

An Overview of Hate Crime in England and Wales

*Home Office, Office for National Statistics
and Ministry of Justice*

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Additional Appendix Tables accompanying this publication are available at:
www.gov.uk/government/publications/an-overview-of-hate-crime-in-england-and-wales

Executive summary

There are two main official sources for the number of hate crime offences in England and Wales: the Crime Survey for England and Wales (CSEW) and police recorded crime. The survey estimate is the higher of the two – some of the crimes reported in the survey will not come to the attention of the police. While the CSEW provides estimates of the volume of hate crime incidents, because of the small numbers of hate crime victims captured by the survey there are large margins of error around these estimates. These figures do, however, help to provide a broader context in which to view hate crime data from other sources.

Based on combined data from the 2011/12 and 2012/13 CSEW, there were an estimated 278,000 hate crimes on average per year for the five monitored strands.¹ The most commonly reported motivating factor in these hate crime incidents was race, with an average of 154,000 incidents a year according to the 2011/12 and 2012/13 surveys. The second most common motivating factor was religion (70,000 incidents per year). The majority of hate crime incidents were accounted for by incidents of assault (with minor injury or no injury) and incidents of vandalism, which together made up around two-thirds of the CSEW hate crime estimate.

The combined 2011/12 and 2012/13 CSEW estimated that 40 per cent of hate crimes came to the attention of the police, a similar level to overall CSEW crime. However, the level of reporting to the police for hate crimes has fallen from 51 per cent in the combined 2007/08 and 2008/09 surveys. This fall is likely to be in at least part due to a change in the profile of hate crime offences experienced, away from more serious offences (such as robbery) to less serious offences (such as assault without injury). These less serious offences tend to have a lower reporting rate.

The most common reason for not reporting the incident to the police was because the victim believed that the police would not or could not do much about it (43% of hate crime incidents in the CSEW that were not reported).

In the process of recording a crime, the police can ‘flag’ an offence as being motivated by one or more of the five centrally monitored strands. The police recorded 42,236 hate crime offences in 2012/13, around one per cent of all recorded crime. Comparing this with estimates from the CSEW implies that far fewer hate crime offences came to the attention of the police than the 40 per cent indicated by the survey. There are a number of possible reasons to explain this discrepancy; for example, that the victim may not have mentioned the motivating factor when they reported the incident to the police. Comparisons between the CSEW hate crime estimates and the police recorded crime figures are explored in more detail in the main report.

¹ The five monitored strands are: race, religion, sexual orientation, disability and gender-identity. See the Introduction of this report for more information.

Similar to findings from the CSEW, the most common motivating factor in hate crimes recorded by the police (85%) was race, with 35,885 offences recorded in 2012/13. The second most common factor was sexual orientation (10%), with 4,267 offences.

Analysis from a subset of police forces in England and Wales shows that around a half of all police recorded hate crime is for public fear, alarm or distress, an offence which generally does not include crimes where physical violence is used or attempted against a victim (although may include some offences where injury is threatened). This is notably different from the CSEW, which, as a victimisation survey, will not identify crimes where there has not been a direct victim.

More detailed information across the crime and criminal justice system (CJS) is available for racially or religiously aggravated offences as defined by statute, a subset of total police recorded hate crime. Figure A shows the level of these offences at various stages of the CJS. Recording and prosecution of these offences allow the police and courts increased powers to deal with individuals committing certain crimes motivated by hate towards either race or religion. Over 80 per cent of the racially or religiously motivated hate crimes recorded by the police in 2012/13 are for these specific aggravated offences.

In 2012/13, the police recorded 30,234 racially or religiously aggravated offences. Public fear, alarm or distress offences accounted for around two-thirds of these offences. The number of racially or religiously aggravated offences recorded by the police has fallen by 24 per cent over the last five years. In comparison, there was a 38 per cent fall in the corresponding offences that were not recorded as racially or religiously aggravated.

