

## Report for resolution

**Report to** Executive  
11 November 2009

**Report of** Head of Community Services

**Subject** Multi-agency protocol – tackling hate crime/incidents together.

---

6

### Purpose

To inform the Executive of the Council's duty to work in partnership to respond to reports of hate crime and incidents and agree how this will be implemented.

### Recommendations

To note the Council's duties relating to hate crimes and incidents and to endorse the multi-agency protocol for tackling hate crimes and incidents and the actions proposed to implement it

### Financial consequences

The actions will be met from within existing budgets

### Risk assessment

The Council has a legal duty to work in partnership to combat crime and disorder under section 17 of the Crime and Disorder Act and a responsibility to monitor and respond to hate crimes and incidents, including taking direct action to prevent such incidents occurring. Failure to do this will impact on the Council's reputation and continued isolation of residents and visitors to the city who are victims of hate crimes/incidents.

### Strategic priority and outcome/service priorities

The report helps to meet the strategic priority "Safe and healthy neighbourhoods – working in partnership with residents to create neighbourhoods where people feel secure, where the streets are clean and well maintained, where there is good quality housing and local amenities and where there are active local communities" and the service plan priority to reduce crime and antisocial behaviour.

**Executive member:** Councillor Bremner – community safety and community cohesion

**Ward:** All

### Contact officers

Bob Cronk

01603 212373

Nadia Aman

01603 212368

**Background documents**

Nil

## **Report**

### **Background**

1. Hate crimes and incidents can have a significant impact on victims' lives. They can isolate and exclude individuals, cause tension and even conflict in the wider community and are also known to be under-reported.
2. Norwich City Council has a legal duty to work in partnership to combat crime and disorder under Section 17 of the Crime and Disorder Act. The council also has a responsibility to monitor and respond to hate crimes and incidents, including taking direct action to prevent such incidents occurring.
3. Hate crime is any offence committed against a person or property which is motivated by the offender's hatred of someone because they are seen as being different. You don't have to be from a minority community to be a victim of hate crime.
4. A hate incident is defined as any which may or may not constitute a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate.
5. People can experience hate crimes or incidents because of their actual or perceived age, disability, cultural, ethnic, national or racial origin, their gender or gender identity, their religion, sexual orientation or some other aspect of their appearance or lifestyle.
6. Developing a consistent way of reporting and monitoring hate crimes and incidents improves the council's overall understanding of the extent and nature of hate crimes and incidents in our community.

### **The multi-agency protocol**

7. A multi-agency protocol (MAP) for the reporting of hate crimes and incidents has been in existence since 2001, and was most recently developed in 2007. Since then it has been overseen by the Norfolk Community Cohesion Network on behalf of the Norfolk Strategic Partnership. A copy of the revised MAP of 2009 is included as an appendix.
8. The MAP is designed to:
  - increase the reporting and the quality of information collected about hate crimes and incidents which could lead to more successful prosecutions and convictions which will send out a strong message to perpetrators
  - allow victims to access a range of support services which they might not have heard about and will make them feel like they are not alone through more effective partnership working and signposting
  - help organisations meet their legal obligations outlined in equalities legislation for general duties in promoting equality of opportunity and good relations between different groups of people, as well as to promote

community cohesion

- provide a mechanism for organisations with a legal duty to respond to hate crimes and incident and to take part in multi-agency case conferences, to support the victim.
- The most recent revision has emphasised the third party reporting element, as well as improving ways in which disablist hate incidents can be reported.

### **Implementing the MAP**

9. The Council's obligations includes ensuring that staff and councillors are aware of the MAP and have access to the correct information and templates to be able to report an incident or crime. This may also include accessing or attending training.
10. We must have in place a clear process for the reporting, recording and investigation of hate crimes and incidents, as it is important that reportees feel confident to report incidents when it affects them.
11. The Council has in place processes to capture and action incidents that are reported. This work is already undertaken by the customer contact team and neighbourhood wardens, with a lead taken by the antisocial behaviour and tenancy enforcement (ABATE) team.
12. Staff and councillors will be briefed to ensure that issues are captured and recorded. Staff in the ABATE team may require access to training on multi-agency case conferences. It is proposed that this awareness raising is included in staff and member induction.
13. The Council's preventative role links with a number of existing work streams which contribute to two national performance indicators and the council's 'duty to involve', these being:
  - the percentage of adults who feel their local area is a place where people from different backgrounds can get on well together (NI 1), and
  - the percentage of adults who feel a sense of belonging in their neighbourhood (NI 2).
14. The community engagement strategy includes two related themes including:
  - understanding our communities – which aims to improve our understanding of what is happening in each neighbourhood through the development of neighbourhood profiles and neighbourhood plans
  - equality and diversity – making sure that those communities who do not have a voice are supported to be involved in the best possible way.
15. The Audit Commission will test the 'duty to involve' through the comprehensive area assessment and this will include assessing the councils' and partners' engagement with communities and understanding of the needs of the vulnerable and marginalised groups.
16. The Council also has a responsibility to ensure that information reported through the MAP must be kept safe according to rules of the Data Protection

Act and can only be shared according to the Protocol for the exchange of information for the purpose of reduction of crime and disorder. Personal information relating to victims must be kept confidential, and only shared with their permission.

