



**Police and Crime Plan Priority: Hidden Crimes**  
**Title: Public Protection Unit including work on Hidden Crimes**  
**Presented by: Ch. Supt. Mat Shaer**

**Purpose of paper**

1. To provide members of the Strategic Policing and Crime Board with an overview of the West Midland Police (WMP) approach to hate crime. The report examines reporting mechanisms, Force and investigative response, governance arrangements, recent trends including during the Covid-19 period and partnership working arrangements.

**Hate Crime Control Plan**

2. The Force has a hate crime control plan with the following objectives:
  - Continue to close the reporting gap by increasing confidence in victims and communities, and removing barriers to reporting
  - Hate crime victims to receive a quality start to finish service
  - Improve positive outcomes (including Restorative Justice) alongside satisfaction for victims of hate crime
  - With partners, identify opportunities for early intervention & prevention of hate crime/hostility

## Governance

3. To achieve these priorities, each neighbourhood policing unit (NPU) and department has an identified officer as a Single Point of Contact (SPOC) who are held accountable against the delivery of the Hate Crime Control Plan. All SPOCs report to the Force Hate Crime Lead, Chief Superintendent Shaer who chairs the quarterly Hate Crime Board with representatives from internal staff associations, victim services, local authorities and the Crown Prosecution Service (CPS). Figure 1 illustrates the Force's hate crime governance structure.

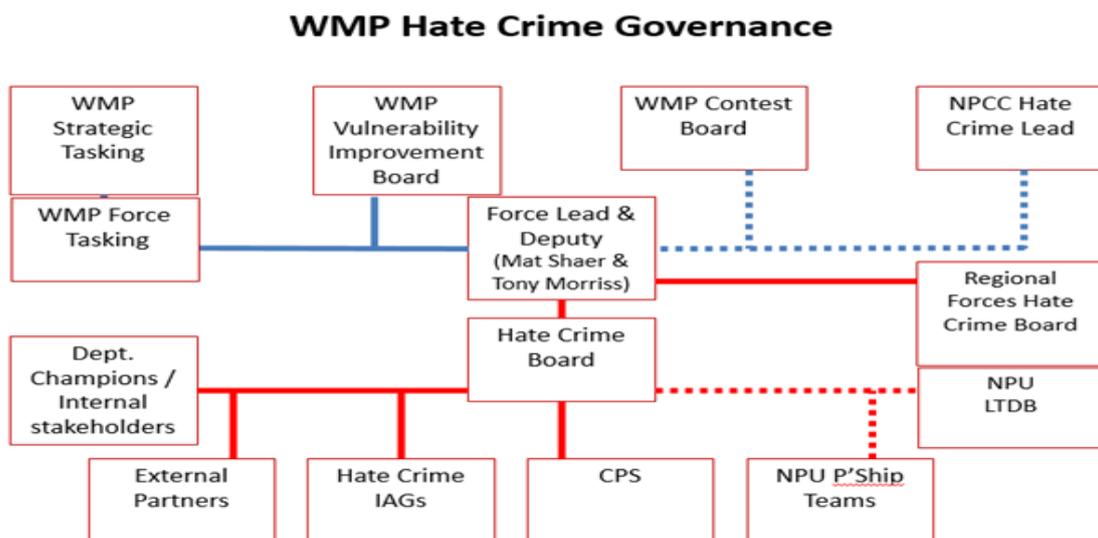


Figure 1. West Midlands Police Hate Crime Governance Structure

4. Hate crime is primarily governed through the Vulnerability Improvement Board. This board also serves as the main conduit to track progress against national hate crime recommendations from Her Majesty's Inspectorate of Constabularies and Fire and Rescue Services (HMICFRS).
5. Hate crime was last presented at the Force's Strategic Tasking meeting in December 2019 and is reported on an annual basis. As a Force priority, it also features monthly at the Force Tasking meeting.
6. Each hate crime strand has its own lead volunteer 'champion' who have considerable experience and understanding of their specific strand. All champions' have developed and continue to expand a network of Independent Advisory Group (IAG) members to advise, guide and scrutinise the Force's approach to hate crime.