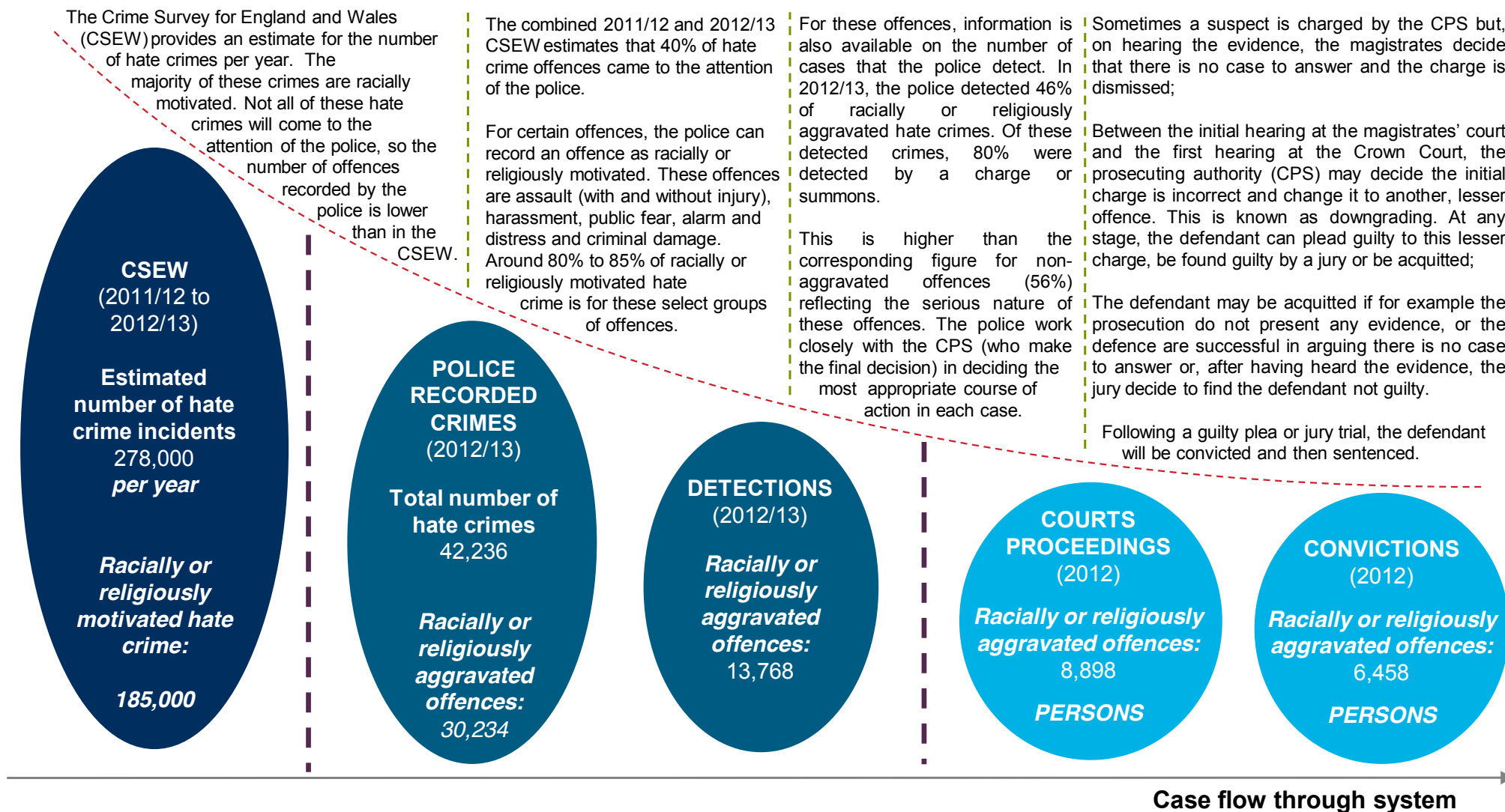
The police detected² 46 per cent of these racially or religiously aggravated offences in 2012/13. The detection rates for racially or religiously aggravated offences of assault (with and without injury) and criminal damage were higher than for the corresponding non-aggravated offences. In contrast, the detection rate for racially or religiously aggravated public fear, alarm or distress was lower than for the non-aggravated equivalent.

