



Hate Crime Policy and Procedure

TABLE OF CONTENTS.



POLICY STATEMENT.

POLICY AIM.

LEGAL BASIS AND DRIVING FORCE.

PROCEDURE.

INTRODUCTION.

1. DEFINITIONS.

2. CRITICAL INCIDENTS and REPEAT VICTIMISATION.

TACTICAL CONSIDERATIONS.

3. WELFARE.

4. REPORTING AND RECORDING.

5. SUPERVISION.

6. INVESTIGATION GUIDANCE.

GOLDEN HOUR.

7. SAFEGUARDING.

8. JUSTICE.

9. FILE COMPLETION.

10. WORK CONTROL.

11. MULTI-AGENCY FORUMS (Including Hate Crime Advisors).

12. RADICALISATION.

GLOSSARY OF TERMS.

APPLICABILITY.

RELATED DOCUMENTS and Authorised Professional Practice.

DATA PROTECTION AND FREEDOM OF INFORMATION.

HUMAN RIGHTS AND EQUALITY IMPACT.

APPENDIX 1: ADDITIONAL INFORMATION (VICTIM NOTIFICATION REQUIREMENTS (Days)).

REVISION HISTORY.

POLICY STATEMENT.

Wiltshire Police are committed to working with partners to provide the highest standards of service to members of our communities irrespective of race, religion or belief, gender or gender identity, sexual orientation, disability, age or marital status.

We are dedicated to the prevention and detection of crime and disorder and the protection of vulnerable individuals, families and communities. As part of this promise we will robustly pursue those responsible for

committing or inciting Hate Crime as well as tackle the causes of the prejudice with our partners. We will conduct all investigations with professionalism, respect, integrity and transparency.

To ensure the highest possible standards are maintained, Wiltshire Police will create an environment where staff fully understand the concept of Hate Crime, its ramifications for the community, and how best to tackle it.

People that work for our organization should never have to suffer Hate Crime, and we will ensure that where our staff are subjected to it that we treat it with the utmost seriousness, just as we would in the public space. Our staff will be aware of the support available to them where they are subjected to it.

POLICY AIM.

The aims of this policy and procedure are:

- To ensure that victims and witnesses of Hate Crimes and Hate Incidents have the confidence to report their problems to Wiltshire Police
- To ensure that all Hate Crimes and Hate Incidents are properly identified.
- To ensure that all such crimes and incidents are properly recorded.
- To ensure that the initial Police response to such crimes and incidents is effective and affords the appropriate level of protection and reassurance to victims.
- To ensure that investigations and prosecutions into such crimes and incidents are robust and comply with the Victims Code of Practice (See [Appendix 1](#)) and the Witness Charter.
- To ensure that wider community issues and long term problems are effectively identified and addressed using a multi-agency problem solving approach.

LEGAL BASIS AND DRIVING FORCE.

This policy and procedure guide is intended for all police officers and staff who may come across Hate Crimes or Hate Incidents. It follows the standards and guidance set out in the [College of Policing Authorised Professional Practice Guidance on Hate Crime](#) and the [National Policing Hate Crime Strategy 2014](#).

Adherence to this policy and its accompanying procedure is based upon the below legislative frameworks:

Equality Act 2010
Disability Discrimination Act (Amendment) Regulations 2003
Data Protection Act 2018
Criminal Justice Act 1988
Criminal Justice Act 2003
Anti-Terrorism Crime and Security Act 2001
Criminal Justice and Police Act 2001
Powers of Criminal Courts (Sentencing Act) 2000
Freedom of Information Act 2000
Crime and Disorder Act 1998
Protection from Harassment Act 1997
Police and Criminal Evidence Act 1984
Public Order Act 1986
Immigration, Asylum and Nationality Act 2006 (Ss15 to 26)
Human Rights Act 1988
Gender Recognition Act 2004
Civil Partnership Act 2004
Racial and Religious Hatred Act 2006
Criminal Justice Act 2003 (Ss145 &146)

Additionally staff need to be aware of their duty to adhere to the guidance set out in the Government Equalities Office document: Equality Act 2010 Public Sector Equality Duty; What Do I Need to Know? A Quick Start Guide for Public Sector Organisations.

Staff are also reminded of their statutory obligations in relation to managing victims and witnesses of crimes and will adhere to the principles set out in the [Code of Practice for Victims of Crime 2015](#).

PROCEDURE.

INTRODUCTION.