17. As good practice, the MAP has been incorporated into council's race equality scheme and action plan which was updated in June 2009 to ensure that there is continued commitment to delivery of MAP across the whole organisation.
18. Officers have been advised that it is good practice for MAP signatories to involve local representatives of the community groups in the scrutiny of hate crimes and incidents reports to allow them to feedback on how effectively MAP is being implemented. Community members could also share findings about trends in hate crime/incident with the wider community, and support positive action to tackle developing tensions, helping to build community confidence. The ABATE team has undertaken an impact assessment and as part of that have committed to developing an evaluation form focussing on outcomes.
19. Further work is required to consider how this might be achieved and it is suggested that proposals are developed in conjunction with the portfolio holder for community safety and community cohesion.



# **Multi Agency Protocol**

## **Tackling Hate Crime/Incidents Together (MAP)**

### **Norfolk Ambition**

A partnership to improve the quality of life  
for everyone in Norfolk





# Multi Agency Protocol Tackling Hate crime/incidents Together (MAP)

## 1. What is the Multi Agency Protocol?

This MAP is a code of practice that your organisation has agreed to use.

It states

- How your organisation, working in partnership with other organisations will provide individuals across the community with the opportunity to report hate crime/incidents
- How your organisation should respond to reports of hate crime/incidents
- How your organisation and others can support the person reporting hate crimes/incidents

The MAP aims to create a consistent standard for tackling hate crime/incidents across Norfolk, so that victims can be confident in coming forward and reporting, and know what to expect when they do make reports.

MAP also aims to give your staff the confidence to respond positively to reports of hate crime/incidents and take the initiative to report incidents they see when the victim is unable or unwilling to report for themselves.

MAP also provides guidance on how to train your staff to take reports of hate crime/incidents

## 2. What is a hate crime/incidents?

People can experience hate crime/incidents because of their actual or perceived age, disability, cultural, ethnic, national or racial origin, their gender or gender identity, their religion, sexual orientation or some other aspect of their appearance or lifestyle

There are **two official definitions**, both of which are covered by this MAP

**A hate incident** – any incident which may or may not constitute a criminal offence and is perceived by the person, or any other person as being motivated by prejudice or hatred

**A hate crime** – any hate incident, which constitutes a criminal offence

Because of these definitions throughout this document we always use the phrase hate crime/incidents.



### 3. Who is responsible for the Multi Agency Protocol?

The Norfolk County Strategic Partnership is the body with overall responsibility for the MAP, and the Norfolk Community Cohesion Network oversees the implementation of MAP on behalf of the Partnership.

The County Community Safety Team is responsible for producing monitoring data on hate crime/incidents reports. These reports will be scrutinised by the multi agency Hate Crime Group – which will report back to the Community Cohesion Network and to individual local partners on key issues. This group is also responsible for ensuring that the MAP is implemented correctly by partners and that a coordinated response to hate crime/incidents is maintained.

For further information about how the MAP operates, including how to become a signatory contact the:

**The Diversity Team at Norfolk Constabulary**

**Email: [diversity@norfolk.pnn.police.uk](mailto:diversity@norfolk.pnn.police.uk)**

**Tel: 0845 48 49 50**

### 4. Who are the signatories to the MAP?

The public sector partners are:

- Police & the Police Authority
- Local Authorities & the County Council
- Fire & Rescue Services
- NHS Norfolk/Great Yarmouth & Waveney

These organisations have a legal duty to ensure that they work together to create a strategy for combating crime & disorder in their local area under **Section 17 of the Crime & Disorder Act**. These organisations also have a responsibility to monitor and respond to hate crime/incidents, including taking direct action to prevent such incidents occurring.

Voluntary and community sector partners and other organisations which provide services on behalf of the above (for example Registered Providers - Housing Associations) can also become signatories to the MAP. These organisations will have slightly different responsibilities, as they will be able to take reports, but may not have a legal obligation to take direct action to monitor or tackle hate crimes.

Some organisations may wish to be signatories to the MAP but will not have the capacity to take reports. These organisations will agree to adhere to the standards of MAP for responding to hate crime/incidents that happen, including sharing information with other partner organisations, and supporting victims and witnesses. Every organisation which signs up to the MAP have a responsibility to ensure that the processes outlined in the MAP are used by their staff and volunteers, and that the standards set out in the MAP are adhered to.

## 5. Why are all of these organisations involved?

Hate crime/incidents can have a significant impact on victims' lives. They can isolate and exclude individuals and can cause tension and even conflict in the wider community. Developing a consistent way of reporting and monitoring hate crime/incidents improves our overall understanding of the extent and nature of hate crime/incidents in our community, and will help us see community tensions developing, reduce crime, and restore victims' confidence.

Becoming a signatory to MAP gives a clear message that hate crime/incidents in any form are unacceptable and will not be tolerated.

