

Police monitoring and recording of Hate Crime – Crimes of Prejudice

Progress summary

December 2020

Introduction:

In New Zealand, hate crime or crimes of prejudice are not specific, standalone offences. The terms hate crime or crimes of prejudice can be considered umbrella terms for any offence that is motivated by hostility targeted at individuals or a group who share an enduring common characteristic such as race, colour, nationality, religion, gender identity, sexual orientation, age or disability.

Where Police record an offence and identify that hate or prejudice formed part or whole of the motivation behind the offence as part of a prosecution file, courts have the ability to treat the prejudice behaviour as an aggregating factor during sentencing which may result in a more serious outcome/ penalty from the court.

We are aware that news of hate crimes spreads quickly through communities, increasing fear, impacting negatively on community cohesion and lessening people's willingness to express their identity and go about their normal lives. This is a phenomena increasingly seen and reported, most commonly on non-mainstream media such as social media.

Therefore, understanding and effectively tackling hate crime carries an importance beyond the individual crime itself. A robust response to hate crime, built on effective reporting and recording (across police and through the criminal justice process) helps build confidence within communities that they have the support of Police and wider society, so that the actions of a prejudiced few are not allowed to interfere with their right to share in an otherwise open, inclusive, and diverse society.

Police have continued to work towards improving staff knowledge, awareness and recording practises regarding the recording of any offence that is motivated by hostility targeted at individuals or a group who share an enduring common characteristic such as race, colour, nationality, religion, gender identity, sexual orientation, age or disability. This document provides a detailed look at the specific actions since the end of 2019.

Executive Summary:

The following is a high-level summary of **ongoing** work Police has been progressing during the last year:

1. **Improving our IT systems alignment and integration:**
 - work involving updates to the systems to help Police to identify reported (flagged) Hate Crime from when a call is received, information recorded and allocated to frontline staff to respond.
2. **Working to improve staff knowledge, skills and decision making:**
 - work involving refreshed internal comms and resources available to all staff, but particular focus on call centre and frontline staff.
 - Presentations for delivery to staff in District
 - Inclusion of Hate Crime material in new national CEP on-line training resource
 - Decision making pathway tool in Checkpoint App¹
3. **Prioritising responses that recognise threat, risk harm and vulnerability of callers:**
 - This work involves National Communications Centres, Service Group, Prevention Group, MPES and Districts to ensure responses are assessed in appropriate manner
4. **Developing a QA capability for reported Hate Crime:**

¹ The Checkpoint App is loaded to all Police phones and provides easy-to-follow guidance covering a large range of operational policing situations, mental health issues, offence types, staff wellness, road policing, critical incidents and more

- Providing Quality Assurance systems to the data collected and reported on across several data collection systems.
5. **Applying quality assurance lens to our operational response:**
 - Ensuring quality of response is upheld across incidents reported
 6. **Encouraging more victims reports to Police:**
 - Through increased engagement with impacted communities and stakeholder groups
 - New contact channels i.e., 105 number and online reporting
 - Improved connectivity to Police to further enhance engagement and design of services and response to incidents

System Enhancements (to flag an offence as Hate Crime)

We record a range of information about offences and incidents to help us understand who did what to who, when and where. This 'Core Data' drives our case management processes and provides critical information for our response.

Contributing Factors are part of our 'Core Data' requirements. Contributing Factors provide valuable information we cannot gather from the offence or incident code about drivers of crime and other demand such as Hate/Prejudice.

Hate Crime is a term applied to offences motivated, wholly or in part, by prejudice or bias against people with identifiable (or perceived) 'protected characteristics'. Those 'protected characteristics' are; Race (includes Nationality or Ethnicity), Religion (or Faith), Sexual Orientation, Gender Identity, Disability or Age.

