

The Highland Council
Community Safety, Public Engagement and Equalities
Committee – 3 December 2014

Agenda Item	8
Report No	CPE 39/14

Highland Local Police Area – Hate Incidents, Hate Crime and Gender Based Violence

Report by the Highland Local Policing Commander - Chief Superintendent Julian Innes

Summary

To provide an update to Committee Members on Hate Crime and Gender Based Violence.

1. Introduction

“No one should have to face discrimination or prejudice in any form in 21st century Scotland. It is never acceptable and it will not be tolerated. The more we talk about it, the easier it will be for people to report hate crimes to the authorities. We are not becoming more intolerant as a society, but we are becoming less tolerant of those who hold prejudiced beliefs.”

Shona Robinson, Equalities Secretary, 2014

1.1 This is the third comprehensive paper on hate incidents, hate crimes and gender based violence presented to this Committee since December 2012 providing an overview of incidents reported in Highland and associated partnership working. It was agreed in 2012 that annual progress reports would be brought to future meetings. This paper provides an update on both hate crime and gender-based incident recorded by Police Scotland as well as an update on the key priorities issues. The paper been produced in conjunction with our Safer Highland partners.

1.2 In summary, hate crime is defined by the Scottish Government as a crime motivated by malice or ill will towards a social group. So, for example, incidents on the grounds of homophobia, racism, transgender or a person's disability may be covered. Relevant legislation includes:

- Crime and Disorder Act 1998
- Criminal Justice (Scotland) Act 2009
- Offences (Aggravation by Prejudice) (Scotland) Act 2009
- Offensive behaviour at Football and Threatening Communications (Scotland) Act 2012

In addition, public sector agencies are all covered by the duty in the Equality Act 2010, to give due regard in all their work to the need to:

- Eliminate unlawful discrimination, victimisation and harassment
- Advance equality of opportunity, and
- Promote good relations

As required by the Public Sector Equality Duty in the Equality Act 2010, Police Scotland have published a set of equality outcomes which include:

- People better recognise hate crimes and incidents and feel confident reporting them.
- Individuals within and across protected groups feel safe and secure within their local communities.
- Victims of gender-based violence are safer and are confident that the police are responsive to their needs.
- People from and across protected groups are meaningfully engaged with us and their views contribute to service improvements.
- Everyone in Scotland is able to contact the police when they require our assistance and this experience is positive.

A key equality and diversity priority for Police Scotland is the need to have a corporate and consistent approach to dealing with Hate Crime. As a result, we have developed a Standard Operating Procedure and associated training. In February and March 2014, the Scottish Government ran a media campaign designed to tackle the underreporting of Hate Crime which was fully supported by Police Scotland. We have also reviewed the third party organisations that we work with across Scotland and have introduced a Scotland-wide online reporting option.

Police Scotland's equality outcomes can be found in the Diversity and Equality in Police Scotland Report. An update was completed in July 2014 and this and the original report can be found at:

www.scotland.police.uk/about-us/equality-and-diversity

2 Hate Crimes in Highland

In June 2014, the report Hate Crime in Scotland 2013-14ⁱ showed a rise in some categories of offences and a decrease in religious hatred. Across Scotland:

- Racial hate crime is up slightly, by three per cent since 2012-13 but is still the second lowest annual figure since reports began;
- Sexual orientation aggravated crime has risen by 22%;
- Religiously aggravated offending is down by 17%;
- Disability aggravated offences are up by 12%;
- The number of charges with an aggravation of transgender identity is low but increasing.

- 2.1 In Highland, there has been a slight increase in the number of hate incidents being reported to the Police in Highland in comparison to last year; however, the number of crimes and offences has decreased. The statistics in Table 1 only include those crimes where the crime has been specifically recorded as a hate crime and does not include those incidents where the hate element is considered an aggravator to the 'primary' crime.

