



**Safer Policy and Performance Board**

**Tuesday, 16 November 2010 at 6.30 p.m.  
Council Box, Halton Stadium**

A handwritten signature in black ink that reads 'David W R'.

**Chief Executive**

**BOARD MEMBERSHIP**

<b>Councillor Shaun Osborne (Chairman)</b>	<b>Labour</b>
<b>Councillor Pamela Wallace (Vice- Chairman)</b>	<b>Labour</b>
<b>Councillor Marjorie Bradshaw</b>	<b>Conservative</b>
<b>Councillor Susan Edge</b>	<b>Labour</b>
<b>Councillor John Gerrard</b>	<b>Labour</b>
<b>Councillor Martha Lloyd Jones</b>	<b>Labour</b>
<b>Councillor Keith Morley</b>	<b>Labour</b>
<b>Councillor Margaret Ratcliffe</b>	<b>Liberal Democrat</b>
<b>Councillor Mike Shepherd</b>	<b>Independent</b>
<b>Councillor Dave Thompson</b>	<b>Labour</b>
<b>Mr B Hodson</b>	<b>Co-optee</b>

*Please contact Lynn Derbyshire on 0151 471 7389 or e-mail  
lynn.derbyshire@halton.gov.uk for further information.*

*The next meeting of the Board is on Tuesday, 18 January 2011*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. MINUTES</b>	
<b>2. DECLARATION OF INTEREST (INCLUDING PARTY WHIP DECLARATIONS)</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and, with personal and prejudicial interests (subject to certain exceptions in the Code of Conduct for Members), to leave the meeting prior to discussion and voting on the item.	
<b>3. PUBLIC QUESTION TIME</b>	<b>1 - 3</b>
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<b>5. DEVELOPMENT OF POLICY ISSUES</b>	
(A) <b>PRESENTATION: OUR LIFE</b>	<b>14 - 15</b>
(B) <b>PRESENTATION: HEALTH &amp; SAFETY EXECUTIVE</b>	<b>16</b>
(C) <b>PRIVATE LANDLORD POWERS TO TACKLE ANTI SOCIAL BEHAVIOUR</b>	<b>17 - 24</b>
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***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**REPORT TO:** Safer Halton Policy & Performance Board

**DATE:** 16 November 2010

**REPORTING OFFICER:** Strategic Director, Resources

**SUBJECT:** Public Question Time

**WARD(s):** Borough-wide

### **1.0 PURPOSE OF REPORT**

1.1 To consider any questions submitted by the Public in accordance with Standing Order 34(9).

1.2 Details of any questions received will be circulated at the meeting.

**2.0 RECOMMENDED: That any questions received be dealt with.**

### **3.0 SUPPORTING INFORMATION**

3.1 Standing Order 34(9) states that Public Questions shall be dealt with as follows:-

- (i) A total of 30 minutes will be allocated for dealing with questions from members of the public who are residents of the Borough, to ask questions at meetings of the Policy and Performance Boards.
- (ii) Members of the public can ask questions on any matter relating to the agenda.
- (iii) Members of the public can ask questions. Written notice of questions must be given by 4.00 pm on the working day prior to the date of the meeting to the Committee Services Manager. At any one meeting no person/organisation may submit more than one question.
- (iv) One supplementary question (relating to the original question) may be asked by the questioner, which may or may not be answered at the meeting.
- (v) The Chair or proper officer may reject a question if it:-
  - Is not about a matter for which the local authority has a responsibility or which affects the Borough;
  - Is defamatory, frivolous, offensive, abusive or racist;
  - Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
  - Requires the disclosure of confidential or exempt information.

- (vi) In the interests of natural justice, public questions cannot relate to a planning or licensing application or to any matter which is not dealt with in the public part of a meeting.
- (vii) The Chairperson will ask for people to indicate that they wish to ask a question.
- (viii) **PLEASE NOTE** that the maximum amount of time each questioner will be allowed is 3 minutes.
- (ix) If you do not receive a response at the meeting, a Council Officer will ask for your name and address and make sure that you receive a written response.

Please bear in mind that public question time lasts for a maximum of 30 minutes. To help in making the most of this opportunity to speak:-

- Please keep your questions as concise as possible.
- Please do not repeat or make statements on earlier questions as this reduces the time available for other issues to be raised.
- Please note public question time is not intended for debate – issues raised will be responded to either at the meeting or in writing at a later date.

#### **4.0 POLICY IMPLICATIONS**

None.

#### **5.0 OTHER IMPLICATIONS**

None.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children and Young People in Halton** - none.

6.2 **Employment, Learning and Skills in Halton** - none.

6.3 **A Healthy Halton** – none.

6.4 **A Safer Halton** – none.

6.5 **Halton's Urban Renewal** – none.

#### **7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 None.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE  
LOCAL GOVERNMENT ACT 1972**

8.1 There are no background papers under the meaning of the Act.

**REPORT TO:** Safer Halton Policy and Performance Board  
**DATE:** 16 November 2010  
**REPORTING OFFICER:** Chief Executive  
**SUBJECT:** Specialist Strategic Partnership minutes  
**WARD(s):** Boroughwide

### **1.0 PURPOSE OF REPORT**

The **draft** Minutes from the last Safer Halton Partnership meeting, which are subject to approval at the next meeting of the Safer Halton Partnership, are attached for consideration.

**2.0 RECOMMENDATION:** That the minutes be noted.

### **3.0 POLICY IMPLICATIONS**

3.1 None.

### **4.0 OTHER IMPLICATIONS**

4.1 None.

### **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

#### **5.1 Children and Young People in Halton**

None.

#### **5.2 Employment, Learning and Skills in Halton**

None.

#### **5.3 A Healthy Halton**

None.

#### **5.4 A Safer Halton**

None.

#### **5.5 Halton's Urban Renewal**

None.

**6.0 RISK ANALYSIS**

6.1 None.

**7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 None.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

8.1 There are no background papers under the meaning of the Act.

**SAFER HALTON PARTNERSHIP**

*At a meeting of the Safer Halton Partnership Tuesday, 7 September 2010 Civic Suite, Town Hall, Runcorn*

Present	M. Andrews	Community Safety
	S. Blackwell	Cheshire Police
	D. Cargill	Cheshire Police Authority
	A. Collins	Cheshire Police Authority
	S. Eastwood	HBC Health and Community
	C. Frazer	Riverside Housing
	D. Houghton	HBC Policy and Partnerships
	N. Sharpe	Halton Housing Trust
	R. Strachan	Cheshire Police
	J. Sutton	Resources
	K. Thornden	Cheshire Probation
	C. Walsh	Halton & ST Helens PCT

*Action*

SHP12 WELCOME & INTRODUCTIONS

Inspector Richard Strachan welcomed everyone to the meeting and introductions were made around the table.

SHP13 APOLOGIES

Apologies had been received from David Parr- HBC, Lorraine Crane – HBC, Dwayne Johnson – HBC, Rosie Lyden – HBC, Richard Gorst – Cheshire Fire & Rescue, Norman Oldham – Halton Magistrates, Liz Weston – UK Border Agency and Kim Thornden – Cheshire Probation.

SHP14 MATTERS ARISING FROM PREVIOUS MEETING MINUTES - 11.05.10

The minutes of the meeting held on 11 May 2010 were agreed as a correct record.

SHP15 THE SUSTAINABLE COMMUNITY STRATEGY

The Partnership received a report which updated Members of the progress of the new Sustainable Community Strategy (SCS) 2011-2026 and presented the emerging vision, key objectives and long term priorities that the plan sought to deliver upon.

The drafting of a new SCS offered the opportunity to



revisit the high level objectives under each of the current five key priorities and reflected the current public priorities and needs. There was a multitude of changes proposed for the public sector and uncertainty over financing mechanisms, but these factors would not change the long term challenges the Borough faced. It was important the overarching priorities for the Borough were scrutinised so that decisions about the allocation of resources could be made when organisational architectures and funding mechanisms became clearer.

Section 6.17 'A Safer Halton' was referred to and discussed. In conclusion, the members of the Partnership were asked to pass any comments they may have to Debbie Houghton within the next week, so that the approval process could progress.

RESOLVED: That

- 1) Partners consider and comment upon the five overarching priorities for the emerging SCS 2011-2026.
- 2) Partners consider the suggested vision, strategic objectives and challenges contained in Section 6.0 and their alignment with their knowledge of local needs.

**SHP16 HALTON STRATEGIC PARTNERSHIP BOARD WNF AND LPSA2 FUNDING CUTS**

The Partnership received a report regarding Local Public Service Agreement (LPSA) and Working Neighbourhood Fund (WNF) Allocations Review, which provided an update on the reward grant allocations.

Since the recent change in Government, the HSPB were notified of cuts to the LPSA reward grant (LPSA2) and WNF funding that was currently being received. In order to manage this process, David Parr, on behalf of the HSPB, had asked each SSP to identify cuts to projects. Safer Halton project managers were asked to make the difficult decision of identifying cuts to put forward to the HSPB and the Council's Executive Board. These cuts had since been agreed by the Council's Executive Board on 15<sup>th</sup> July 2010.

RESOLVED: That the Safer Halton Partnership noted the revised allocations of WNF and LPSA2 funding to projects.

SHP17 SAFER HALTON PARTNERSHIP DRAFT TERMS OF REFERENCE

Due to the absence of an agreed Terms of Reference document for the Partnership presently, the group reviewed the Draft Terms of Reference which had since been proposed and were attached to the report for reference.

The group were asked to review the document and forward any comments to Debbie Houghton. They would then be sent out in final format with the minutes of this meeting.

RESOLVED: That subject to any comments or changes agreed by Partners, the Safer Halton Partnership adopt the Terms of Reference, as set out in the attached document.

SHP18 SAFER HALTON EVALUATION OF PROJECTS

The Partnership considered a report on the evaluation of the Safer Halton projects, since the WNF along with a number of other funding sources was due to end in March 2011.

