



CPS

Crown Prosecution Service Hampshire & Isle of Wight

**Hate Crime Scrutiny Panel
Annual Report 2009 - 2010**

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Hampshire & Isle of Wight Hate Crime Scrutiny Panel 2009-10 Annual Report

1) Introduction

The Hampshire & Isle of Wight Hate Crime Scrutiny Panel (HCSP) was formed in early 2008 to demonstrate openness and transparency in the way that the CPS and other agencies deal with hate crime. Its first report was published in May 2009 (CPS, 2009a); this document can be referred to for a full history of the Panel's development.

This report summarises our second year's work. There were no changes in the coverage of cases dealt with: racist and religious, disability and homophobic and transphobic crimes. A separate Panel has now been set up to look at cases of domestic violence.

There were several changes to members of the panel, which are noted in Sections 11 and 12. Thanks is expressed to those who served on the panel during the year and a welcome is extended to the new members. We all hope that through this report (public) awareness can be raised about improving the experiences of victims and witnesses. In the interests of openness comments are welcome, including suggestions of cases the panel should look at and from anyone who is interested in joining the panel. These should be sent to the independent facilitator, chris.lewis@port.ac.uk.

The panel met four times to discuss (a total of) around 30 cases, mainly, but not exclusively, unsuccessful ones. For example, cases discontinued after charge, cases that resulted in an acquittal, or cases dropped on the day of trial perhaps because a witness did not turn up. By asking awkward questions of the CPS and the police and by criticising and praising, we suggest ways that the delivery of justice to the victims of hate crime can be improved.

Members of the panel, within Hampshire & IOW, have also maintained close links with the Community Involvement Panel (CIP) and attended a national presentation of the results of the work of all HCSP and CIP members.

2) Background to the Hate Crime Scrutiny Panel

The CPS nationally recognises the importance of tackling hate crime and has a strong record of prosecuting crimes motivated by hostility towards people based on ethnicity, religion, sexual orientation or disability (CPS 2009b). It also recognises the need to support victims and witnesses through the process of a court case and help them to give the best evidence they can.

With its diverse community, hate crime is an important issue in Hampshire & IOW. It is important that such communities understand they should not suffer from hate crime. They can challenge hate crime by reporting it to the police and by giving evidence in court so that hate crime offenders can be punished appropriately.

The HCSP was set up in 2008 to give local communities a chance to examine individual cases of hate crime. We have already investigated over 60 cases, to see whether CPS and other law enforcement agencies have worked successfully together in investigating these crimes, in proceeding to charge suspects and in conducting the court process. Throughout we have been concerned with how victims and witnesses have interacted with the process and the extent to which confidence in the criminal justice system has been maintained or otherwise. In a number of cases we have found ourselves needing to feedback where things could have been done better. We are generally happy that changes have been made where they can be, but we still see occasions where cases collapse or witnesses do not attend court resulting in justice not being done.

The Hampshire & IOW panel has an Independent Facilitator from the University of Portsmouth as well as members of various community groups concerned about hate crime; the CPS and police also attend. Quarterly meetings are held to examine in detail recent cases chosen at random by the panel to cover the county in terms of geography, as well as all types of hate crime: racist and religious, disability and homophobic and transphobic.

Detailed case files are made available in advance and the main aspects presented to the panel by a senior prosecutor. A senior prosecutor from another area comments on the case, as do Hampshire Police. In particular the support for witnesses from the Witness Care Unit (WCU) is noted. The case is then discussed in detail by the panel to identify trends, strengths and weaknesses in the decision-making and management process and management of cases. Key learning points are then fed back to CPS lawyers, police and other agencies. Each member of the panel undertakes specific training as necessary. Each Panel member feeds back to their home organisation and local communities. Action Points are noted and followed up at the next Panel meeting.

3) Hate Crime: An Introduction

Not all incidents of hate are criminal offences. Even when an incident is identified as such, there might not be enough evidence to allow the case to be prosecuted. If there is enough evidence to prosecute, there might not be enough evidence to show that the offence was a hate crime. To help decide if an incident of hate amounts to a crime and whether there is enough evidence to prosecute the case, we use the Code for Crown Prosecutors (CPS, 2010).

We use the definition of a racist or religious incident contained within the McPherson Report (1999): “an incident which is perceived to be racist or religious by the victim or any other person.” The prosecutor must first prove the offender committed the basic offence and then if the offence was racially or religiously aggravated.

For homophobic crime this definition has been adopted to: “an incident perceived to be homophobic or transphobic by the victim or any other person.”

There is no statutory definition of a disability related hate crime but the following has been adopted: “an incident, which is perceived to be based upon prejudice towards or hatred of the victim because of their disability or so perceived by the victim or any other person”.