Table 1 - Police Scotland – Highland Hate Incident/crime Statistics as at 02/11/2014

	13/14 FYTD	14/15 FYTD	Variation
All Incidents	90	94	4 - More Incidents (+4.3%)
Crime Incidents	78	78	
Non Crime Incidents	12	16	3 - More Non Crime Incidents
Total Crimes / Offences	105	80	25 - Less Crimes / Offences (-16%)
Detection Rate	89.5% (94)	90% (72)	0.5% - Increase in Detection Rate

Due to issues surrounding legacy IT systems and the change to a national performance management system (SCOMIS) it is currently not possible for the Division, without significant staff time, to segment the different types of hate crime. Once the new I6 information system is introduced this issue should be resolved.

- 2.2 Although the number of reported hate crimes in Highland is relatively low, it is recognised that it is very personal and often affects not only the victim but also their family, friends and wider community. The relationships within the communities to which the victims and perpetrators belong can also be damaged.
- 2.3 It is widely acknowledged that there is significant under-reporting of hate, or prejudice based, incidents and crimes. In Highland, this is borne out anecdotally through consultations and testimonies from local groups representing those from the Lesbian, Gay, Bisexual and Transgender (LGBT) community, minority ethnic groups, people with learning disabilities and mental health problems. Identified barriers to reporting include: lack of confidence in the police; low expectations of any positive outcomes; and lack of knowledge of how to report an incident or a crime.

A recent Stonewall Scotland report found that LGBT people in the Highlands and Islands are the least confident in reporting a hate crime to the police, where 45% would not feel confident compared to 36% of respondents across Scotlandⁱⁱ. We are currently working alongside Stonewall Scotland and looking at measures to address this. As noted later, we are also aware of increased local concern related to hate crime and disability.

- 2.4 Tackling hate incidents and crimes requires a holistic approach from partner agencies, one that encourages reporting and recording of incidents but also builds confidence of community groups in the response from agencies.
- 2.5 In Highland, partners have worked to encourage the reporting of hate incidents and crimes through a range of options. Most reports continue to be made directly to the Police. While in Highland there has been an online reporting facility since 2009 (www.hatefreehighland.org), before the introduction of

Police Scotland, not all areas of Scotland could report Hate Crime online and this has been addressed. Police Scotland now has an online reporting form within their website.

In 2014 Police Scotland in conjunction with partners launched a national third party reporting initiative. In Highland, the list of third party reporting organisations had been previously developed with partner agencies. The availability of designated reporting centres, which can be any type of community resource, is intended to increase confidence to report hate crime incidents and also to raise awareness in the community of the importance of reporting. Third party reporting offers victims or witnesses of hate crime the opportunity to report incidents at a designated reporting centre outwith a Police environment. The responsibility of a third party reporting centre is to ensure that details of incidents reported from members of the public are passed to the Police, to allow accurate recording of hate crime and further enquiry, where appropriate.

- 2.6 The Protecting People Priority in the Highland Local Policing Plan continues to build on increasing levels of public confidence and encourage more people to report hate crime by working with our partners to ensure that the various methods of reporting are available and visible.
- Long Term Outcomes set out a commitment to:
- Decrease the number of people who are victims of hate crimes.
 - Ensure that people who report hate incidents feel satisfied with the response received from public agencies.

From January 2015 a questionnaire will be sent to all persons reporting a Hate Crime within the Highland and Islands Division; a programme of consultation has taken place in relation to this and partners at a local and national level have inputted into the process.

3 Gender Based Violence

3.1 Introduction

Gender-based violence takes a wide range of forms and includes domestic abuse, rape and sexual assault, harmful traditional practices (e.g. female genital mutilation and forced marriage), and commercial sexual exploitation (such as prostitution and lap dancing). The Highland Violence Against Women Partnership, part of the Safer Highland, leads on a programme of work to tackle all forms of gender based violence, on behalf of the Community Planning Partnership.

3.2 Domestic Abuse

Incidents of domestic abuse recorded by the police in Highland have grown steadily since 2009/10 from 879 incidents reported to 2,139 incidents in 2013/14. – see Table 2.