The October Spending Review may announce extensions to these funding streams or indeed provide alternatives; however, it was commented that it would be sensible at this time to work on the basis that the funding would end. As partners were aware, the SHP had utilised this funding to support a number of projects including Blue Lamp, work on domestic abuse, alcohol and anti social behaviour. The HSPB had requested that all projects currently funded by WNF across all SSPs be evaluated and wrote to SSP chairs in this regard in July.

At the SHP Chairs' meeting on 22 July 2010, it was agreed that for Safer Halton, all projects in receipt of other funding sources, which are also due to end next year, should also be evaluated, not just the WNF projects. This included the Safer and Stronger Communities Fund, LPSA 2 Reward Grant etc.

As part of the evaluation process project managers were asked to complete a project evaluation form. These completed proformas would then be shared with members of each relevant SSP at the next meeting. A member from

another SSP would be invited to the SSP meeting as part of a 'Peer Review Process', with this person acting as a critical friend. Partners would be asked to review the evaluation proformas for each project to determine if the business case was robust and would stand up to scrutiny by Partners. Once the number of projects had been reduced to a manageable number, these would go forward to a special SSP chairs meeting on 15<sup>th</sup> September.

Project managers who were present gave a brief overview of their evaluation/s. Due to time restraints and the amount of time needed to dedicate to prioritising the projects, it was agreed that all would take the evaluation documents away and revert to Debbie Houghton with any comments and opinions. One member queried whether there was a prioritising framework system in place for this exercise. In response it was noted that the SSP and LSP chairs would be meeting to discuss the outcomes and would use a prioritising system when making their decisions.

RESOLVED: That the Partnership:

- 1) Reviews and challenges the completed evaluation proformas provided by project managers to determine if there was a robust business case for the project to continue; and
- 2) Prioritises the SHP projects, so that should funding be made available partners were agreed on which projects they would most want to see continue.

#### SHP19 HSPB RISK REGISTER

The group reviewed the Halton Strategic Partnership Local Area Agreement Risk Register which was attached as Appendix A. The register had been produced using a simple four-step approach to the risk assessment process (Identify, Evaluate, Treat and Monitor and Review), which was used by the Partnership's Accountable Body – Halton Borough Council.

It was noted that the main focus should be on the achievement of objectives rather than the assessment process itself. Too little awareness and control could damage the performance of any organisation, but an obsessive level of involvement in the fine details of risk could easily overwhelm the organisation. Between these two extremes was a turning point, a balanced area of high performance, which was the status to aim for.

The report covered the scoring system of Low, Medium and High and scored each risk accordingly. The register was split into 6 sections as follows:

- Section 1 : Strategic Risk 2009-11
- Section 2 : Children & Young People in Halton (SSP)
- Section 3 : Safer Halton Partnership (SSP)
- Section 4 : Employment Learning & Skills (SSP)
- Section 5 : Healthy Halton (SSP) – 2009-11
- Section 6 : Halton's Urban Renewal (SSP) 2009-11

RESOLVED: That the Partnership notes and comments on the Risk Register document.

#### SHP20 POLICING WHITE PAPER

The Partnership reviewed the consultative white paper '*Policing in the 21<sup>st</sup> Century: reconnecting police and the people*' which set the Government's vision for policing. Responses were relevant to the legislation in the Police Reform and Social Responsibility Bill to be considered before the bill's introduction in Autumn 2010 and for future policy development. It was noted that it was important that the group respond to this consultation and make views known. The consultation period will run from 26 July 2010 and end on 20 September 2010.

Public comments could be made online on the Home Office website. The Partnership should forward their comments to Debbie Houghton who would coordinate a reply on behalf of the SHP.

RESOLVED: That the Partnership notes and comments on the white paper.

#### SHP21 JOINT STRATEGIC NEEDS ASSESSMENT

Further to a report that was put to the last Safer Halton Partnership meeting on the statutory duty to produce a Joint Strategic Needs Assessment (JSNA) and guidance on what was to be included, it was agreed to set up a small steering group chaired by Dwayne Johnson, which would pull together the relevant data and intelligence from partners.

The steering group had since identified five draft priorities, which were brought to the May SHP meeting for comment, they were: anti social behaviour; alcohol misuse and its impact on crime and communities; tackling drug use; safeguarding vulnerable adults and children; communication

and community engagement, and domestic abuse.

The final draft of the JSNA was attached to the report for any final comments from the group.

RESOLVED: That the Safer Halton Partnership:

- 1) Approves the final draft of the JSNA summary, subject to any final comments from partners; and
- 2) Agrees that action/delivery plans be prepared by the relevant SHP task group, to deliver improvements to performance targets for the JSNA priorities once approved, with a timescale to be agreed.

## SHP22 TASK GROUP UPDATES

The group received task group updates from the respective manager for the following areas:

- a) Alcohol Enforcement
- b) Domestic Abuse
- c) Drugs
- d) Partnership Tasking & Coordination
- e) Prolific & Other Offending
- f) Reducing reoffending

RESOLVED: That the task group updates be noted.

## SHP23 HATE CRIMES

The Partnership received a paper on hate crimes in Halton which stated that during the period April to June 2010 there had been a total of 19 race hate and one disability hate incident reported to the Police, with no homophobic incidents.

Of these 20 incidents, 11 had been found to meet the 'hate crime' criteria. All crimes were being progressed satisfactorily and were monitored by the Diversity Team within the Safer Halton Partnership. It was noted that there was no evidence of a link between the crimes and the night time economy.

It was also reported that there had been an increase in the number of threats made to the traveller community within the Daresbury area, a site which does not have the appropriate planning permission. Although there was still no evidence of threats made, the Police and the HBC were in

dialog with both Daresbury residents and the traveller community.

RESOLVED: That the Partnership notes and comments on the report.

SHP24 HALTON'S SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2009/10

The Partnership received Halton's Safeguarding Vulnerable Adults Annual Report for 2009/10 together with a report updating them on the key issues and progression of the agenda for safeguarding vulnerable adults in Halton.

It was noted that the Report would be presented to a number of forums, including the Safer Halton and Healthy Halton Policy and Performance Boards, the People's Cabinet and the Learning Disabilities Partnership Board. The Safeguarding Adults Board also recommended that partner agencies present this to their respective bodies.

Any comments regarding the Annual Report should be forwarded to Steve Eastwood, who offered to respond to queries on behalf of the SHP.

RESOLVED: That the Partnership notes and comments on the report's content.

SHP25 THE STIGMATISATION OF PROBLEM DRUG USERS

The Partnership received a report advising them of recently published research by the UK Drug Policy Commission into the stigmatisation of problem drug users. The full report could be found at [www.ukdpc.org.uk](http://www.ukdpc.org.uk).

The report stated that the coalition Government were signalling a significant shift in drug policy towards a more abstinence based approach to treatment. Proposals were being put forward to withdraw benefits from drug users who do not access treatment, so tackling the extreme prejudice about addiction in society would be essential if Partnerships were to succeed in getting people who were recovering from drug dependency off benefits, back into work and playing a full role in society.

It was commented that the research highlighted a number of possible areas for action, particularly with regards to service user and advocacy groups becoming more active and challenging the way drug addiction is reported in the media which provides fuel for public perception. Additionally

the group agreed that some work would need to be done around helping people back into employment through voluntary work placements etc and speaking to the public, employers and service users for innovative ideas.

RESOLVED: That the Partnership notes and comments on the report.

#### SHP26 CONSULTATION ON THE NEW UK DRUG STRATEGY

The Partnership received a report advising them of the consultation currently being undertaken by the Coalition to inform the new UK Drug Strategy. The Consultation Paper was attached for information.

The Consultation would be aimed at a wide audience, from charities to enforcement partners, drug workers and voluntary and community sector organisations. This would provide an early opportunity for a range of partners to contribute to the development of this new strategy.

The group were requested to read and comment on the attached consultation paper away from the meeting. Any queries should be forwarded to Steve Eastwood by 21 September 2010 so that he could forward them to Government for response by 30 September 2010. It was anticipated that the new strategy would be produced by December 2010.

RESOLVED: That

- 1) The SHP notes and comments on the report by 21 September 2010; and
- 2) The SHP supports the process by which a coordinated response could be provided to the Coalition.

*Meeting ended at 4.00 p.m.*

**REPORT TO:** Safer Halton Policy and Performance Board

**DATE:** 16<sup>th</sup> November 2010

**REPORTING OFFICER:** Strategic Director, Adults and Community

**SUBJECT:** Presentation – Our Life

**WARDS:** Borough-wide

## **1.0 PURPOSE OF THE REPORT**

1.1 To receive a presentation from ‘Our Life’ about their work in the area to reduce alcohol consumption.

## **2.0 RECOMMENDATION: That**

- (1) Members receive the presentation.
- (2) Members comment on the work of ‘Our Life’ and ask questions in relation to alcohol purchase/consumption in Halton.

## **3.0 SUPPORTING INFORMATION**

3.1 At its meeting on 21<sup>st</sup> September 2010 the Safer Halton PPB received a presentation on alcohol misuse in Halton. At the meeting questions were asked about the cost of soft drinks and the lack of low alcohol alternatives in public houses.

3.2 ‘Our Life’ is a social enterprise established by NHS North West to give local people an opportunity to get involved in tackling health inequalities and to campaign for better wellbeing and health in the region. They have recently researched the ‘super-cheap Alcohol Sales in the North West’ and ‘The North West opinion on the Code of Practice for Alcohol Detailers’.

## **4.0 POLICY IMPLICATIONS**

4.1 None identified.

## **5.0 OTHER IMPLICATIONS**

5.1 None.

## **6.0 IMPLICATIONS FOR THE COUNCIL’S PRIORITIES**

### **6.1 Children and Young People in Halton**

Rates of drinking amongst 14-17 year olds in high in Halton. Cost and availability is a factor in this.

