

AGENDA ITEM:

REPORT TO: Meeting of the	MERSEYSIDE FIRE & RESCUE AUTHORITY COMMUNITY SAFETY & PROTECTION COMMITTEE
DATE:	11TH JULY 2013
REPORT NO.	CFO/084/13
REPORTING OFFICER:	DEPUTY CHIEF FIRE OFFICER
CONTACT OFFICER:	AM MYLES PLATT – DIRECTOR OF PREVENTION & PROTECTION, EXTN; 4644
OFFICERS CONSULTED:	WM IAN MULLEN, DIVERSITY & CONSULTATION MANAGER – WENDY KENYON AND GM JAMES BERRY
SUBJECT:	HATE CRIME POLICY

APPENDIX	A	TITLE	Hate Crime Policy – Draft
	B		EIA for Hate Crime Policy

Purpose of Report

1. To request that Members approve the recommendations of this report relating to the implementation of Merseyside Fire & Rescue Authority's (MFRA's) Hate Crime Policy.

Recommendation

2. That Members;
 - a) Approve the introduction of the Hate Crime Policy (Appendix A) and subsequent Service Instructions relating to hate crime, safe havens, target hardening and arson incident recording.

Executive Summary

The Government recently produced a report titled "Challenge it, Report it, Stop it", the Government's Plan to tackle Hate Crime, highlighting the need for challenging, reporting and stopping hate crime.

MFRA needs to make sure its long standing policies and approaches are consistent with the Government plan.

The policy will be underpinned and supported by the introduction of a number of Service Instructions that support the implementation of the Policy and give guidance on the definition of hate crime and the appropriate reporting methods.

Accompanying this undertaking will be the development of Safe Havens on each of MFRA's Community Fire stations

Incidents of arson attacks and their reporting will be separated from hate crimes unless meeting the recognised definition of hate crime.

Guidance on how properties are made safer by using target hardening techniques will be available.

A training programme will be developed in order to advise staff on the Policy and methods of implementation.

Introduction & Background

3. The Government published a document in 2012 called 'Challenge it, report It, Stop It – The Government's Plan to tackle Hate Crime'¹. This identifies how jointly the 3 core principles of preventing hate crime, reporting hate crime and response to hate crime will be enabled to drive down instances of hate crime.
4. Merseyside Fire and Rescue Authority attend numerous incidents whereby arson and fire has been used as a weapon. For the past ten years this type of arson incident has been called a hate crime. Under Government (Home Office) and Police (Association of Police Officers) guidance this is known as the crime of arson and is not a hate crime unless motivated by a specific prejudice, which relates directly to one of the five protected characteristic's as detailed in Appendix B.
5. Current guidance exists to give direction on how to report a hate crime or what to do if a person informs a staff member that a hate incident or crime has occurred. The new Policy and instructions are designed to reflect that guidance.
6. Merseyside Police investigate all Hate Crime and review all Hate related Incidents (an event due to prejudice whereby a crime may not have been committed). They have established dedicated units in each District or Basic Command Unit (BCU) called Sigma units which are staffed by Detectives to investigate Hate Incidents/Crimes. No clear pathway is currently available in order to report incidents to Sigma units from MF&RA staff.

¹ Challenge It, report It, Stop It – The Government's Plan to tackle Hate Crime. [LINK: Hate Crime Action Plan](#)