## Reporting Mechanisms

7. Improving the ease of access for victims and witnesses to report hate crime is important to close the reporting gap and is essential to ensure an accurate assessment of hate crime. The Force has a number of reporting mechanisms to complement established methods such as telephone calls or visiting a police station front office, which includes third party reporting centres (TPRCs) and a mobile phone application.
8. National reporting mechanisms such as True Vision<sup>1</sup>, Tell MAMA (Measuring Anti-Muslim Attacks)<sup>2</sup> and the Jewish Community Security Trust<sup>3</sup> are also available to victims and witnesses.

### *Third Party Reporting Centres*

9. A clear element of the plan is engagement with both the public, statutory and non-statutory partners. To improve engagement with local communities and close the reporting gap, TPRCs enable vulnerable victims to report incidents of hate crime to agencies working in partnership with WMP. TPRCs are spread geographically across the West Midlands and cover all areas of vulnerability of hate crime including race, religion and sexual orientation. The focus of WMP and partners through the TPRCs is to ensure the most appropriate services relevant to the specific needs of vulnerable victims is available across the region.
10. Local TPRCs are typically third sector organisations which already provide some form of service to communities. They voluntarily receive training from WMP's NPU Partnership Teams to assist them to identify hate incidents and crimes during their interactions with people.
11. All registered housing providers across Birmingham and Solihull are part of the scheme, and across the Black Country, Wolverhampton Homes, Walsall Housing Group, Dudley MBC and Sandwell MBC are also key partners. Those organisations use True Vision to report hate crime incidents and crimes. In Coventry, the NPU Partnership Team maintain regular contact with the city council and Whitefriars Housing who lead TPRC training.
12. Originally, there was an expectation TPRCs maintained records of persons they had spoken to about hate crime. This requirement was removed after a number of partners

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<sup>1</sup> True Vision – <https://www.report-it.org.uk>

<sup>2</sup> Tell MAMA – <https://tellmamauk.org>

<sup>3</sup> Jewish Community Security Trust – <https://cst.org.uk>

left the scheme and stated that recording the information was an administrative burden. Whilst this policy change means we are unable to measure the number of referrals from each TPRC, they are essential in the Force's relationships with communities.

### *Mobile Application*

13. The dedicated hate crime mobile application was launched in September 2019 and is one of only three police forces across England and Wales which provides this service. The application provides useful advice to users, including the definition of hate crime, its different strands, how to make a report and how the criminal justice system operates. The application also provides access to the Force's LiveChat service, as well as local and national third party reporting mechanisms. Despite only being available for less than twelve months, NPU Partnership Teams continue to educate communities and partners about the application and it has been well received. Since its introduction, a number of other police forces are considering using the application in their approach to hate crime.
14. Future development of the application is being examined to further improve its functionality and accessibility to other communities. At present, Force IT systems do not allow us to differentiate the means/conduit by which hate crime is reported; but dependent on financial investment, a feedback element is one such consideration for future development. This complements proposed plans to enable hate crime reporting directly from the West Midlands Police website. The Force is also working to incorporate Sign Video in police station front offices, the public website and officers' mobile devices to enable members of the deaf community to report hate crime directly to the police using British Sign Language (BSL) via video.

### **Force Response to Hate Crime**

15. The Force offers a variety of reporting mechanisms as detailed in the section above. On receipt of a report of hate crime, the Force uses the [THRIVE+ assessment model](#) to ensure the most appropriate mode of response. When considering a report of hate crime, victims are deemed vulnerable due to potential wider community impact. As a result, there is an implied expectation of enhanced prioritisation of the incident, to include more intrusive supervisory scrutiny and oversight at all stages of the initial response as well as the subsequent investigation.

16. A bespoke hate crime incident response policy has been considered, but it has been established that applied correctly, THRIVE+ is the most appropriate method for assessing and prioritising the response.
17. Scrutiny extends to chairs of local daily threat review meetings (TRM) for each NPU, who are expected to review all reports of hate crime for the preceding twenty-four hours, to ensure all investigative and safeguarding actions have been properly considered and implemented. This also includes consideration of any wider community impact that may arise from the incident, ensuring where necessary fast track actions are completed; including liaison with partners and support services for victims and engagement with the affected community where appropriate.
18. During the Covid-19 lockdown period, Force CID instigated a bespoke enhanced level of service around Covid-19 related hate crime, in recognition of the risk posed to communities and the level of national prominence. This consisted of greater scrutiny around decision making and prioritisation. The Force improved its positive outcome rate for hate crime during this period to over 13%<sup>4</sup>. Consequently, a number of areas of best practice have been identified which are currently being distilled into the business as usual response and investigative standards, as noted below:

- For reports of Hate Crime where there is an identifiable offender (either because an offender is named, or reasonable enquiries could lead to the offender's identity becoming known to the police), the following principles should be applied:
- The FCID DS for the geographical area where the offence was committed should ensure that the crime report has a full investigation plan highlighting reasonable lines of enquiry.
- The crime should be allocated to an investigator with fast track actions set in order to progress the report.
- Once an offender is identified an account is to be obtained. This does not necessarily mean an arrest will always be required in every case. Voluntary interviews and other less formal means can be considered where appropriate and where rationale exists.