### **6.2 Employment, Learning and Skills in Halton**



None identified.

**6.3 A Healthy Halton**

Halton has been identified as the eighth worst local authority area in England for alcohol related harm.

**6.4 A Safer Halton**

Alcohol misuse is strongly linked to crime and anti-social behaviour.

**6.5 Halton's Urban Renewal**

None identified.

**7.0 RISK ANALYSIS**

7.1 It is imperative that the Council and its partners address the issue of alcohol misuse to avoid major ill health and social problems.

**8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 Alcohol abuse can lead to significant health and family problems and it is imperative that adequate support and advice is available to all members of the community.

**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None

**REPORT TO:** Safer Policy and Performance Board

**DATE:** 16<sup>th</sup> November 2010

**REPORTING OFFICER:** Strategic Director – Environment & Economy

**SUBJECT:** Presentation to board from the Health and Safety Executive

### **1.0 PURPOSE OF THE REPORT**

**1.1 To provide a background to the presentation**

### **2.0 RECOMMENDATION: That**

- (1) The presentation be received.
- (2) Members take the opportunity to put questions to the Health and Safety Executive.

### **3.0 SUPPORTING INFORMATION**

At the September meeting of the Safer PPB The Chair, Cllr Osborne, requested that a representative from the Health and Safety Executive (HSE) be invited to provide the board with an update of the HSE's work in the borough.

The HSE is a non-departmental public body sponsored by the Department of Work and Pensions and accountable to its ministers. The primary function of the HSE is to secure the health, safety and welfare of people at work and protect members of the public who may be affected by work activities. The HSE are responsible for regulating Health and Safety in the UK and work in partnership with local authorities.

Within Halton responsibility for enforcement of health and safety law is shared between the HSE and the Authority. The HSE are responsible for manufacturing, construction and specialist processes such as the chemical industry, whilst the Authority is responsible for retail, catering, warehousing and consumer service sectors. The HSE works in partnership with the Authority to address shared priorities.

It is important to note that this presentation will address the HSE's role in regulating businesses in the borough and is not intended to consider the HSE's role in overseeing the activities of the Authority as a duty holder.

<b>REPORT TO:</b>	Safer Halton Policy and Performance Board
<b>DATE:</b>	16 <sup>th</sup> November 2010
<b>REPORTING OFFICER:</b>	Strategic Director, Adults and Community
<b>SUBJECT:</b>	Private Landlord powers to tackle anti-social behaviour
<b>WARDS:</b>	Borough Wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To provide an update to the Board on responsibilities that private landlords have to tackle anti-social behaviour in their properties.

## **2.0 RECOMMENDATION: That**

The Policy and Performance Board note and comment on the report's content.

## **3.0 SUPPORTING INFORMATION**

Key points to update are as follows:

### **3.1 Landlords' responsibilities**

As a general rule landlords are not responsible for the actions of their tenants as long as they have not 'authorised' the anti-social behaviour. Despite having the power to seek a court order when tenants exhibit anti-social behaviour, private landlords are free to decide whether or not to take action against their tenants. The question of whether a landlord can be held liable for the nuisance of its tenants has been considered in a number of cases.

It is established that no claim can be sustained in nuisance where the nuisance is caused by an extraordinary use of the premises concerned, for example by the tenants being noisy or using drugs on the premises. The rationale behind this approach is that it is up to the victim of the nuisance to take action against the perpetrator. To found an action in negligence against a landlord the victim must show that there has been a breach of a duty of care owed by the alleged perpetrator.

In *O'leary v London Borough of Islington* it was held that a term to enforce nuisance clauses could not be implied into a tenancy agreement. This indicates that landlords cannot be sued for breach of contract unless there is an express term in the tenancy agreement that

obliges him or her to “take all reasonable steps to prevent any nuisance”. Even where such a clause exists, the courts have been reluctant to find the landlord in breach.

In the case of *Mowan v Wandsworth LBC* a leaseholder of Wandsworth Council brought an action against her neighbour, a council tenant, and against the council, her freeholder. The claim against the council was for a failure to take effective steps to address the nuisance caused by her neighbour after being informed of it. The Court of Appeal held that the landlord could only be liable in the tort of nuisance if it had ‘authorised’ the nuisance by the tenant. Such authorisation is not sufficiently established by showing that the landlord knew of the nuisance, had the power to stop it, but failed to act. The claimant could not succeed in negligence as the landlord owed no duty of care to one tenant to prevent another tenant from causing or continuing a nuisance. Although this case concerned the duties of a local authority landlord, it is equally applicable to private landlords.

A more recent case raised the question of whether a council landlord owes a duty of care to tenants who are the victims of anti-social behaviour by other tenants. The imposition of a duty of care on social landlords in these circumstances would also have implications for private sector landlords who fail to tackle problem tenants. James Mitchell had been a tenant of Glasgow City Council since 1986. The tenant next door, James Drummond, had been a tenant of the council since May 1985. Mr Drummond had displayed violent and aggressive behaviour towards Mr Mitchell over a period of years – this behaviour had been reported to the council. In July 2001 an assault by Mr Drummond on Mr Mitchell led to his death. Mr Drummond is currently serving a jail sentence. The majority of private tenants are now assured or assured shorthold tenants but a similar ground for eviction exists under the 1977 *Rent Act* in the case of regulated tenants.

*“The widow of Mr. Mitchell sued Glasgow Council for breach of its duty of care by failing to a) instigate eviction proceedings against Mr Drummond at an earlier stage; and b) warn Mr. Mitchell about a meeting arranged with Mr. Drummond on 31 July 2001 during which the council threatened Mr. Drummond with eviction. The Scottish Court of Session dismissed the original claim on the basis that a duty of care did not extend to these circumstances but this decision was overturned on appeal where the Court ruled that the Council may owe a duty of care to Mr. Mitchell and his family and that the case should be referred to a trial court to hear all the evidence and decide whether a duty of care actually existed in this case. This decision was appealed and judgment was handed down by the House of Lords on 18 February 2009. The House of Lords was unanimous in deciding that it would not be fair, just or reasonable to impose a duty of care on a social landlord in these circumstance “*

### 3.2 Management controls

The main way in which private landlords can control the behaviour of their tenants is through the terms and conditions of the tenancy agreement. Terms can be inserted into tenancy agreements to impose standards of behaviour for tenants and to prohibit unacceptable behaviour. In the event of a breach the landlord will be entitled to seek possession of the property or seek an injunction to prevent any further breach.

Most landlords include in their tenancy agreements a general clause to prohibit nuisance behaviour; others include specific terms covering pets, violence and offensive language. However, landlords may not impose unfair terms on tenants as the *Unfair Terms in Consumer Contracts Regulations* (SI 1999/2083) apply to tenancy agreements which have not been individually negotiated.

### 3.3 Remedies available to private landlords

After issuing initial warnings to tenants requesting that they desist from the anti-social behaviour in question, private landlords may, as a last resort, seek a court order to evict tenants who exhibit anti-social behaviour.

The vast majority of private sector tenants are assured shorthold tenants. These tenants have very limited security of tenure. In order to obtain possession the landlord must serve a notice requiring possession (giving at least two months notice) – there is no need to give reasons for seeking possession and the court has no discretion but to order possession if the notice requirements have been met. However, the court cannot order possession until after the first six months of the tenancy has expired. Where it is necessary to remove a problem tenant quickly (within the first six months) landlords can seek possession using one of the Grounds for eviction set out in Schedule 2 to the *1988 Housing Act*.

“Schedule 2 to the 1988 Act sets out the Grounds on which a landlord may seek to evict an assured or an assured shorthold tenant. Ground 12 offers a remedy where a tenant is in breach of the tenancy agreement. Ground 12 can be particularly useful where the agreement specifies conduct which is considered to be anti-social.

Ground 14 covers the situation where a tenant or a person residing in the dwelling house is guilty of conduct that has caused, or is likely to cause, a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality. This Ground was extended by the *1996 Housing Act* and now enables a landlord to seek a court order for eviction where the tenant, or a person residing in the property, has been convicted of using the dwelling house or allowing it to be used for immoral or illegal purposes, or an arrestable offence committed in, or in the locality of, the dwelling house.

Under both Grounds 12 and 14 the court must consider whether it is reasonable to grant an order for possession. Prior to applying for a court order on either of these Grounds the landlord must serve a notice of intention to seek possession in the prescribed form; the benefit of using Ground 14 is that proceedings can be commenced immediately on service of the notice.

If a landlord is willing to take action to evict an anti-social tenant it may be necessary for the person who has experienced the nuisance behaviour to submit evidence of the nuisance (e.g. a diary of events) and to appear as a witness in court.

Private landlords may also seek an injunction against a tenant in order to prevent a breach of the tenancy agreement. It is possible to obtain an interim injunction if the court accepts that the conduct is so serious that the landlord should not have to wait until trial.

The Government's consultation paper, *Selective Licensing of Private Landlords*, recognised that private landlords may not always be willing or able to act against problem tenants:

*“As a last resort the Housing Act 1988 allows them to seek possession immediately against anti-social tenants. But many landlords lack the time and expertise to take action. Even responsible and well-intentioned landlords may lack the incentive to do so in areas of low housing demand where finding better tenants may be difficult. In such areas it may be difficult to find a professional managing agents to manage properties at a reasonable cost, given the low rents. Many unscrupulous landlords in these areas may take no interest in their tenants or the neighbourhood. Some may even encourage anti-social behaviour in order to intimidate owner-occupiers into accepting low offers for their properties.”*

#### 3.4 Remedies available to neighbours

As a first step neighbours should advise the landlord or managing agent of the property concerned that the tenant(s) are causing a nuisance. Neighbours do not have a legal right to find out who owns a particular property but they may be able to trace ownership through the Land Registry (subject to a fee).