This MAP is designed to increase the numbers of reports, and the quality of information collected about hate crime/incidents which could lead to more successful prosecutions and convictions, sending out a strong message to perpetrators. It also allows victims to access a range of support services which they might not have heard about, and will help them feel like they are not alone

This MAP is designed to help organisations to meet their legal obligations, in developing equal opportunities, building good relations between different groups of people, and promoting community cohesion.

## 6. How can hate crime/incidents be reported?

Through the MAP there are a number of ways for hate crime/incidents to be reported.

### Reporting direct to the Police



**If it is an emergency – always ring 999**

**If it is not an emergency**

**Hate crime/incidents can be reported online by filling in a (secure) form – go to [www.norfolk.police.uk](http://www.norfolk.police.uk) and click on “Report a crime”.**

**Email reports to [reporthate@norfolk.pnn.police.uk](mailto:reporthate@norfolk.pnn.police.uk)**

**You can phone the non emergency number 0845 456 4567**

**There is also a mini com number 0845 3453458**

As a MAP signatory your staff will also have access to MAP reporting packs and training support. Individuals can report an incident to your organisation without the direct involvement of the Police.

Staff will have access to an easy read version form, a standard reporting form, or they can go online to the Norfolk Constabulary website and input a report.

This is called **third party reporting**. Staff from every organisation involved in MAP will receive training so that they know how to complete the forms, and so that they can advise people about what support is available to victims of hate crime/incidents.

Reports can be made by individuals, with or without their personal details, the information will still be recorded, but it will be used in different ways.

## **7. What happens to the information reported?**

Any report taken must be forwarded on to the Police, either by going online to report, emailing a form, or telephoning it through. The report will then be recorded on their system.

All reports can be subject to an initial investigation and the Police will make a judgement as to whether the report will be classified as a hate crime or hate incident. **Hate Crimes will be subject to a formal investigation and resolution following the standard procedures of the criminal justice system.**

Hate incidents may be passed by the Police on to other partners who may also be able to deal with the report. For example a report of a hate incident may be classed as **anti-social behaviour in which case the report could be passed on to the Local Authority Anti-Social Behaviour Team.**

Monitoring data about reports recorded by the Police will be collated, even if the victim chooses not to provide their personal details. The information collected will help build a picture of the extent of hate crime/incidents in Norfolk.

Monitoring reports will be submitted quarterly to the multi agency Hate Crime group for analysis and scrutiny. Monitoring will help flag up key community issues and support the development of targeted interventions, including campaigns to raise awareness.

## **8. What does a multi agency response to hate crime/incidents look like?**

As part of this MAP, the organisations with a legal duty to respond to hate crimes/incidents, can take part in multi-agency case conferences, to support the victim. Organisations can take action together to find different solutions for the victim, while demonstrating to the perpetrator that their behaviour will not be tolerated.

Some Voluntary & Community Sector organisations may be asked to be involved in multi-agency work to advocate on behalf of the victim, or to provide other support services.

A case conference might involve a Local Authority, the local Registered Provider - Housing Association, Adult and Children's Services, the Police, and the Anti-Social Behaviour Team.

Case conferences will not replace individual organisations' rights to take action on their own following their own processes. Neither will they provide an alternative to a criminal investigation and legal proceedings. Case conferences are used to find additional ways to support the victim.

When the victim reports a crime, they should always be referred to the Police in the first instance.

For more information on multi agency case conferences please see **APPENDIX A**

## **9. What support is there for a victim of a hate crime/incidents?**

If a victim chooses to report a hate crime/incidents there is support available.

Victims of crime will be able to access a range of support through the criminal justice system

Victims can be referred to Victim Support – which can provide specialist support and counselling.

There are other specialist organisations which may be able to provide advice and /or advocacy services for victims of hate crime/incidents. See **APPENDIX B** for further information

## **10. What happens to people who commit hate crime/incidents?**

### **The Law**

- **The Crime and Disorder Act 1998** created a number of new racially and religiously aggravated offences
- **The Criminal Justice Act 2003** introduced tougher sentences for offences motivated by hatred of the victim's sexual orientation (this must now be taken into account by the sentencing court as an aggravating factor, in addition to race or religious hate motivation).
- **The Racial and Religious Hatred Act.** This law, which came into effect in 2007, makes it a criminal offence to use threatening words or behaviours with the intention of stirring up hatred against any group of people because of their religious beliefs or their lack of religious beliefs.

## 11. What commitments does a MAP signatory make?

The first commitment a MAP signatory makes is ensuring that staff and volunteers are aware of MAP, can access reporting forms and the guidance on how to report; and that they are able to attend training provided on a regular basis. The MAP will only work if staff feel confident using it.

Organisations which are MAP signatories must have in place a clear process for the reporting, recording and investigation of hate crime/incidents which involve a member of staff/volunteer, as it is important that they feel confident to report hate crime/incidents when it affects them.

