

## **A PCC Scrutiny Inquiry into Hate Crime**

Examining hate crime prevalence and the policing response in  
Devon and Cornwall

### **Findings Report**

June 2023

## Police and Crime Commissioner's Foreword



An average of 2,100 hate crimes are recorded by Devon and Cornwall Police each year. Over the past few years these numbers have been increasing and concerns over this increase has been raised with me by members of the public, and by the Police and Crime Panel<sup>1</sup>.

I believe that everyone has a right to live, work and enjoy leisure time in a place that they feel safe from crime, and that's why my vision for Devon and Cornwall, as laid out in my Police and Crime Plan<sup>2</sup> includes making our area the safest place in the country.

Being a victim of any type of crime can be traumatising and have long lasting impacts for those affected, but hate crimes can be especially traumatic. Victims of hate crime often know that they have been targeted because of a specific part of their identity, and this can be particularly compounding, especially for those who already feel more vulnerable or marginalised in our society.

Whether a victim then has a positive or negative experience of the police and the wider criminal justice system can significantly affect their ability to recover from the impact of hate crime, as well as having a considerable impact on public trust and confidence in policing.

I therefore established this scrutiny inquiry to better understand why police recorded hate crime is increasing, and also to review Devon and Cornwall Police's approach to tackling hate crime, including how well victims are being treated.

What I have found is that whilst police recorded hate crime in Devon and Cornwall is increasing, crime data cannot tell us the full story. Increases in police recorded hate crime are as likely to represent increases in hate crime reporting, as they are likely to represent actual increases in hate crimes being committed.

However, with this scrutiny inquiry I wanted to look beyond the numbers. Through speaking to people with lived experience of hate crime it is clear that for those who have been victims, or who are fearful of becoming victims, hate crime remains a serious issue, and one which can have a considerable impact on people's lives, particularly for those from minority or marginalised communities.

I am however assured that Devon and Cornwall Police are working hard to tackle hate crime and it is clear that the force is striving to provide a good service to victims. There

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<sup>1</sup> <https://www.devonandcornwall-pcc.gov.uk/about-us/police-and-crime-panel/>

<sup>2</sup>

[https://devonandcornwall.s3.amazonaws.com/Documents/Our%20information/Key%20document/14286%20PCC%20\(Police%20&%20Crime%20Plan%202021-25\)\\_WEB.pdf](https://devonandcornwall.s3.amazonaws.com/Documents/Our%20information/Key%20document/14286%20PCC%20(Police%20&%20Crime%20Plan%202021-25)_WEB.pdf)

remain some challenges to address if we are to deliver an improved experience for all victims of hate crime, but overall I am satisfied with the way that Devon and Cornwall Police are responding to hate crime.

I would like to thank everyone who contributed to this report, including police officers and staff, members of the public and partner organisations, whose openness to sharing their knowledge and experience was invaluable in the production of this report.

## 1. About this scrutiny inquiry

1.1. Through this scrutiny inquiry the Commissioner sets out to:

- Examine hate crime prevalence across Devon and Cornwall, including increases in police recorded hate crime and trends in geography and crime type, and the prevalence of violent crime;
- Review the effectiveness of the force's strategic and policing response to hate crime and how this meets the needs of victims and the wider public;
- Hold the Chief Constable to account in any areas where the force appears to fall short in its response.

1.2. In undertaking this inquiry, the Commissioner reviewed hate crime data as recorded by Devon and Cornwall Police. The Commissioner also reviewed reports and written responses provided by Devon and Cornwall Police, detailing their working practices and policies in relation to hate crime.

1.3. In addition the Commissioner consulted the following people as part of the review:

- Devon and Cornwall Police's Hate Crime Lead
- Devon and Cornwall Police's Diverse Communities Team
- Child Centred Policing Lead Inspector
- Professionals who deliver support services to victims of hate crime
- People with lived experience of hate crime

## 2. What is hate crime?

2.1. In England, Wales and Northern Ireland the agreed definition of a hate crime is any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice towards a person's:

- race or perceived race
- religion or perceived religion
- sexual orientation or perceived sexual orientation
- disability or perceived disability
- transgender identity or perceived transgender identity

2.2. Devon and Cornwall Police also recognises and records crimes motivated by hostility or prejudice towards a person's sex or gender as hate crimes. Crimes motivated by other forms of hostility or prejudice (i.e. alternative subcultures, age, hair colour, body size etc) can also be recorded as hate crime.

### 3. Commissioner's findings and observations

#### **Police recorded hate crime in Devon and Cornwall is increasing, but this does not tell the whole story**

- 3.1. Police recorded hate crime has been increasing consistently over the past 3 years in Devon and Cornwall, and this reflects increases in hate crime nationally. Whilst we know that hate crime is still significantly under reported, it is likely that recent increases in police recorded hate crime are at least in part due to increased reporting, and in some cases, improved recording practices by the police.
- 3.2. However, many of the people we spoke to felt that crimes motivated by hate are happening more frequently, and some felt more fearful of hate crime than previously, and this public perception of hate crime and risk is concerning.

#### **Whilst around half of hate crime reports are recorded as types of violence, violence with injury represents a small proportion of hate crime**

- 3.3. In 2021/2022, 47% of hate crimes recorded in Devon and Cornwall were related to violence. This includes stalking and harassment, violence without injury (for example verbal threats) and violence with injury. Of these 'violent' hate crimes, the largest proportion are stalking and harassment reports, with violence with injury representing 11% of all crimes.
- 3.5. More than half of stalking and harassment offences related to malicious communications, which includes offences committed online. It is important not to in any way diminish how serious these crimes are and the impact that these crimes will have on victims. However, this inquiry has not identified significantly increasing levels of physical violence motivated by hate.