The remedies open to a neighbour of a private tenant who exhibits anti-social behaviour will depend upon the nature of the nuisance. For example, if the nuisance is mainly to do with noise, the environmental health department of the local authority may be able to assist. Alternatively, if the nuisance amounts to physical assault/harassment the matter should be dealt with by the police.

*“Once again, depending on the nature of the nuisance, the residents involved may be able to seek an injunction requiring the anti-social*

*neighbours to stop interfering with their property/person. Victims of anti-social behaviour should seek professional legal advice on any remedies that might be applicable in their individual circumstances.”*

### **3.5 Local authorities' powers**

#### **3.5.1 Noise nuisance**

If the nuisance mainly concerns noise the matter should be reported to the local authority's environmental health department.<sup>13</sup> Local authorities have power under the *1990 Environmental Protection Act* to act against private tenants and others who cause a nuisance to neighbours.

#### **3.5.2 ASB policies and procedures**

Section 12 of the *2003 Anti-social Behaviour Act* amended the *1996 Housing Act* to place a duty on social landlords (including local housing authorities, housing action trusts, and registered social landlords) to publish anti-social behaviour policies and procedures. The aim of this is to inform tenants and members of the public about the measures that these landlords will use to address anti-social behaviour issues.

#### **3.5.3 Crime reduction partnerships**

Section 6 of the *1998 Crime and Disorder Act* imposes a duty on local authorities, in partnership with the police, probation, health authorities and others, to produce and implement a local strategy for the reduction of crime and disorder. The importance of strategies produced by local Crime Reduction Partnerships was made explicit by the Social Exclusion Unit (SEU) in its report, *A New Commitment to Neighbourhood Renewal: National Strategy Action Plan*.<sup>15</sup> The section 6 duty is supplemented by section 17 which places a duty on authorities to consider the crime and disorder implications of their core activities. Taken together these two sections “embed the reduction of crime and disorder into the core activities of local authorities.”

#### **3.5.4 Anti Social Behaviour Orders**

The 1998 Act also contains provisions that enable the police or a local authority (working with the police) to apply for an Anti-Social Behaviour Order (ASBO) prohibiting an individual from behaving in a way that “causes innocent people distress or fear;” ASBOs are similar to restraining orders. Breach of an ASBO is a criminal offence;<sup>18</sup> the Anti-Social Behaviour Order provisions came into effect on 1 April 1999.

An order can be sought against any individual, including private tenants, who have acted in an anti-social manner, as long as they are over 10 years old. The local authority seeking the order must satisfy

the court that the order is necessary to protect a person or persons against anti-social acts or conduct.

The *2006 Police and Justice Act* introduced measures aimed at ensuring that ASBOs can be used to protect whole communities and also to protect witnesses from being named in applications. There are also measures in the Act to prevent delays occurring prior to a court hearing in the event of a breach of an injunction granted under the *Local Government Act 1972*

### 3.5.5 Injunctions

An injunction is a court order that prohibits a particular activity or requires someone to take action, e.g. to avoid causing a nuisance. The *1996 Housing Act* significantly strengthened the powers of local housing authorities to obtain injunctions against the perpetrators of anti-social behaviour, including allowing a power of arrest to be attached to injunctions where there is actual or threatened violence.

Section 13 of the *2003 Anti-social Behaviour Act* repealed sections 152 and 153 of the *1996 Act* and created three types of injunction:

The **anti-social behaviour injunction** which relates to conduct which is capable of causing nuisance or annoyance to any person, and which directly or indirectly relates to or affects the housing management functions of a relevant landlord. Registered Social Landlords (RSLs) and Housing Action Trusts can apply for these injunctions in addition to local authorities.

**Injunctions against unlawful use of premises** which is available where the conduct consists of or involves the using or threatening to use housing accommodation owned by or managed by a relevant landlord for an unlawful purpose.

**Exclusion order and power of arrest** – if a court grants one of the injunctions described above the court may prohibit the defendant from entering or being in any premises or any area specified in the injunction. Additionally, a power of arrest can be attached to any provision of the injunction where the court is satisfied that either conduct consists of or includes the use or threatened use of violence or there is a significant risk of harm.

As a result of these changes the issue of *where* incidents of anti-social behaviour take place is now largely irrelevant; what matters is whether the conduct affects the landlord's housing management functions and who the victims are.

Local authorities may also rely on their general power to institute proceedings leading to an injunction under section 222 of the *1972 Local Government Act*. This enables an authority, where it considers it expedient to promote or protect the interests of inhabitants of its area,



to prosecute, defend or appear in legal proceedings. Coventry City Council reportedly used section 222 to obtain an order excluding two brothers from their mother's home following a string of burglaries on her estate.

### **3.5.6 Anti-social behaviour Closure Orders**

Local authorities and the police gained powers under Part 1A of the *2003 Anti-Social Behaviour Act* to seek a closure order in respect of premises that are associated with persistent disorder or nuisance. They are aimed at tackling excessive noise and rowdy behaviour related to frequent drunken parties or high numbers of people entering and leaving a property at all times of the day or night. These orders can also be used where anti-social residents are intimidating and threatening their neighbours and criminal families are running illegal business from their properties. They should be used as a last resort only when all other options have been tried and failed. Significantly, the orders are tenure neutral so can be used to close homes that are privately owned.

Once a closure notice has been issued an application for an order must be made to a magistrate's court within 48 hours. If the magistrate's court makes a closure order the premises concerned will be closed completely or partially for a maximum of three months. This prevents access by any persons, even those with rights of abode or ownership. Full information on these orders can be found on the Respect website [here](#).

## **4.0 POLICY , LEGAL AND FINANCIAL IMPLICATIONS**

None

## **5.0 RISK ANALYSIS**

5.1 None associated with this report

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Children and Young People in Halton**

None

### **6.2 Employment, Learning and Skills in Halton**

None

### **6.3 A Healthy Halton**

None

### **6.4 A Safer Halton**

This new set of measures will help to improve the way local partners deal with anti social behaviour in Halton

**6.5 Urban Renewal**

None

**7.0 EQUALITY AND DIVERSITY**

None

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

8.1 None under the meaning of the act

**REPORT TO:** Safer Policy & Performance Board

**DATE:** 11<sup>th</sup> November 2010

**REPORTING OFFICER:** Strategic Director for Adults and Community

**SUBJECT:** Draft Hate Crime Strategy

**WARDS:** All

**1. PURPOSE OF REPORT**

1.2 To present the draft Hate Crime Strategy, which is attached as Appendix A

**2. RECOMMENDATION**

**It is recommended that:**

- i) **Members of the Safer Policy & Performance Board comment on the draft Hate Crime Strategy and identify any actions that would contribute to a reduction in hate crime in Halton.**

**3. SUPPORTING INFORMATION**

3.1 The Safer Halton Partnership is required to produce a hate crime action plan by December 2010, as set out in the Cross Government Hate Crime Action Plan.

3.2 It is acknowledged that this work must be progressed at a Partnership level as it's not something that the Police can tackle on their own.

3.3 A draft Hate Crime Strategy is attached for comment by Elected Members. This Strategy currently has an Action Plan attached, which is for use as a guide only. An action plan for Halton is still under development, and a partnership "Equalities Event" will be held on 29<sup>th</sup> November, at which partners will be asked to help identify actions to address a reduction in Hate Crime across Halton. It is important that all of Halton's diverse communities contribute to this process, to ensure that we have a robust and deliverable action plan that is relevant to Halton. The Safer Halton Partnership uses the Home Office/Association of Chief Police Officers (ACPO) definitions of hate crimes and hate incidents:

- A hate crime is any incident which constitutes a criminal offence that is perceived by the victim, or any other person, as being motivated by prejudice or hate.

- A hate incident is any incident which may or may not constitute a criminal offence that is perceived by the victim, or any other person as being motivated by prejudice or hate.

3.4 The Safer Halton Partnership uses the Home Office/Association of Chief Police Officers (ACPO) definitions of hate crimes and hate incidents:

- A hate crime is any incident which constitutes a criminal offence that is perceived by the victim, or any other person, as being motivated by prejudice or hate.
- A hate incident is any incident which may or may not constitute a criminal offence that is perceived by the victim, or any other person as being motivated by prejudice or hate.

3.5 It is important to recognise the difference between a hate crime and a hate incident. All hate crimes are incidents, but not all hate incidents are crimes.

3.6 Hate crime can take many forms including:

- Physical attacks – such as physical assault, damage to property or pets, offensive graffiti and arson;
- Threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- Verbal abuse or insults - offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

3.7 This strategy aims to address the following areas of hate crimes and incidents:

- Race hate – crimes/incidents motivated by ethnic origin, nationality, asylum seeker status.
- Faith hate – crimes/incidents motivated by religious belief or lack of religious belief.
- Homophobic hate– crimes/incidents motivated by sexual orientation.
- Transphobic hate– crimes/incidents motivated by gender identity.
- Disability related hate– crimes/incidents motivated by disability or ability, including learning difficulties.

3.8 Romany Gypsies and Irish Travellers (commonly referred to as Gypsies or Travellers) and Sikhs are established as specific ethnic groups. As such, they are entitled to the full protection of the Race Relations Act Amended 2002 and associated racially aggravated legislation. Gypsies and Travellers may be either visible or non-visible ethnic minorities.

#### **4. POLICY IMPLICATIONS**

Until the final action plan is developed and agreed it is hard to identify how this

will impact on current policies, however it isn't anticipated that there will be any major changes required.

**5. FINANCIAL IMPLICATIONS**

This is no additional funding from Government associated with the requirement to develop a Hate Crime Strategy, however, the actions identified in the strategy should be able to be contained within partnership budgets.

**6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

**6.1 Children and Young People in Halton**

Life for Children and Young People will improve for living in a safer community.

