



## RESPONSES BY THE PCC TO HMIC INSPECTIONS OF CLEVELAND POLICE

### INSPECTION DETAILS

Title of Inspection

**Living in a Different World: Joint Review of Disability Hate Crime**

Date Inspection Published

**March 2013**

Type of Inspection:

Cleveland Specific

National

Follow Up

Thematic

Partner Inspection

Is Cleveland Police quoted in the Report?

Yes

No

### EXECUTIVE SUMMARY OF REPORT

This report was a joint inspection of Police, CPS and Probation into how they were dealing with disability hate crimes. The inspection was of 6 force areas (including Cleveland) which were not singled out in the report. The report was published in March 2013 and was likely to have been started 12 months earlier.

The report follows on from earlier reports as follows; Hidden in Plain Sight - Inquiry into disability related harassment, (EHRC) August 2011; Challenge it, Report it, Stop it: The Governments Plan to Tackle Hate Crime (HM Govt) March 2012, and Out in the Open – tackling disability related harassment: A manifesto for change (EHRC) October 2012.

The report identified that all criminal justice agencies have a role in play in the following three areas;

- a) improving awareness of what disability hate crime is,
- b) increasing the reporting of disability hate crime and
- c) enhancing how they identify and progress these cases.

The phrase “I am now living in a different world “was used by a member of the public (who had been involved in a traffic collision which had resulted in permanent disabilities) to describe his experience.

The key findings in the report are:

#### Identification and Reporting of Disability Hate Crime

This refers to similar but slightly different definitions of what is a disability hate crime or incident and knowledge and awareness of section 146 of the CJA 2003 which allows a court to use a motivation or overt hostility to a disability as an aggravating feature of the crime and thereby attract increased sentencing.

#### The Police Investigation and Prosecution Process

A poor understanding by officers of different types of disabilities and a failure to examine an offender's motivation. Occasional failure by police to identify a hate crime to CPS.

#### Training & Leadership

Officers can feel uncomfortable when dealing with disabilities and fail to recognise them. Training is required to overcome this. Police and other agencies should make this a strategic priority despite the low numbers reported.

#### Conclusion

Disability hate crime is a complex area and has a number of unique features. In many ways it is the hate crime that has been left behind. I feel our challenge is to learn the lessons from Stephen Lawrence and apply them to this area.

## **RECOMMENDATIONS & FORCE REPONSE**

Report Recommendation	Force Response
The police, CPS and Probation Trust should adopt and publish a single clear and uncomplicated definition of a disability hate crime that is communicated effectively to the public and staff	It is felt by some that using the word 'hate' is not helpful and is a barrier to reporting as some victims feel they are being abused, harassed or assaulted but are not hated by the offender who is often known to them! If definitions were to change again then I think this should be made nationally to maintain consistency. I can explore this certainly on a regional basis and I am attending a consultation seminar in September where this can be discussed with CPS. I do not see a problem with the current definitions but I do think we need to publicise them more which is in hand with work I am doing with the press office and through the Neighbourhood teams (included in the Hate Crime Action Plan).

Report Recommendation	Force Response
<p>The Police, CPS and Probation Trusts, when developing their strategic aims, should consider disability hate crime and the need for its reporting to be increased</p>	<p>On the back of the other reports mentioned above I created a new force Hate Crime Action Plan which covers all hate crime but has a strong focus on disability. There is a focus on increasing reporting but reducing offences (research states that 3% of disability hate crimes are reported). Hate crime is an exception to the rule in Cleveland and that increased reporting is a positive indicator.</p>
<p>The Police, CPS and Probation Trusts should consider how their front line staff participate in effective disability hate crime training to improve investigative, prosecution and rehabilitation skills.</p>	<p>This has been addressed in the spring and summer of 2013. Training front line staff is a feature in the action plan and included in the officers development day training is a two hour hate crime input again with a strong focus on disability. The training is good and definitely raises awareness and should improve investigation and prosecution. I personally had an input into the training and attended one of the early sessions to give feedback.</p>
<p>It is in the interests of each police force to review the different methods by which information is received from the public to ensure that every opportunity is being taken to identify victims of disability hate crime.</p>	<p>Currently a member of staff in each of the four community safety teams do a daily search to identify any hate crimes or incidents to review and monitor. This does work. Again in the action plan I have asked Steria training dept. to work with Steria in the communications dept. and deliver a bespoke input to call takers to try to identify more disability hate crimes at the point of call. This is a difficult area at this stage without face to face contact and when in a high number of cases the victim does not recognise it. Clearly there are follow up opportunities when an officer attends for example.</p> <p>I have just finished a piece of work where our PCSOs have visited all the third party reporting centres in the force area with a set questionnaire. The results were poor in that many of them did not know what a third party reporting centre was and indeed that they worked in one! This is being fed back to the local authority to improve things.</p>

Report Recommendation	Force Response
	<p>Finally I have been working with the PCC to promote this agenda and on 27<sup>th</sup> June 2013 we held a Disability Hate Crime seminar at Ladgate Lane.</p> <p>I have also set up a disability hate crime scrutiny panel (first meeting was last week) to review each incident on a quarterly basis.</p> <p>I feel that in Cleveland we are making good progress and the Orbis changes present an excellent opportunity to conduct business in this area in a more streamlined and consistent way.</p>

Force Response Provided By: Chief Inspector Ted Allen

## **PCC RESPONSE TO INSPECTION**

Comment by the PCC:

In light of the Force's operational restructure via Project Orbis, it is clear that working practices are being reviewed and processes refreshed. Disability Hate Crime is an area where the victim should immediately benefit from the support services received. New avenues being assessed, in order to provide a better policing service, are clearly being evidenced.

As PCC, one of my five key priorities is to improve the service provided to victims and witnesses which includes engagement, promotion of our services and their support. I am confident that the areas highlighted by HMI such as increased reporting, enhanced training and exploring different methods of data collection are being addressed and will soon be embedded.

I will regularly assess levels of Disability Hate Crime going forward to ensure that the service provided by Cleveland Police is the best that it can be in order to support every victim of this vindictive crime.

The PCC will monitor the implementation of recommendations via quarterly updates of the Risk, Audit & Inspection Monitoring Board.