#### **The Police are working hard to tackle hate crime and provide a good service to victims**

- 3.4. Devon and Cornwall Police have a range of interlinking strategies and initiatives in place prevent hate crime, bring offenders to justice, increase hate crime reporting and support victims to recover from the impact of hate crime.
- 3.5. **Diverse Communities Team (DCT):** The team has a significant role in the force's approach to tackling hate crime. The team works hard to build relationships with local communities and partners to address barriers to reporting hate crime, improve confidence in policing, as well as providing safety and crime prevention advice. They also use intelligence and data to inform more targeted policing activity (such as working to prevent repeat victimisation), support investigations and input into force wide hate crime training.
- 3.6. **Work with schools:** The Child Centred Policing Team work closely with schools and colleges to raise awareness around hate crime, provide guidance and

support to teachers and school staff, and build positive relationships between the police and children and young people.

- 3.7. **Victim services:** The Victim Care Unit contacts all victims of hate crime to ensure that they are provided with the opportunity to benefit from specialist support services or signposting for non-crime related needs. Victims can now also benefit from an Independent Victim Advocate who will undertake a full needs assessment and put together a bespoke support plan for the victim, which may include services who specialise in supporting people with particular protected characteristics.
- 3.8. **Force led scrutiny and learning:** The force runs a range of hate crime scrutiny panels, references groups and a hate crime improvement group, all of which assist the force in continually reviewing its approach to hate crime. Community and lived experience perspectives are included in this scrutiny through independent advisors. These panels and groups provide both force wide learning, and specific feedback to individual officers and supervisors where appropriate.

**Some persistent issues remain for the policing of hate crime, which means that not all hate crimes are reported to the police, and some victims of hate crime do not have a positive experience of the police**

- 3.9. The reasons for these persisting issues are complex and many are not unique to Devon and Cornwall, but some key barriers to improving the way that the police respond to hate crime in Devon and Cornwall have been identified through this scrutiny inquiry.
- 3.10. **Reporting hate crime through the 101 service:** Despite hate crime victims being considered priority callers, the police are taking too long to answer these calls. HMICFRS judged that the force were ‘inadequate’ overall in how they manage and respond to 101 and 999 calls in their recent PEEL inspection report<sup>3</sup>, and the people with lived experience of hate crime we spoke to, and professionals who work with them, also identified 101 wait times as a considerable barrier to reporting, and a source of additional stress and potential trauma for victims. The force needs to improve its 101 service overall, if it is going to improve the service that it provides to victims of hate crime.
- 3.11. **Hate crime investigations:** The quality and timeliness of all crime investigations was judged by HMICFRS as ‘requires improvement’ in their recent PEEL report, and the force have acknowledged that this standard is reflected across hate crime investigations. Those with lived experience of hate crime have also told us that investigation delays and poor outcomes can be re-traumatising for victims, as well as deterring them from reporting hate crimes in the future.

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<sup>3</sup> <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-assessment-2021-22-devon-and-cornwall/>

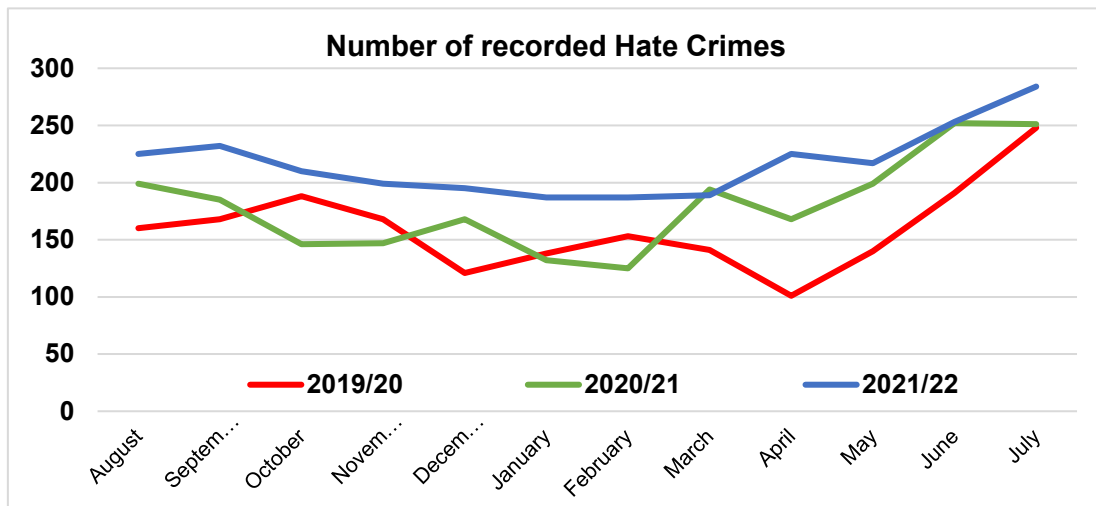
- 3.12. The force does recognise the importance of improving hate crime investigations, and its Diverse Communities Team (DCT) provide specialist assistance and advice to investigators working on hate crime cases. Recognising the specific vulnerabilities of victims of hate crimes and the specialist approach needed for investigation, the force has made plans to move hate crime investigations to its Moonstone team, which currently runs domestic abuse investigations, but this has not yet been implemented.
- 3.13. **Hate crime training for police officers and staff:** Some of the people we heard from said that they had experienced police officers using language that they perceived to be discriminatory and others felt that policing responses were not trauma informed. Given the limitations of this inquiry, we cannot be sure that these experiences are entirely representative, but the current hate crime training offer for both police officers and staff is limited, and the force has itself recognised that there is a need to review and improve on the training that officers and staff are currently provided with.
- 3.14. **Lack of confidence and trust in the policing of hate crime:** This is influenced by a range of factors including individual or community prior experiences of reporting hate crime, as well as the wider narrative around legitimacy and confidence in policing nationally. However this lack of confidence has a significant impact on whether victims report hate crime to the police and/or seek out victim support services.
- 3.15. Overall, I recognise these areas for improvement have already been identified by the force, and I am satisfied that appropriate steps are being taken to deliver continued improvement for victims of hate crime.