4) Hate Crime Statistics

Hate crime statistics for Hampshire & IOW for the year April 2009 to March 2010 are shown in the table below. The rate of successful prosecution has risen from 77 per cent the previous year to 82.3 per cent in this performance year. There has also been an increase in the number of charged cases in relation to homophobic cases.

Successful outcome rates for Hampshire & IOW

Type of hate crime	April 2009 to March 2010		April 2008 to March 2009	
	per cent	Number of case	per cent	Number of cases
Racist and religious	82.9	382 (out of 461)	76.8	354 (out of 461)
Homophobic and transphobic	79	49 (out of 62)	73.7	28 (out of 38)
Disability	78.9	15 (out of 19)	89.5	17 (out of 19)
Total of all hate crime	82.3	446 (out of 542)	77	399 (out of 518)

There were 96 unsuccessful cases over the year. These are unsuccessful for a number of reasons as shown below.

Reason for unsuccessful outcome	Number of cases (by defendant)	Per cent of all cases prosecuted
Admin finalised: An administrative process for finalising a case on the IT system when a warrant has been issued for more than three months. The case is re-activated when the defendant is arrested and attends court	7	1.3
Discontinued by the CPS: The main reasons for discontinuing the case was due to victims or witnesses not willing or able to attend court (30 cases) and evidential (issues 29 cases)	60	11.1
Dismissed After Trial: The defendant was found not guilty in the magistrates' court	17	3.1
No Case to Answer: Magistrates' court - Prosecution evidence heard but case dismissed by the court without hearing defence evidence	3	0.6
Judge Directed Acquittal: Crown Court – Judge halts trial before defence evidence heard and directs a not guilty verdict	4	0.7
Jury Acquittal: The jury in a Crown Court trial find the defendant not guilty	5	0.9
Total unsuccessful outcomes	96	17.7

The panel has looked at 30 cases over the past year, 29 of these were unsuccessful cases, one was a successful disability hate crime case. The cases are selected randomly from a list which shows the location and court where it was dealt with. This allows the panel to cover cases from all offices in Hampshire & IOW and have a mix of Crown Court and magistrates' court cases.

Type of hate crime	April 2009 to March 2010		
	Number of unsuccessful cases (by defendant)	Number of cases scrutinised by the panel	Per cent
Racist and religious	79	21	26.6
Homophobic and transphobic	13	7	53.8
Disability	4	1 (plus one successful case)	25
Total	96	29	30.2

5) Key Findings, Good Practice and Recommendations

Panel procedures

A good quality of material supplied on individual case files was maintained. During 2009 to 2010 there was tighter monitoring of lists of actions from previous meeting. For example, the CPS started to produce a report for each Panel meeting detailing their response to Panel recommendations, learning points and changes to procedures.

Members took a wider interest in related groups with several of them attending a national meeting of HCSPs and CIPs; it was good to note that Hampshire seemed to be in the forefront of progress. A conference, bringing together the HCSPs and CIP from across Wessex (Hampshire & IOW, Dorset and Wiltshire), was held in Salisbury in November 2009 and due to its success will be repeated in 2010.

Individual members of the panel also extended their knowledge of the justice system through visits to Witness Care Units (WCU), and discussions at Race Equality Forums and with local journalists. A visiting prosecutor from Japan was an observer at one Panel meeting and expressed his appreciation of the openness of discussion, which would not be possible in his country.

The investigation process

The panel had some comments about the investigation process which were fed back to the police. In one case the panel noted a witness failed to respond to letters from the police because the letters had been sent to his previous employer's address and not his home address. In another case, there was a very long delay before it was realised that CCTV evidence was not reliable.

Use of interpreters

During the panel discussion of a case involving the use of an interpreter to assist in taking a statement from a witness, the CPS advice of letting the interpreter take down a full statement in the first place was accepted by the police as a useful piece of good practice.

Court procedures

The panel made several comments about court procedures which they felt were causing good cases to fail because of the negative effect on witnesses. For example, the failure to grant requested special measures sometimes caused the witness to refuse to appear, or the refusal to adjourn cases because of temporary witness unavailability, which could cause what seemed to be a perfectly good case to be abandoned. It was also felt that information that could have reinforced the need for a case adjournment was sometimes not made available to the court.

Such occasions only demonstrated that justice was not being made available to these victims for reasons which seem avoidable. In some cases, the police/CPS/WCU interaction was at fault and in other cases, the court seemed to have taken an arbitrary decision. The comments were passed back to the court authorities by the Chief Crown Prosecutor through the Local Criminal Justice Board.

Victims understanding what is required of them

The panel had several occasions to comment on crimes where the victims or witnesses were students, mainly at the universities of Portsmouth and Southampton. It felt there was a need for the CPS and police to have closer links with universities and colleges. There were likely to be particular needs for students who were on short term courses and might return home before any court trial, as well as for students who were from jurisdictions where evidence was not given in open court with the likelihood of cross-examination, but to a law enforcement officer in a more informal situation.