7. This hate crime policy is produced to give clear guidance and instruction on hate crime and incidents. This will be supported by a number of Service Instructions that underpin the Policy and enable its implementation.
8. A “hate crime/hate incident” reporting process will be developed to enable any staff member the ability to report a perceived incident/crime to Merseyside Police. This can be done by contacting the Police directly or via the True Vision website which is hosted by the Metropolitan Police.
9. A member of the public who wishes to report a hate crime/incident can be signposted to Merseyside Police or the True Vision website by a member of staff.
10. All Authority premises are being developed to become third party reporting centres whereby a hate incident or crime can be reported and passed onto appropriate authorities. This is in-line with Government recommendations and specific recommendation made by Sir William MacPherson as part of the Stephen Lawrence enquiry ² to expand reporting centres across the UK to increase reporting facilities.
11. In order to allow vulnerable people to turn to MFRA for support and assistance all MFRA locations will be defined as Safe Havens. This is as a place of relative short term safety whereby additional support or assistance can be summoned. This may be something as simple as advice on how to reach a specific location or the more serious event of giving first aid to a person who has been attacked or prevent a situation worsening. Fire Authority locations are already perceived by many members of the public as a safe place to go to if assistance is needed in an emergency.
12. The reporting process will be developed in order to record and capture safe haven activations. This will allow for audit, monitoring and review of Safe Haven use.
13. Arson incidents will no longer be classified as hate crimes unless a motivation due to a specific prejudice has been perceived by the attacker or another person, in this case a representative of MFRA. This will align with Merseyside Police and Government guidance. Five specific strands of prejudice are monitored which are race, sexual orientation, religion/faith, disability or gender identity. However other specific prejudices can be included in the definition of a hate related incident.
14. When an incident involving fire or the threat of fire becomes known to MFRA then a referral will be triggered to ensure a dedicated arson reduction team member responds and provides the appropriate advice, support and guidance. This referral can come from internal departments and operational crews or from partner agencies such as the Police or Local Authority departments.

² **The Stephen Lawrence Inquiry: Recommendation 16.** *That all possible steps should be taken by police services at local level in consultation with local government and other agencies and local communities to encourage the reporting of racist incidents and crimes. This should include: the ability to report at locations other than police stations; the ability to report 24 hours a day.* [LINK: Stephen Lawrence Recommendations](#)

15. Specific devices utilised in the reduction of the threat of arson to a person or location has been in use for some considerable time. This process is known as target hardening and consists of fire safety advice, fire survival advice and devices used to prevent and detect fire. These include safety leaflets, specific site security advice, smoke alarms, letterbox locks, letterbox plates and letterbox flame retardant bags. A formal process will be implemented to allow a consistent approach across all MF&RA Districts.

Equality & Diversity Implications

16. A full Equality Impact Assessment has been undertaken and is attached in the appendix B.

Staff Implications

17. Training will be necessary to give staff guidance on hate crime, safe havens and arson reporting. A presentation will be made available via the portal and Learnpro for all staff to access. Guidance and support will be given by the Prevention team at SHQ.

Legal Implications

18. The legal implications are set out in the body of this report. Hate crime must be reported if perpetrator's are to be prosecuted. Safe Havens for victims will assist in this.

Financial Implications & Value for Money

19. There are no financial implications associated with the report.

Risk Management, Health & Safety, and Environmental Implications

20. A valid risk assessment for persons entering Fire Service premises, as part of the safe haven scheme has been undertaken by H&S department and is available on via the MF&RA portal.

Contribution to Our Mission – To Achieve; Safer Stronger Communities – Safe Effective Firefighters”

21. This policy will allow Merseyside Fire and Rescue Authority to be a third party reporting centre for hate crime and offer a safe refuge for persons who are feeling vulnerable when in the locality of a FRA premises. This will contribute to making the communities of Merseyside safer.

BACKGROUND PAPERS

All background documents considered as part of this policy have been listed and documented in the Equality Impact assessment. These are:

IRMP 2013-2016

Reaching all Communities on Merseyside – MF&RA

Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime

Equality and Diversity – What you need to know – MF&RA

Equality Analysis of Workforce and Employment 01.12.2012 KIM - MF&RA

Profile of Merseyside KIM V1.6 29/01/2013 – MF&RA

FRS DCLG Equality and Diversity strategy 2008-2018

Glossary Of Terms

MF&RA - Merseyside Fire and Rescue Authority

FRA - Fire and Rescue Authority

SHQ - Service Headquarters.

BCU - Basic Command Unit

UK - United Kingdom