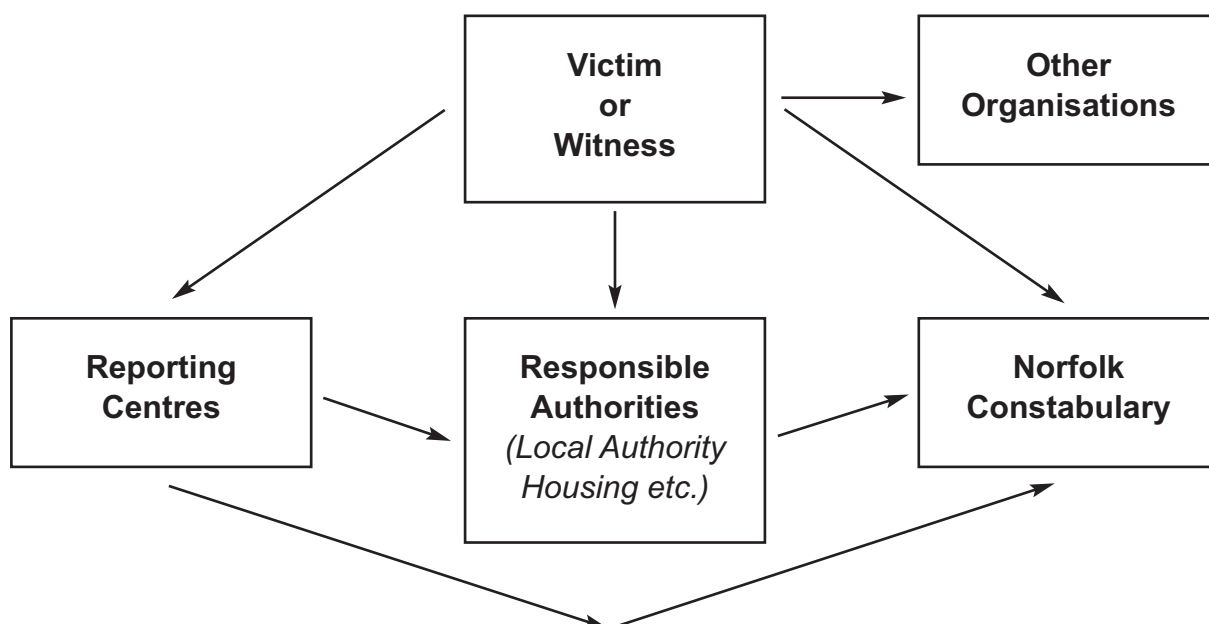
Those organisations with a legal duty to monitor and respond to hate crime, will need to provide staff with access to training on multi agency case conferences.

Information reported through the MAP must also be kept safe in accordance with the Data Protection Act and can only be shared according to the **Protocol for the exchange of information for the purpose of reduction of crime and disorder**. Personal information relating to victims must be kept confidential, and only shared with their permission.

As good practice MAP should be incorporated into organisational Equality Schemes and action plans to ensure that there is continued commitment to delivery of MAP across the whole organisation.

It is also good practice for MAP signatories to involve local representatives of community groups in the scrutiny of hate crime/incidents reports to allow them to feedback on how effectively MAP is being implemented. Community members should be able to share findings about trends in hate crime/incidents with the wider community, and support positive action to tackle developing tensions, helping to build community confidence.

## 12. Roles & Responsibilities



### Reporting Centres – Third Party Reports

Reporting Centres are local organisations across a broad range of interest groups including religious centres, clubs, access groups, specialist organisations and self advocacy groups where people are likely to feel safe and confident in reporting hate incidents.

**When signing up as a Reporting Centre each organisation must agree to accept and meet all of the following responsibilities:**

- 1) Work to educate their service users/members and staff/volunteers to identify and where appropriate and safe to do so to challenge hate incidents.
- 2) Work to increase the confidence of all people (including service users and staff/volunteers) to report hate incidents.
- 3) Maintain confidentiality.
- 4) With the assistance of the Partnership provide training and support to enable their staff/volunteers to take reports of all types of hate incidents using the appropriate forms and procedures. Where members of staff within a reporting centre feel that they do not have the expertise in specific areas of hate crime that is needed to effectively support the individual they will signpost the individual to a reporting centre with the required level of expertise.
- 5) Use standardised reporting forms

- 6) Ensure that information on reporting hate incidents is available in a variety of accessible formats
- 7) Ensure that reports are quickly forwarded to the appropriate Responsible Authority and then on to the Police for formal recording.
- 8) Maintain all personal information related to the reports in accordance with the Data Protection Act.

### **Responsible Authorities – Direct Reporting and Receiving Agency for Third Party Reports**

The Crime and Disorder Act 1998 (amended by the Police Reform Act 2002) identifies the following as Responsible Authorities.

They are responsible for conducting the review of crime and disorder patterns and levels and implementing strategies to achieve published objectives and targets.