Table 2 – Incidents of domestic abuse recorded by the police

	Incidents in Highland	Incidents in Scotland
2009/10	879	51,926
2010/11	1,451	55,698
2011/12	1,872	59,847
2012/13	2,155	58,574
2013/14	2,139	58,976

Table 3 - Police Scotland – Highland Domestic Incident / Crimes compared to this time last year - As at 02/11/2014

	13/14 FYTD	14/15 FYTD	Variation
All Incidents	1342	1282	60 - Less Incidents
Crime Incidents	641	686	45 - Less Crime Incidents
Non Crime Incidents	701	596	105 - Less Non Crime Incidents
Total Crimes / Offences	932	767	165 – Less Crimes / Offences
Domestic Detection Rate	85.6%	83.0%	2.6% - Decrease in detection rate
Initial Domestic Bail Checks		98.1%	Target- 95% 215 Incidents 211 Complied with.
Domestic Bail Offences Detections	54	39	15 less detections.

3.3 Multi Agency Tasking & Coordinating Groups (MATACs) provide a forum for sharing information and targeting high risk perpetrators of Domestic Abuse. The purpose of the MATAC is:

- Through partnership working and tasking and coordinating identify those high risk perpetrators or Domestic Abuse who present the greatest risk of harm to victims and their families;
- To share information for intelligence development or enforcement where appropriate thereby achieving positive outcomes for victims and their families;
- Through the use of pro-active enforcement, actively target those identified perpetrators who present the greatest risk of harm using all available methods to reduce the threat posed by them.

3.4 Multi Agency Risk Assessment Conferences (MARACs) provide a forum for sharing information and taking actions that will reduce future harm to very high risk victims of Domestic Abuse and their children. The purpose of MARAC is to:

- Share information across agencies
- Identify the level of risk from the perpetrator;
- Produce multi-agency action plans to reduce the risk to victims and their children.

3.5 Vulnerable Persons Database

Over the past year, a national IT solution has been implemented to create a vulnerable persons database and standardise and improve our responses to vulnerable people across the country.

3.6 Domestic Abuse Victim Bail Visits. Research and experience also indicates that, directly following the release of a Domestic Abuse perpetrator from court, a period of heightened risk begins for the victim. Police Scotland have introduced an initial Domestic Abuse Victim Bail Visit strategy with the aim of:

- Informing the victim of the existence of bail and conditions attached
- Carrying out a thorough check of the locus to confirm that the perpetrator is not present and in breach of conditions of bail
- Check on the victim's welfare, provide practical safety advice and signpost to relevant agencies where appropriate; and
- Ensure that the victim is fully informed regarding the actions that constitute a breach of bail conditions.

The aim is to visit a victim within 24 hours of Police Scotland being notified that a perpetrator has been released on standard or special bail conditions.

3.7 Stalking & Harassment

The vast majority of stalking and harassment cases are related to domestic abuse incidents. In 2010 Section 39 of the Criminal Justice and Licensing (Scotland) Act introduced a new criminal offence of stalking. The recorded stalking figures for Highland are show in Table 4 below.

Table 4 – Stalking Figures

Stalking					
Area	2009/10	2010/11	2011/12	2012/13	2013/14
Highland	0	3	22	49	52

* The latest Police Scotland SCOMIS system reports 28 Stalking Crimes for Highland so far this year (April- October 2014)

3.8 Rape & Sexual Violence

It is thought that the broadening of the Definition of Rape under the Sex Offences (Scotland) Act 2009 has contributed to an increase in Rape investigations (i.e. this now includes male rape and other offences). The latest Police Scotland figures for 2013/14 indicate that there were 108 rapes reported in Highland and 78 rapes were detected.