This document provides guidance on the procedures that Wiltshire Police will adopt when a Hate Crime or a Hate Incident is reported to or identified by staff. It should be read in conjunction with the policy section. It is important to note that the information contained below is not exhaustive and differing situations may dictate different or more unusual lines of enquiry.

This policy is about protecting our staff and also the public, and as such will inform our internal and external processes. Those incidents that occur within the organisation must be treated as seriously as those in the public.

1. DEFINITIONS.

Hate Incidents and crimes are defined in the [College of Policing Authorised Professional Practice Guidance on Hate Crime](#).

Hate Incident.

See [Wiltshire Police Non-Crime Hate Incidents Guidance](#).

Hate Crime.

A hate crime is any *criminal offence* which is perceived, by the victim or any other person, to be motivated by a **hostility or prejudice based on a person's race or perceived race**

or Any *criminal offence* which is perceived, by the victim or any other person, to be motivated by a **hostility or prejudice based on a person's religion or perceived religion**

or Any *criminal offence* which is perceived, by the victim or any other person, to be motivated by a **hostility or prejudice based on a person's sexual orientation or perceived sexual orientation**

or Any *criminal offence* which is perceived, by the victim or any other person, to be motivated by a **hostility or prejudice based on a person's disability or perceived disability**

or Any *criminal offence* which is perceived, by the victim or any other person, to be motivated by a **hostility or prejudice against a person who is transgender or perceived to be transgender**.

1.1. All Hate Crimes are therefore hate incidents, but some hate incidents may not constitute a criminal offence.

1.2. In deciding to report or record a Hate Incident it is important for staff to note that **evidence is not needed**. All that is required is a **perception** on the part of anyone that the incident was motivated by prejudice or hate. Before making a decision to record a non crime hate incident please refer to the [Wiltshire Police Non-Crime Hate Incidents Guidance](#).

1.3. Hate incidents and hate crimes can be associated with a number of factors e.g. faith, sexual orientation or age. Additionally the perception that an individual is part of a group or is considered vulnerable is also applicable.

2. CRITICAL INCIDENTS and REPEAT VICTIMISATION.

2.1. A Hate Incident or a Hate Crime has the potential to be or to become a **Critical Incident** and should be managed accordingly. This should be considered during the golden hour.

2.2. A **Critical Incident** is defined as 'Any Incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or their community'. Further guidance is available in the publication: [Critical Incident Management College of Policing Authorised Professional Practice](#).

2.3. **Repeat Victimisation** can be an issue for victims of Hate Incidents or Hate Crimes, and this would include both members of the public and police employees. The revised definition of repeat victimisation is:

"When the same person or place or premises suffers from more than one incident within a rolling 12 month period or the caller self identifies that they are a repeat victim."

2.4. **Secondary Victimisation** occurs when victims of Hate Crime or Hate Incidents experience indifference or rejection from the police, as this effectively victimises them for the second time. Secondary victimisation takes place whether or not in fact the Police show indifference or rejection; it is entirely down to how the victim

perceives the interaction with the police. The onus rests entirely with the police to manage the interaction with the victim to ensure that they are left with no feelings of secondary victimisation.

2.5. **Vulnerability.** Victims of hate crime can often lead to being identified as being vulnerable. The revised definition of vulnerability in respect of crimes and incidents is:

"A person is vulnerable / at risk if as a result of their situation or circumstances they are unable to protect themselves from harm"

TACTICAL CONSIDERATIONS.

3. WELFARE.

Hate Crimes and Incidents within the Organisation

Police employees who are victims of Hate Incidents or Hate Crimes will receive exactly the same high standard of service that they themselves are expected to deliver to members of the public. Reported crimes and incidents will be managed in exactly the same way.

NINE POINT PLAN – OFFICERS AND STAFF SUBJECTED TO HATE CRIME.

1. Hate crime must be progressed expeditiously:

Hate crimes are frequently linked to other crimes. All hate crimes must be recorded separately and investigated without delay with an appropriately classified niche occurrence created.

2. The victim code applies to all victims, including Officers and Staff

Complying with the [Victim Code](#) means keeping the victim updated at all stages of the investigation, discussing outcome options and taking account of the victim's point of view before imposing an outcome. It also includes the "right to review" when no further action is recommended.

3. Investigation of the hate crime

It is not appropriate for the Victim of a Hate Crime to investigate any element of a crime that they are involved in. This includes taking statements. The integrity of the investigation and the impartiality of the officer or member of staff could be called into question, which could undermine the case and/or heighten the impact on the victim.