Witness Care Units

The panel noted that WCUs seemed to take great pains to assist witnesses. However, occasionally the letters were inadequate in some way. It was also felt that WCUs needed special training in particular awkward cases. For example, what are the procedures when support can be given for

children who could be good witnesses but their parents do not want them to go to court. However, the panel recognised that they were may be speaking from ignorance about what WCUs did and agreed that it would be useful for one or two members to visit a WCU in person.

Need for earlier interventions

In commenting on a case involving the possible use of racially aggravated words between school children, the panel felt that the situation might have been resolved by other agencies before the police, CPS and the courts became involved. They urged that the police and CPS needed to be more aware of what was available from the Racial Awareness Service and similar bodies in terms of earlier interventions, which could have been both cheaper and speedier.

CPS procedures

The panel noted a small number of occasions when CPS procedures had not worked well. For example, on one occasion a case failed because of an administrative oversight where a case had been finalised by a member of the administrative staff when there was still a charge outstanding. On another case, a CPS lawyer had decided on the charge assuming that the CCTV evidence would provide identification, which eventually did not happen. Such occasions resulted in the CPS strengthen their procedures.

Letters to victims

The panel felt that, in general, letters to witnesses and victims had improved but noted some occasions in which there was mis-spelling of a witness' name and the need to personalise letters more. It was also felt inappropriate to thank a witness for their help if they had given the suspect a false alibi. There were some occasions when a fuller explanation could be included, perhaps relating to what might be done in the case of repeat victimisation, if the CPS judges this likely.

Effective cases

The panel did not always criticise the CPS, in one case involving a serious sexual offence on vulnerable victims, the panel congratulated the CPS for their proactive work, including the use of forensic psychologists and intermediaries to assist victims to give evidence in court. In another complex case involving intra-family violence and homophobic crime the CPS was again congratulated in taking the case forward against the (eventual) wishes of the victim and his mother.

Publicising the work of the panel

At our January meeting we drew up a plan to use the publication of the annual report in Spring 2010 to attract more publicity for the work of the panel and to increase public interest. This could include press notices and interviews with the media and other groups.

6) Impact on Business Practices

There have been many benefits to CPS Hampshire & IOW as a result of the work of the HCSP. We have highlighted some of the main points below.

Feedback to CPS staff

Each file scrutinised by the panel is presented to them by a District Crown Prosecutor for that geographical area. They have the opportunity to hear the feedback and the responsibility to take any individual points back to the lawyer responsible for the case, these include both areas for improvement and recognition of good work.

In addition there have been a number of examples of work recognised by the panel as being of exceptionally high quality. The HCSP manager will write to each individual to let them know, including the section of the minutes specifically relating to the panel comments on the case. This positive feedback has increased morale by showing the dedication and commitment of staff is recognised by the panel members.

The panel's learning points are collated by the Senior District Crown prosecutor responsible for the panel and are circulated to all staff by the Chief Crown Prosecutor with actions directed as appropriate. These are also discussed at team meetings to raise awareness of hate crime and the issues discussed with community members. Posters are displayed throughout the area and specific issues are included at training days.

A one day session was undertaken by a member of the HCSP with Hampshire & IOW staff and the Public Confidence Committee. The day was spent analysing letters written to victims, highlighting good and bad aspects of the letters. Guidance is being written for all prosecutors and a poster has been designed capturing the main points. A copy of the poster is attached at Annex C.

Improved communication with community groups

The work of the HCSP is also supported by other work being undertaken in the area. As there is a strong focus on hate crime in the area we have been able to work with other community groups. There have been a number of visits to community groups throughout the area where we have explained the work of the CPS, discussed issues the community have and highlighted the work of the panel. This has helped improve public confidence and increased knowledge both in the community and within the CPS.

Work is being developed in relation to disability hate crime. Dave Percy, Senior District Business Manager sits on the Equality and Citizenship Group and promotes the work of the panel through this forum. During the year a project was undertaken to produce a leaflet explaining the prosecution process in an easy read format. This is being distributed through the community groups and the panel. A copy of the leaflet is attached at Annex A.

Success of HCSP leads to developments in other areas of work

The success of the panel, and the improvements made as a result, has been recognised throughout the area. The scrutiny process and sharing of information has led to the area implementing other groups in a similar format. In SE Hampshire a Violence against Women Community Consultation Group has been established. This is being chaired by a member of the HCSP, Sally Jackson, who will bring her knowledge and experience of the panel processes to establish a successful group looking at other areas of work, designing joint training and sharing of information. Other groups are currently being established throughout the area.