Therefore, the requirement to record the targeted protected characteristic(s) has been introduced so that:

- It is more obvious to staff that 'Hate' relates to prejudice or bias targeted against a person, or group, with a common enduring characteristic. These protected characteristics have been made available with a drop-down list in NIA
- Recognising and recording the protected characteristic helps improve our knowledge of what Hate Crime is (and is not).
- Staff are supported to meet our obligations to victims and enables staff to identify prejudice as an aggravating factor when engaging with offenders.
- When investigating Hate Crime offences, staff are reminded that the Public Interest Test identifies the existence of prejudice as an aggravating factor in favour of prosecution.
- Police can provide more detailed insight about the motivation of offenders, and impact on victims. Such information helps us to; direct prevention activity (reducing Hate Crime), and provide support to individuals and communities (supporting community cohesion) in ways that improve victim satisfaction and promote Trust and Confidence - delivering Our Business.

The following enhancements in Police National Intelligence Application (NIA), and other systems, which were delivered in June 2020 to enable improved recording practise:

- The linkage between Communications and Resource Deployment System (CARD) to NIA for CARD Supplementary Flag to auto-populate NIA Contributory Flags
- The addition of 2i (Information occurrence) to the list of codes that can have a Hate Crime flag applied (addressing a gap in the system)
- Addition of protected characteristics drop down list after Hate Crime has been flagged in NIA

Extraction of Data (for Analysis about reported Hate Crime)

Integrating systems:

Police has several Business Information (BI) systems that were able to access data about flagged hate crime. Unfortunately, these systems, SAS VA, Business Objects and Geo Data all provided a part of the picture and no system provided it all. So, work has happened to:

- Analyse the strengths and weaknesses of the data supplied by each system – and refine them as appropriate [Done]
- Create one Data Quality monitoring report in SAS VA that provides as complete a picture as possible [Done]
- Work is ongoing to further refine the SAS VA reporting capability, involving EBPC and Assurance Group, anticipated update within a couple of months.

Delivering QA/Audit (analyses)

The following audit/QA activity has taken place:

- December 2019: A QA of reported hate crime, utilising the BO and Geo-Date information.
- March 2020: A Data Quality Monitoring Report was designed to identify reported hate crimes flagged in either CARD or NIA. Work to create that report started in late 2019.
- April 2020: A daily quality assurance process, utilising the new SAS VA report, to test its capability and provide insights around the nature and prevalence of reported Hate Crime was initiated. At the same time Assurance Group began an additional audit process (using keywords) to identify the level of reported Hate Crime that hasn't been flagged in either CARD or NIA.

Training/Education Resources

Reports or resources produced / disseminated to support staff knowledge, skills and experience to accurately flag an offence as Hate Crime.

- Police has refreshed its TEN-ONE 'on-line' Hate Crime pages, providing advice and guidance to staff about recording Hate Crime.
- Police has refreshed Hate Crime recording material within our Checkpoint App. This is accessible to all staff via their mobility devices.
- Hate Crime recording material has been incorporated into a new national CEP training module for Team Leaders/Supervisors.
- A number of education resources (presentations and posters), accessible to all Staff, to support our staff to have the right knowledge and to do the right things have been created.

Key Messages in these resources are:

- When an event has been reported, or during the response phase, if there is reason to believe a person or group of people have been targeted based on their personal characteristics, Police MUST ensure the motivation for the hostility behind the offence is clearly described in the file narrative and the event is flagged as "Hate Crimes"/ "Hate/Prejudice".
- All reported crimes of prejudice should be investigated thoroughly
- In situations where an offender is identified, interviews should explore motive for the offending. This may include subjects such as racism, homophobia, prejudice against minorities and holding extreme world views.
- Police takes all reported hate crime seriously. Staff dealing crimes of prejudice must discuss resolution (prosecution) options with their supervisor/manager so that proper consideration

is given to the aggravating nature of the offence, when considering the public interest test, in line with the Solicitor General's Prosecution guidelines.

Service Design Workshops

As of 18 November 2020, trained facilitators from the Evidence Based Policing Centre (EBPC) have run 16 workshops, with two more to be delivery by the end of the month.

There have been approximately 350 attendees across those workshops including community representatives from an array of communities (including faith groups), Victim Support, partner agencies and Police staff.

The workshops were delivered in such a way to facilitate a safe and supportive environment and encourage open and honest communication and participation. This included the commitment to anonymising all feedback and attendee identities. Therefore, there was no collection of attendees details or additional details that we can provide.

These workshops are part of the wider efforts of NZ Police to improve our response, monitoring and recording of Hate Crime – Crimes of Prejudice.