4. Welfare support and supervision

The victim's supervisor should meet with them as soon as practical and consider OHU. The victim may downplay the impact, but supervisors should be aware of the potential effects of the incident, as well as the wider cumulative impact. The victim's supervisor should also complete an accident and near miss form [here](#).

5. Supervisors must ensure their chain of command is informed

Notifying your manager ensures better support and subsequent investigation. It is important you inform the relevant Staff Association who can provide valuable additional support to the victim as well.

6. Submitting the best evidence for a successful prosecution

Due to the emotional impact of hate crime, the affected officer or staff should not write their own statement. A Victim Personal Statement should be obtained, ideally at the point of charge. The OIC must understand the 'points to prove' for hate crime, refer to the Hate Crime Operational Guidance and is responsible for ensuring the CPS are made aware that the case is hate related.

7. Restorative Justice

This will be supported by the Force if the victim chooses to take part. It will be facilitated by the Restorative Together Team and the victim will be afforded time to engage.

8. Compensation

If awarded compensation at court, the Force will expedite the payment to the officer/staff member automatically via the court decision being sent to Finance.

9. The Chief Officer's impact statement must be included in all prosecution files

This is to be submitted to highlight the severity of the incident and the courts will take this into consideration when sentencing. This is held on SharePoint under '[Chief Impact Statement](#).'

3.1. Additionally, those police employees identified as being responsible for Hate Incidents or Hate Crimes will be in breach of the code of conduct for police officers or police staff. Accordingly all such cases will be reported to a supervisor and to the Professional Standards Department.

3.2. Managers and staff should be aware of the signs that a colleague may be a victim of Hate Crime or Hate Incidents, be it internal to the organisation or not. These signs may include:

- Loss of self-confidence
- Frequent absenteeism
- Lower quality of work
- Out of character conduct.

3.3. Wiltshire Police encourages the disclosure by staff and/or their families of any incident that is of concern to them. It will be recorded as per normal crime recording protocol. All reports will be treated in confidence and dealt with in a thorough and confidential manner. Supervisors should consider referral of staff members to the Occupational Health Unit and relevant staff association. Staff are also able to self-refer.

4. REPORTING AND RECORDING.

4.1. Hate incidents and Hate Crimes may be reported in several ways. These include: In person (either in the street or at a front counter), via the 999 or 101 call systems, online reporting through the Force website, email, direct to supervisors by members of the team, in writing, or via True Vision. It is also important to recognise that these incidents or crimes could be reported by a third party including an outside agency. This is particularly relevant when one considers the definitions of Hate Crimes and Incidents which make it clear that the hatred or prejudice can be perceived by anyone and not just the victim.

4.2. All incidents that are identified as Hate Crime or Hate Incidents will be forwarded to the CCC and a storm log or Niche will be generated as the circumstances dictate. The incident will be recorded as per the [Responding to the Public Procedure](#) using THRIVE+. See force guidelines for the prioritisation of calls.

4.3. Staff receiving reports of Hate Crimes will gather a full first account of the incident in a sensitive and reassuring manner. This will include:

- Any previous history that may identify repeat victimisation
- Full description of any suspect(s) including their current whereabouts
- Details and locations of any witnesses
- Information to assess the immediate risk to the victim
- Assessment for the need for specialist staff to attend (Firearms; CSI; CID; SOLO etc.)
- Issues that might affect the safety of staff deployed to the scene.

4.4. Call centre staff will be in a position to provide immediate safety advice to the victim to minimise any immediate threat and explain what the police response will be and what happens next.

4.5. All storm logs will be closed to Niche as either a crime (in the event of a Hate Crime being identified) or as a Crime Related Incident (in the event of a Hate Incident but not a Hate Crime being identified). The FORS will review each NCHI to ensure that the correct details are being recorded as per the NCHI flow chart.

4.6. Full details of the incident or crime will be recorded on Niche. The M.O. field must reflect the type of hatred or prejudice reported. **The ethnicity, religion, disability and sexual orientation of the victim should be recorded within Niche, according to the type of hate crime or hate incident being reported. Tasks created should be recorded as a 'high' priority where there is a high threat/harm/risk.**

Note: where an individual has full recognition under the Gender Recognition Act 2004, the act of disclosure may itself be a criminal offence. Full details of the prohibition on disclosure of information can be found in [section 22](#)

[of the Gender Recognition Act 2004](#). These same principles should be applied to all victims and any disclosure should be discussed with the victim in advance.