## 4. Hate crime prevalence

### Police recorded hate crime in Devon and Cornwall

- 4.1. Crime data, by its nature, can only tell us about crimes that are reported to and recorded by the police. However, whilst recognising that this can only tell us part of the story, police recorded hate crime data is a useful starting point to help us better understand the hate crime picture in Devon and Cornwall.
- 4.2. Hate crime currently accounts for around 2.5% of all recorded crime in Devon and Cornwall. Over the past three years, recorded hate crime has increased. In the 12 months to July 2022, 2,603 hate crimes were recorded in Devon and Cornwall. This is a +20.2% increase compared to the previous year and a +36% increase compared to the two previous years.



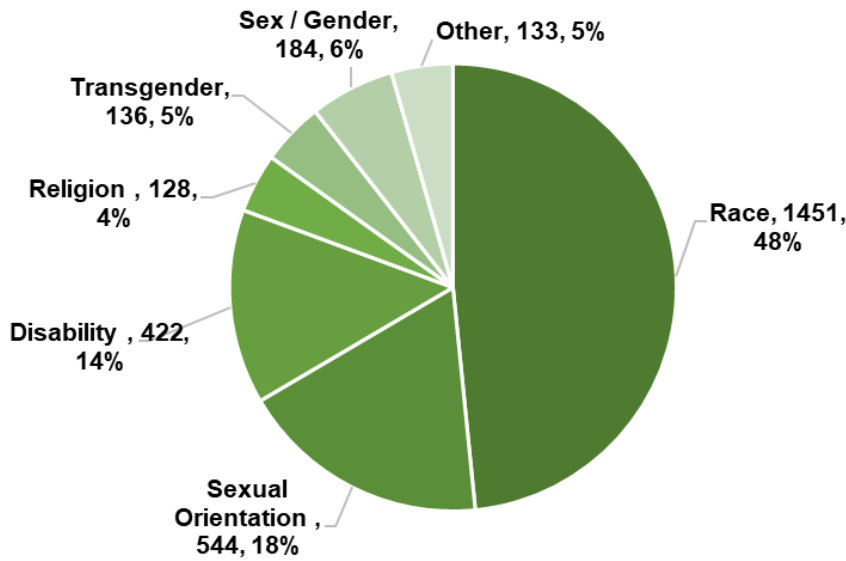
- 4.3. In the last year, most (47%) hate crimes were related to violence, broken down as:



- 4.4. More than half of Stalking and Harassment offences related to malicious communications, which includes offences committed online. An additional 41% of hate crimes were related to Public Order offences. This includes a range of behaviours, including the use of abusive, insulting, or threatening language.
- 4.5. Nearly half of all hate crimes were motivated by race (48%), followed by sexual orientation (18%) and disability (14%)<sup>4</sup>.

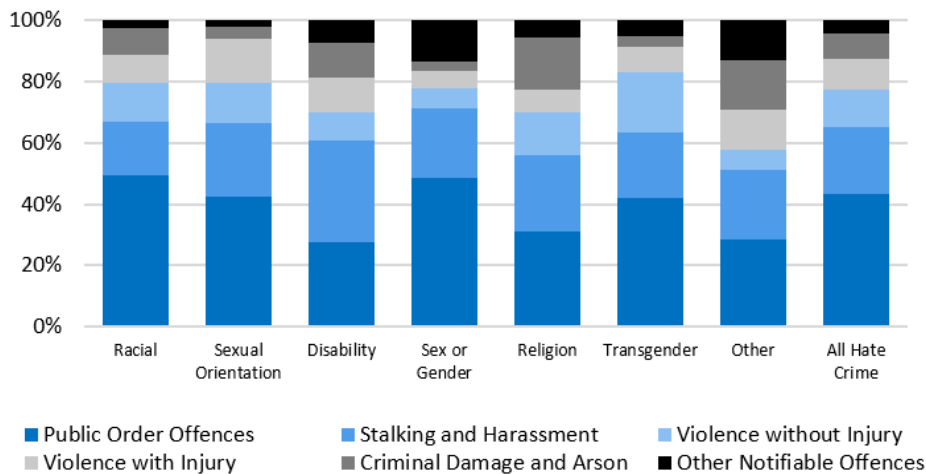
<sup>4</sup> **NB:** hate crimes can have more than one motivation (i.e., one offence may be motivated by both race and religion).