3.9 Commercial Sexual Exploitation

Commercial Sexual Exploitation is a term that encompasses a wide range of issues, including prostitution, trafficking, lap dancing and other forms of so-called 'adult entertainment'. Data on Commercial Sexual Exploitation for Highland is very limited. Crimes relating to prostitution recorded in Highland are low, but an internet search for prostitution in all parts of Highland indicates that it is present.

Intelligence from the police highlights that street prostitution is not currently a significant problem in the Highlands, but that it is operating in hotels and privately let properties. There is concern about a number of vulnerable female substance abusers that are involved in prostitution in the Inverness area.

3.10 Harmful Traditional Practices

Whilst this type of crime is rare within the Highland and Islands area there can no room for complacency; Protecting People is a priority within the Highland Local Policing Plan; within that there is a commitment to providing a professional and consistent approach to victims of Honour based Violence (HBV), Forced Marriage (FM), Female Genital Mutilation (FGM) and Human Trafficking.

3.11 Current Challenges in tackling Gender Based Violence

Current challenges to tackling gender-based violence locally include:

- the commercial sexual exploitation of women in Highland
- continuing concerns over domestic abuse within teenage relationships
- the distribution of nude and semi-nude images of young people amongst their peers

A full report detailing progress on the Highland Violence Against Women work plan will be presented during this meeting.

4 Single Outcome Agreement

The third SOA for the Highlands covers the period 2013/14 to 2018/19. The section on Safer and Stronger Communities and preventing reoffending includes the long term outcome that people are, and feel, free to live their lives without harassment and discrimination, and can take part in community life and that people benefit from public services in a fairer way and are able to have their say about them.

Partner agencies in Highland have also agreed shared interim outcomes in relation to hate incidents and crimes and violence against women. These are reflected in the partnership delivery plan in the Highland Single Outcome Agreement.

Hate crimes outcomes -

- The population of Highland have an increased understanding of hate incidents and of their impact on individuals and communities.
- People feel more confident in reporting hate incidents that they have experienced or witnessed.
- People who report hate incidents feel satisfied with the response received from public agencies.
- Individuals within protected groups feel safe and secure within their local community

These are supported by national and local activity to:

- Encourage reporting through marketing campaign in conjunction with partners
- Produce baseline information for statistics (increased number)
- Raise awareness of staff and communities
- Review guidance manual in consultation with COPFS
- Improve availability and quality of 3rd party reporting
- Vulnerable Persons Database to contain hate crime
- Establish victim satisfaction levels
- Increase number and capacity of third party reporting organisations

Violence Against Women outcomes:

- Perpetrators are tackled about their behaviour
- Reduced acceptance of VAW
- There are healthier gender relationships
- The long term impact of Violence Against Women (VAW) on women and children is reduced
- Women affected by VAW receive services which meet their needs
- Children and Young People affected by VAW receive services which meet their needs

These are supported by national and local activity:

- Police Domestic Abuse Investigation Team
- Roll out of MARAC programme for higher risk victims
- Programme to address perpetrator behaviour
- Establish a Highland Crisis Centre for Victims of rape and domestic abuse
- Develop a multi-agency task force for repeat offenders of sexual assault and rape
- Raise awareness internally of related policies and processes e.g. domestic abuse, FGM, Forced marriage
- Focus on repeat domestic abuse offenders
- Establish victim satisfaction levels
- Proactively introduce police bail conditions

Associated targets and measures are attached in Appendix 1.

5 Attitudes to hate incidents and crimes and feelings of safety among different groups in the community

5.1 The Highland Council’s Annual Survey of Performance and Attitudes 2014 was carried with the Council’s Citizen’s Panel during June and included a set of seven questions about community safety. Two separate questions were asked in relation to concerns about, and awareness of, hate incidents and crimes within the Community Safety section of the report.

5.2 The first question was introduced as follows: “A hate incident or crime is motivated by prejudice or hatred of someone on the grounds below. It may be physical, verbal or written including physical attack, verbal abuse or incidents offensive posters or mail, harassment or bullying; this could be at school, work or in public places.” Respondents were asked, “To what extent are you concerned about you or someone you know being the victim of a hate incident or hate crime based on the issues below?” The results in Figure 1 below are ordered according to the total percentage of those who expressed either a major or minor concern.