5. SUPERVISION.

5.1. Incidents where a Hate Crime is identified will be attended by a Police Officer or Police staff dependant on the THRIVE+ assessment made by the call taker, there will be incidents where attendance will be agreed in the form of an appointment or similar.

5.2. An officer of at least the rank of Sergeant must be informed that there has been a report of a Hate Crime or a Hate incident where there is an element of threat, harm or risk. This should in practice be a uniform Sergeant responsible for the resources in the area where the incident has occurred.

5.3. Where a report of Hate Crime is of a serious or complex nature, CID will be informed and unless exceptional circumstances prevail, they will attend the scene to direct resources and commence a thorough investigation. A crime will be a serious or complex one if, aside from the hate element, this type of crime would be investigated by the CID. If there is any doubt the duty Detective Sergeant at the investigative hub in question should be consulted.

5.4. The CCC will seek to identify if the caller is a **repeat victim** by conducting research on Wiltshire Police databases. This includes assessing if the family of the victim or their community (both geographic and cultural) have previously been subject to similar crimes or incidents. This information must be passed onto the attending officers so that they can properly assess the situation.

5.5. Staff attending the scene should seek to identify the victim and provide immediate reassurance by demonstrating how seriously Wiltshire Police take these incidents. Staff should obtain as much detail as possible about the incident and seek to ascertain if the incident or crime is part of a wider issue for that victim, their family or their community. **It is important to note that Hate Crimes and Hate Incidents are based upon perception not evidence.** If an individual believes that the incident is motivated by hate or prejudice, then it is.

5.6. Staff attending Hate Crimes and Hate Incidents must be aware of the risk of Secondary Victimisation. This occurs when victims of Hate Crime or Hate Incidents experience indifference or rejection from the police, as this effectively victimises them for the second time.

5.7. The welfare of the victim and witnesses is our paramount concern. Victims of Hate Crime are automatically identified and contacted by 'Horizon' the Victim and Witness Care team. Victims will be allocated a Horizon Liaison Officer to act as their single point of contact who can refer to both a Police hate crime advisor and other support services where appropriate.

The Victim Care Officer must be identified under the 'Current officers' tab on the occurrence. Consideration should be made to signpost to the 'Good Neighbour Scheme' for immediate local support. **Verbal consent will be obtained from victims when considering sharing information and making referrals to partner agencies**

6. INVESTIGATION GUIDANCE.

6.1. There may not always be a known offender in all cases, but where one is identified, staff should take full details including description. Where it is necessary to do so in order to prevent further harm or progress an investigation staff will take positive action against any identified offender. In the case of hate incidents, this should be documented on the Niche investigation log and an intelligence report submitted where appropriate.

6.2. Staff must assess the vulnerability of the victim, their immediate family and the impact on the community. Hate Incidents and Hate Crimes have the potential to escalate rapidly and cause widespread community tension that could lead to large scale disorders or more serious crimes being committed. **The key is to identify where there is a risk and take steps to protect the victim, family and community and take preventative action to diffuse tensions.**

6.3. Where staff identify a threat to community cohesion, they must at once inform a supervisor of at least the rank of Inspector who will ensure a Community Concern Assessment is completed.

GOLDEN HOUR.

- If there is a crime scene, identify it and protect it.
- Consider the forensic opportunities (including fingerprints, DNA, footprints and photography, body worn video) and if in doubt consult with a CSI.
- Conduct house to house enquiries.
- Ascertain the details of all witnesses.
- Search the area for CCTV.
- Consider area search, VIPER and street identification for the offender.
- Consider if it is appropriate for an early arrest.
- Take a detailed account from the victim and consider the provisions for vulnerable and intimidated witnesses.
- Record detailed description of property where relevant.
- Ensure that medical consent forms are signed if appropriate.
- Provide victims, and any witnesses with information about Victim Support including the helpline **0808 168 9111 / 0808 281 0113 (local number)**
- Properly assess the incident. This includes assessing incidents to ensure that they do not form part of a 'course of conduct' as defined by the [Protection from Harassment Act 1997](#)

6.4. In all cases involving a crime, officers should obtain a Victim Personal Statement (VPS) on the first meeting with the victim should they wish to provide a VPS at the time.