**6.2 Employment, Learning and Skills**

None as yet identified.

**6.3 A Healthy Halton**

None as yet identified.

**6.4 A Safer Halton**

Halton will have stronger and more resilient communities.

**6.5 Halton's Urban Renewal**

None as yet identified.

**7. RISK ANALYSIS**

In order to ensure residents feel safe, Partners need to work together to maintain strong and resilient communities, and the development of a hate crime action plan is part of that work, as well as being a Government requirement.

**8. EQUALITY AND DIVERSITY ISSUES**

The hate crime strategy will cover all protected characteristics as currently contained within the new Equality Act.

**9. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None

# DRAFT

## Hate Crime and Harassment

### Reduction Strategy

2011 - 2016



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**1.0 Introduction**

1.1 Hate crime is a particularly serious issue that can seriously affect the quality of life for people and communities. Addressing this is a key priority for the Safer Halton partnership. By developing and implementing this strategy we will demonstrate our commitment to tackling all forms of hate crime and building a safer and stronger borough. The Safer Halton Partnership is required to produce a hate crime action plan by December 2010, as set out in the Cross Government Hate Crime Action Plan

1.2 The overall aim of the Safer Halton Partnership is:

*To ensure pleasant safe and secure neighbourhood environments, with attractive, safe surroundings, good quality local amenities, and the ability of people to enjoy life where they live.*

1.3 This document sets out the Hate Crime and Harassment Reduction Strategy for 2011 -2016. This strategy will identify, coordinate and lead on all aspects of our developing work on tackling and reducing hate crime. It covers the collection of agencies that together make up the Safer Halton Partnership. This document is linked to a number of other current Halton strategies, plans and corporate priorities.

1.4 The aim of this strategy is to identify and respond to locally established priorities for tackling hate crime and reinforce the benefits of taking a partnership approach to all hate incidents.

1.5 This strategy promotes effective and coordinated action against hate crime. This involves providing various forms of practical assistance, building capacity for interaction and alliance for services being delivered in Halton, as well as developing confidence in the criminal justice system and mechanisms for reporting hate crime to bring perpetrators to justice. The aims of the strategy form the basis of the comprehensive action plan to which all the strategy partners



are committed. This strategy provides a Halton framework for action on hate crime.

- 1.6 The publication of this strategy will meet action 48 of the Hate Crime Cross-Government Action Plan.

## 2.0 Defining and Identifying Hate Crime and Harassment

- 2.1 The Safer Halton Partnership uses the Home Office/Association of Chief Police Officers (ACPO) definitions of hate crimes and hate incidents:

- **A hate crime** is any incident which constitutes a criminal offence that is perceived by the victim, or any other person, as being motivated by prejudice or hate.
- **A hate incident** is any incident which may or may not constitute a criminal offence that is perceived by the victim, or any other person as being motivated by prejudice or hate.

- 2.2 It is important to recognise the difference between a hate crime and a hate incident. All hate crimes are incidents, but not all hate incidents are crimes.

- 2.3 Hate crime can take many forms including:

- Physical attacks – such as physical assault, damage to property or pets, offensive graffiti and arson;
- Threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- Verbal abuse or insults - offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

- 2.4 This strategy aims to address the following areas of hate crimes and incidents:

- **Race hate** – crimes/incidents motivated by ethnic origin, nationality, asylum seeker status.

- **Faith hate** – crimes/incidents motivated by religious belief or lack of religious belief.
- **Homophobic hate**– crimes/incidents motivated by sexual orientation.
- **Transphobic hate**– crimes/incidents motivated by gender identity.
- **Disability related hate**– crimes/incidents motivated by disability or ability, including learning difficulties.

2.5 Romany Gypsies and Irish Travellers (commonly referred to as Gypsies or Travellers) and Sikhs are established as specific ethnic groups. As such, they are entitled to the full protection of the Race Relations Act Amended 2002 and associated racially aggravated legislation. Gypsies and Travellers may be either visible or non-visible ethnic minorities.

2.6 Hate crime can destroy lives and instil fear in to victims and witnesses. It can stop people from living and enjoying their everyday lives. This could mean people being fearful to leave their houses or letting their children play outside. There is also a significant cost implication of hate crime. Small shops and organisations can be driven out of business. Victims and witnesses often require continued support for months or years after the event. In 2009/10 the Home Office provided in excess of £300,000 for hate crime victim projects through the Victim's Fund Hate Crime Section.<sup>1</sup> With increased reporting of hate crime and harassment this cost can be expected to rise significantly. The total cost of hate crime is currently unknown.

2.7 It is vitally important to identify hate crimes and incidents every time they occur. Hate crimes can affect whole communities and leave long-lasting damage. Hate crime also comes with a heightened risk of repeat victimisation if the issue is not recognised and addressed. There is also evidence to suggest that hate incidents committed by a particular perpetrator or group of perpetrators can escalate to more serious hate crimes if left unchallenged. Hate crime can often be linked to organised groups and effective

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<sup>1</sup> Natale, Lara, Civitas Institute for the Study of Civil Society 2010, "Factsheet: hate Crime", p2;

reporting and monitoring can be key in identifying these groups.

### **3.0 The Legislative Framework**

3.1 The Equality Act 2010 brings together into one Act all previous legislation around Equality and Diversity.

3.2 A major feature of the act is to strengthen and promote two major responsibilities for public authorities, the General Duty and the Socio- Economic Duty.

#### **The General Duty**

3.3 Under this Duty a public authority must, in carrying out its functions, take into account the need to: -

- (a) Eliminate discrimination, harassment, victimisation and any other conflict that is prohibited by the Equality Act 2010
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

#### **The Socio-Economic Duty**

3.4 When making decisions of a strategic nature authorities must pay due regard to designing and carrying out functions which reduce the inequalities of outcome that result from socio-economic disadvantage

#### **Protected characteristics**

3.5 The Act defines a number of characteristics which are protected: -

- (a) Age
- (b) Disability
- (c) Gender reassignment
- (d) Marriage and civil partnership

- (e) Pregnancy and maternity
- (f) Race
- (g) Religion or belief
- (h) Sex
- (i) Sexual orientation

3.4 In addition there are also a number of other laws and regulations that govern how we aim to tackle and reduce hate crime and harassment. The following is a summary of the legislative framework.

- **The Domestic Violence, Crime and Victims Act 2004** – As part of this act the Victims Code of Practice came into affect from April 2006 giving victims the right to information about the crime within specified timescales. It also sets out the minimum levels of enhanced services that should be offered to “vulnerable” victims of crime by criminal justice agencies.
- **The Anti-Social Behaviour Act 2003** – This act provides the legislative framework for practitioners to tackle anti-social behaviour.
- **The Criminal Justice Act 2003** – This act created a range of new racially and religiously aggravated offences and introduced tougher sentences for offences motivated by hatred of a victim’s sexual orientation or disability.
- **The Powers of Criminal Courts (Sentencing) Act 2000** – This act requires the court to consider racial or religious hostility as an aggravating factor when sentencing for an offence.
- **The Crime and Disorder Act 1998 (Amended by the Anti-Terrorism, Crime and Security Act 2001)** – This act covers offences of assault, ABH, criminal damage, public order and harassment that can be shown to be religiously or racially aggravated.
- **The Football Offences Act 1991** (Amended by section 9 of the Football (Offences and Disorder) Act 1999) – This

act is specific to football chants that are deemed hateful towards religious groups.

#### **4.0 The National Context**

4.1 Hate crime and harassment is recognised as a national issue, and the government has produced a Cross-Government Action Plan for tackling hate crime. In 2009/2010 there were:

- 2,376 recorded offences of racially or religiously aggravated harassment;
- 23,235 recorded offences of racially or religiously aggravated public fear, alarm or distress;
- 3,515 recorded offences of racially or religiously aggravated ABH and other injury;
- 223 recorded offences of racially or religiously aggravated inflicting GBH without intent;
- 3,249 recorded offences of racially or religiously aggravated criminal damage.<sup>2</sup>

4.2 In the four years ending March 2009 over 42,000 defendants were prosecuted for hate crime. The conviction rate increased from 74% in 2005/06 to 82% in 2008/09.<sup>3</sup>

4.3 The majority of perpetrators of hate crimes are male. 75% of hate crime defendants fall under the category “White British”. 25% of hate crime cases involve under-18s and 15% young men and boys.<sup>4</sup>

4.4 83% of hate crime prosecutions in 2008/09 were either “offences against the person” or public order offences. A further 5% were criminal damage.<sup>5</sup>

4.5 Current victim demographic information is less than comprehensive. Where gender is known, men formed the

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<sup>2</sup> [Crime in England and Wales 2009-2010](#)

<sup>3</sup> Natale, Lara, Civitas Institute for the Study of Civil Society 2010, “*Factsheet: hate Crime*”, p2;

<sup>4</sup> Ibid, p3;

<sup>5</sup> Ibid;

largest proportion of victims across all strands, at 68% of total victims.<sup>6</sup>

- 4.6 Honour crimes are also a key national issue. The number of murders, rapes and assaults on people who break strict religious or cultural rules is doubling every year. Up to two violent honour crimes are being committed every day and up to twelve honour killings are being committed every year.<sup>7</sup>
- 4.7 Disability crime includes crimes against those with learning difficulties or other mental health issues. Research by Mind found that 71% of people with mental health needs had been subjected to a disability hate crime at least once in the preceding two years. Mencap's "Living in Fear" survey found that 88% of people with learning disabilities had been subjected to a disability hate crime or incident in the preceding year and that the effect on them can be "cumulative and devastating".<sup>8</sup>
- 4.8 However, these statistics are believed not to reflect the true extent of the problem. It is difficult to determine the exact level of under-reporting of hate crime. In 2007/08 the overall number of racist incidents recorded by the police in England and Wales was 57,055. However, an estimate based on data from the British Crime Survey (BCS) put the number of racist incidents at around 207,000 during this period, reflecting the potential scale of under-reporting.<sup>9</sup> Stonewall's *Homophobic Hate Crime: The Gay British Crime Survey 2008* states that three in four victims of homophobic hate crimes did not report them to the police.<sup>10</sup>
- 4.9 Various studies have been carried out to gain an understanding of why hate-crime is so largely under-reported. A number of reasons for non-reporting have been put forward:
- the victim does not understand that a crime has taken place;

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<sup>6</sup> Ibid;

<sup>7</sup> Natale, Lara, Civitas Institute for the Study of Civil Society 2010, "Factsheet: hate Crime", p4

<sup>8</sup> Mencap, *Living in Fear*, 2000

<sup>9</sup> HM Government, *Hate Crime: The Cross-Government Action Plan 2009*, p.9;

<sup>10</sup> Dick S, *Homophobic Hate Crime: The Gay British Crime Survey 2008*, Stonewall, p.20;

- a lack of confidence in the police and/or the criminal justice system;
- victims do not understand the reporting options available to them;
- victims feel that hate crimes occur too frequently to report;
- victims feel that what happened was not serious enough to report;
- victims feared that they would be victimised for reporting and there may be retribution or an escalation of incidents as a result.