In Norfolk the responsible authorities are:

#### **Criminal Justice**

- Norfolk Constabulary
- Norfolk Fire & Rescue

#### **Local Authorities**

- Norfolk County Council
- Broadland District Council
- Breckland District Council
- Great Yarmouth Borough Council
- Kings Lynn & West Norfolk District Council
- Norwich City Council
- North Norfolk District Council
- South Norfolk District Council

#### **Health Providers e.g.**

- NHS Norfolk
- NHS Great Yarmouth & Waveney
- Norfolk & Norwich University Hospital Trust
- Queen Elizabeth II Hospital Trust



Other Criminal Justice Agencies, Education Authorities and other commissioned service providers (who are in contract with and providing services on behalf of one of the above) can also be co-opted as MAP signatories.

For more information on responsible authorities and participants who can legally be involved in the Protocol see **APPENDIX C**

**Responsible Authorities are required to undertake the following:**

- 1) Work to ensure that hate incidents are dealt with in accordance with the standards set down in the protocol.
- 2) Work to increase the confidence of all people (including service users and staff/volunteers) to report hate incidents.
- 3) Have policies and practices in place to promote equality, accessibility and respond to institutional discrimination, in accordance with equalities legislation.
- 4) Provide information relating to the Protocol in suitable and accessible formats.
- 5) Publish their own (internal/external) policies for reporting and responding to hate incidents.
- 6) Promote the standards of the protocol and works to educate service users and staff/volunteers to identify and challenge hate incidents
- 7) Provide training and support to staff/volunteers to take reports of hate incidents using the protocol, and to respond individually and collectively to reports of hate incidents and provide advice and guidance to victims.
- 8) Take part in the identification, recruitment and training of suitable Reporting Centres
- 9) Use standardised forms.
- 10) Participate in the monitoring of reports taken in order to inform the development of local policies and practices
- 11) Participate in delivering multi agency case conferences and in developing inter agency responses to reports of hate incidents. Note: Some Reporting Centres may be invited to participate in multi agency case conferences, where it is deemed appropriate by the victim or any other party.

- 12) Work to establish, develop and maintain links with diverse communities in order to consult about developing effective policies and practices for tackling hate incidents.
- 13) Maintain personal information in accordance with the Data Protection Act
- 14) Ensure that reports are passed on for recording by Norfolk Constabulary

### **Police – Direct Reports and Receiving Agency for Third Party Reports**

In addition to all their responsibilities as a Responsible Authority [detailed above]

### **Norfolk Constabulary is also responsible for the following:**

- 1) Recording incidents received through the MAP
- 2) Making preliminary contact with victims if requested to, and acknowledging receipt of reports with the organisation taking the report initially
- 3) Investigating all reported hate crimes, and taking forward criminal proceedings with other Criminal Justice Agencies where appropriate
- 4) Providing feedback to organisations about reports submitted (including third party reporting centres)
- 5) Providing monitoring data to partners via the multi agency Hate Crime Group
- 6) Meeting existing Constabulary service standards

### **Other organisations**

The MAP provides organisations with the opportunity to become signatories in order to develop internal procedures to address hate incidents, without acting as third party reporting centres.

These organisations may not have the capacity to take reports as they

- May not be open to members of the public
- May not have in place formal policies for staff in relation to hate crime (e.g. new and developing organisations, smaller voluntary and community based groups)

These organisations are responsible for ensuring that

- 1) Where possible they adhere to the standards and processes outlined in the MAP
- 2) That they provide staff/volunteers with the opportunity to report hate crimes/incidents witnessed or experienced
- 3) That hate crimes/incidents reported are shared with partners locally and countywide.

## APPENDIX A

### **The Norfolk Multi Agency Protocol Case Conferencing Guide.**

It is generally accepted that the most effective route to hate crime/incidents prevention lies in a proactive, multi-agency, problem-solving approach. Accordingly, it is important that prevention is not viewed in isolation. The subject should be linked to the effective use of intelligence, and should be viewed from both the offender's and victim's perspective, as explored below.

Under the Crime and Disorder Act, Police and Local Authorities now share a statutory joint responsibility for crime reduction as lead members of a partnership that should include all the bodies named as co-operating in the Act. This highlights the fact that the Police alone cannot achieve effective prevention.

The multi-agency problem-solving approach is needed to prevent hate crime. It is essential that all MAP signatory agencies devoting resources to the problem are able to focus these to best effect.

The following steps should be considered as part of a MAP **Multi-agency Problem-solving Approach** to deal with hate incidents:

#### **The aim of the multi agency meeting**

Pre-emptive crime prevention is the most desirable, the most effective and the most durable. Anything that promotes anti-hate crime in society is a form of pre-emptive prevention. This may be through education or through deterrence. The aim is to make the environment more hostile to the hate-motivated offender. Through appropriate use of the legislative options, together with effective use of the MAP for information exchange, positive steps can be taken to reduce hate crime.

#### **Who should be involved in the multi agency meeting?**

The fight against hate crime is an important duty for the statutory partners prescribed by the Crime and Disorder Act. In recommending the formation of **the multi agency meeting** to tackle crimes against specific groups (e.g. racist or homophobic crime), it must be recognised that actions should be developed in conjunction with mainstream policing.