This VPS will need to be reviewed as any case progresses to ensure that it is refreshed and any longer term effects on the victim, their family or their community are captured for future court purposes. If a VPS has not been obtained then clear rationale must be documented on the MG6 or the OEL to explain why, and this will be revisited prior to any charge of a suspect.

6.5. Staff must be aware of the risks of victim and witness intimidation and assess the risk of this at their first attendance. If a risk is identified, staff will record the risk and the ways in which this risk can be removed or managed using a range of methods including:

- Home and mobile alarms
- Mobile 999 telephone
- Home security survey and/or Bobby Van
- Overt and covert measures
- Safety plans
- Measures to capture evidence of intimidation (consult with TSU or PPD where appropriate)
- Targeting of suspects (Surveillance, visits, bail conditions etc)

In these cases victims and witnesses must be given clear instructions and details of who to contact 24 hours, 7 days a week. Additionally these issues must be flagged up on any case papers and the issues discussed with the CPS at the earliest opportunity. The Youth Justice and Criminal Evidence Act 1999 introduced a number of measures to assist victims and witnesses in criminal cases by making the process less traumatic.

Section 16 applies to vulnerable witnesses who are defined as those:

- under the age of 18
- Any witness whose quality of evidence is likely to be diminished because they:
 - are suffering from a mental disorder (as defined by the Mental Health Act 1983);
 - have a significant impairment of intelligence and social functioning; or
 - have a physical disability or are suffering from a physical disorder.

Some disabilities are obvious, some are hidden. Witnesses may have a combination of disabilities. They may wish not to disclose the fact that they have a disability during initial and subsequent needs assessments. Different witnesses on the autistic spectrum may have very different needs.

Section 17 of the act applies to witnesses who are in fear or distress at testifying in the case. The act provides that anyone eligible under s16 or s17 is eligible for Special Measures and makes provision for:

- Screens for witnesses
- Evidence given via video link
- Use of intermediaries
- Clearing of public galleries in court

- Use of communication aids (e.g. alphabet boards, sign and signal boards, hearing loops)
- Removal of wigs and gowns by Judges and barristers
- Pre-trial court visit

In extreme cases officers will consider the need to involve witness protection officers to protect witnesses and their families. This is a specialist area of work and advice from the force lead should be taken if this to be considered an option.

6.6. Staff will update their activity in relation to Hate Crimes and Incidents, on Niche, by the end of their tour of duty. Where appropriate intelligence reports will be submitted. Ensure where appropriate partner activity is recorded on the Niche record.

6.7. Where the victim is Police, they must not be down as the Officer in Case on the niche occurrence, nor own the task. The Police victim should not record their own statement ideally.

6.8. Supervisors will review the activity undertaken by their staff upon attending a Hate Crime or Hate Incident, by the end of their shift. The supervisor should also ensure the 9 Point plan is followed and OHU referral submitted if required and signpost to all support available.

7. SAFEGUARDING.

7.1. Staff allocated Hate Crimes and Hate Incidents for further investigation will ensure that they make contact with the victim and witnesses at the earliest opportunity, provide contact details and explain what will be happening next. This is to include Police staff.

7.2. In dealing with hate crimes or incidents relating to or involving a vulnerable person, officers should be mindful of the [Three Strands of Vulnerability](#). **The responsibility for completing the vulnerability assessment is with the initial attending officer.**

A person who is the victim of a hate crime or incident, particularly a repeat victim, may be impacted such that this may increase their likelihood of being vulnerable?

"A person is vulnerable/at risk if as a result of their situation or circumstances they are unable to protect themselves from harm."

(see also [Force Vulnerability Strategy](#)).

Strand 1: Adult - concern for safety – No PPN or VRA is required to be completed.*

Strand 2: Crime or ASB against vulnerable adults – Complete VRA, No PPN is required to be completed.*

** Strand 1 and Strand 2 Cross Cutting Theme's: if due to the **serious nature of the incident or significant risk of serious harm to the person** then the attending officer's professional judgement is required to assess risk and potential further information a PPN should be completed.*

Strand 3: Adults at risk - PPN to be completed. **DO NOT complete a VRA.**

Children (Under 18), who have come to the notice of police or who are at risk of harm ALWAYS require a PPN to be sent to the Children's MASH, including being present at any incident which involves any of the above Strands of adult vulnerability.

Where a Vulnerability Risk Assessment (VRA) has been completed and a risk has been identified the resultant grading will determine the next course of action:

- High risk incidents will be sent to the **Duty Inspector** to review and ensure relevant safety/security measures are in place.
- Medium and Standard risk incidents will be sent to the **Duty Sergeants** to review and confirm any relevant initial actions.