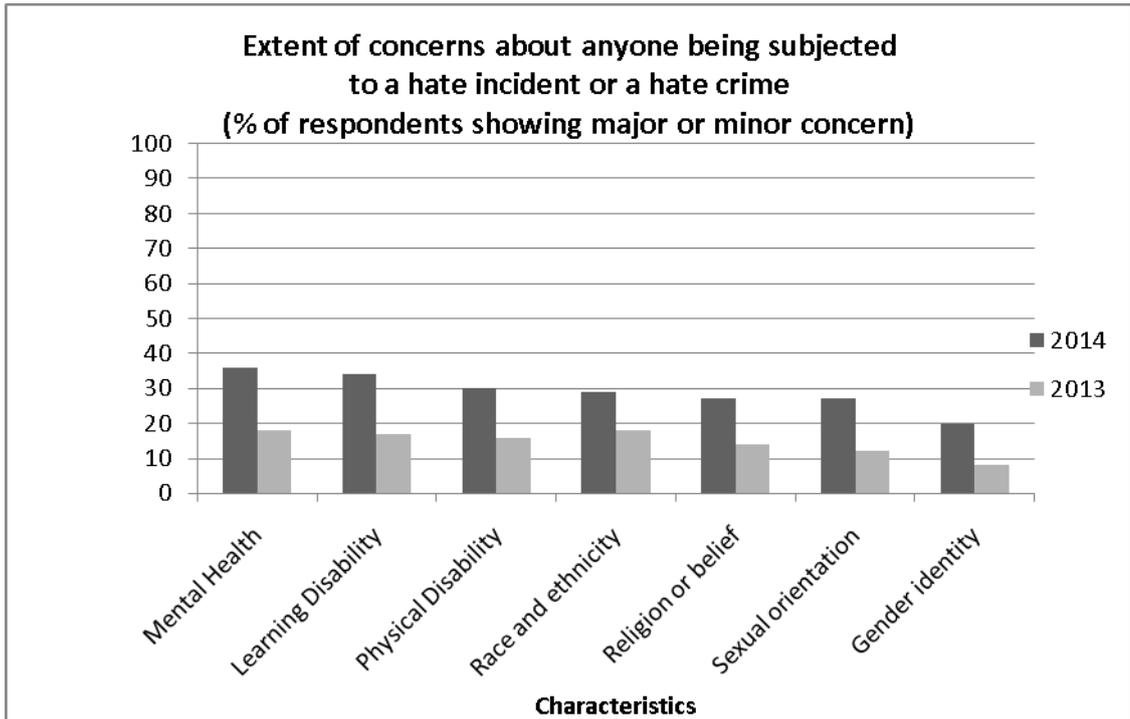


Figure 1

While the issue of hate crime or incidents was not a concern for most respondents, there has been a notable increase across all characteristics of levels of concern.

In 2014 the range of those expressing some concern (either major or minor) across all characteristics was 20%-36% compared with a range of 8%-18% in

2013. Also, the percentages of respondents choosing “no opinion/don’t know” have fallen from a range of 18%-21% to 10%-11%.

There are also differences in the types of hate incident or hate crime that people were concerned about.

- In 2014, the top three reasons were mental health, learning disability and physical disability, but there were notable increases in concern about crimes/incidents with regard to sexual orientation and gender identity.
- In 2013, the top three reasons were race/ethnicity, mental health and learning disability.
- In 2012, the top three reasons were religion/belief, race/ethnicity and mental health.

The second question asked if respondents were aware of the negative impact that hate incidents can have on people in Highland. In 2014, some 71% compared with 60% in 2013. Awareness was particularly prevalent amongst younger people, students and those unable to work.

- 5.3 Although not specifically about hate incidents and crimes, the survey also asked questions in terms of feelings of safety which can be analysed by different groups.