7) Reflections of a Panel Member

I applied to be a member of the Hampshire & IOW Scrutiny Panel in late 2008. After I was accepted I was given training in January 2009.

The CPS has said that the aim of the panels is to help CPS:

- To be accountable to communities for the way it prosecutes hate crime
- Improve its practice in the prosecution of hate crime.
- Increase understanding amongst communities of the way in which prosecution decisions are reached
- Increase the trust and confidence of communities in the CPS and the wider criminal justice system.

I think over the time I have been a member of the panel, the transparency and willingness of the CPS has ensured that all four of the points above are taken into account. By having an independent lawyer helping the panel to understand and answer any legal matters and questions arising, it emphasises the accessibility and clarity of the whole procedure. The CPS has given us (lay members) the opportunity to discuss cases in detail allowing us not only to understand but also analyse the judicial process.

The willingness of the CPS to listen to any criticism and feedback has been very reassuring. The evidence of CPS's commitment to this process is very apparent as any learning points from each meeting are taken down and disseminated to all the District staff.

It is only by having such openness and integrity that the wider community will have confidence that successful prosecutions will be brought about. I am hopeful that as we learn more through this process and talk about the work of this panel to the wider community, more victims will feel encouraged and empowered to come forward to report hate crimes. I share the work of the panel in my community update to Eastleigh Race Equality Forum, which meets every three months and also the Eastleigh Tackling Harassment Partnership.

I am grateful to the CPS for giving me the opportunity to be part of this exciting and important work because as a community worker one of my jobs is to encourage people to report any hate crime perpetrated against them. I have enjoyed and continue to enjoy my time with the panel both professionally in gaining a lot of knowledge and understanding of the legal process but also personally as all the members of the panel and the CPS staff are a joy to be with.

Written by Rajni Bali

8) The Way Forward

The HCSP is now firmly established. The membership has become trained and effective. Their work is appreciated by the police and the CPS. Recommendations are generally followed and good practice identified by the panel is put into effect. However, the general public is not well aware of its actions and this needs to be addressed through better publicity.

This will include regular links with existing bodies such as WCUs, racial awareness and other specific issue groups, maintaining links with similar groups in other counties, including reading their annual reports and other literature.

There is also a need to ensure regular rotation of membership to achieve a good balance between experience and new ideas. In particular the current need is for greater representation of younger people, of those concerned with disability and those concerned about homophobic and transphobic crime.

9) Members of the Hate Crime Scrutiny Panel

Current members

Chris Lewis, Independent Facilitator



Chris was a Home Office Assistant Director of Research until 2003. He is now visiting professor at Portsmouth University. He has long been interested in diversity issues and produces, with Dr Yung-Fang Chen, the CPS Annual Equality and Diversity Impact Assessment.

From 2004 to 2009 Chris spent some time each year working with the World Bank to improve justice in Kenya, Mauritius, Seychelles and Tanzania and is now creating an e-learning environment for a further 20 African countries to benefit from his work. He researched the 101 telephone system for Hampshire Police and has worked with the Hampshire CPS and police on covert operations. Recently Chris evaluated Hampshire Council's policies towards children exhibiting problematic or harmful sexual behaviour.

Rajni Bali, Community Worker – Ethnic Minorities Unit



Rajni started her career as a Chartered Librarian in Richmond-upon-Thames. She moved down to Eastleigh because of her husband's job. After having children she joined Eastleigh Borough Council as a community worker (Ethnic Minorities remit) seven years ago. In this role, amongst other things, she supports existing groups, establishes new ones and does individual case work.

She has always been interested in the equalities field and was a member of Eastleigh's Race Equality Forum before taking up her post with the Council. She is a keen Chelsea supporter and also enjoys going to the theatre and cinema.

Sally Jackson

Sally, a qualified Registered General Nurse, was working in genito-urinary medicine (GUM) at the time when we were seeing the first cases of HIV. This prompted Sally to work for a voluntary organisation providing practical and emotional support to those affected by HIV. This is where she first trained to become a trainer in issues such as HIV Awareness, Sexual Health, Women's Health and Sexuality.

She moved to Portsmouth and for something completely different, spent two years with Radio Victory presenting a lifestyle programme. Following that Sally got a 'proper' job as Co-ordinator of The Portsmouth Domestic Violence Helpline. Two years later she became Domestic Violence Project Development Officer for Portsmouth City Council (PCC) and developed the Early Intervention Project (EIP) in the city. EIP was one of the first advocacy projects nationally.

Sally developed the Portsmouth Training Co-Operative, a not for profit organisation. She now manages the Hidden Violence and Abuse Team, which covers crime issues such as domestic abuse, racial harassment, homophobia, rape and sexual assault, prostitution and the abuse of vulnerable adults.