Additionally, a task must be sent by the officer completing the VRA to CCC to change the vulnerability marker from 'initial' to the relevant level of risk.

NB: Responsibility for investigating any crimes will remain with the initial attending officer (unless agreed otherwise).

7.3. Investigators are responsible for reviewing any risk assessment of victim and witness safety and ensuring that appropriate measures are in place to protect them.

7.4. Whilst dealing with a suspect in custody, the investigator has a duty to inform the custody sergeant of any information that relates to the vulnerability of the victim and/or witnesses. This will allow the custody sergeant to make an informed decision around whether or not to refuse bail.

7.5. When a suspect has been dealt with, the investigator will inform the victim as soon as practicable. [Appendix 1](#) details the minimum time requirements for updating victims as per the Victims Code of Practice. It should be stressed that these are the **minimum** standards required and it is expected that staff will in all but the exceptional cases exceed this standard.

If the suspect has been released on bail (with or without) conditions they will ensure that the victim has adequate safety plans in place. It is vital that the victim and witnesses are made aware of the details of any bail conditions, so that they can report breaches and positive police action be taken to arrest the offender. The fact that the victim has been updated and how they were updated (e.g. phone, in person, letter etc.) will be recorded on the Niche Investigation Log.

8. JUSTICE.

8.1. The investigating officer has a responsibility to ensure that the CPS are made aware that a case is Hate related. It is suggested that this is clearly identified in the opening comments of the case summary (MG5). Importantly annotate the MG6 to inform CPS that the matter is a Hate Crime.

8.2. Penalty Notices will not be issued for any offence which includes a Hate Crime aggravating factor.

8.3. Authority must be sought from the Crown Prosecution Service before charging an offence classified as a hate crime. Evidence Review Officers (ERO) can however consider offences in their aggravated form.

The Crime and Disorder Act 1998, sections 29-32, has created specific offences in relation to assault, criminal damage, public order and harassment which are aggravated by race or religion. With the exception of these offences, the Criminal Justice Act 2003, sections 145 and 146 empowers the court to give increased sentences for offences aggravated by race, religion, disability or sexual orientation.

The CPS national policy is that hate crime needs to be dealt with seriously (mostly by way of court proceedings) to ensure victim confidence, address under reporting and the lack of suitable rehabilitation programmes for offenders.

8.4. Community resolution may be suitable for Hate crime if the victim is supportive, this may provide additional confidence to the victim in reporting Hate crime to police due to them not wishing to proceed to court, however a CR will need to be authorised by an Inspector.

8.5. Restorative Justice Measures may be used in some Hate Crime cases as a means of disposal with the agreement of the Duty Inspector or NPT Inspector.

Where restorative justice is used consideration should be given to seeking advice from CPS and considering the views of the victim. Any decision to use such a disposal must be recorded on the niche occurrence and must detail the rationale for this outcome.

If a Hate crime is judged to be suitable for RJ as part of a disposal, the restorative intervention can either be delivered in a more immediate manner through Level 1 RJ ('street RJ') by the police, or the case can be referred to Restorative Together for Level 2 RJ. Cases should be referred on for Level 2 RJ if they are a bit more complex and may take a considerable amount of preparation before RJ can take place. The referral will be screened for suitability by the restorative justice coordinator.

It is worth noting that even if the case goes to court RJ can still be suitable. This will especially be the case if the victim has questions or anything they would like to say to the perpetrator, which they may not have had a chance

to express during the court process.

9. FILE COMPLETION.

9.1. During the investigation of cases involving Domestic Abuse, Hate Crime and all matters of vulnerability, it is the personal responsibility of investigating officers and supervisory officers to ensure that a timely and quality investigation takes place.

9.2. **A high quality MG5 is essential** in the identification of vulnerable victims and witnesses in the investigation. This report being the key document reviewed by the CPS prosecutor from which the facts are drawn in order to inform the court of the circumstances of the offence(s).

Likewise vulnerability should be identified within the MG2 (witness assessment).

Victims and witnesses are therefore afforded adequate access to support and protection, before, during or after the trial. The completion of the MG11 to a very high standard will improve the quality of care that is provided by our Victim and Witness bureau. The MG6 must annotate that the incident is a Hate Crime.

Supervision is essential during these investigations and where supervisory sign off is required it is mandatory that it is completed.