4.10 Whatever the reason, the outcome remains the same – crimes are not reported and perpetrators are not brought to justice, and remain potentially able to reoffend. This strategy sets out to improve awareness of the importance of reporting hate crimes and incidents and the options available by which to do so.

4.11 Under reporting is also an issue in honour crimes. Charities which help victims of honour crimes say the true extent of the problem as every year hundreds of victims, the majority of whom are female, are too frightened to report attacks or give evidence. Often cases can be unresolved due to the unwillingness of family, relatives and communities to testify. A 2006 BBC poll for the Asian Network found that one in ten of the 500 young Asians polled said that they could condone the murder of someone who dishonoured their family.<sup>11</sup>

## **5.0 The Halton Context**

5.1 Tackling hate crime forms a key part of our approach to making Halton a safer place to live. Harassment is recognised as one of the major contributing factors to unnecessary stress. It often leads to depression for the victim and can have a devastating effect on their quality of life. The same can be said for hate crime victims.

5.2 Partners have been working to ensure that the data reported through an established framework is robust, and that everyone involved understands what exactly is being

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<sup>11</sup> Natale, Lara, Civitas Institute for the Study of Civil Society 2010, "*Factsheet: hate Crime*", p4

reported, where and how often. There has also been a combined effort to raise the awareness of hate crime incident reporting and to ensure colleagues, and Halton's residents, are clear about how to report and what to report. In 2009 the Partnership also contributed towards the printing and delivery, locally, of a national hate crime leaflet with an 0800 number.

- 5.3 Tackling hate crime is an intrinsic part of the Halton LGBT (Lesbian, Gay, Bisexual, Transsexual) Strategy. This strategy is being prepared as part of our Children's Trust Equality and Diversity action plan. Despite the origins as a Children and Young People initiative the strategy will benefit the whole LGBT community. A hate crime reporting campaign is being undertaken and a number of actions have already been completed.
- 5.6 Traditionally Halton doesn't have the more ethnically diverse communities that neighbouring local authorities have, and therefore the cohesion issues differ. However Halton Borough Council and Partners have been part of a clear effort to engage and empower local communities, focusing on any issue which may marginalise an individual or community.
- 5.7 Data on reported hate crimes and incidents in Halton is available for quarters 2, 3 and 4 of 2009/10. In this nine month period 60 hate crime incidents were recorded. 45 of these met the criteria to be investigated as a hate crime. 52 of these were linked to race, and 8 of these were linked to sexuality. No reported incidents linked to disability or religion were recorded – which is most likely indicative of the scale of under-reporting rather than a tangible success.
- 5.8 It is difficult to put a true value on the public's perception of hate crime. However, there are currently a number of national indicators that are relevant:
  - NI1: 74.5% of local residents felt that their local area is a place where people from different backgrounds get on well together – higher than the North-West average of



73.6% but lower than the national (England) average of 76.4%.

- NI2: 54.8% of local residents felt that they belong to their immediate neighbourhood – lower than the North West figure of 59.5% and the national figure of 58.7%.
- NI17: 24.4% think anti-social behaviour is a problem in their area – higher than the North-West figure of 22.9% and the national figure of 20%.
- NI23: 37.2% of local residents thought that there was a problem with people not treating each other with respect and consideration in the local area – higher than the North-West figure of 34.1% and the national figure of 31.2%.<sup>12</sup>

## **6.0 Current Reporting Arrangements**

6.1 There are a number of methods by which a member of the public may report a hate crime:

- An emergency call to the police;
- A non-emergency call to the police;
- In person to the police;
- Through the police force website;
- Via the post to the police;
- Through a third party reporting centre;
- Through a referral from another agency in the borough.

6.2 Reporting centres are open across the borough. For a full list, see appendix B.

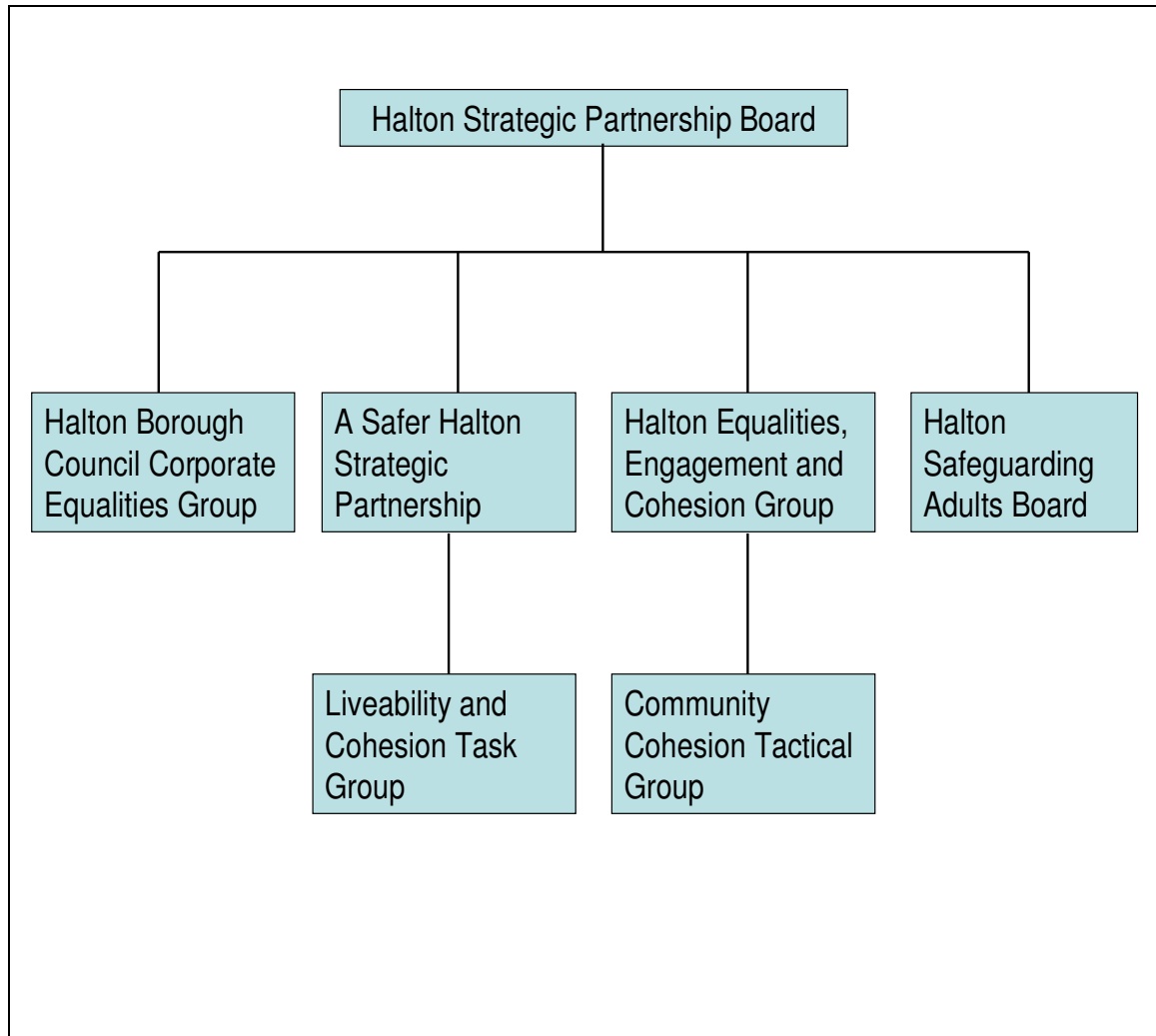
6.3 Reporting centres are a way to overcome the communication boundaries that sometimes exist between the police and local communities. They enable victims of hate crime to report their incident in an environment of their choosing where they feel confident. Victims are able to report anonymously which will still enable the police to gather

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<sup>12</sup> Place Survey Results 2008

information on the levels of hate crime and hot spots to information share. The centres ensure a victim led approach and also ensure victims who may not have previously reported incidents get the relevant help and support they require. Reporting centres provide a clearer picture on what is happening and where. This allows police resources, communities and agencies to work together to tackle hate crime. The main difference with the third party reporting is that a person who is not the victim can report an incident, as a witness or on behalf of the victim.