In 2012, there were around 1,000 offenders cautioned after they admitted committing a racially or religiously aggravated offence, with numbers declining by 60 per cent over the past five years. The most common offence for which a caution was given was causing public fear, alarm or distress accounting for around three-quarters of cautions issued.

² The detection rate is the number of crimes that the police detect in a given year as a proportion of the total number of crimes recorded in the same period. However, in practice some crimes are detected in a different year to the year that the police recorded the crime.

Figure A – Flow of racially or religiously motivated hate crime from victimisation to conviction

Not presented to scale. Victims and offenders may not relate to the same cases.



In 2012, 8,900 defendants were proceeded against at the magistrates' courts accused of racially or religiously aggravated offences (virtually all criminal cases start in magistrates' courts). The number of proceedings increased over the last decade up to 2010 but have declined since, while proceedings for comparable non-aggravated offences have broadly decreased since 2007. The most common offences for which defendants were proceeded against in court was causing public fear, alarm or distress and assault without injury, accounting for around 72 per cent and 18 per cent of defendants respectively.

Trends in the number of offenders convicted (those that plead or are found guilty) at all courts are driven by two factors, the number of individuals dealt with by the courts (the trend in prosecutions) and the proportion of those individuals who are found guilty. The number of offenders convicted at all courts for racially or religiously aggravated offences has almost tripled since 2002, from 2,300 to 6,500 in 2012. This increase is driven by both increases in prosecutions and increases in the conviction ratio (the number of prosecutions which end in a conviction) for every group of racially or religiously aggravated offences.

The sentence breakdown for racially or religiously aggravated offences has changed over the last decade, and must be considered in the context of a changing mix in offence types brought before the courts. While the volume of offenders sentenced increased over the period, an increasing proportion were sentenced for less serious offences.

However, the volume of offenders sentenced to immediate custody for racially or religiously aggravated offences has increased by almost 80 per cent over the last decade, from 460 in 2002 to 810 in 2012. For each offence group, offenders were more likely to be sentenced to custody on conviction if racial or religious hostility was assessed as a motivating factor for their offence. Furthermore, for each offence group, average custodial sentence lengths were longer for offenders that were convicted of racially or religiously motivated offences compared with the corresponding non-aggravated offences.

Finally, additional information from the CSEW on the wider aspects of hate crime shows that victims said they were more likely to be 'very much' or 'quite a lot' affected emotionally by the incident (68%) compared with victims for overall crime (37%). Furthermore, hate crime victims were less likely to be satisfied by the police handling of the incident, 53 per cent being very or fairly satisfied compared with 72 per cent for crime overall.

Introduction

This report brings together, for the first time, a range of official statistics on hate crime in England and Wales from across the crime and criminal justice system. It is the third in a series of cross-departmental reports collating information from the Office for National Statistics (ONS), Home Office and Ministry of Justice on an area of crime and criminal justice.³

These joint reports are produced in part to meet recommendations from previous reviews of crime and criminal justice statistics which identified a need to provide a fuller picture of the journey of offences and offenders through the criminal justice system. In particular, one of the recommendations of the UK Statistics Authority's report on Overcoming Barriers to Trust in Crime Statistics⁴ was to call for a more joined-up approach to provide the public with a better understanding of the treatment of offences and offenders through the criminal justice system.

Including data from various sources in a joint publication makes it easier for users to find the information they need without having to compile it from different statistical publications. It also allows users to understand the relationships between the different sources of information.