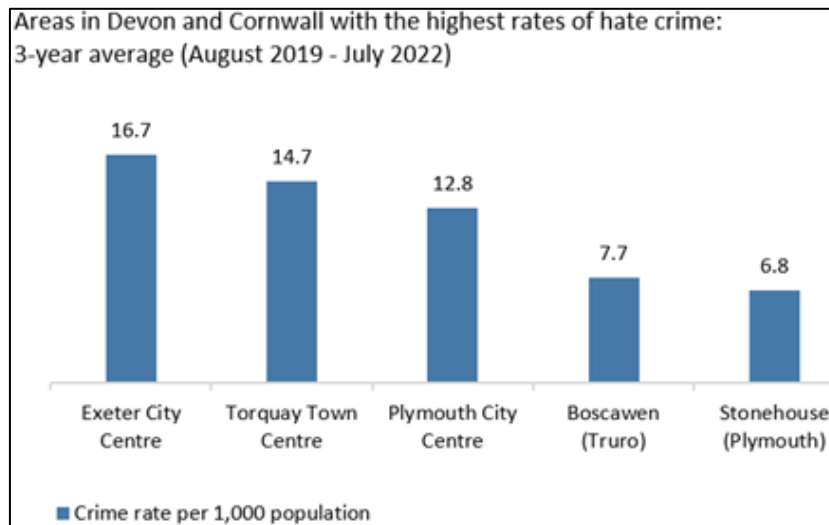


4.6. Crime data also shows the relationship between offence type and motivation. The graph below shows that (when compared to all hate crime) a higher proportion of racial and sex or gender motivated hate crimes are public order offences, a higher proportion of disability and religiously motivated hate crimes are stalking and harassment offences, a higher proportion of hate crimes motivated by sexual orientation are violence with injury offences and a higher proportion of hate crimes motivated by religion are criminal damage and arson offences.

Recorded hate crime in Devon and Cornwall by offence type (%)  
12-months to March 2022



4.7. Most hate crimes occur in city or town centre locations, including Exeter City Centre, Torquay Town Centre and Plymouth City Centre. This trend coincides with the areas that have the highest rates of total crime in Devon and Cornwall.



- 4.8. According to Devon and Cornwall's crime data, the majority of victims of hate crime are aged between 35 and 50 years old. However, victims of violent hate crime are younger than the average age of a hate crime victims. Over the last three years<sup>5</sup> 44% of victims of violent hate crime were under the age of 25 (compared to 28% of all hate crimes).

#### Comparisons with the national picture

- 4.9. Whilst recognising that Devon and Cornwall have experienced increases in the number of recorded hate crimes, the force area is not an outlier in this trend and similar increases have been seen across police forces nationally. In the last year hate crime increased by 26% in England and Wales<sup>6</sup>.
- 4.10. We can also see similar trends in crime types with most hate crime nationally relating to public order offences (51%) and stalking and harassment (22%).
- 4.11. Likewise, the most prevalent motivations for hate crime nationally are also similar to those seen in Devon and Cornwall, with race (70.5%), sexual orientation (16.8%) and disability (9.1%) the most prominent motives.

#### Factors influencing the increase

- 4.12. It is widely understood that one of the key drivers behind recent increases in police recorded hate crime is an improved awareness and understanding of what constitutes hate crime amongst both the police and the public. This has led to more hate crimes being reported to the police and more crimes being correctly identified as hate crimes.

<sup>5</sup> 2019/20, 2020/21 and 2021/22

<sup>6</sup> [Hate crime, England and Wales, 2021 to 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2021-to-2022)

- 4.13. However, it is also likely that hate crime incidents themselves are increasing, which may in part be influenced by an increase in hate crimes being committed online<sup>7</sup>.
- 4.14. Past research has also found that the number of recorded hate crimes can often surge following high-profile incidents and events that receive a considerable level of public attention such as the Black Lives Matter movement and the Covid-19 pandemic. Events like these have the ability to not only increase incidents of hate crime and incidents (as was experienced by members of the Asian community during the Covid-19 pandemic) but also make communities most impacted by hate crime, and wider society, less tolerant to hatred and therefore increase reporting. For example, both nationally and locally, there was an increase in reports of hate crimes motivated by race following the death of George Floyd in May 2020 and the founding of the Black Lives Matter movement.
- 4.15. The majority of people that we heard from through our engagement with communities and relevant third sector organisations said that they felt that hate crime is increasing, and that people are more fearful of becoming a victim of hate crime. In particular people talked about:
- The increase in online hate incidents and hate crime, in particular social media making it easier for hate groups to spread their messages to a wider audience, e.g. the rise of Incel groups, which can in turn normalise hate speech and also influence people's behaviour in the 'real world';
  - The impact of media and political influences in popularising narratives of blame, encouraging intolerance, and fuelling polarised views – "culture wars";
  - Police recorded hate crime figures only representing a small proportion of actual hate crime, and non-reporting being mainly down to a lack of confidence in policing;
  - Concerns about the hate speech and attitudes growing amongst children and young people, in particular hate related bullying going unrecognised and unreported by schools, fuelling harmful behaviour and 'victim-blaming' attitudes amongst young people. This is further compounded by the impact of 'influencers' such as Andrew Tate;
  - Their 'differences' being more visible in smaller, less diverse communities which are common across Devon and Cornwall, and many felt that they were more likely to be targeted;
  - The experiences of refugees in Devon and Cornwall and lack of public understanding around this;
  - That having lived experience of hate crime, or a job working with/supporting victims can have a considerable impact on people's feelings of safety.