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<sup>4</sup> West Midlands Police deems positive outcomes as: OC1 – Charge or Summons; OC2 – Caution – Youth (incl. Conditional Caution); OC3 – Caution – Adult (incl. Conditional Caution); OC4 – Take into Consideration (TIC); OC5 – The offender has died (all offences); OC6 – Penalty Notice for Disorder (PND); OC7 – Cannabis Warning; OC8 – Community Resolution; OC9 – Prosecution not in the public interest (CPS) (all offences); OC10 – Police decision – formal action against the offender is not in the public interest.

- Ensure the victim is updated throughout the investigation and consider terminology used, refrain from statements like “one word against the other”.
- Consider proportionality of the outcome taking into account the victim’s wishes. In many cases it will be appropriate to seek CPS advice with a view to criminal charges, but it may not be so in every case. For example, the victim may not wish to go to court and/or the offender may have no previous convictions and have expressed remorse, in which case consider Out of Court options.
- In the vast majority of cases, it is highly inappropriate not to seek either CPS charging advice or some form of positive outcome for a report of Hate Crime. In recognition of that, a decision to file a Hate Crime report with a named or identifiable offender as ‘NFA’ (No Further Action) requires the authorisation of an Inspector.

19. As a Force level monitored threat, hate crime reporting and associated intelligence is monitored as part of daily and weekly community tension situation reporting, which assists NPU and departmental leadership teams in understanding emerging trends and risk, and taking appropriate mitigating action as necessary.

### **Twelve-Month Trend Analysis**

20. Hate crime recorded by the Force increased by 12.7% for the performance year 2019-20 in comparison with 2018-19. It has increased year-on-year since 2014, which is consistent with the national trend. Initial trends for the 2020-21 performance year identified by the Force show an increase in malicious communications and public order related offences, but no significant increase in hate crime related violence with injury.

21. Through comparison with recorded levels versus British Crime Survey returns, there is evidence to suggest that the increase in nationally recorded hate crime is indicative of a narrowing reporting gap; the gap between that experienced and that reported. It is also assessed that the Force is closing that reporting gap at a higher rate than the national trend. The Force’s emphasis on accessible reporting methods and engagement is believed to have contributed to closing the reporting gap.

22. The stand out trend in the last twelve months was the elevated levels of reported homophobic crime. This trend emerged around March 2019 and continued through to the summer 2019 period when it returned to a lower, but higher norm level where it has generally remained, as illustrated in figure 2.