- 6.4 Nominated staff within each reporting centre have received training and support on dealing with reports of hate crimes and incidents from Cheshire Police. There is an electronic form which is completed within the centre and submitted to the relevant Cheshire Police officer (Appendix C). The designated officer inputs the information on to the force's system and the normal operating procedures then apply. Incidents are coded by Cheshire Police to clearly differentiate reported incidents into hate "crimes" and hate "incidents".
- 6.5 Data on reported crimes and incidents is reported through the Halton Partnership via this framework:



6.6 A Community Cohesion Officer group has been established, drawn from across the Partnership that adds front line operational information to the quantitative data. This provides a current picture of Halton's communities and an opportunity to share intelligence on any community tensions. This supports a multi-agency proactive approach to supporting strong and resilient communities. A draft Community Cohesion Contingency Plan has been produced. Membership of the group consists of Registered Social Landlords, Police, Fire, Third Sector, PCT, Local Authority colleagues from schools and adult learning, and other Partners can be co-opted according to need.

## 7.0 Aims and Objectives

7.1 This strategy sets out six key aims in relation to reducing hate crime in Halton.

- Aim 1: To improve statutory, voluntary and community service providers' responses to hate crime;
- Aim 2: To increase the reporting of hate crime;
- Aim 3: To increase the number of offenders brought to justice
- Aim 4: To improve victim safety;
- Aim 5: To reduce the tolerance of hate crime;
- Aim 6: To prevent hate crime.

**7.2 Aim 1: To improve statutory, voluntary and community service providers' responses to hate crime.**

- Develop standardised protocols and guidance which cover structures, referrals, data and information management;
- Develop and monitor robust performance measures;
- Develop a commissioning framework to effectively tackle hate crime.

**7.3 Aim 2: To increase the reporting of hate crime.**

- Raise the profile of hate crime through publicity and media;
- Promote events to raise awareness of hate crime support services;
- Increase the possibilities available to children and young people to report hate crime.

**7.4 Aim 3: To increase the number of offenders brought to justice.**

- Strengthen a systematic and coordinated approach to the detection, arrest, conviction and effective sentencing of offenders.

**7.5 Aim 4: To improve victim safety**

- Strengthen multi-agency networks enabling front line practitioners and services to disseminate information and good practice.

#### **7.6 Aim 5: To reduce the tolerance of hate crime.**

- Ensure that tackling hate crime is integrated into relevant strategies and plans;
- Promote the development and evaluation of hate crime policy within statutory, voluntary and community sector organisations.

7.7 Public agencies need to recognise that hate crime is a key issue and needs to be addressed in all areas of their work. This needs to be addressed throughout all community plans and all working strategies targeted towards improving community relations and cohesion.

#### **7.8 Aim 6: To prevent hate crime.**

- Support the development of hate crime training and awareness according to need;
- Increase service user and community involvement in the development of hate crime policy and practice;
- Support the development of hate crime reduction work with children and young people.

#### **8.0 Delivery of the Strategy**

8.1 It is important to keep local communities informed of what actions are being undertaken. It is essential that this strategy, and the progress in its delivery, is shared and discussed with the residents of Halton, through all appropriate means and forums.

8.2 This strategy is an active and working document. It has been developed to bring about further and real improvements in tackling hate crime and harassment in Halton local communities and neighbourhoods.

#### **9.0 Measuring our Success**

9.1 Performance monitoring will be carried out using the current national indicator set and developing new performance indicators (PIs) across the partnership. The National

Indicator Set is a list of 198 indicators introduced at the start of 2008/09, which has been designed to measure progress on national priorities where they are delivered by local councils acting alone or in partnership. The relevant National Indicators are:

- NI 1: % of people who believe people from different backgrounds get on well together in their local area;
- NI 2: % of people who feel that they belong to their neighbourhood;
- NI 23: Perceptions that people in the area treat one another with respect and dignity;
- NI 69: Children who have experienced bullying;
- NI 138: Satisfaction of people over 65 with both home and neighbourhood;

- 9.2 Additionally, hate crime and incident statistics provided by the dedicated Cheshire Police Officer will be monitored to evaluate the success of this strategy, both in relation to the number of incidents reported and the number of crimes detected.
- 9.3 Consultation with victims and residents will provide an additional measure of success.

## 10.0 Action Plan

**Aim 1: To improve statutory, voluntary and community service providers' responses to hate crime.**

Action	Lead agency/officer	Target date	Current status
Develop standardised protocols and guidance which cover structures, referrals, data and information management, and regular reporting.	Safer Halton Partnership		
Create a multi-agency training programme on hate crime for key statutory, community and voluntary service providers.	Community Safety		
Specialist hate crime training for front-line staff who may receive information on hate crime or incidents – e.g. housing, schools staff etc.	Community Safety		
Review the Council's Human Resources Bullying and Harassment Policy To ensure that the Council's bullying and harassment policy reflects and incorporates all harassment (including hate crime).	HR/Corporate and Organisational Policy		
Explore whether the Council's existing customer relationship	Halton BC		

management database is suitable for monitoring hate crime and incidents and develop a central reporting system to log Hate Crime.			
Carry out mystery shopper survey of 3rd party Hate Crime Reporting Centres to ensure that all centres remain up to date.			
Develop best practice guidelines on harassment for inclusion in employer policies and procedures.	Corporate and Organisation Policy/HR		



## Aim 2: To increase the reporting of hate crime

Action	Lead agency/officer	Target date	Current status
Develop a school reporting system that incorporates all bullying information and details on hate incidents.	Schools		
Conduct an audit of all possible reporting options in the borough for victims.	Safer Halton Partnership		Halton has commenced the process to extend the number of hate crime reporting centres covering the full range of hate crime. These centres include Halton Youth Service, Riverside College, the Citizens Advice Bureau, and will be extended to cover Connexion Centres in Halton Lea, Runcorn and Albert Road.
Produce a comprehensive directory of services through which victims can report hate crime and distribute throughout the community, including organisation, address, contact numbers and a named co-ordinator.	Safer Halton Partnership		
Raise awareness of hate crime reporting options and services in the Borough for victims of	Safer Halton Partnership		LGBT Youth North West & Lesbian and Gay Foundation homophobic abuse posters are

<p>hate crime throughout Council and Partner locations through a directed marketing campaign.</p>			<p>being displayed to encourage any victims to take positive action. An LGBT conference arranged for partners on 11 October which is 'World Coming Out Day'. A young person specific hate crime reporting poster has been produced by and for the Youth Service. Colleagues have been attending various groups and networks to raise the profile of community cohesion and hate crime reporting centres and to work with these partners to promote a better understanding of the issues and how they affect them. These have included the following:-</p> <ul style="list-style-type: none"> <li>➤ Standing Advisory Committee on Religious Education (SACRE)</li> <li>➤ Adult Learning Disability Partnership Board</li> <li>➤ Strategic Housing Partnership (includes Registered Social Landlords)</li> <li>➤ Children's Trust Equality</li> </ul>
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			<p>and Diversity Group</p> <ul style="list-style-type: none"> <li>➤ Halton Borough Council's Corporate Equalities Group</li> <li>➤ Halton Strategic Partnership's Equalities, Engagement and Cohesion Group</li> <li>➤ Training for Halton's School Governors on the importance of Hate Crime Reporting and wider Community Cohesion issues has been delivered as part of the standard training programme</li> </ul> <p>There are currently plans to present to networks across Halton including Halton Speak Out, Disability Alliance, Employer Staff Groups, and to work more closely with the Police Force's School Liaison Officer who deals with anti-bullying issues and the Youth Service.</p>
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Develop an assessment to assist organisations and their front line staff to determine the appropriate course of action for reported incidents of hate crime and harassment.	Safer Halton Partnership		
Review information on Halton website and update as necessary, ensuring there is sufficient information on what constitutes a hate crime, how to report it and where to go for advice and support. Ensure that all contact numbers and links are up to date.	Community Safety/Corporate and Organisation Policy		The reporting centres are on the Council's website, and Partners have been asked to do the same with their own sites.
Ensure all third party reporting organisations have received training in third party reporting.	Partnership Officer, Halton BC		This training has been provisionally arranged for 16 <sup>th</sup> September 2010
Promote witness reporting of hate crime via a marketing campaign.	Safer Halton partnership		

**Aim 3: To increase the number of offenders brought to justice**

Action	Lead agency/officer	Target date	Current status
Improve engagement between the Police and CPS to deliver on bringing more offenders to justice.	Police		The appointment of a dedicated Police Officer in the Spring of 2009 has enabled the partner agencies to provide a dedicated resource to addressing hate crime.
Adopt a zero tolerance arrest policy for all suspects of hate crime.	Police		
Increase in the number of enforcement action (such as injunctions, evictions, ASBOs, sanctioned detections, evictions, etc.) taken against perpetrators of hate crime across tenure.	Community Safety Team/Police ASB Unit		
Review the contribution of CCTV to the detection and prevention of hate crime, including appropriate tasking	Community Safety Team		

and the alignment of CCTV to the distribution of incidences of hate crime in the Borough.			
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#### **Aim 4: To improve victim safety**

<b>Action</b>	<b>Lead agency/officer</b>	<b>Target date</b>	<b>Current status</b>
Carry out a victim satisfaction survey.	Victim support/ Police		
Carry out a schools pupil survey that's looks at dealing with bullying and hate incidents in schools.	Schools		
Develop an accessible Directory of Services for victims and witnesses.	Safer Halton Partnership		
Develop and establish and feedback systems to monitor victim evaluation and satisfaction levels.	Safer Halton Partnership		
Explore opportunities for victims to be involved in future development of support services.	Safer Halton Partnership		

### Aim 5: To reduce the tolerance of hate crime

Action	Lead agency/officer	Target date	Current status
Develop a communication campaign to encourage local communities to be involved in tackling hate crime.	Halton BC Community Safety/Marketing		
Work with relevant and appropriate groups and organisations to raise awareness and empower vulnerable groups in challenging hate crime and harassment (such as people with learning disabilities).	Safer Halton Partnership		In February 2010 Halton held a LGBT Scoping Day to establish the LGBT plan. A group of volunteers have now established Halton LGBT and there are 62 people from the LGBT community who are part of this group. Halton LGBT alongside Halton G Space, the LGBT youth group, will both contribute to an event to mark World Coming Out Day in October 2010 where community members will be

			consulted on key aspects of community safety.
Produce a catalogue of available resources for partners.	Safer Halton Partnership		
Publish annual statistics about the prevalence of hate crime and harassment.	Community Safety Team		
Raise awareness of Hate Crime through networking, open days and one off events.	Safer Halton Partnership		
Promote Hate Crime work at Locality Area Forums, PACT Panels and other local area based meetings.	Safer Halton Partnership		