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<sup>7</sup> <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/hate-crime-scoping-study/>

## 5. Tackling hate crime

### Force Equality Objectives

- 5.1. Tackling hate crime and protecting those at risk of targeted abuse and violence is one of the key themes of Devon and Cornwall Police's Equality Objectives 2022-2025. There are four objectives relating specifically to hate crime:
- Raise awareness and increase reporting of hate crime across all diverse communities;
  - Develop and establish effective third-party reporting mechanisms for victims of hate crime across all protected groups;
  - Work in partnership to ensure that hate crime outcomes include a range of relevant suitable disposal options including community resolution, diversion and education and prosecution;
  - Deliver very high-quality investigative standards, with rigorous supervisory oversight.
- 5.2. These objectives are key drivers for the hate crime business plan which sets out the force's overall approach to tackling hate crime.

### Engagement with communities and schools

- 5.3. The Diverse Communities Team (DCT) is comprised of 12 police officers and staff working across the four BCU areas, led by an Inspector. The team and works with police colleagues, partners and communities to address the threat of hate crime across Devon and Cornwall.
- 5.4. A key part of the team's prevention work is their ongoing engagement with communities who may be vulnerable to hate crime. Examples of this include working with asylum seekers at accommodation sites across the peninsula, building relationships with people with learning disabilities (via day centres and supported living organisations), and work to support with the Hong-Kong community in Exeter. 'Building bridges' with communities in this way enables the police to understand the emerging issues they may be facing, as well as being able to offer crime prevention and safety advice and guidance.
- 5.5. However, the team has a finite amount of resource and capacity to carry out this work and a significant challenge for the team is engaging with people who may be less connected to other services and are more difficult to reach (i.e. someone with a learning disability who lives independently and does not attend a day centre or support group).
- 5.6. There is also now a growing demand for the work of the DCT across the cities of Exeter and Plymouth due to the impact of increasing populations and changing demographics, as well as the rises in police recorded hate crime. This means that the team is often working beyond its capacity, which is unlikely to be sustainable into the future.

- 5.7. The Forces' Child Centred Policing team works with schools and educational settings to increase children and young people's understanding of hate related issues and promote information sharing around hate crime (or other matters) with the police. The team have recently conducted a hate crime survey with schools across Devon and Cornwall, to understand their experience of hate crime and their confidence in reporting to the police. The survey has helped the team to identify hate crime types which are most likely to occur in schools, and the kinds of additional support schools need from the police, which included direct work with student victims and perpetrators, early intervention support to manage situations as they arise, improving students understanding of hate crime and incidents, and advice on thresholds and when to report to the police.
- 5.8. As a result of the survey, the team have developed a hate crime reporting flowchart and worked with schools to provide guidance about how best to respond to hate offences. This has included the development of a fact sheet which has been shared with school safeguarding leads to help them identify hate incidents and to prompt reporting.
- 5.9. The force hosts a website especially for headteachers, where information about crime and young people is regularly shared. There is a page dedicated to hate crime, including advice and guidance about contacts and support in the event of a hate incident.
- 5.10. However, as with the DCT, the Child Centred Policing team has a finite resource to work in a face to face capacity with schools, and provide the additional support that schools are asking for to help them manage and prevent hate crime and hate incidents.

#### Campaigns and events

- 5.11. The force has a Zero Tolerance to Hate Crime Campaign, which was rebranded in 2022. This includes posters and stickers placed in public settings to make offenders, and victims, aware that Devon and Cornwall Police have a zero-tolerance approach to hate crime, and action will be taken when reports are made. To ensure that the campaign remains current and effective, the force are currently reviewing their approach through a task and finish group with independent advisors.
- 5.12. The DCT are heavily involved in community events such as the Respect and Pride festivals and national hate crime awareness week, and take all opportunities to meet with local people and raise awareness of hate crime.

#### Working with local partners

- 5.13. Community Safety Partnerships (CSP) can also play a significant role in combatting hate crime in communities. As members of all nine CSPs across the peninsula, the police work alongside council, health and other public agencies to address community safety issues including on hate crime. Exeter's Community Safety Partnership includes 'hate crime and extremism' as one of its priority areas and in their October 2022 meeting, the police provided input around hate

crime trends which supported a multi-agency discussion on what the partnership may do to understand the true extent of hate crime in Exeter through engagement with communities.

### Use of crime data and intelligence

- 5.14. The force brings together the DCT, sector inspectors, neighbourhood teams specialist problem solvers and partners at Tactical Information Management meetings to analyse crime and incident data and identify repeat victims, offenders and hotspot locations.
- 5.15. The DCT also have a role in identifying emerging threats that could impact protected groups across Devon and Cornwall, including local and national high profile issues or rising tensions.
- 5.16. All intelligence is fed into daily management meetings. This ensures that information about hate crime is shared regularly and that emerging issues are addressed and accounted for in day-to-day policing, including identifying repeat victims. Actions that could be taken to address emerging threats may include officer patrols in identified hotspots, or the development of problem-solving plans.