In March 2012, the Government published 'Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime'.⁵ There are three key objectives set out in the plan: to prevent hate crime happening in the first place; increase reporting and victims' access to support; and to improve the operational response to hate crimes.

The Government has also committed to improve the recording of hate crimes⁶ and to develop a better understanding of the issue by strengthening the evidence base – to give a more robust picture of the types of hate crimes that are happening, the victims who are affected and offenders' motivations.

This publication allows the Government and users to examine the levels of hate crime and reporting and patterns of offending and will help Police and Crime Commissioners, police forces and other criminal justice agencies to focus their resources appropriately.

The Law Commission have been asked by the Government to consider the case for introducing new legal offences for strands of hate crime in addition to existing religiously and racially aggravated offences set out in the Crime and Disorder Act 1998.⁷ The work presented in this publication can supplement existing evidence to help inform considerations around their work.

³ Previous reports are [Youth Justice Statistics 2011/12](#) and [An Overview of Sexual Offending in England and Wales](#)

⁴ [Overcoming Barriers to Trust in Crime Statistics: England and Wales](#)

⁵ [Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime](#)

⁶ [The Coalition: our programme for government](#) outlined an aim to promote better recording of hate crimes against disabled, homosexual and transgender people.

⁷ The consultation is available here: [Hate Crime: The Case for Extending the Existing Offences](#)

Definition of hate crime

In 2007, the Police Service, Crown Prosecution Service (CPS), Prison Service (now the National Offender Management Service) and other agencies that make up the criminal justice system agreed a common definition of 'hate crime' and five 'strands' that would be monitored centrally. Hate crime is defined as **'any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice towards someone based on a personal characteristic.'** The five monitored strands are:

- race;
- religion/faith;
- sexual orientation;
- disability; and
- gender-identity.

Crimes based on hostility to age, gender, or appearance, for example, can also be hate crimes, although they are not part of the five centrally monitored strands.

Coverage of report

The information in this report is organised into five sections:

- **Hate crime: Victimisation to police recording**
This section presents data on the levels of hate crime estimated by the CSEW and those recorded by the police.
- **Hate crime by motivating factor**
A summary section on the five centrally monitored hate strands.
- **Racially or religiously aggravated offences: Police recording to court outcome**
A focus upon those offences that are recorded as racially or religiously aggravated. These offences are defined by statute and information is available from police recording through to court outcomes.
- **Additional information from the Crown Court Sentencing Survey**
Analysis of sentencing for assault cases which were not classified specifically as racially or religiously aggravated but in which there were motivating hate crime factors.
- **Additional information from the CSEW**
Information from the survey covering victim satisfaction with the police, the emotional effects of hate crime and respondents' worries about hate crime.

Further details on the data sources can be found in the **'Data Sources'** section.

Hate crime: Victimization to police recording

Crime Survey for England and Wales

The Crime Survey for England and Wales (CSEW) is a face-to-face victimisation survey in which adults aged 16 and over resident in households in England and Wales are asked about their experiences of crime in the 12 months prior to interview.⁸ Due to the low volume of hate crime incidents in the sample survey, the figures are not sufficiently robust to report for a single year of the CSEW. Data from two survey years have therefore been combined to give larger sample sizes, increasing the number of incidents available for analysis. For the latest time period, data have been combined for the 2011/12 and 2012/13 CSEW; this includes incidents experienced by respondents between March 2010 and February 2013. Figures reported in this section are 12-month averages of the estimates from the two survey years and so are comparable with 12-month CSEW estimates presented elsewhere in this and other crime statistics bulletins.

The coverage of the CSEW is limited to crimes which involve a specific identifiable victim, for example where an individual has been assaulted, a household has had property stolen or vandalised. The survey excludes other crime where a specific victim is more difficult to identify, for example, public order offences without a specific targeted victim. Such crimes, if reported, will, however, be included in the police recorded crime data.