During the investigation where the suspect indicates that they intend to make a Guilty Anticipated Plea (GAP) the investigating officer WILL ensure that detailed and comprehensive witness statements are taken from all of those known victims and witnesses involved in the case. Including Victim Personal Statements. **Likewise for NGAP cases.**

The file will then be built in compliance with the latest version of the National File Standard and the [Crown Prosecution Service Directors Guidance on Charging](#). **Failure to comply with this may amount to a breach of PACE.**

10. WORK CONTROL.

10.1. The Community Policing Team Sergeant for the area in which the incident took place will be responsible for the following activity:

- Reviewing police activity in each reported Hate Incident or Crime case and ensure that it meets the high standards expected. Ensuring that remedial action is taken where the standard has not been reached
- Reviewing the golden hour investigation and victim and witness care
- Ensuring that any follow up investigation is allocated to the appropriate resource
- Making contact with investigating officers to help formulate an investigation plan and ensure that they understand the importance of thoroughly investigating Hate Crimes and Incidents and the role they play
- Assessing the need for the tasking of a Hate Crime Advisor
- Ensure that the NPT Inspector with geographical responsibility for the area where the incident occurred are informed as soon as practicable of any report and care plan which represents a threat, harm or risk to the victim or community confidence, if they are not available then this must be brought to the attention of the Community Area Deputy and Community Coordinator.
- The Duty Inspector must be notified as soon as practicable of any report or care plan which represents a threat, harm or risk to the victim or community confidence in order to make the decision on whether the incident is classified as a critical incident and requires additional resourcing, measures and a Community Concern Assessment.
- Named suspects will be discussed within hub DMMs in order that proactive attempts are made in arresting the suspect and that the investigation is progressed diligently.
- It will be the responsibility of the OICs supervisor in ensuring that Hierarchical Reviews are completed in line with current policy.
- Ensuring that investigating officers provide victims with their name, contact details and Niche reference number at the earliest opportunity.
- Ensuring that where needed Victim Personal Statements are recorded and that in longer running cases that they are reviewed and consideration given to obtaining a further VPS.
- Ensure that the Community Coordinator for the area in which the incident or crime took place is informed, providing niche reference number, and details of any assistance needed
- Ensuring that where needed, the Community Coordinator involves local partners in a multi-agency approach to supporting the victim and managing the offender and/or location

- Ensuring cases that require a multi-agency intervention are channelled by Community Policing Team Inspector or Community Area Deputy to ASB Steering Group Meetings.

10.2. The Intelligence department will ensure that all Hate Crimes and Incidents are represented on the Daily Management Meeting (DMM) Risk Management Portal for daily scrutiny by senior officers.

10.3. The strategic lead for hate crime will be the Chief Inspector for Local policing.

11. MULTI-AGENCY FORUMS (Including Hate Crime Advisors).

11.1. In the case of repeat victims or repeat offenders involved in Hate Crime or Hate Incidents, NPT Inspectors will ensure that the case is taken forward for discussion at ASBRAC and ASB Steering Group Meetings.

11.2. At Sector Tasking, the NPT Inspector will be responsible for agreeing and coordinating a multi-agency action plan tailored to tackle the issues associated with an individual case. They will record any agreed plan on the Niche Occurrence and ensure associated actions are undertaken and recorded on the Niche Occurrence Enquiry Log (OEL).

11.3. There are voluntary sector agencies that exist that should be invited to ASBRAC or ASB Steering Group Meetings when it is known that a Hate Crime or Hate Incident will be discussed. These groups will be able to provide a valuable insight into the cultural aspects of the issues at hand, thereby enhancing the service that we can provide to victims.

11.4. Hate Crime Advisors are responsible for:

- Identifying groups that could be vulnerable to hate incidents and crimes and engaging with them in structured and meaningful ways
- Making contact with victims of hate incidents/crimes
- Signposting and working with other agencies to offer and provide relevant and appropriate support to victims
- Liaising with investigating officers

Further guidance and a list of Hate Crime Advisors by area can be found at: <https://wiltspolice.sharepoint.com/sites/PPD-CS/SitePages/Hate-Crime-advisors.aspx>.

12. RADICALISATION.

12.1. The Counter Terrorism and Security Act 2015 places a general duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. The purpose of Prevent is at its heart to safeguard and support vulnerable people to stop them from becoming terrorists or supporting terrorism.