### Aim 6: To prevent hate crime

Action	Lead agency/officer	Target date	Current status
Develop links with any emerging 'Friendship Groups' for migrant workers to understand issues and raise awareness of issues within these developing communities.	Community Safety		
Collect, review, monitor and report on performance hate	Cheshire Police		A designated Police Officer currently reports on figures



crime data from Police, Victim Support, the Courts and all partner organisations on a quarterly basis.			quarterly
Develop regular reports on the levels of hate crime, sanctioned detection rates, perpetrator profiles and Borough hotspots.	Cheshire Police		
Produce Hate Crime profile for the Strategic assessment and use to assess information on: <ul style="list-style-type: none"> <li>• Victims;</li> <li>• Offender;</li> <li>• location.</li> </ul>	Community Safety/Police		
Produce an Anti Hate Crime and Harassment Charter for Halton.	Halton BC		
Promote to schools and youth centres what existing resources are available on hate crime and harassment for inclusion and building on the work around PSHE, Citizenship and anti-bullying curriculum activities.	Safer Halton Partnership		
Promote the new Stop Hate UK national service for reporting hate crime	Halton BC Community Safety/Marketing		

(www.stophateuk.org).			
Develop and report on new performance indicators to monitor the success of the Hate Crime and Harassment strategy.	Safer Halton Partnership		
Consult with victims and residents about their experiences of hate crime and harassment and the response of the relevant authorities.	Safer Halton Partnership		

## **Appendix A – Potential Actions against Offenders**

**Alternative Dispute Resolution (ADR)** – Ways of settling disputes without going to court. Mediation is the most common form of ADR and involves a trained mediator guiding those involved to an agreed settlement.

**Acceptable Behaviour Contracts (ABCs)** – A written voluntary agreement between the perpetrator and the appropriate agencies, placing restrictions on the perpetrator's behaviour.

**Undertaking** – A promise to the court by the perpetrator regarding their future conduct. A breach of an undertaking is considered as contempt of court and could lead to a fine or up to two years imprisonment.

**Injunctions** – An order granted by a civil court that compels the perpetrator to do certain things, or forbids the perpetrator from entering certain areas. A breach of an injunction could lead to a fine or up to two years imprisonment.

**Anti-Social Behaviour Orders (ASBOs)** – An order granted, usually by the Magistrates Court, restricting the behaviour of the perpetrator. Breach of an ASBO is a criminal offence, which carries a maximum sentence of 5 years imprisonment.

**Demotion Orders** - An order granted in the County Court (civil) applicable where the perpetrator is an assured or secure tenant. The order brings that tenancy to an end and replaces it with a less secure demoted assured shorthold tenancy, removing various rights and benefits, for a period of 12 months. Breach of the assured shorthold tenancy within the 12 month period can result in the landlord obtaining possession.

**Possession Orders** - An order granted by the County Court (civil) requiring the occupant of a property to vacate that property by a certain date. The enforcement of a possession order can be postponed or suspended upon terms where appropriate.

**Forfeiture of Lease** - A landlord can seek to end the lease and repossess the property because the lease conditions have been broken. As this applies to leaseholders who in effect own their homes this remedy is only likely to succeed in very serious cases.

**Appendix B – Current Hate Crime Reporting Centres**

**Deafness Support Network**

Warrington Centre  
13 Wilson Pattern Street  
Warrington  
WA1 1PG  
Phone: 01925 634 640  
Reporting Centre open to deafness support service users

**Warrington Borough Council One Stop Shop**

26-30 Horsemarket Street  
Warrington  
WA1 1XL  
Phone: 01925 443322  
Centre open for all.

**Riverside College (Cronton)**

Cronton 6th Form  
Campus  
Cronton Lane  
Widnes  
WA8 5WA

**Riverside College (Runcorn)**

Runcorn  
Campus  
Campus Drive  
Runcorn  
WA7 4RE

**Riverside College (Kingsway)**

Kingsway  
Campus  
Kingsway  
Widnes  
WA8 7QQ  
Open for students

**Halton Housing Trust (Widnes East Area)**

120-124 Widnes Road  
Simms Cross  
Widnes  
WA8 6AX  
Phone: 0151 510 5026  
Fax: 0151 510 5100

**Halton Housing Trust (Ditton Area)**

Ditton Halton Direct Link,  
Queens Avenue,  
Ditton,  
Widnes

WA8 8HR  
Phone: 0151 510 5025  
Fax: 0151 510 5100

**Halton Housing Trust (Runcorn Area)**

Grange House,  
930 Grangeway,  
Runcorn  
WA7 5LT  
Phone: 0151 510 5027  
Fax: 0151 510 5100  
Open for Halton Housing tenants

**Liverpool Housing Trust**

Priory House,  
Northway,  
Runcorn  
WA7 2FS  
Phone: 01928 796000  
Open for Liverpool Housing Trust tenants

**Priestley College**

Loushers Lane,  
Warrington  
Phone: 01925 633591

**Warrington CAB (Citizens Advice Bureau)**

The Gateway,  
Sankey Street,  
Warrington,  
WA1 1SR  
Phone: For advice queries 01925 246994  
Centre open for all

**The Relationships Centre**

The Gateway  
89 Sankey Street  
Warrington  
WA1 1SR  
Phone: 01925 246910  
Open for all

**Warrington Disability Partnership**

Disability Living Centre,  
Beaufort St,  
Warrington,  
WA5 1BA  
Phone: 01925 240064  
Open for all service users

**William Sutton Housing (Warrington)**

40 Ruislip Court  
Warrington

WA2 0TZ  
Phone: 0845 217 8601

**William Sutton Housing (Widnes)**

265 Cherrysutton Estate  
Widnes  
WA8 4TH

Phone: 0845 217 8601  
Open for all tenants

**Gay and Lesbian Youth Service**

Phone: 07747 473 829 for further information.  
Open for all LGBY young people

**Frontis Homes**

25 Benson Road,  
Birchwood,  
Warrington,  
WA3 7PQ

Phone: 01925 856685  
All tenants of Frontis Homes

**Riverside Housing**

Halton Brook Avenue,  
Halton Brook,  
Runcorn  
WA7 2NW

All tenants of Riverside

**Halton Citizens Advice Bureau**

Unit 3, Victoria Buildings,  
Lugsdale Road,  
Widnes  
WA8 6DJ

Open to All

**Great Sankey High School**

Barrow Hall Lane  
Great Sankey,  
Warrington,  
WA5

Phone: 01925 724118  
Open for Students and Staff

**Bridgewater High School**

Upper School (Years 10 - 13)  
Broomfields Road,  
Appleton,  
Warrington  
WA4 3AE

Phone: (01925) 263919 / 266973

**The Centre for Independent Living**

Beaufort Street.

Warrington

WA5 1BA

Phone: 01925 240064

Open for Service Users

**YMCA Warrington**

3 Winmarleigh street,

Warrington

WA1 1NB

Phone: 01925 632771

Open for All

**Appendix C: Third Party Reporting Form**



**ELETRONIC FORM FOR COMPLETION**

**Please e-mail to**

**[hate.crime.reporting@cheshire.pnn.police.uk](mailto:hate.crime.reporting@cheshire.pnn.police.uk)**



**ABOUT THE INCIDENT**

**Are you the victim or a witness?**

- Victim                       Witness                       Third party

**What do you think motivated this crime?**

- Racism                       Faith                       Disability
- Homophobia (sexual orientation)                       Transphobia (gender)

**Tell us about the incident in your own words, giving as much detail as possible** *(please use a separate sheet if necessary):*

**When did the incident take place?**

Time  Day  Date

**Where did it happen?**

Street name / location

Town / City

**Were there any injuries?**

Yes (if 'yes' please give details)

No

**Did any loss or damage to property result from the incident?**

Yes (if 'yes' please give details)

No

**ABOUT THE VICTIM**

Age

Gender

**First language**

(please state whether you require a translator.)

**To help us deal with hate crime correctly, please tick how you would describe yourself.**

**Faith**

- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Rastafarian
- Sikh
- Other
- No religion
- Prefer not to say

**Sexual Orientation**

- Heterosexual
- Bisexual
- Gay/Lesbian

**Ethnicity**

- White British
- White Irish
- Any other white background
- White & Black Caribbean
- White & Black African
- White & Asian
- Any other mixed background
- Indian
- Pakistani
- Bangladeshi
- Black Caribbean
- Black African
- Any other black background
- Chinese
- Any other ethnic group
- Gypsy
- Traveller community
- Prefer not to say

**ABOUT THE OFFENDER(S)**

**How many offenders were there**

**Do you know them?**

Yes

No

*If 'yes' please give names and if possible addresses).*

**Can you give a description?**

*(Consider age, gender, height, ethnicity, build and clothing).*

**Please describe any distinguishing marks or features about the person.**

**Was a vehicle used?**

*Please describe the vehicle e.g. colour, make, model*

**PERSONAL DETAILS**

The details you have provided to us so far will be recorded for monitoring purposes.

If you wish this incident to be investigated please include how you would prefer to be contacted.

Your name

Your address

Postcode

Telephone number

E-mail

Please tell us how you would prefer to be contacted e.g. only at a certain time or location.

**Agency contact for help and support**

**Do you agree to this information being passed to your local agency partnership?**

Incident details only

Yes

No

My details

Yes

No

Office use