Portsmouth has been successful in gaining Specialist Domestic Abuse Court status and in November 2006 opened a county Sexual Assault Referral Centre (SARC). The EIP provides the Independent Sexual Violence Advocacy Service for the Hampshire SARC. Portsmouth is one of the few local authorities with a dedicated team of caseworkers supporting those who experience racism and the team includes a specialist worker for young people. PCC has funded and directed the 'Speaking Out' surveys within the local lesbian, gay, bisexual and transgendered community, assessing levels of homophobic crime and same sex domestic abuse. These surveys have gone on to develop the 'Speaking Freely' training aimed at improving service delivery and practice to the LGBT community.

Sally is also part of the CAADA MARAC training team and works as an independent consultant on domestic abuse issues. In her spare time she enjoys her family and supports Portsmouth Football Club

Anver Jeevanjee



Anver served in the Ministry of Agriculture of the British Colonial Service and later with the Independent Government of Kenya (1955-69).

He is of Kenyan origin but has been in the UK on and off since 1950, as a student, the commercial sector, victim support volunteer, the Prison Service's Board of Visitors & Race Relations Policy Group at PSHQ, founder member and now Patron of the Action for Prisoners Families, Social & Child support Appeals Judiciary, Racial awareness training for High Court Judges through the Judicial Studies Board, Anti apartheid movements, Prince's Trust mentor etc.

In 1982 he was appointed to the Asylum & Immigration Appeals Judiciary from which he had to retire after 23 years service; although he still continues as a member of the International Refugee law Judges and various prison reform movements. He devotes most of his spare time in wider social and community affairs in Hampshire; Independent Police Advisory Group, the Seniors Council, Residents association, City Council Members Remuneration Panel, the CPS etc.

In 1992 he founded the Cultural Diversity Advisory Group to the Media where he is still successful in maintaining a dialogue with ITV, News Quest, BBC etc, to heed to his groups advice at regular meetings, both locally and nationally.

He travels extensively to observe and import best practices to the UK and has published his extensive experiences in many fields. His various submissions to the House of Commons select committee's has been duly published as has the launch of his latest book "Diversity in the Media" (ISBN 1-904380-42-5).

Israel Manganzo

Israel works for the Hampshire Partnership NHS Foundation Trust. He works as Substance Misuse Manager and he is an active member of his Trust's Equality and Diversity Committee.

Israel works very closely with members of the public and with statutory and non-statutory organisations. He has a wealth of experience supporting, advising individuals, families and organisations on health and social issues. He also brings with him knowledge and expertise in the areas of substance misuse and mental health. He brings experience and expertise to the panel in relation to supporting victims and witnesses of hate crime

Qi Lin



Qi is the development officer for The Monitoring Group, a leading national anti-racist casework agency. Qi's role is to create an effective victim support infrastructure across Southampton and Portsmouth region by developing coherent relationships with voluntary, community and statutory agencies and to engage the Chinese community. He has developed a strategic partnership with Chinese Association of Southampton and Chinese Students and Scholar Association of Southampton, and established Southampton Race Solidarity Group which unites many diverse BME communities to tackle racial harassment and violence in the locality.

Before coming to The Monitoring Group, Qi worked for 10 years in China as a radio broadcaster.

Steve Mote

Steve is the Area Manager for Victim Support in Hampshire & IOW, including the Witness Service. Victim Support provides practical and emotional support to victims of crime and the Witness Service provides support to victims and witnesses in the magistrates' courts and Crown Court across the two counties. Steve has been in post since October 2008 prior to which he served nearly 31 years in the Hampshire Constabulary, finishing as an Inspector in the Community Safety and Public Protection Department.

Steve is a governor at his daughter's school in Durley in Hampshire and is currently Chair of the Eastleigh Children's Contact Centre based in Chandlers Ford.

Carol Harwood

Carol has been the Hate Crime Project Officer for Southampton City Council since June 2008, running the day-to-day Hate Crime and Harassment Strategy as part of the Safe City Partnership.

The Southampton Hate Crime and Harassment Strategy, started in 2006, was one of the first established in the country and covers all strands of hate crime. As Project Officer, she supports existing multi-agency groups like the Hate Crime and Harassment Task Group, the Multi-Agency Group on Racial Harassment and Hidden Targets; supports the Southampton Hate Crime monitor network; runs various Hate Crime projects and does individual case work.

The panel is also very grateful to our Statutory Partners:

- To CPS Hampshire, in particular to the CCP, Nick Hawkins for his continued support. To Tim Cole and Paula Bartlett who are regular members. To those other prosecutors who attend meetings to present cases in an efficient and straightforward way and to Jayne Littlefield who is our most efficient note-taker and organiser.
- To CPS Dorset, in particular to Vicky Cook who sits as an independent lawyer and gives impartial advice on what CPS Hampshire has done.
- To Hampshire Constabulary, who always send representatives, most recently DCI Kathryn Barnes and Mark Thomas.

