



# HATE CRIME NEWSLETTER

No. 29, October 2021

## NEW CPS HATE CRIME LEAD

Lionel Idan, Chief Crown  
Prosecutor

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## HATE CRIME AWARENESS WEEK

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# WELCOME

# TO THE HATE CRIME NEWSLETTER

I'm delighted to introduce the Hate Crime Newsletter. Not only is it my first edition as the CPS hate crime lead, but this is also a special edition to mark Hate Crime Awareness Week next week.

**Firstly, I'd like to introduce myself.** I've worked for the CPS in a range of roles – joining from the independent bar in 2005 as a Rape and Domestic Violence Specialist Prosecutor. More recently I served as the Deputy Chief Crown Prosecutor (DCCP) in the West Midlands and last September, I was appointed as the Chief Crown Prosecutor (CCP) for London South. This meant that I became the first black male CCP since the CPS was founded in 1986. This watershed moment in the history of the CPS is one I am very proud of. I'm privileged to take on the role of hate crime lead for the CPS and look forward to working with our partners, communities and CPS staff to continue to tackle these unacceptable crimes.

**Since the last newsletter, we've been busy working with partners and communities.** In July, we held a

Community Accountability Forum on hate crime. In August, we published our new hate crime leaflet to help our communities recognise hate crime and know how to report it. In September, I met the National Police Chiefs Council's hate crime lead, DCC Mark Hamilton. We discussed our new joint statement on how prosecutors and police work together to tackle hate crime.

**Your views are important to us** and earlier this year, we asked you to tell us what you think about this newsletter. Thank you to everyone who responded to our survey – we've listened to your feedback and we've made some changes. I hope you enjoy this issue and continue to find the newsletter valuable. As always, we welcome your feedback and suggestions for articles. If you are interested in submitting an article, please email [Mick.Conboy@cps.gov.uk](mailto:Mick.Conboy@cps.gov.uk) and include photos to accompany it.

**Lionel Idan, Chief Crown Prosecutor and CPS hate crime lead**

# HATE CRIME AWARENESS WEEK 2021

On Sunday 10 October, I and a small group of others, will gather in St Paul's Cathedral to hold our annual Act of Hope and Remembrance for those affected by hate crime. It's an event that has always passed peacefully and often goes unreported across the media. The event is free and [tickets are available online](#).

We'll have two BSL interpreters throughout the event. The Diversity Choir will perform three pieces and there will be a reading of Psalm 139. We'll hear speeches from Sophie Linden, Deputy Mayor of Policing and Crime; Barry Boffy, Head of Inclusion and Diversity, British Transport Police; Leni Morris, CEO of Galop; and myself. The poet AJ McKenna will read their new poem, commissioned for the week "Not just a fancy word for nowhere." We will light the national candle of hope and remembrance to stand with those who have been affected by hate crime and to remember those who we've tragically lost to these crimes.

This year, the theme of our remembrance event is focused on standing in solidarity with those affected by transphobic hate crime. It's a sad reflection that whilst we hoped to remember a victim of transphobic hate crime by name during the national service, their friends and family declined. They were worried that doing so might lead to another wave of social media attacks on them and their community.

It's heart-breaking enough that anyone should lose a loved one because of hate and prejudice in our society, and even more so, that they should be fearful that an act of our hope and remembrance could trigger hateful and harmful behaviour towards them.

This is something we all need to challenge and change.

It has made me even more determined to stand in solidarity with the transgender community, as we continue to stand in solidarity with all communities affected by hate crime. There should be no place for hate here in the UK.

This is the 10<sup>th</sup> National Hate Crime Awareness Week that we've organised, and I'm pleased to see that 70% of Council across the UK have taken part in the week. Each year, we run thousands of hate crime events and distribute tens of thousands of leaflets and hate crime reporting cards to help encourage victims to report crimes.

Over the last ten years, we've helped bring the hate crime sector much closer together, working with victims, families, support groups and charities, as well as those in the public sector and criminal justice system to stand up against hate crime. I look forward to working with you all as we continue to stand up against hate.

Read more about [Hate Crime Awareness Week](#).

**Mark Healy, Director and co-Founder of Hate Crime Awareness Week.**





***“I’m proud of the criminal justice system’s clear commitment to tackling hate crimes”***

**The Rt Hon Suella Braverman QC MP,  
Attorney General of  
England and Wales**

## **A MESSAGE FROM THE ATTORNEY GENERAL**

Next week is Hate Crime Awareness Week, and I want to be absolutely clear that hate crimes of any kind have no place in our society. Hate crime can have a deep impact on victims with long lasting effects. People shouldn’t be living in fear of being targeted because of who they are.

