reluctant to report crime, they need signposting and access to support services

VI. Recognition that the ever increasing occurrences of anti-Muslim hate crimes and extreme right activities (post Referendum and events in France and with the arrival of Syrian refugee in UK towns and cities) need special attention and has increased the fear of crime on an entire Muslim population and the polarisation of society.

5) Statistical trends in hate crime and how the recording, measurement and analysis of hate crime can be improved.

5.1 Analyses of hate crime data from the three police forces in the region proved difficult particularly in relation to drawing comparable assessments between the three force areas, because of incomplete and inconsistent data. The data that was available showed:

5.2 Racist incidents occurred throughout the region and whilst there were greater levels of occurrence in those areas where there were higher levels of minority settlement, racism remained an issue in both rural and urban areas and in areas of high and low minority settlement

5.3 Of particular concern is the inconsistency between the police forces’ data and the significant number of missing data. The answer to this problem may require better liaison between police forces and guidance from relevant government departments. Given that minority ethnic people are least likely to report crimes committed against them, the impact of missing data in
understating the real nature and extent of racist offending in the region should not be underestimated.

RECOMMEND

I. More transparency in the number of reported hate crimes and action taken.
II. More details of attrition rates on a regional and national level.
III. Survey on a regional basis that does not rely on police-recorded statistics but more of a Crime Survey related specifically to Hate Crime.

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

6.1 The criminal justice agencies have a role to play here too – the Safe Reporting Centres have been pushed (promoted) but if victims have a lack of trust in authority they may prefer accessing services which are not tied to the criminal justice system – so there need to be alternative organisations that can offer that support and encourage reporting – i.e. those such as ARCH.

6.2 Making sure that support services were accessible to all and met the need within communities. Much has been done to promote the Hate Crime App in Northumbria and whilst young people may feel familiar and more secure in using technology to articulate their feelings (see Young Victims of Crime Report: Scoping a national service model for supporting young victims of crime in Scotland at https://www.victimsupportscot.org.uk/wp-content/uploads/2015/11/YoungVictimsofCrimeProjectFinalReport.pdf) that may not be the case for everyone – so the modes of accessing those services need to be user friendly and cater for all technical abilities.

6.3 Criminal Justice procedures being made accessible and understandable with clear pathways for reporting and transparency in decision making.

RECOMMEND

i) Coordinated and targeted regionally to meet need.
ii) Signposting and referral strategies.
iii) Recognition that victims of hate crime (in general) in rural and semi-rural areas are more isolated and face multiple barriers especially young people and BME women, therefore more reluctant to report crime, they need signposting and access to support services.

7) NERCJRN - What is the group currently doing?

7.1 We are currently engaged in some work which is scoping the availability of services and organisations (public and third sector) who work to promote race equality but also which respond to victims of hate crime. This is predominantly within the North East area. The aim is to create a directory of those services that can be used by public bodies and voluntary organisations to signpost a person who has been the victim of hate crime or who is experiencing injustice and inequality to the ‘best’ service for them.

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2 In our regional report analysing data from the three police forces in the region proved difficult particularly in relation to drawing comparable assessments between the three force areas, because of incomplete and inconsistent data.
7.2 A second strand is to identify what organisations believe to be ‘best practice’ in promoting race equality and how they do this as well as best practice in responding to hate crime. We are in the process of collating this information – we are aware that what may be perceived as good practice by some ‘provider’ organisations (i.e. criminal justice agencies) might not be regarded as such by those who are trying to access those services. By bringing our NEREF members together to discuss this at an event in the future it is hoped that we can look at these models to see how they can be improved for those accessing those services. We hope this will address both the general lack of information in this area but also connect organisations which find it difficult to reach out during a period of severe austerity.

7.3 References to some recent research by members of the network


NEREF Research Briefing No. 8, Prosecuting Hate Crime: http://www.ncl.ac.uk/socialrenewal/engagement/networks/racecrimejustice/#briefings

Adamson and Cole (date) UK Chinese People’s Experiences of Racially Motivated Crimes A Pilot Study in West Yorkshire and Humberside http://lcca-uk.org/news%20reports/UK%20Chinese.html


Thompson, I. and Craig, G. (date) A place called Townsville - Rural racism in a North East Context NERCJRN


RACE BRIEFINGS: http://www.ncl.ac.uk/socialrenewal/engagement/networks/racecrimejustice/#briefings

INFORMATION BRIEFINGS: http://www.ncl.ac.uk/socialrenewal/engagement/networks/racecrimejustice/#briefings

7.4 NERCJRN Members contact details

Gary Craig - Newcastle University, Hull University and Durham University, Ustinov College Race, Crime and Justice http://www.antislaveryday.com/marsh-award-2015/

Rick Bowler –Sunderland University
http://www.sunderland.ac.uk/faculties/es/staffdirectory/facultyofeducationsociety/socialsciences/mrrickbowler/

Bankole Cole -https://www.shu.ac.uk/about-us/our-people/staff-profiles/bankole-cole

Ian Fitzgerald University of Northumbria

https://www.northumbria.ac.uk/about-us/our-staff/f/ian-fitzgerald/

Jenny Johnstone -University of Newcastle -
http://www.ncl.ac.uk/nuls/staff/profile/jennyjohnstone.html#background

Maggie O’Neill -University of York -https://www.york.ac.uk/sociology/our-staff/academic/maggie-oneill/

Ijjou Thompson, Independent Scholar

Louise Wattis -University of Teesside https://www.tees.ac.uk/schools/sssbl/staff_profile_details.cfm?staffprofileid=U0012274

North East ‘Race’ Crime and Justice Regional Research Network

Further details see:
http://www.ncl.ac.uk/socialrenewal/engagement/networks/racecrimejustice/#about
Appendix 1

NEREF AND NORTHUMBRIA PCC HATE CRIME CONFERENCE

Part of Hate Crime awareness week

15 October 2015, 9am-4pm

Great Hall, Northumbria University

Chairs: Professor Gary Craig and Professor Maggie O’Neill, Durham University

9am Registration and Coffee/Tea

9.30am Welcome - Lucy Winskell, Pro Vice Chancellor for Business and Engagement (and High Sheriff for Tyne & Wear)

House-keeping – Chair split between Gary Craig (am) /Maggie O’Neill (pm)

9.40am Northumbria Police and Crime Commissioner Vera Baird

10am-1030am Dr Stephen Macdonald, Dr John Clayton, Professor Catherine Donovan: 'Hate in the City': similarities and differences in third party reporting across categories of hate in Tyne and Wear.