### Initial response and investigations

- 5.17. Recognising the seriousness of hate crimes and the impact on victims, reports of hate crimes via 101 are prioritised (along with calls relating to domestic abuse, sexual violence, missing persons and road traffic collisions) and the police aim to answer these calls within in 5 minutes. However, demand and pressures on the 101 service mean that the police are consistently failing to meet this target. In the 12 months to April 2023 the average time it took to answer hate crime related 101 calls was 23 minutes and 31 seconds.
- 5.18. The time taken by Devon and Cornwall Police to answer 101 and 999 calls is an area that the Commissioner has been consistently monitoring and challenging the force to improve for a number of years, including the publication of a scrutiny report on the 101 service in January 2021<sup>8</sup>. These concerns were also recognised by HMICFRS following their most recent annual inspection of Devon and Cornwall police where the force was judged as ‘inadequate’ at responding to the public, and the need to improve the time taken to answer emergency and non-emergency calls was highlighted as an area for improvement<sup>9</sup>.
- 5.19. Reported incidents of hate crime are assessed by the police using the THRIVE<sup>10</sup> risk assessment model in the contact centre to determine the urgency of the police response. HMICFRS also reviewed the force’s use of the THRIVE model

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<https://devonandcornwall.s3.amazonaws.com/Documents/About%20Us/Scrutiny/101%20Scrutiny%20Panel%20Findings%20and%20Recommendations%20Report%20Published%20January%202021.pdf>

<sup>9</sup> <https://www.justiceinspectrates.gov.uk/hmicfrs/publications/peel-assessment-2021-22-devon-and-cornwall/>

<sup>10</sup> <https://www.college.police.uk/guidance/vulnerability-related-risks/introduction-vulnerability-related-risk>



and vulnerability checks (for all crime types) as part of their PEEL inspection and found that call takers did not always check for vulnerability at first point of contact, or (due to incessant demand) always record their assessment of the callers' vulnerability, which may impact the appropriateness of the force's response and the service the victim receives. In response to these findings the force have recently refreshed their THRIVE training and are conducting peer reviews to drive up standards in this area.

- 5.20. The force investigates all reports of hate crime and has policies and procedures in place to guide their processes. Hate crimes are investigated by patrol officers or neighbourhood teams, unless the crime is very serious in nature, at which point it will be escalated to detectives in the Crime Investigation Department. All hate crimes should have an operational response plan, with an Inspector reviewing each crime when the investigation is complete to ensure that all appropriate actions have been taken.
- 5.21. The DCT are able to support and advise investigating officers on hate crime investigations, where they can bring their expertise in hate crime, and their knowledge and experience of working with particular communities to strengthen the investigation and overall policing response.
- 5.22. However, HMICFRS' PEEL report judged Devon and Cornwall Police's ability to investigate crime as 'requires improvement'. While the inspection did not consider the way that the force investigates hate crimes specifically, when reviewing investigations of all crime, inspectors found that some investigations were not as thorough as they should be and that investigation plans were not always completed properly, which could have a considerable impact on the likelihood of perpetrators being identified.
- 5.23. The force have acknowledged that the quality of hate crime investigations needs to improve. Recognising the specific vulnerabilities of victims of hate crimes and the specialist approach needed for investigation, the force have recently committed to moving the investigation of hate crimes into the same teams that investigate domestic abuse crimes (Moonstone) to allow for a more consistent victim-focussed approach. However this has not yet been possible due to capacity issues within the Moonstone team and the timescales for when this may be achievable remain unclear.

### Outcomes

- 5.24. The Force's offender outcome rate for hate crime is lower than for other crime types. In 2020/21, around 9% of hate crimes in Devon and Cornwall resulted in a charge/summons (this was 11% for all crime). Whilst these rates are consistent with the national picture, improving outcome rates is a key priority for the force in tackling hate crime.
- 5.25. The force have recently undertaken dip sampling activity of hate crimes cases where the suspect was identified, and the victim was supportive, but the case was finalised as not proceeded with. Key recommendations from this review include the need to promote the use of community resolution (rather than words



of advice) and also the importance of the Inspector review at the completion of the investigation.

- 5.26. Whilst referral rates to the CPS are lower than for other crime types, the conviction rate for those hate crimes that are referred to the CPS, is good. A quarterly meeting has been established between hate crime leads in the police and CPS to improve police referral rates. The force are also delivering
- 5.27. Restorative justice approaches can be successfully used in many hate crime cases to give offenders an insight into the impact of their actions and provide a satisfactory outcome for victims. The force acknowledges that there is a need to seek out restorative justice outcomes more often in cases of hate crime and over the last year or so the DCT have specifically been working with investigating officers to increase referrals to restorative justice services.

### Training

- 5.28. The College of Policing have not published any guidance around hate crime training meaning that there is no standard or consistent approach to hate crime training across forces.
- 5.29. Devon and Cornwall Police currently provide student police officers with 90-minutes of hate crime training through their initial training, which is part of a national curriculum accredited by the University of South Wales.
- 5.30. An online hate crime training package, ilearn (developed by West Yorkshire Police), was rolled out by the force during 2021. This is non-mandatory awareness raising tool but is available to all officers and staff.
- 5.31. Jointly with the CPS the force is delivering an awareness raising training session specifically for Inspectors and Sergeants on hate crime investigation and improving referrals to the CPS.
- 5.32. Further hate crime awareness packages have been developed by the DCT and are undertaken by officers where issues have been identified as part of a hate crime review. The team also run hate crime awareness sessions for departments when requested and ad hoc force wide hate crime training days.
- 5.33. Hate crime training is also provided to call handlers in the contact centre to help them effectively identify and respond to victims of hate crime, which includes listening to and answering live calls, as well as formal training packages covering protected characteristics and how to deal with hate crime reports.
- 5.34. Recognising that there is a need to improve the amount and quality of hate crime training available to police officers and staff, a mapping exercise is currently being undertaken in force to understand all hate crime training provided to officers and staff of all levels of experience, and quality assuring the inputs for

relevance and accuracy where possible. The force has also recognised that there is a need to provide refresher hate crime training to experienced officers and staff, particularly because the landscape is changing so quickly, and case law is continually being updated.