The CPS has done sterling work in prosecuting hate crime over the last 12 months, something that I and my office want to recognise and celebrate.

Last year (2020/21) the CPS prosecuted 10,679 cases of hate crime. In 86% of cases the defendants pled guilty or were found guilty of one or more crimes.

In 79% of those cases the judge increased the offender’s sentence because they agreed that the

crime was a hate crime. Increased sentences send a clear message that offenders should expect to receive a higher sentence if they target someone based on their race, religion, sexual orientation, transgender identity or disability.

Next week, the CPS and NPCC will set out their approach to working together in their joint statement on hate crime – I’m proud of the criminal justice system’s clear commitment to tackling hate crimes.

This Hate Crime Awareness Week, I want to take the opportunity to recognise the response the criminal justice system has made towards tackling hate crimes, with both the CPS and police continuing to bring perpetrators to justice during these difficult times.

**The Rt Hon Suella Braverman QC MP**

# EARLY ADVICE PILOT



Last year, CPS North West and Greater Manchester Police designed a project to enhance how they work together in the early stages of hate crime cases. The pilot gave CPS lawyers an opportunity to help shape the investigation at an earlier stage - from the point of police triage - meaning that we could better prepare cases for prosecution.

The pilot came about following a community conversation we held with the Muslim community in Greater Manchester. It was clear that their confidence in the criminal justice system bringing offenders of hate crime to justice was very low. We found that in early 2019 in Bolton only 7 of 270 hate crime reports to the police were referred to CPS – it was clear that more needed to be done at the early stages to ensure cases could be brought to prosecution.

As part of the project, we sit down with Greater Manchester Police on a weekly basis to review all reported hate crime in Bolton, and cases are only closed when we both agree.

The pilot aimed to increase the number of referrals from the police to the CPS by 50% - data shows that we've seen an increase of 147.6%, well exceeding our target. The number of defendants convicted for hate crimes in Bolton also increased to 97.6% (up from 80.6% last year), and 87.2% offenders had their sentences increased because the court agreed that the crime was a hate crime (up from 58.6% last year).

Chief Superintendent Rick Jackson, hate crime area lead for Greater Manchester Police said: *“We had been engaging community groups, charities and faith organisations throughout Manchester and improving our response to hate crime. Progress was being made, but we knew more was required. With this in mind, I jumped at the chance to work closely with CPS to improve the service we deliver. Initially starting in Bolton, the pilot has since expanded to Salford. The statistics speak for themselves, but more importantly, the feedback from victims is excellent, reflecting on the combined efforts of both GMP and CPS colleagues.”*

The pilot, which began in Bolton, has now been extended to cover Salford. We're now planning to broaden it across Greater Manchester – as well as sharing our learning with other parts of England and Wales.

**Karen Saffman, Senior District Crown Prosecutor and CPS North West Hate Crime Coordinator**

# TACKLING RACISM IN FOOTBALL



Last summer, the England football team united a nation as they made their way to the final of Euro 2020. After all the difficulties of the COVID pandemic, it was great to finally come together with friends and family to watch a game that never felt more beautiful. Unfortunately, England's success was overshadowed by a troubling spike in online racism directed towards a number of young black players. The 'disease' of racism is not a new thing in football and is sadly representative of the abhorrent behaviour of a minority within our society.

The immediacy and reach of online social media platforms have been 'weaponised' by those wanting to racially abuse Black and Asian footballers. But this minority should be under no illusion, the CPS takes this vile type of crime extremely seriously and will prosecute those where we have the evidence to do so. Over the last few weeks, we have seen two prosecutions for the online racial abuse of a footballer.

## **West Bromwich Albion**

One horrendous case saw so-called West Bromwich Albion fan Simon Silwood convicted of racially abusing Romaine Sawyers, a footballer playing for the team he claims to support. Romaine brought the offensive content to the attention of West Midlands Police with the support of his club and it led to an extensive police investigation and prosecution. During his police interview, Silwood admitted to posting a message on social media after becoming upset by Albion's 5-0 defeat by Manchester City but argued he had intended to type a different word, blaming what resulted on predictive text.