There is a greater level of worry about being a victim of crime in general found amongst people who are disabled. In both 2014, 61% of disabled people were worried (46% in 2013 and 57% in 2012) compared with 39.9% of all respondents (37% in 2013 and 42% in 2012).

A notably higher proportion of disabled people are concerned about anti-social behaviour, with 75% noting a concern about anti-social behaviour compared to 63% of all respondents.

The Single Outcome Agreement has set equalities outcomes and with the partnership target to reduce the gap in fear of crime amongst people with disabilities compared to others

Levels of worry over being the victim of an attempted rape, or other serious sexual offence, have remained more or less the same, with 15% expressing some level of worry in 2014 compared to 14% in 2013. Nearly all those expressing a worry are women.

In responding to a specific question on being a victim of domestic abuse, 5% (up from 4%) reported being worried and 1% very worried. 21% of those aged 16-24 reported that they are worried about being a victim of domestic abuse.

6 Next Steps

- 6.1 The Safer Highland partnership have noted trends towards increases in the reporting of both hate incidents and incidents of domestic abuse, and we understand this reflects greater confidence in reporting and improved

recording rather than necessarily increases in prevalence.

- 6.2 Much of this work benefits from a collaborative, partnership approach and partners have reaffirmed their commitment to tackle this work through the SOA and equality outcomes and the next steps will be to implement the associated actions.

Key priorities and next steps:

In the period 2012 to early 2014, Police Scotland undertook a stock-take of equality and diversity work and identified areas of priority which included hate crime activities. Procedures around hate crimes, staff training and working with third party reporting organisations have been revised and consolidated. At local level, partner agencies continue to meet to share information and to address any issues or concerns that arise.

During the remainder of 2014-15 and 2015-16 we shall:

- Undertake a survey of all victims of hate crimes in the Highland and Islands Division
- Undertake further work to support local third party reporting organisations
- Continue to monitor trends in reported incidents and community attitudes
- Identify new opportunities to encourage reporting of hate incidents and crimes and raise awareness of their impact. This may include working with partners such as Stonewall and with schools.
- Work with partners to implement the Violence Against Women action plan – a separate report is presented to this committee on progress.

We aim to ensure that there continues to be a quick and appropriate response to people reporting hate incidents by Police Scotland.

Recommendation: It is recommended that:

The Committee review and discuss the progress made by the Safer Highland Partnership in relation to Hate Crime and Gender Based Violence.

Chief Superintendent Julian Innes
Highland and Islands Divisional Commander
20 November 2014

ⁱ Crown Office and Procurator Fiscal Service, Hate Crime in Scotland 2013/14
<http://www.crownoffice.gov.uk/>

ⁱⁱ Stonewall Scotland (2014) Your Services, Your Say: LGBT people's experiences of public services in Scotland

Long Term Outcomes	Intermediate/Short Term Outcomes	Inputs/Resources Partners	Indicators & Baseline information	Improvement/ Targets	SHLG Owner
<p>Equality outcomes</p> <p>People are, and feel, free to live their lives without harassment and discrimination, and can take part in community life.</p>	<p><u>Hate incidents</u> The population of Highland have an increased understanding of hate incidents and of their impact on individuals and communities.</p>	<p>Awareness raising – HC annual Citizen’s Panel survey</p>	<p><i>Base-line from HC survey of performance and attitudes 2013</i></p> <ul style="list-style-type: none"> - 2013 across all characteristics range of concerns about hate crimes was 8-18%. - 2014 range 20-36% - 2013, 60% of respondents aware of impact of hate incidents - 2014, 71% of respondents aware of impact of hate incidents 	<p>Increase</p>	<p>Equalities and Diversity Group</p>
<p>People are, and feel, free to live their lives without harassment and discrimination, and can take part in community life.</p>	<p>People feel more confident in reporting hate incidents that they have experienced or witnessed.</p>	<p>Encourage reporting – all partners</p>	<p>No. of hate incidents - 105 in 2010/11, 123 in 2011/12, 130 in 2013/14.</p> <p>No. of hate crimes reported - 69 in 2010/11, 82 in 2011/12, 113 in 2013/14.</p> <p>No. of hate incident reports made through third parties</p>	<p>Increase</p> <p>Increase</p> <p>Increase</p>	