The multi agency meeting might be formed involving MAP signatory agencies and those with the resources to combat hate crime. Membership would obviously vary according to local and specific need in relation to the hate incident, but could include:

- Statutory agencies – Police, Crown Prosecution Service, Fire & Rescue, Probation, Youth Service;
- Local Authorities (including social services and education);
- Registered Providers - Housing Associations
- Health Providers;
- Victim support services
- Racial Equality Councils
- other community groups, e.g. disability, faith, lesbian, gay, bisexual and transgender groups;
- members of the multi agency Hate Crime Group

### **When calling a multi agency meeting consider the following:**

- a) Initial analysis:** The responsible MAP agency receiving the report will undertake an examination of the hate incident including gathering information from other agencies. This could include applicable records and community intelligence which will inform **the multi agency meeting** and determine what action to take.

When analysing information it is important to know the following:

- Who are the most susceptible victims/potential victims?
  - Who are the principal offenders/potential offenders?
  - Which areas have the greatest prevalence of crime or are at greatest risk from them?
  - Who are the stakeholders to problem solve the incidents (including agencies with a statutory, service provision and community (victim) responsibility.
- b) Consideration of available information:** Consideration should be given for information in order to support analysis regarding victims, offenders or on 'hotspots' from agencies such as education, registered providers - housing associations, social services, probation, health providers and community associations and voluntary groups, particularly those involved in addressing hate issues.
- c) Consider available resources:** The **multi agency meeting** should identify where resources are going to come from. In many cases problems can be solved through the implementation of suitable administrative systems or minor adjustments to those already in place. However, some intelligence gathering and community safety options will represent additional costs, for example the provision of fireproof letterboxes to potential victims of arson attacks. The meeting may wish to consider sponsorship for such items, or application to the local Crime Prevention Panel or the Police Property Act Fund.

## Considerations for a multi agency problem solving approaches

- a) **Victim Based Crime Prevention:** Victim-based crime prevention initiatives must not advocate restrictions of lifestyle that would constitute a form of victimisation **in itself, unreasonably changing activities, movements or associations of those whose quality of life they seek to enhance.**

It may be helpful to consider options for action in terms of:

- victim/witness-based;
- perpetrator-based; and
- offence-based prevention

All measures should be carried out sensitively so as to avoid 'fortress mentality', increasing the victim's fear of crime and stigmatising the address.

- b) **Perpetrator-based prevention:** Ideally, perpetrator-based prevention is pre-emptive by identifying the **potential** hate-motivated offender. It aims to prevent them from becoming one.
- c) **Offence-based prevention:** Offence-based pre-emptive prevention focuses on identifying prevalent hate offences and taking steps to change the environment or conditions surrounding them. The role of key stakeholders such as registered providers - Housing Associations can be crucial in this field, and their specialist knowledge should be drawn upon to maximise the effectiveness of this type of prevention.

## The following checklist should be applied to all your decision making:

**Best information:** Make any decision against the best information reasonably available to you at the time. Ask, do not assume. Do not accept at face value: explore, examine and investigate.

**Accountability:** Transparency – show the reasoning behind your action. To show it you must know it. Think through your decisions so you can explain them. You may need to explain them a long time in the future, so record the reasoning and make sure the record is kept. Base your reasoning on the facts (above) and on the application of the six principles set out below:

- a) **Legality:** Your actions must be based on clear and publicly available legal authority (this can include common law and case law, in addition to statute law). 'Action' includes a failure to 'act'. A critical question to be answered is: **"Would an individual reasonably expect a public authority to do this?"**
- b) **Proportionality:** Whatever action you take must be proportional to the act/problem you are seeking to stop/prevent/mitigate.

- c) **Subsidiary:** Any action you take must be the least intrusive/damaging to the individual's rights or their lives.
- d) **Relevance:** Any action you take must be specific to the problem.
- e) **Equality of Information:** all parties must have the access to information.
- f) **Remedy:** This means that the individual must have access to an appropriate, independent (from the public authority) remedy.

A simple test for decision making is to ask yourself how the decision would stand up to scrutiny not only from the courts, the media, or your colleagues but also from individual communities. **Is it fair?**



## **SAMPLE AGENDA MULTI-AGENCY PROTOCOL MEETING HATE CRIME/INCIDENTS**

**Welcome and Introduction to Meeting by Chair (usually the individual calling the meeting)**

### **Equal Opportunities Statement**

**"The agencies in attendance at this meeting will ensure that the service to our communities does not discriminate intentionally or unintentionally on the basis of gender, age, ethnic origin, nationality, disability, religious belief, sexual orientation or marital status".**

The Chair will remind the group of the need for confidentiality and explain the procedure for hearing information of a confidential nature (i.e. attendees at the meeting who are not signatories to the information sharing protocol may be asked to leave the meeting whilst these matters are raised).