The CPS and police were able to expose his account of events as a lie and demonstrate Silwood deliberately used an offensive racial slur about the player. Other West Brom fans were also appalled by the post and reported it to the club. This meant we had an even stronger case in proving how despicable this message was.

## **England team**

CPS proved Scott McCluskey used his Facebook account to post racist and insulting comments about England players Marcus Rashford, Jadon Sancho and Bukayo Saka following the end of the Euro 2020 final.

The posts were seen by McCluskey's Facebook 'friends' and was met with condemnation, with replies referring to his comments as 'absolutely disgusting', 'blatant out and out racism' and 'disgraceful'. The posts were reported to the police and resulted in another successful prosecution.

In another case, after the Euro 2020 final, Bradford Pretty, 49 of Folkestone, Kent uploaded a video of himself on his Facebook account talking about the final. In this video, Pretty made racist slurs about specific football players. Kent Police investigated and referred the evidence to the CPS. The CPS then authorised Kent Police to charge Pretty with sending an obscene message via a social network.

Pretty pleaded guilty at Folkestone Magistrates' Court to one count of sending an obscene message by social network and was sentenced to 200 hours of unpaid work and 50 days in custody suspended for 12 months. He was also fined £85.

### Online hate has real-world consequences

The actions of the CPS in these cases prove how seriously we are taking these allegations. One single comment or tweet could see an individual facing criminal prosecution and possible imprisonment for a hate crime - and bring about real-world consequences for those who, by hiding behind a keyboard, feel they are beyond reach.

After the Euro final, many will have seen the headlines of one person losing their job because of the racist abuse of England players. Convictions for racial hatred stay on your record and will harm people's ability to obtain jobs or promotions. These cases are not without challenges as sometimes those responsible hide behind anonymous accounts or are based overseas.

However, we are working closely with police, football clubs, player bodies and other organisations to build the strongest possible cases. This will help us protect players by ensuring we get everything we need to prosecute.

We call on everyone to report any racist content they see online to the police and relevant social media companies.

In the days following the final, we saw a huge outpouring of support for those players affected by online abuse because the vast majority of football fans recognise that there is no place for racism in the game - just as there is no place for it within society. Together we can stamp out hate from the game we love.

**Elizabeth Jenkins, Deputy Chief Crown Prosecutor for CPS North West and the national CPS lead for sport.**



## HATE WON'T WIN

*Sky Sports* is committed to making skysports.com and their channels on social media a place for comment and debate that is free of abuse, hate and profanity. For more information, please visit: [www.skysports.com/againstonehate](http://www.skysports.com/againstonehate)

If you see a reply to *Sky Sports* posts and/or content with an expression of hate on the basis of race, sex, colour, gender, nationality, ethnicity, disability, religion, sexuality, age or class, please copy the URL to the hateful post and screengrab it and [email Sky Sports](mailto:skysports@sky.com).

## KICK IT OUT

Kick It Out is football's equality and inclusion organisation - working throughout the football, educational and community sectors to challenge discrimination, encourage inclusive practices and campaign for positive change.

[Kick it Out: Online Reporting Form](#)

# ENGAGING

# WITH OUR COMMUNITIES

## Community Accountability Forum

We can't beat hate crime alone, and that is why we work with community representatives and partners from across England and Wales. In July, the CPS held a Community Accountability Forum to discuss hate crime.

Mick Conboy, CPS policy lead for hate crime said: "The CAF is a really valuable meeting where we can hear directly from community representatives and organisations who support them – those who understand the concerns and needs of the people we serve best.

"Our latest CAF - on the topic of hate crime - provided a space for us to listen to the experiences of those impacted by these crimes and to better understand what more we can do. It also gave us an opportunity to share some of the work we're doing to improve how we prosecute these crimes.

"Hate crime is constantly evolving – political changes or events in the news can lead to spikes in hate crime against different communities. Community engagement events, like the CAF, help us to stay ahead of these changes and better understand your real life experiences so we'll continue to have these conversations both locally and nationally."

Thank you to everyone who took time to attend the CAF, including our regular Hate Crime External Consultation Group members. Your input was extremely valuable. Speakers included: Dave Rich: Community Security Trust; Iman Abou-Atta: Tell MAMA; Alan Bush: Kick It Out.

## Working with Gypsy, Roma and Traveller communities in the South East

In April, we met with a local Gypsy-Traveller community group called Friends, Families and Travellers. They were concerned that none of the cases they'd reported had so far reached the CPS, and their trust in the criminal justice system was decreasing.