People benefit from public services in a fairer way and are able to have their say about them.	People who report hate incidents feel satisfied with the response received from public agencies.	Police Scotland	<p><i>New survey work to begin in late 2013</i></p> <p>Due to go ahead early 2015 – Police Scotland Questionnaire to be sent to all persons reporting Hate Crime.</p>		
	Individuals within protected groups feel safe and secure within their local community.	Increase number and capacity of third party reporting organisations	<p><i>Increase the detection rate for 'racially aggravated' crimes – 74.4% in 2010/11, 93.5% in 2011/12</i></p>	Reduce the gap	
		Establish scrutiny panel in 2013.	<p><i>New data to be collated for base-line – may be qualitative</i></p> <p>Discussion ongoing with local Community Advisory Group. Also, work ongoing at a national level by Police Scotland Safer Communities Department.</p>		
		Produce DVD for staff on awareness raising on adult protection issues (NHSH lead)	To be confirmed		

		Highland Council Citizens' Panel surveys:	<i>Fear of crime amongst people with disabilities compared to others</i>		
			<p>- 2014, 61% disabled people are worried about being a victim of crime compared to 40% of all panel members</p> <p>- 2013, 46% disabled people were worried about being a victim of crime compared to 37% of all panel members</p> <p>- 2012, 57% disabled people were worried about being a victim of crime compared to 42% of all panel members.</p>	Reduce	
			<p>- 2014, 51% of disabled people are worried about being attacked, assaulted or robbed in the street compared to 36% of those who are not disabled.</p> <p>- 2013, 48% of disabled people are worried about being attacked, assaulted or robbed in the street compared to 31% of those who are not disabled.</p>	Reduce	
			<p><i>The % of adults who feel there is sometimes good reason to be prejudiced.</i></p> <p>- 2014, 23%</p> <p>- 2013, 26%</p>	Reduce	

			- 2012, 30% - 2011, 33%		
			<i>The % of adults who would prefer to live in an area with lots of different kinds of people.</i>	Increase	
			- 2014, 52% - 2013, 52% - 2012, 52% - 2011, 46%		
	<u>Violence against women</u> Violence Against Women is Reduced	Police Domestic Abuse Investigation Team	Repeat victimisation of domestic abuse (police, MARAC and perpetrator programme stats) base-line TBC	Reduce	VAW Group (Elaine Mead)
	Perpetrators are tackled about their behaviour	Women's Aid	Repeat perpetration of domestic abuse (police, MARAC and perpetrator programme stats) base-line TBC	Reduce	
	Reduced acceptance of VAW	Roll out of MARAC programme for higher risk victims	Repeat perpetration of rape/sexual assault base-line TBC	Increase	
	There are healthier gender relationships	Programme to address perpetrator behaviour	Increased detections for Class 2 crime. <i>Detection Rate for 2013/14-68.8%</i>	Reduce	
	The long term impact of Violence Against Women (VAW) on women and	Establish a Highland Crisis Centre for Victims of rape and domestic	Scottish attitudes to VAW show reduced levels of acceptance (SG data)	Increase	

	children is reduced	abuse			
	Women affected by VAW receive services which meet their needs	Develop a multi-agency task force for repeat offenders of sexual assault and rape	No. of women, children and young people feeling supported by the services they have used		
	Children and Young People affected by VAW receive services which meet their needs		(VAW survey, Women's Aid surveys, MARAC case sample data) Additional performance indicators are expected from Police Scotland on e.g. levels of domestic abuse, detections, multiagency interventions, protection and prevention orders. These will be adopted in the partnership once confirmed.		