



## **Hate Crime: joint statement from CPS and NPCC**

**Foreword:** by Mark Hamilton and Lionel Idan

We are presenting this joint statement as the respective leads on hate crime for the National Police Chiefs Council and the Crown Prosecution Service.

In recent years, we have faced significant escalations in terms of the challenges we face in relation to hate crime - be that in terms of geo-political events and their wider social discourse, or the nature and consequences of online behaviours on social media. Similarly, the Covid-19 pandemic has had consequences in terms of scapegoating and stereotyping targeted at specific communities.

Hate crimes often have a disproportionate impact on a victim because they are being targeted for who they are. We recognise that hate crime not only impacts the individual victim but also the wider community. Hate incidents as one-offs or a related series of events can send reverberations through communities, just as they can reinforce established patterns of prejudice and discrimination. This is why it is so important for hate crime to be investigated and prosecuted effectively.

In that context, this joint statement reaffirms the commitments of both Organisations to investigate and prosecute fairly and effectively and to support victims of hate crime to give their best evidence to enable positive outcomes to be achieved for all individuals and communities who may experience hate crime in the UK.

### **Joint Statement:**

#### **1) Why is addressing hate crime a priority?**

- Hate crime legislation was agreed by Parliament against a background of rising discrimination and prejudice.<sup>1</sup> The law reflects parliamentary intent to support victims of hate crime – ordinary people who experience criminal behaviour involving hostility and hatred based on who they are. The law covers hostility on the grounds of disability, race, religion, sexual orientation and being transgender.
- Such targeting is unacceptable and Government research demonstrates that victims of hate crime can suffer more serious psychological harm than victims of the same crime with no targeted hostility. No one should need to fear hostility whilst going on the school run, at the shops or relaxing at home. If 'minor' hate crime incidents go unchecked, such behaviour can escalate into more frequent and serious patterns of offending.

---

<sup>1</sup> [Ss.28-32 Crime and Disorder Act 1998](#) and [s.66 Sentencing Act 2020](#)



- Our joint efforts to address hate crime are grounded in long-shared values of tolerance, respect, and equality. In working to deliver effective responses to hate crime, we aim to provide reassurance and build public confidence that the law is there to protect us all.

## 2) What common principles inform investigation and prosecution?

- The police and the CPS treat hate crime as a priority crime. Following the Report of the Stephen Lawrence Inquiry<sup>2</sup>, we agreed a common definition of hate crime which places the victims' perception at the centre of reporting and subsequent investigation.

*“Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person’s disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or a person who is transgender or perceived to be transgender.”*

- We are proactive in the investigation and prosecution of hate crime. The police will seek evidence of such hostility where a crime has been reported, or the police believe the offence may have involved hostility towards one or more of the grounds described in law. Where there is sufficient evidence of such hostility, it is more likely that a prosecution will be in the public interest. A successful prosecution will also attract an enhanced or increased sentence from the court. Victims are also entitled to enhanced support under the Victims' Code.
- There is no 'hierarchy' of hate crime. We are likely to dedicate more resources to race hate crime because they are reported in greater numbers, but we fundamentally believe that everyone shares a right to live free from hate crime, regardless of the individual characteristics targeted.
- We are committed to building public confidence in the criminal justice system and encouraging the reporting of hate crime. We do this through publicising our performance statistics and positive case outcomes, as well as working to improve how we investigate and prosecute hate crime. We're grateful to learn from the communities we serve and value our ongoing engagement with them through local Independent Advisory Groups, Scrutiny and Inclusion Panels, the Hate Crime External Consultative Group and community conversations.

### **Delivery: In supporting this statement we will:**

- Work collaboratively as two independent Services in the interests of justice for victims;
- Endeavour to identify crimes involving hostility on the basis of the monitored strands of hate crime as early as possible;
- Investigate thoroughly and sensitively the nature of the offending;
- Ensure that risk assessments provide early identification of victim needs including requirements to consider Special Measures applications and reasonable adjustments;

---

<sup>2</sup> [Stephen Lawrence Inquiry Report \(1999\)](#)



- Build strong cases with the police that satisfy the tests within the [Code for Crown Prosecutors](#) from first referral.
- Communicate effectively with victims of hate crime.
- Make effective representations concerning sentencing uplifts under s.66 Sentencing Act 2020 where there is evidence of hostility toward one or more of the five strands;
- Support victims and witnesses to give their best evidence;
- Support the use of Victim Personal Statements to ensure the voices of victims are consistently heard at court;
- Work closely with others to continuously refresh our understanding of hate crime and to improve our response to it; and
- Monitor the implementation of this statement.