### **Introductions and Apologies**

#### **Overview by the Chair**

To include

The definition of a "hate crime/incidents"

**"Any offence/incident committed against a person or property which is motivated, in whole or in part, by the offender's bias against race, colour, religion, gender, disability, sexual orientation or ethnicity. It may also be where a person is targeted or selected because of their status, group characteristics or affiliation."**  
**(Policing Our Communities: A Practical Guide. 01/2002)**

The principles of determining an incident to be a hate crime/incidents are taken from the Stephen Lawrence Inquiry Report - Recommendation 12:-

**"Any incident which is perceived to be racist by the victim or any other person"**

A brief outline as to the type of hate crime perceived to have occurred, the reason for the meeting and who perceives this to be a hate crime/incidents.

## Report from Lead Agency

Include any events reported or any action taken by that agency (including intended future action).

## Victim's opportunity to response (if present)

**Process repeated for each agency/representative.**

## Chairs Summary


## Action Plan

To include identified individual to progress each element of the plan. Assess need for a core group (who take the lead in progressing further action) and if so the names of the members.

First Core Group date: \_\_\_\_\_

Setting of review date: \_\_\_\_\_

## **Questions to consider during a Multi Agency Protocol meeting**

### **Q1 What is the precise problem to be tackled?**

- Does it relate to particular:
  - locations
  - groups of victims
  - offenders?
- If more information is needed, how can it be obtained?

### **Q2 What outcome(s) do we want to achieve and by when?**

- How do these relate to the problems identified?

### **Q3 How will the option achieve the desired effect?**

- What is the mechanism for achieving the result intended?

### **Q4 What evidence is there to support this approach?**

- Has anything similar been done elsewhere?
- If so, was it well evaluated and was it successful?

### **Q5 What else needs to happen for the option to work?**

- Under what circumstances will the option achieve the intended outcome?
- Does it depend on specific conditions or resources, or on support from relevant interests?
- If so, are these conditions present or can they be created?

### **Q6 How much do we need to do to make a difference?**

### **Q7 How will we know if it is working?**

- How and how often will progress be measured?
- Who will undertake the work?

**Q8 What resources will be needed?**

- What start-up costs, staff time; capital and running costs are likely to be required, and how will these be met?
- What could be provided 'in kind'?

**Q9 What will the positive or negative side effects be?**

**Q10 Will the benefits outweigh the costs?**

- Will the outcomes be worthwhile?
- Could the resources be better used on an alternative option?
- Does the option represent 'Best Value'?

## APPENDIX B

### Specialist organisations providing advice and/or advocacy

#### **Norfolk Constabulary**

In an emergency always dial **999**.

For all non-emergency calls contact us on **0845 456 4567**.

<http://www.norfolk.police.uk/index.cfm>

#### **Victim Support Norfolk**

[http://www.victimsupport.org.uk/vs\\_england\\_wales/contacts/norfolk/index.php](http://www.victimsupport.org.uk/vs_england_wales/contacts/norfolk/index.php)

Tel: 01603 629 577

Email: [norfolk@victimsupport.org.uk](mailto:norfolk@victimsupport.org.uk)

#### **Citizens Advice Bureau**

[http://www.citizensadvice.org.uk/index/getadvice.htm?txt\\_search=Norfolk](http://www.citizensadvice.org.uk/index/getadvice.htm?txt_search=Norfolk)

#### **Norwich & Norfolk Racial Equality Council**

<http://www.nnrec.org.uk/>

Tel: 01603 611644

#### **Age Concern Norfolk**

<http://www.acnorfolk.org.uk/>

Tel: 01603 301371

#### **Norfolk Coalition of Disabled People**

<http://www.ncodp.org.uk/>

Tel: 01508 491210

Email: [info@ncodp.org.uk](mailto:info@ncodp.org.uk)

#### **People First of Norfolk**

<http://www.peoplefirstofnorfolk.org/>

#### **West Norfolk Voluntary & Community Action**

<http://www.westnorfolkvca.org/>

Telephone: 01553-760568

Email: [info@westnorfolkvca.org](mailto:info@westnorfolkvca.org)

## **APPENDIX C**

### **Parties Who Can legally be Involved in the Protocol**

Section Five of the Crime and Disorder Act 1998 (amended by the Police Reform Act 2002) identifies three groups and their role in meeting the obligations under Section Six.

#### **Responsible Authorities**

Required to exercise the functions under Section 6 – must conduct the review of crime and disorder patterns and levels and implement strategies to achieve published objectives and targets.

- Norfolk County Council
- District Councils
- Chief Officer of Norfolk Constabulary
- Norfolk Police Authority
- Chief Officer of Norfolk Fire Authority
- National Health Service

#### **Co-operative Bodies**

Have a duty to co-operate in the exercise of the functions in Section 6 – they will be involved in the review, will be consulted over the analysis of crime and disorder patterns and levels and can participate in the implementation of strategies to achieve published objectives and performance targets.

- Norfolk Probation Board
- Parish Councils
- Governing body of a school
- Proprietor of an independent school
- Governing body of a further education institution

#### **Invited Bodies**

Statutory Instrument 2004 No. 118 sets out a list of bodies, at least one of which shall be invited to participate in the exercise of functions in Section 6 – they can be involved in the review, can be consulted over the analysis of crime and disorder patterns and levels and can participate in the implementation of strategies to achieve published objectives and performance targets.