### Force led scrutiny and learning

- 5.35. The force operates a range of hate crime scrutiny panels and reference groups which all provide feedback on how the Force can improve victim services and performance. The force's hate crime scrutiny panel includes independent advisors who offer an external community perspective, and in many cases, lived experiences of hate crime. Representatives of the Force also sit on the CPS scrutiny panel which features hate crime cases.
- 5.36. Representatives from the force attend the Regional Hate Crime Working Group which helps to ensure that regional and national best practice is understood and applied locally.
- 5.37. Identified learning and areas for improvement inform the hate crime business plan as well as the agenda for the internal hate crime improvement group. Force wide messaging is used where appropriate and feedback is also made to individual officers and supervisors as required.
- 5.38. The Force policy and working practices on hate crime are regularly reviewed and aligned with national guidance from the College of Policing<sup>11</sup>.

## **6. Under reporting**

- 6.1. Whilst under-reporting occurs for all types of crime, the under-reporting of hate crime is a particular issue.
- 6.2. The 2014 Leicester Hate Crime Project, which engaged with over 4,000 people from a diverse range of backgrounds and recorded the views of 1,421 victims of hate crime, suggested that as few as 10% of victims of hate crime reported the offence, despite the majority of participants being able to recall events that could be considered hate crime.<sup>12</sup>
- 6.3. The issue of under-reporting is considered a significant limitation to the success of any hate crime prevention strategy.<sup>13</sup> Previous analysis of the Crime Survey for England and Wales (CSEW) data shows that over 50% of respondents did not report incidents because of potentially negative perceptions of the police<sup>14</sup>.

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<sup>11</sup> <https://www.college.police.uk/app/major-investigation-and-public-protection/hate-crime>

<sup>12</sup> Chakraborti, N., Garland, J. & Hardy, S., (2014), *The Leicester Hate Crime Project: Findings and Conclusions Executive Summary*, Leicester: University of Leicester

<sup>13</sup> Mark, A. W., Rupert, B. & Wiedlitzka, A., (2016), *Preventing Hate Crime: Emerging practices and recommendations for the improved management of criminal justice interventions*, University of Sussex

<sup>14</sup> Home Office, Office for National Statistics and Ministry of Justice, (2013b), *An overview of hate crime in England and Wales*: Appendix tables. Available: <https://www.gov.uk/government/statistics/an-overview-of-hate-crime-in-england-and-wales>

- 6.4. This finding was further reinforced by a 2019 study which highlighted that, compared to victims of non-bias motivated crimes, hate crime victims were significantly less likely to cite that they did not report because ‘the police couldn’t do something’ but were significantly more likely than other victims to not report because they believed that ‘the police wouldn’t do something’.<sup>15</sup>

### Local findings

- 6.5. These findings are compounded by our own locally conducted research where we found that communities had very similar reasons for not reporting hate crimes to the police, which included:
- Normalisation of hate: E.g. the harassment of women in the night-time economy which is often tolerated/normalised (sometimes also racially motivated). People do not always recognise what has happened to them as a hate crime, or do not think that the police will recognise it.
  - Culture and accountability in schools: Hate incidents being dealt with internally (or not at all) by schools and not reported to the police. Whilst schools not wanting to unnecessarily criminalise children maybe a factor, there is concerns that victims are not always getting the support they are entitled to, and some hateful behaviour may not be appropriately addressed.
  - Fear: Victims’ concerns about repercussions of reporting and being more vulnerable to repeat victimisation. In addition victims who are seeking asylum may be less likely to report due to concerns about the impact on their asylum application, as well as pre-conceptions that stem from the treatment that they may have experienced by the police in their own country.
  - Lack of confidence/trust in policing: Often influenced by previous interactions with the police, including previous experiences of reporting hate crimes to the police.

### Addressing the barriers to reporting

- 6.6. Devon and Cornwall Police are actively working to address barriers to reporting. The DCT play a key role in this and as outlined earlier in this report, engage with local communities to establish relationships of trust. Through these relationships and connections, as well as hearing community concerns and providing advice and guidance, these regular positive interactions with minority groups can help to boost confidence in the police, promote reporting methods, and help people to understand their rights and entitlements and how to access the available support if they have been a victim.
- 6.7. The DCT also works with service providers, support groups, charities and public bodies to raise awareness of hate crime and promote reporting, including explaining methods of reporting such as third party reporting and TrueVision<sup>16</sup> services. The force has developed a QR code for reporting hate incidents and

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<sup>15</sup> Lantz et al, (2019), *Reporting Racist Hate Crime Victimization to the Police in the United States and the United Kingdom: A Cross-National Comparison*, 60(4), British Journal of Criminology

<sup>16</sup> <https://www.report-it.org.uk/>

has promoted it in communities and areas identified as having an extra need such as schools, hospitals, public transport, universities, and some bars and pubs.