New members

We keep the membership of the panel under constant review and are pleased that new members will be joining us in 2010.

Dan Loubier-Profier



Born in Romania, educated in France and settled in the UK since 1998, Dan Loubier-Profier is the Founder and Managing Director of art4art Communication Ltd. This company is a complete Language Service Provider based in Southampton since 1999, managing a team of over 200 translators, interpreters, voice-talents and language tutors.

Dan is also the Cultural Advisor of the Honorary Consulate of Romania in Southampton, a non-governmental establishment aiming to help with the smooth integration of Romanian citizens currently living and working in the UK.

In 2009, Dan was appointed Secretary of the Cultural Diversity Advisory Group for the Media (CDAGM), an independent voluntary group that strives to ensure quality and diversity in broadcasting and equal involvement in the mainstream media.

Kate Ross

Kate has worked for Victim Support Hampshire & IOW for the past seven years as a Service Delivery Manager for the community service in the south of Hampshire. Victim Support is a national charity which provides emotional and practical support to victims of crime. Kate is based at Victim Support's Eastleigh Office and she recruits, trains, supervises and support volunteers. She also represents Victim Support on groups such as Hidden Targets and ASB MARAC's in Southampton.

Kate previously worked for Homestart in Blackburn supporting families and lived in Rwanda, Central Africa when first married. In her spare time she enjoys walking and gardening and is a founder member of the Highbridge Farm Community Project.

Clare Jenkins

Clare has been a serving officer with Hampshire Constabulary for the last 18 years, all of which have been in Southampton. She has spent time on Response teams at the Frontline of Policing, Proactive Units specialising in Drug Supply Operations and Burglary Investigation. On promotion in 2005 she came to Portswood overseeing the Safer Neighbourhood team responsible for visible and community policing.

Since September 2009 Clare has been part of the ever growing Public Protection Unit. The overall unit is responsible for Risk Management of critical areas of Police business such as domestic violence, child protection and management of violent offenders. Clare's unit is responsible for the protection of vulnerable adults, through Safeguarding processes with Social Care and Health, overseeing hate crime for the Southampton area, the management of Missing Persons and supporting the LAGLO officers working in the lesbian, gay, bisexual and transgender communities.

Clare's aim is to assess the quality of investigations of hate crime and to raise the profile of repeat victims of hate crime to ensure the best possible methods are engaged to protect from further offences. She is also working with partners at Southampton City Council to raise the profile of hate crime within communities and encourage the reporting of incidents within communities less likely to report hate crime to the police.

She is married with three children. Her son has cerebral palsy and severe learning disabilities and she has been actively involved in the consultation process of reform for respite services offered for the families of children with disabilities.

Clare also enjoys running and walking, particularly along the Solent Way and has just completed the 26.2 mile London Moonwalk for Breast Cancer Charity Walk. She has entered the Great South Run for the first time this year which she will run for KIDS charity in Fareham.

Past members

The panel gratefully acknowledges the work of the following former panel members who have now left the panel..

Cllr Patricia West

Patricia is a Hampshire County Council member and following her re-election in May 2009 found that she no longer had time to sit on the HCSP as she is now chair of the Safe and Healthy People Committee and sits on five other council committees. She was Chairman of the County Council from 2006 to 2007 and used that platform to support the diversity of the communities within Hampshire.

Dr Cheryl E A Lovelace

Cheryl lectured in Biochemistry at the Universities of Zambia, Ghana and the South Pacific for most of her working life, reaching the position of Dean of School. Cheryl is also part owner of a small mixed farm in Zambia where she returns each year to stay with her Zambian family. Since returning to the Isle of Wight, she has been a consultant in the charity sector, including recruiting volunteers, advising trustees and engaging with minority ethnic community members in Hampshire & IOW. She is acting as volunteer Secretary for Equals which has been created to celebrate equality and diversity on the Isle of Wight, to raise awareness and actively challenge discriminatory

Jo'Anna Black

Jo had worked for Victim Support Hampshire & IOW for the past 15 years and became South Western District Manager in 2006 and was based at Victim Support's Southampton office. Jo represented Victim Support on HCSPs and LGBT Advisory Groups as well as serving on the Hampshire Police Consultative Group. Victim Support is a national charity which provides emotional and practical support to victims of crime and Jo has a wealth of experience in dealing directly with victims of hate crime.