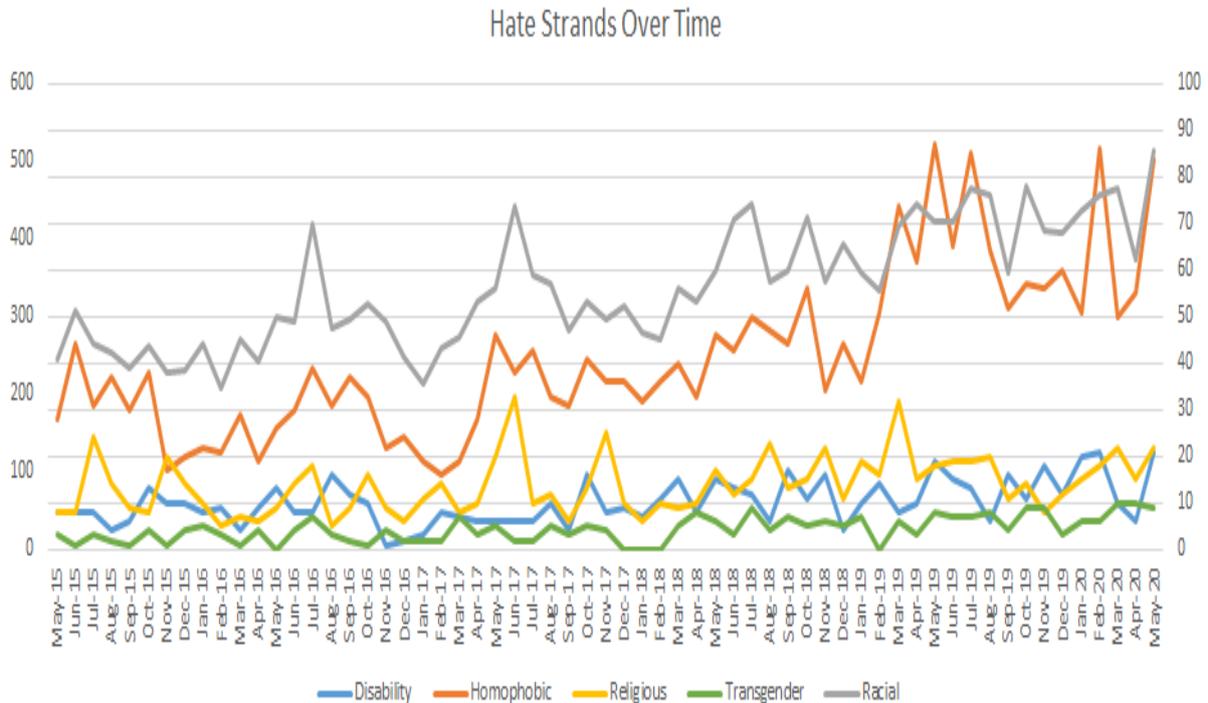


Figure 2. West Midlands Police Hate Crime Strands Over Time (Recorded Crime)

NOTE: Racial offences are plotted on a secondary axis to better compare the strands

23. This indicates a real-terms spike in this strand with the most likely explanation being a consequence of the widely reported Birmingham schools protest and/or the impact of some of the high profile homophobic robbery series.
24. This was the view certainly that many in the LGBT+ community articulated to WMP as part of a bespoke action plan response to the spike, which included a public forum, reassurance patrols and communication as well as engagement with and support from LGBT+ networks.
25. Racially targeted hate crime typically accounts for approximately 80% of all hate crime recorded by the Force and this has not changed greatly over time. Presently, Force Contact are working to review any potential incidents of religious hate crime which may have inadvertently been classified as racial hate crime.
26. The low level of reporting across disability and transgender hate crime strands has highlighted that these continue to be areas requiring further progress in terms of engagement with the affected communities to encourage reporting. NPU's have been tasked to examine this.

## Covid-19 Trends

27. For this purposes of this report, the pre-lockdown period is January to March 2020 where no government restrictions were in place; with the exception of the positive outcome rates detailed in paragraph 28 and figure 3. The period 28 March to 1 June 2020 is defined as the lockdown period, and thereafter the post-lockdown period.

### Pre-Lockdown Period

28. The Force was within normal variations for positive outcomes during this period, with the vast majority of outcomes recorded as charge or summons. Figure 3 shows the positive outcome rates for hate crime offences between June 2018 and 16 July 2020. The dip in June 2020 relates to a backlog due to implementation of new training standards. The Crime Services Team have been working through the backlog which has now returned to normal levels.