We spoke to the group about hate crime – what it is, how we prosecute it and how we apply for longer sentences for those convicted.

We've also set up a Local Scrutiny and Involvement Panel meeting to focus exclusively on the Gypsy-Traveller community - taking place during Hate Crime Awareness Week. We've invited representatives of the Gypsy-Traveller community, as well as colleagues from Surrey, Sussex, and Kent police forces.

The panel will give community members an opportunity to review case files with us and the police – to ask questions about our decision making, and to see what went well and what can be improved.

Ahead of the meeting, we've asked Friends, Families and Travellers to share the cases they've reported so we can examine these during the meeting.

We've already seen an increase in trust with the community, and I was really pleased that we've been invited us to speak to their youth group. We hope to restore trust - and for that trust to be extend to the next generation.

## Emily Zinkin Inclusion and Community Engagement Manager CPS South East

[Read more about what we learnt and what action we're taking in our CAF blog](#)



# CASE STUDIES

## East Midlands

Two social media users have been handed prison sentences for posting a video expressing extreme racist views on social media.

The first defendant recorded the video during a televised briefing by the Home Secretary, making derogatory comments about her ethnicity and insulting remarks about people from different ethnic backgrounds. He posted the video on a private social media group. The second defendant reposted the video which went viral with over a million views.

The CPS authorised charges of sending a grossly offensive message by public communication and prosecuted both defendants together as a hate crime. The pair pleaded guilty and were sentenced to ten and six weeks in prison.

Janine Smith, CPS Chief Crown Prosecutor, said: "Hate crimes and online abuse are heinous crimes, which can have a significant impact on the people targeted and our wider communities. In the days after the video went viral, the CPS and other agencies were contacted by numerous people expressing concern that individuals held these views and had aired these so publicly. We take this sort of offending extremely seriously and by prosecuting this case as a hate crime we stand by the communities we serve and ensured these individuals faced the consequences of their actions."

## Mersey-Cheshire

Defendant in this case was sentenced for posting racist abuse about England players on the night of the Euro finals in July.

At the end of the game he took to his Facebook account to post racist and insulting comments about England players who missed penalties in a shoot-out.

He was sentenced to 14 weeks' imprisonment, suspended for 18 months. He must do 30 days of a rehabilitation activity and is subject to an electronically-monitored curfew on Saturdays from 9am to midnight and Sundays from 12 noon to midnight for 40 weeks. He must pay one of the victims £100 compensation, costs of £85 and a victim surcharge of £128.

The CPS applied for the sentence to be uplifted as a result of the proven racist hostility and this was accepted by the court. The uplift made it punishable by custody.

Senior District Crown Prosecutor Jo Lazzari, of CPS Mersey Cheshire, said: "We would sincerely like to thank the individual who brought this appalling hate crime to our attention and gave us the opportunity to work with Cheshire Police to bring this offence to Court. This offending is described as 'Hate Crime' and the CPS treats these offences with the utmost gravity because they attack the very essence of the victim and affect the whole community. As shown by the public response to this Defendant's actions, racism has no place in our society and will not be tolerated in any form."

## Yorkshire and Humberside

The victim has a doorbell system that records video and audio. On the date of the incident in the early hours of the morning, it captured footage of his neighbour approaching the doorbell, looking directly into the camera and using homophobic abuse and then walking away. He came back later and was again abusive, speaking directly to the camera.

The defendant pleaded guilty to threatening to cause criminal damage and using threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced at the Crown Court for these and other matters. He was sentenced to three months' imprisonment, uplifted from two months for the homophobic abuse. A five year Restraining Order was also imposed.

## North East

The defendant was convicted of racially threatening behaviour after he subjected a doctor on duty in Sunderland Royal Hospital to a tirade of racist threats. He was also convicted of racist intentional harassment when, following his arrest, he then subjected the arresting officer to racist abuse. He was sentenced to 20 weeks' imprisonment. He was ordered to pay £100 compensation to each victim. The court announced it had increased the length of the period of imprisonment to reflect the racial aggravation.

## Our work is starting to pay off

Last year we prosecuted more than **10,000** cases of hate crime.



In **86%** of cases the defendants were found guilty of one or more crimes.

In **79%** of those cases the judge increased the offender's sentence because they agreed that the crime was a hate crime.