10) Further Information

Further information about hate crime and the CPS can be found at www.cps.gov.uk

Information about the Hampshire & IOW HCSP can be obtained from:

Paula Bartlett
Crown Prosecution Service
Crown House
Winston Churchill Avenue
Portsmouth
Hampshire
PO1 2PJ

Telephone: 02392 856210
or email: paula.bartlett@cps.gsi.gov.uk

11) References

CPS (2009) CPS Annual Hate Crime Report, 2008-09 downloaded on 10 March 2010 from <http://www.scribd.com/doc/24215690/2009-CPS-Hate-Crime-Report>

Macpherson (1999) The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William Macpherson of Cluny Presented to Parliament by the Home Secretary, February 1999, Cm 4262-I.. downloaded on 20 March 2009 from <http://www.archive.official-documents.co.uk/document/cm42/4262/4262.htm>

Annex A: Leaflet explaining the prosecution process in an easy read format



CPS



What happens after you have reported something to the Police?

How the Crown Prosecution Service can help you

Easier to read version

1




If someone does something wrong to you, then this means you are a victim. If you see someone do something wrong then you are a witness.

If you are a victim or a witness then you should tell the police what has happened. The police will listen to what you say and record it either on paper or they might tape it. This is called a statement. An Appropriate Adult is someone who can help and give information to you while you are at the police station.

2



The police will try and find out what has happened, this is called evidence.

The evidence will help them decide if the person has done something wrong or not. The person who has done something wrong is called an offender.

The police will also give the victims and witnesses help and support.

3

If the police have enough evidence then they will take it to the Crown Prosecution Service.

The Crown Prosecution Lawyer will look at the case and decide if the police need to get any more evidence.

If there is not enough evidence, then nothing more will happen to the case. If there is enough evidence and in the public interest then the Crown Prosecution Service will charge the offender and the case could go to court. The witnesses and/or victims may need to go to court to tell the judge about what happened when they saw someone do something wrong.

4



The police and the Crown Prosecution Service will give help and support to the victims and witnesses before they go to court to make sure they know what will happen.

They will make sure that the person has any help that they need.

- There are some other services who can give support as well:
 - These are called intermediaries
 - Victim Support, Witness Service and Witness Care Units

5



Law court

The lawyer will go to court and tell the court what happened. The offender will plead guilty or not guilty. If the offender pleads guilty then victims and witnesses will not have to go to court. If the offender pleads not guilty then they will have to go to court again.

There are different courts. A magistrates court is for small crimes and the magistrate decides if the offender is found guilty or not and also the sentence. A crown court is for big crimes and a jury decides if the offender is guilty or not. A jury is made up of people who are members of the public. A judge decides on the sentence.

When the case is heard at court this is called a trial. The witness or victim may have to come to court and tell them what happened. The Crown Prosecution Service will give them lots of help and support to do this. At the end of the trial if the offender is found not guilty then nothing else will happen. If they are found guilty then the offender will get a sentence. The victim will get told what the verdict is. They may get some help and support from the witness care unit or victim support.