1030am-11am Caroline Airs (CPS) and Deborah Alderson: Hate Crime: To Prosecute or Not to Prosecute

11am-1120am Tea/coffee & networking

1120am-1150 Rick Bowler (and Young Asian Voices Group) 'Revisiting hate and integration: Reflections from critical youth work theory and practice'

1150-1220 Maggie O’Neill and Ijjou Thompson: The work of the North East Race Crime and Justice Network with a specific focus on our collaborative research with women.

1220pm-1230 Q&A

1230-130pm Lunch

Artworks around the hall with handouts for dissemination - “A Dream Deferred?” and “Still I Rise” an Exhibition of prints of paintings and image manipulation montages focusing on aspects of ‘race equality’ and ‘race hate crimes’ and “Or does it explode” - DVD ‘Toxteth Riots 1981’: Ibrahim Thompson, Freelance Consultant
and

Short film by GEMARTS

130pm-215pm Workshop 1-4

1. Disability Hate Crime: Sarah Wilson, Cleveland PCC

2. The Elephant and the Iceberg (Race Equality and LGBT and other equality strands). Louise Evan-Wong, LGBT Federation NE, Julia Lyford and Justine King, North East Equalities Coalition

3. Prosecuting race hate crime: what can we do better: Caroline Airs and Jonathan Bambro, NE CPS

4. Escalation of Hate’ Laura Pidcock (Education Manager for Show Racism the Red Card) and Nadeem Ahmed

2.30pm-3.15pm Workshop 5-8

5. On line hate crime: Matthew Feldman and others, Tell Mama/Tees University

6. The dilemma faced by Asylum Seekers and Refugees around reporting hate crime: Susan Mansary and Pamela Chikomba Ndhlouvu, Regional Refugee Forum North East Community Safety Working Group

7. ‘The victims view on ensuring community cohesion by tackling Hate Crime’ Stephen Fear and Michelle Redfern, Safer Northumberland Partnership

8. The benefits of integration: a critical youth work approach: Young Asian Voices

3.20 -3.30pm Reconvene in Great Hall (tea/coffee will be provided)

3.30-3.50pm Brief Feedback from Workshops

3.50pm-4pm Next Steps and Evaluation forms
Appendix 2

NEREF AND NORTHUMBRIA PCC HATE CRIME CONFERENCE

Part of Hate Crime awareness week

15 October 2015, 9am-4pm

Great Hall, Northumbria University

SUMMARY of the FEEDBACK session

Notes taken during the last feedback session and from the sheets given back to us.

All the workshop leaders/representatives were invited to share key points from their workshop.

Workshop 1: Disability Hate Crime (Northumbria PCC)

Publicise the hate crime reporting centres - Work with communities and third party reporting centres is vital

1. We need to analyse the barriers in the CJS to reporting hate crime

Workshop 2: Race equality and LGBT and other equality strands

1. Victims of hate crime face many similar barriers

2. Importance of access to communication tools both for reporting crime and raising awareness of what actions are criminal offenses. Those where English is not first language are at a real disadvantage. E.g. deaf victims

3. Vital to recognise the various layers of discrimination facing people who belong to more than one disadvantaged community

Workshop 3: Prosecuting race hate crime: what can we do better? (Northumbria CPS)

The CPS are central to both access to justice and doing justice in relation to hate crime

1. Reporting is influenced by trust relationships – the reporting system works MUCH better when relationships of trust with the reporting system are established and embedded-i.e. As evidenced by Neil, Catherine, Stephen and John’s research. [Ref: Dr Stephen Macdonald, Dr John Clayton, Professor Catherine Donovan: ‘Hate in the City’: similarities and differences in third party reporting across categories of hate in Tyne and Wear.

2. Special Measures should be the default position in all hate crime cases

Workshop 4: Addressing hate crime in the community

1. Acknowledge the Escalation of hate crime

2. Early intervention needed in schools
3. How do we challenge media myths?
4. Need to share work with organisations and networks through NEREF

**Workshop 6: The dilemma faced by Asylum Seekers and Refugees around reporting hate crime, Regional Refugee Forum North East Community Safety working group**

1. Strategic collaboration works in relation to RCO and police forces vis sharing knowledge and building trust
2. Narratives of what happens when people report hate crime need to be shared with communities
3. Authentic voice is needed in training – Graham Parr reinforced this across command, control and rapid response. Note that theatre based training is working very well in Durham vis a vis coercion and control in intimate partner /domestic violence and could be developed in relation to hate crime.

**Workshop 7: The Victims view on ensuring community cohesion by tackling Hate Crime, Safer Northumberland Partnership**

1. Develop knowledge and use of hate crime app
2. Raise awareness – how to report; what to do etc.,
3. Informative – provide information

**Workshop 8: The benefits of integration: a critical youth work approach: Young Asian Voices**

1. Share information about the charity
2. The importance for Social policy words vis action
3. Specialist services can be ‘change causing’