#### **Private Sector**

- School transport providers
- Public transport providers
- Registered medical practitioners
- Companies or partnerships with a place of business within the relevant area
- Bodies established to promote retail business

## **Public Sector**

- Norfolk Youth Offending Team
- Drug and Alcohol Action Team
- Training and Enterprise Council
- Crown Prosecution Service
- Court Manager of a Crown Court
- Magistrates' Court Committee
- Military Police
- Ministry of Defence Police
- British Transport Police
- Passenger Transport Authority and Executive

## **Not for Profit Sector**

- Registered Social landlords

## **Specific Interest Bodies/Organisations/Voluntary Sector**

- A youth voluntary organisation
- Representatives of Neighbourhood Watch Schemes
- Victim Support Scheme
- Bodies that promote the interests of or provide services to:
  - Women
  - The young including children
  - Older people
  - The physically and mentally disabled
  - Those of different racial groups
  - Minority groups including those relating to ethnicity and sexual orientation
  - Bodies whose purpose it is to reduce crime and disorder
  - Body established for religious purposes
  - Trade Union
  - Body which represents registered medical practitioners

## **Further Education**

- Governing body of a higher education institution

**Note:** Responsible Authorities can invite a co-operating body or other agency listed under Section 5 (2) of the Crime and Disorder Act to act on their behalf in fulfilling a specific objective outline in the Crime and Disorder Strategy.



## APPENDIX D

### Legislation

This appendix provides a round-up of all the equality and diversity legislation that public bodies must be aware of, plus external links to the full legal texts.

#### **Civil Partnerships Act 2004:**

Provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights. [Access the Civil Partnerships Act 2004](#) at the website of the Office of Public Sector Information - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

#### **Disability Discrimination Act 1995**

Outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises. [Access the Disability Discrimination Act 1995](#) at the Office of Public Sector Information (OPSI) website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

#### **Disability Discrimination Amendment Act 2005**

Introduces a positive duty on public bodies to promote equality for disabled people. [Access the Disability Discrimination Act 2005](#) at the OPSI website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

#### **Employment Equality (Age) Regulation 2006**

Protects against discrimination on grounds of age in employment and vocational training. Prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate. [Access the Employment \(Age\) Regulation 2006](#) at the OPSI website - Further information at the [ACAS website](#) and the [Local Government Employers website](#)

#### **Employment Equality (Religion or Belief) Regulation 2003**

The directive protects against discrimination on the grounds of religion and belief in employment, vocational training, promotion and working conditions. [Access the Employment Equality \(Religion or Belief\) Regulation 2003](#) at the OPSI website - Further information at the [ACAS website](#)

#### **The Employment Equality (Sex Discrimination) Regulations 2005**

Introduces new definitions of indirect discrimination and harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues. [Access the Employment Equality \(Sex Discrimination\) Regulations 2005](#) at the OPSI website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

#### **Employment Equality (Sexual Orientation) Regulation 2003**

The directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions. [Access the Employment Equality \(sexual orientations\) Regulation 2003](#) at the OPSI website - Further information at the [ACAS website](#)

#### **Equal Pay Act 1970 (Amended)**

This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing: like work; work rated as equivalent under an analytical job evaluation study; or work that is proved to be of equal value. [Access the Equal Pay Act \(Amendment\) 1970 at the OPSI website](#) - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **Equality Act 2006**

Establishes a single Commission for Equality and Human Rights by 2007 that replaces the three existing commissions. Introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. Protects access discrimination on the grounds of religion or belief in terms of access to good facilities and services. [Access the Equality Act 2006](#) at the OPSI website - Further information at the [Women and Equality Unit website](#)

### **Gender Recognition Act 2004**

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel. [Access the Gender Recognition Act 2004](#) at the OPSI website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **Race Relations Act 1976**

The Act prohibits discrimination on racial grounds in the areas of employment, education, and the provision of goods, facilities, services and premises. Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **Race Relations Amendment Act 2000**

Places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups. [Access the Race Relations Amendment Act 2000](#) at the OPSI website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **Race Relations Act 1976 (Amendment) Regulation 2003**

Introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions. [Access the Race Relations Act 1976 \(Amendment\) 2003](#) at the OPSI website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **Racial and Religious Hatred Act 2006**

The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe. [Access the Racial and Religious Hatred Act 2006](#) at the OPSI website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **Sex Discrimination Act 1975**

The Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs. [Access the Sex Discrimination Act 1975](#) at the Press for Change website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).

### **The Sex Discrimination (Gender Reassignment) Regulations 1999**

The Act seeks to prevent sex discrimination relating to gender reassignment. It clarified the law for transsexual people in relation to equal pay and treatment in employment and training. [Access the Sex Discrimination \(Gender Reassignment\) Regulations 1999](#) at the Press for Change website - Further information at the [Equality and Human Rights Commission \(EHRC\) website](#).