Hampshire
County Council

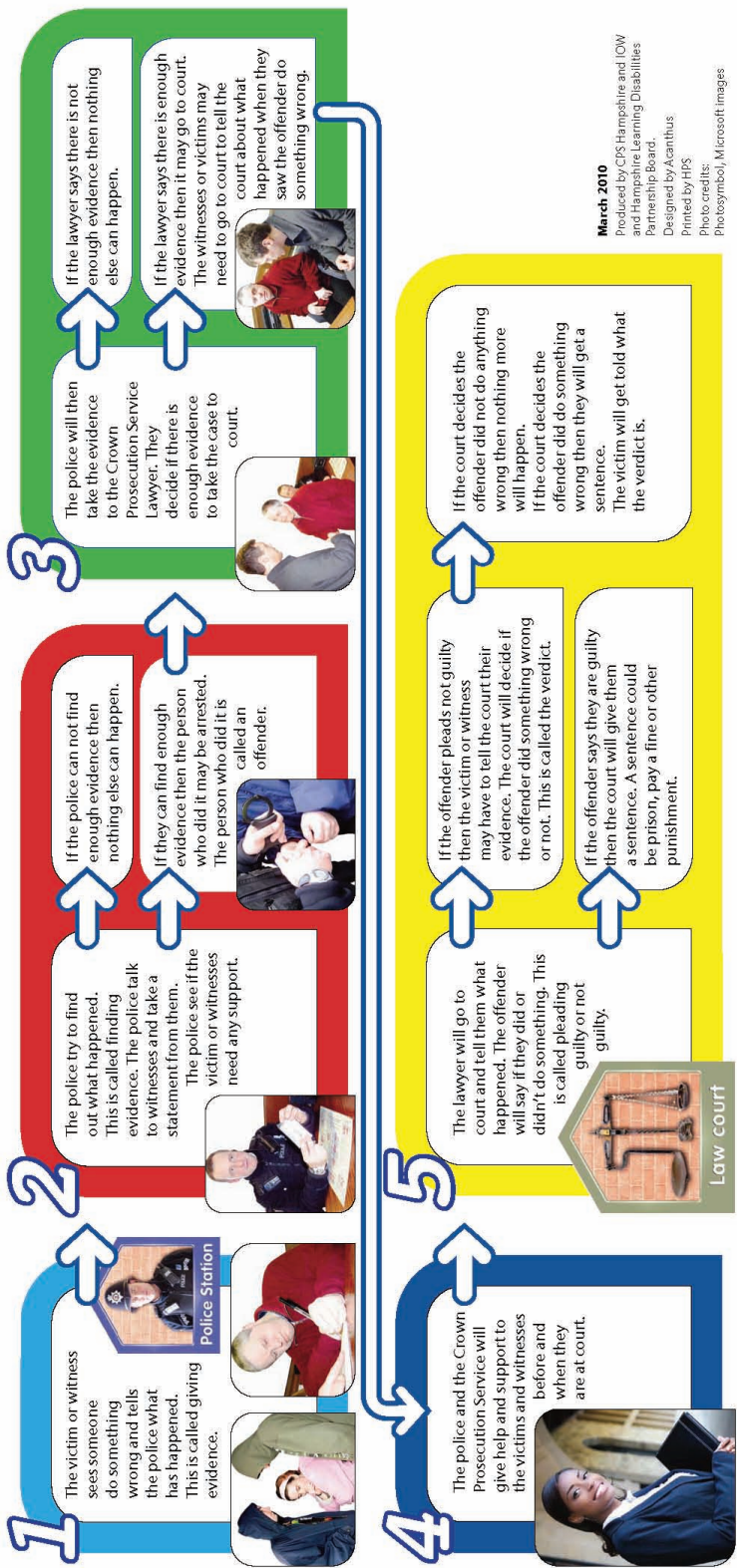
What happens when you report something

This leaflet is to help you to find out about how the Crown Prosecution Service can help you after you report something to the police.

It also tells you what happens after you have reported something to the police.

More detailed information about the Crown Prosecution Service can be found in these books 'Supporting victims and witnesses with a learning disability' and also 'Supporting victims and witnesses with Mental Health issues'. They are in an easy read format.

These are on the website at www.cps.gov.uk or phone them on **020 7796 8000**.



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Annex B: Current Terms of Reference of the Hampshire & IOW Hate Crime Scrutiny Panel

Hampshire & Isle of Wight Hate Crime Scrutiny Panel (HIOWHCSP) a mechanism for ensuring transparency and accountability in decision-making in the area of racist and religious, homophobic and transphobic and disability hate crime. The panel aims to contribute to raising the trust and confidence of our key stake-holders and communities. This will be achieved by raising the awareness and understanding of the decision-making processes of the CPS through the scrutiny of randomly selected finalised case files, and acting on learning points that emerge from that scrutiny.

1. Aims

- To widen the understanding of the decision-making processes in the handling of hate crime cases.
- To review and scrutinise randomly selected finalised hate crime case files.
- To identify issues, common themes, trends in the decision making process, looking in particular at the impact of decision making on diverse communities of interest.
- To make reports and recommendations to the Hampshire & Isle of Wight Management Board and casework Committee in connection with learning.
- Through the Chief Crown Prosecutor (CCP), to inform other agencies of relevant learning arising from the review and scrutiny of case files.
- To improve the Area's performance on hate crime as set out above by the panel acting as a critical friend in the area of hate crime training, development and delivery.

AnnexC: Learning Points Poster

HAMPSHIRE AND ISLE OF WIGHT Staff and Public Confidence Committee

Learning Points on DCV

Keep letters to one to one and a half pages

Ensure letters are in Arial typeface and no smaller than a 12 font to make them accessible for people with disabilities

Need to remember letters can end up in the hands of anyone e.g. press, defendant

Remember to proof read your letters

Letters must be labelled Private and Confidential and have a returns address on them

In 2009 the SPCC met with Victim Support to look at DCV letters as a result of an action from the Hate Crime Scrutiny Panel and developing good practice from Dorset.

The group identified a number of points to remember when producing letters

Some of our titles are confusing and will not mean anything to the victim e.g. Deputy District Crown Prosecutor, what does this mean? Keep it simple

Use of the word 'dropped' and 'dismissed' sound like a lack of care and are negative; we preferred not proceeding with or stopped

Do not repeat e.g. once you state in full 'Code for Crown Prosecutors' it is then acceptable to say 'the Code'

'We must remember we are delivering bad news, even when the victim has retracted their statement as we do not know the real reason for the retraction'

Victim Support

Letters must state what the recipient should do, should they require further information

Use plain English – not for example words like 'mens rea'

For more information, additional copies or to request this report in an alternative language, easy read or audio please contact:

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