- 6.8. Similarly, the work that the Child Centred Policing Team undertake with schools can help to improve children and young people's view of the police, and build positive and trusted relationships with schools to enable the reporting of hate crime to the police, where appropriate.

## 7. The victim experience

### Impacts of hate crime on victims

- 7.1. Victims of hate crime report a range of emotional and psychological impacts such as fear, shock, sadness, shame and long-term mental health issues<sup>17</sup>. Many of the people we heard from talked about feeling less safe in their community following their experience, and that experiencing hate online can impact feelings of safety and confidence in that sphere, but also in the 'real world'.

### Experiences of the police and the criminal justice system

- 7.2. As highlighted earlier in this report, some victims are not reporting hate crime to the police because they have had a negative experience of the police and/or reporting crime previously. These negative experiences range from inappropriate responses by police when initially reporting the crime, poor communication and updates on the progression of the investigation, lack of appropriate support and dissatisfaction with the criminal justice outcome<sup>18</sup>.
- 7.3. The people we heard from during our research shared their experiences of reporting hate crime and other crime to the police including:
- Some feeling that police officers did not understand hate crime and/or recognise it as such;
  - Experiences of reporting hate crime (including violent hate crimes) and a perception of the police not taking any/the right action;
  - Feeling that the policing response is not always trauma informed (i.e. victim blaming and shaming);
  - Experiences of language from police officers which was perceived to be homophobic or discriminatory, and in some cases a perceived lack of cultural awareness/sensitivity;
  - Long wait times for 101, which some felt could cause further anxiety and trauma for the victim;
  - Victims not being kept informed about the progress of the investigation;
  - Delays in the system/court process which many felt could also lead to re-traumatisation.

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<sup>17</sup> <https://www.bl.uk/collection-items/the-experiences-of-victims-of-hate-crime>

<sup>18</sup> Ibid

- 7.4. Some of the people we spoke to had more neutral or positive experiences of the reporting of hate crime, but most had received an inconsistent service, i.e. the initial response to the report of the hate crime was good, but the follow up was poor.

### Victim's rights and entitlements

- 7.5. Victims of all crime are entitled to receive a minimum level of service, as set out in the Victims Code of Practice (VCOP). It details 12 entitlements, including the right to be understood, the right to have details of the crime recorded without delay, and the right to be kept informed<sup>19</sup>.

Under the VCOP, victims of hate crime are regarded as 'priority victims' and are entitled to an enhanced level of service. This means that updates and information must be provided to the victim within 1 day of it being known, in comparison to 5 days for a 'non-priority' victim.

- 7.6. Victims are also entitled to support from victim care services under the VCOP.

### Support for victims

- 7.7. One way that Devon and Cornwall Police assesses victims support needs is through a Victim Needs Assessment (VNA). The VNA is conducted shortly after the crime is reported, and it is expected that all victims should have their needs assessed. In the 12 months to March 2022, 86% of hate crime victims in Devon and Cornwall received a VNA. This is compared to 89% of victims of all crime over the same period.
- 7.8. All victims of hate crime are contacted by the Victim Care Unit (VCU), regardless of whether they stated they needed assistance to cope or recover from the crime. This ensures that all victims of hate crime are provided with the opportunity to benefit from support from a specialist support service and/or can be signposted to support for any non-crime related needs (i.e. bereavement services, mental health services), and receive crime prevention advice.
- 7.9. The Police and Crime Commissioner is responsible for commissioning support services for victims of crime in Devon and Cornwall. Services that support victims of hate crime, include Victim Support<sup>20</sup>, Young Devon, Intercom Trust, Safer Stronger Consortium and Living Options.
- 7.10. As of January 2023, the VCU are now able to refer a victim into Victim Support where they will be allocated their own Independent Victim Advocate (IVA), who will complete a full needs assessment and put together a bespoke support plan. The IVA can work closely with those specialist services who work with people with protected characteristics to ensure the victim is fully supported, which may be particularly beneficial for hate crime victims.

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<sup>19</sup> <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>

<sup>20</sup> <https://www.victimsupport.org.uk/>

- 7.11. Victim Support services are also available to victims regardless of whether they have reported a crime to the police. They provide free confidential support 24 hours a day, 365 days a year for people affected by crime and traumatic events for as long as it is needed. The Devon and Cornwall service is delivered locally through skilled staff and in partnership support organisations. These services are closely linked into the (Victim Support) National Homicide Service providing a dedicated, comprehensive service for those bereaved by murder and manslaughter and our national Support line.
- 7.12. In addition the DCT works with victims of hate crime, particularly repeat victims, and those making complaints to the police around hate crime issues to ensure that victims receive the support they need and have a positive experience of reporting crime.
- 7.13. The force also regularly conducts victim satisfaction surveys by phone to inform learning and improvements. Survey feedback suggests that most (73%) hate crime victims are satisfied with the service they receive from Devon and Cornwall Police (April 2022 – January 2023).
- 7.14. Around 16% of hate crime victims did express a level of dissatisfaction. This may be influenced by a number of factors, including whether the victim was kept regularly informed about their case, ease of contact with the police, and whether any formal action was taken against an offender.
- 7.15. Despite the vast array of processes and services in place with the aim of providing a good service to victims of hate crime, the Force acknowledges that the service currently provided does remain variable. As already outlined in this report, the quality and timeliness of investigations remains an area for improvement (which is consistent with other crime types).



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