## Outcome Rate - Outcomes 1 to 10 - YTD : Hate : (Last 24 Months)

Data Updated: 2020-07-16 04:00:00

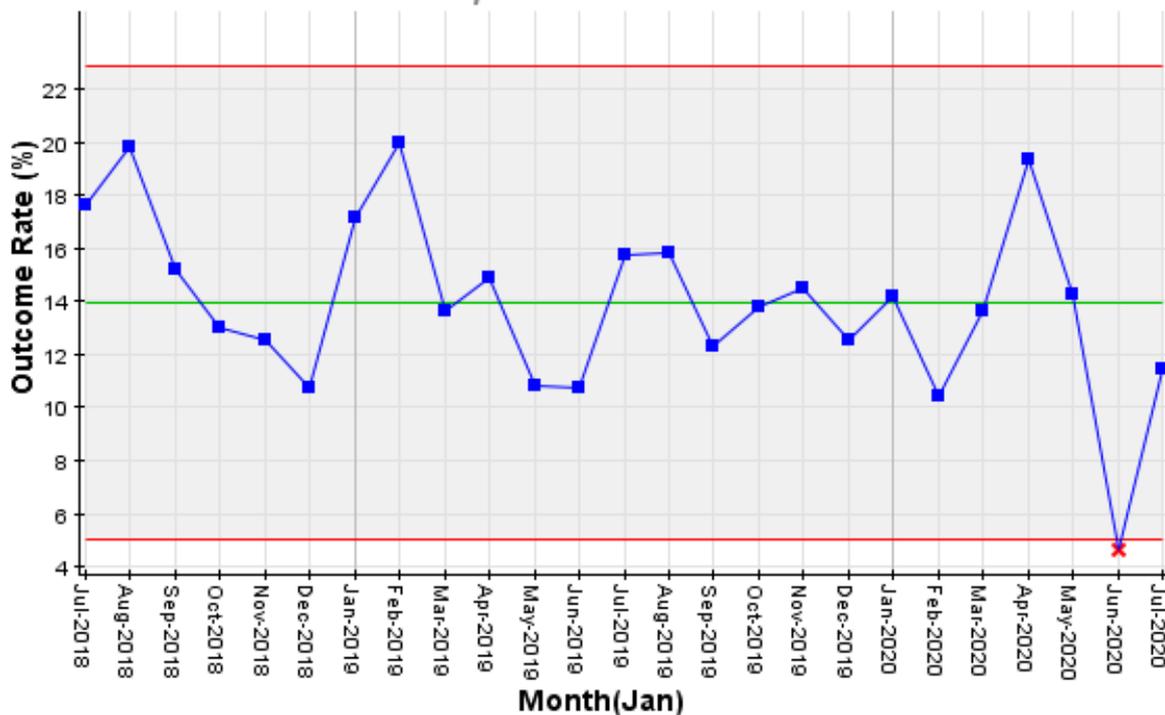


Figure 3. Positive outcome rates for hate crime offences (July 2018 to 16 July 2020)

29. The period of January to March 2020 saw hate crime trends follow usual patterns. Offences typically took place in public – either arising from previous disputes between

persons known to one another, or random disputes in the street, especially associated with the night time economy. This is exemplified by the majority of offences occurring in city or town centres, with Birmingham city centre being the main hotspot, followed by Coventry city centre.

### *Lockdown Period*

30. When restrictions were first implemented, hate crime offences sharply dropped, but have increased since restrictions have eased. During this period trends changed from the norm. Roughly 13-18% of offences recorded per week<sup>5</sup> were stated to be coronavirus-related. Offences commonly arose from disputes regarding social distancing, or racial offences against various ethnicities blaming the victim for the spread of the coronavirus.
31. Graffiti was often noted around this time, with offensive messages against Chinese, Indian and Somalian nationalities. These offences began mainly online and then became more public and overt as restrictions relaxed.
32. Roughly 15-20% of hate crime offences were aimed at key workers or those assisting the vulnerable, specifically staff in shops. This also included police officers, NHS emergency workers, and those taking food or supplies to the vulnerable<sup>6</sup>.
33. Approximately 20% of hate crime offences were crimed as malicious communications<sup>7</sup>, i.e. occurring online/social media or over phone messaging. There was no focus on any particular ethnicity. This trend increased slowly week on week, likely as people began to see less of each other and disputes moved onto online and phone messaging platforms.
34. During the restrictions, racial hate continued to be the main driver of hate crime at around 75-80%, with homophobic hate at 6-12%. Offences moved away from city and town centres into more residential areas, most likely due to the public travelling less around the Force area as well as many offences being neighbour-related.

### *Post-Lockdown Period*

35. Locally, hate crime is at its highest recorded levels with approximately 35 offences recorded per day, compared with pre-restriction levels of around 20 offences per day.

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<sup>5</sup> 197-272 offences March – June 2020

<sup>6</sup> 227-300 offences March – June 2020

<sup>7</sup> 305 offences March – June 2020

Initial analysis suggests that the increase in reporting may be associated with victims now reporting offences which occurred during the lockdown period.

36. However, as well as an increase of offences being reported which occurred during the lockdown period, in-force and national analysis suggests the hate crime increase is also likely due to a combination of continuing Covid-19 tensions, a relaxation of restrictions leading to typical offending resuming, hate offences regarding the Black Lives Matter movement, and a small increase in homophobic incidents due to Pride month. There is, based on previous years' experience, potential further general increase likely as the night time economy begins to re-open and towards the summer period.
37. Seasonally, July is the top recorded month across the Force for hate crime and has been since 2016. Any opening up of the night time economy is also likely to further increase actual and, therefore, reported hate crime.