12.2. Factors that may have a bearing on someone becoming vulnerable to radicalisation may include: peer pressure, influence from other people or via the internet, bullying, crime against them or their involvement in crime, anti-social behaviour, family tensions, race or hate crime, lack of self-esteem or identity and personal or political grievances.

12.3. If officers or staff believe or suspect that a person involved in a hate incident or hate crime has or may develop links to terrorism and radicalisation they should report this directly to the Duty Inspector without delay. Duty Inspector will consider the level of risk and appropriate response (on a case by case basis). An appropriate intelligence submission should be made and the duty officer from CTPSW can be informed.

[See also [Prevent duty guidance](#)].

GLOSSARY OF TERMS.

Term	Meaning
ASBRAC	Anti-Social behaviour Risk Assessment Conference
CCC	Crime and Communications Centre
CID	Criminal Investigations Department
CSI	Crime Scene Investigator

Term	Meaning
DMM	Daily Management Meeting
NPT	Neighbourhood Policing Team
SIO	Senior Investigating Officer
SOLO	Sexual Offences Liaison Officer
VPS	Victim Personal Statement

APPLICABILITY.

This policy applies to all Police Officers, Police Staff, Special Constabulary and Volunteers.

RELATED DOCUMENTS and Authorised Professional Practice.

APP > Major Investigation and Public Protection > [Hate Crime](#) [under development]

APP > Critical Incident Management > [Introduction and types of critical incidents](#)

APP > [Phase 2 - managing critical incidents](#)

APP > [Public order](#) > [Core principles and legislation](#)

APP > [Investigation](#) > [Working with victims and witnesses](#)

[Anti Social Behaviour Policy](#)

[Responding to the Public Procedure](#)

[Stalking and Harassment Policy and Procedure](#)

[Vulnerability Strategy](#)

[National Policing Hate Crime Strategy](#) (see APP Hate Crime)

[Non crime hate incidents guidance](#)

DATA PROTECTION AND FREEDOM OF INFORMATION.

Any information relating to an identified or identifiable living individual recorded as a consequence of this policy and procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the [Data Protection Policy](#).

This document has been assessed as suitable for public release.

HUMAN RIGHTS AND EQUALITY IMPACT.

This policy has been drafted to comply with the principles of the Human Rights Act 1998 and Equality Act 2010. Members of Wiltshire Police administering this policy are responsible for ensuring that in its application, those to whom the policy applies, shall not receive less favourable treatment because of their age, colour, disability, ethnic or national origin, gender re-assignment, marital status, nationality, race, religion, sex or sexual orientation.

This policy has been subject to an equality impact assessment and has been graded High Impact. An Equality Impact Assessment has been completed and the policy will be continually monitored for adverse impact upon any group. The outcome of this monitoring will inform review of the policy which will take place bi-annually. The full Equality Impact Assessment can be found on the [Equality Impact Assessment SharePoint page](#).

APPENDIX 1: ADDITIONAL INFORMATION.

POLICE OBLIGATIONS – VICTIM CODES OF PRACTICE.
VICTIM NOTIFICATION REQUIREMENTS (Days).

Investigation Stage	Priority Categories	
	Vulnerable or Intimidated victims and U.18 Victims of Most Serious Crimes Persistently Targeted Victims (Days)	All other victims (Days)
Suspect not arrested, charged, cautioned, reprimanded or final warning.	28	28
Suspect arrested.	1	5
Suspect released no further action	1	5
Suspect 37(7), 37(2) bailed	1	5
Police bail amended or cancelled	1	5
Suspect reported and advice file to be submitted	3	3
Summons issued	5	5
CPS decision is no further action	1	5
Suspect charged & bail to court	1	5
Police bail conditions change < court	1	5
Police remand before court	1	5
Court remand in custody	1	5
Court remand on bail (tell victim of any conditions)	1	5
Defendant fails to appear or warrant issued (tell victim of next set court date)	1	4
Suspect cautioned or non court disposal	1	5
Defendant appeals against a conviction at Magistrates court	1	1
Defendant appeals to court of appeal after conviction at Crown court	1	5
Result of appeal known	1	4

^ Revision History.

Version	Date	Summary of Changes
10	30.10.2024	Scheduled review: Text on Hate Incidents removed and new link to the NCHI Non-Crime Hate Incidents Guidance added. Requirement for the FORS will review each NCHI to ensure that the correct details are being recorded as per the NCHI flow chart added. Possible use of community resolution for Hate crime if suitable and the victim is supportive added.