### **Out of Court Disposals**

38. West Midlands Police is now authorised to utilise Conditional Cautions for hate crime as well as Community Resolutions.
39. Community Resolutions are most suitable where the victim does not want to engage with the criminal justice system and where the level of offending is considered to be at a lower scale, for example, verbal insults. The victim contributes to setting the conditions for the resolution, for instance, they may have expressed that a desirable outcome was for an apology from the offender, for damage to be repaired or for restorative justice. In addition, the police can impose conditions such as a requirement to attend alcohol treatment or to keep out of a certain area for a set time. In these circumstances, the offender will not receive a criminal record. Eighteen offenders received Community Resolutions for offences with a hate crime marker during the 2019-20 performance year.
40. Conditional Cautions can now be used as a diversion from court so are appropriate for a wider range of offences, such as criminal damage, public order offences and low level assaults where it would otherwise be in the public interest to charge but the victim prefers an Out of Court Disposal. The offender will still receive a criminal record.
41. The Director of Public Prosecutions has imposed a number of conditions on the dispensation and are similar to those which exist for the Domestic Abuse Conditional Caution Pilot. Effectively the referrals are victim driven and in most cases the alternative to a Conditional Caution would be a simple caution or NFA (no further action), not a court appearance.

42. At present we offer two suitable interventions:

- The Alcohol Related Violence Course (as many offences are alcohol related)
- Restorative Justice (RJ)

43. Both of the interventions were paused at the start of Covid-19. Only a small number of referrals had been made to these in the short period since commencement in mid-January 2020. All were related to verbal insults directed at police officers or staff post arrest. All offenders were referred both to the commissioned provider, Remedi, for RJ and to the Alcohol Related Violence course. It is too early to provide any evaluation though this is being monitored. It is anticipated that the course providers will be able to resume a normal service in July 2020.

44. A specification for a new behavioural change intervention, similar to the CARA programme for DA perpetrators, is being scoped at present. The timescale for implementation is likely to be autumn 2020.

## **Partnership Working**

### *Strategic Partnerships*

45. The Force supports the Local Independent Scrutiny Panel, which brings together police, CPS, victims groups and community representatives such as faith leaders and the Birmingham LGBT Centre. The group is chaired by the District Crown Prosecutor and scrutinises hate crime cases to identify lessons learnt and recommend improvements across the different stages of the criminal justice process.

46. The Force also has formalised partnership relationships with various key organisations including Tell MAMA, CST and Remember Srebrenica, helping to enrichen our understanding of community experience and shaping response.

### *Local Partnerships*

47. All NPUs have bespoke multi-agency structures which deal with hate crime, normally driven through the NPU Partnership Teams. In addition, each NPU has hate crime and associated community tension as a key agenda item at their Independent Advisory Group (IAG) meetings. Dudley NPU have recently revitalised their IAG, with an independent chair and vice-chair, following some innovative recruitment using platforms including WMNow. As the breadth of work undertaken at local is extensive, some key examples include:

- Walsall NPU was chosen in 2019 as one of five areas in the country to work with the Ministry of Housing, Communities and Local Government (MHCLG) on a long-term strategy for a fully integrated multi-agency response to community issues. It aims to critically analyse the whole systems approach to issues such as hate crime to understand how support to victims, communities and perpetrators could be improved, and to deliver innovative interventions.
- Coventry NPU's multi-agency Hate Crime Panel which meets every two weeks and has over forty support organisations as well as statutory partners. Wide-ranging interventions include providing work opportunities for a disabled victim, putting a victim in touch with support groups that understand their situation and potentially removing a racist offender from their property.
- Walsall and Dudley NPU Partnership Teams are co-located with their local authority counterparts, resulting in enhanced joint working opportunities.

### **Next Steps**

48. The objectives outlined in the hate crime control plan will be subject to full review at the end of the current performance year.
49. WMP will be rolling out the Stand By Me hate crime intervention programme across the entire force area in September 2020, the first in the country to do so. Stand By Me is a hate crime intervention programme that trains members of the community to intervene and support victims being subjected to hate crime in a safe way. It is provided by Communities Inc.
50. The board is asked to note the contents of this report.

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