There are a relatively low number of victims of hate crime captured in the CSEW and as a result the margins of error around the estimates for hate crime are large. They do, however, provide context to the police recorded crime and criminal justice hate crime statistics. The appendix tables provide a time-series of CSEW hate crimes but the margins of error around the estimates are too large to allow a reliable interpretation of trends.

Further limitations related to how victims are asked about their perception of the offender's motivation for the incident are set out in the '**Data Sources**' section.

Overall hate crime

According to the 2011/12 and 2012/13 CSEW, there were around 278,000 incidents of hate crime a year, representing around three per cent of crime overall in the CSEW (9,074,000 incidents)⁹.

As previously stated, survey years have been combined to give more robust estimates for the level of hate crime in England and Wales. However, even with the joining of datasets the number of victims of hate crime upon which these estimates are based are relatively small. Therefore, the associated 'range' or confidence intervals¹⁰ around the estimate of total hate

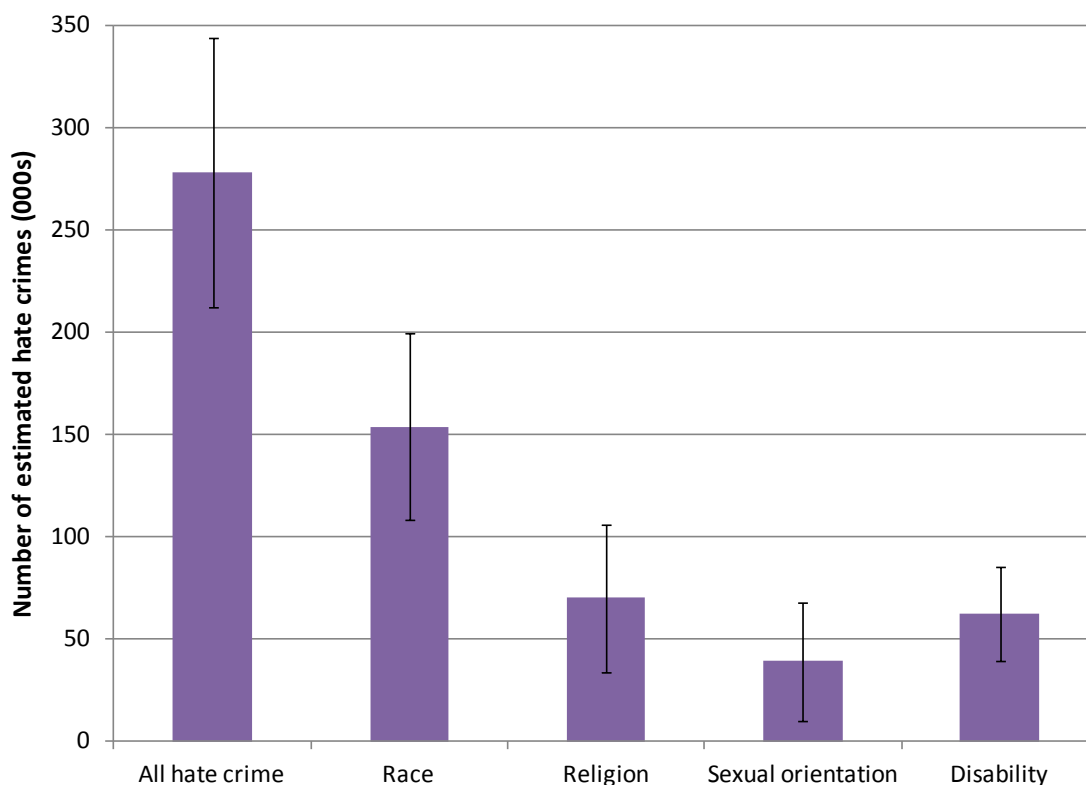
⁸ See Section 2.4 in ONS's [User Guide to Crime Statistics for England and Wales](#) for details of reference periods.

⁹ The 9,074,000 incidents of crime overall in the CSEW is approximately the average of the 9,500,000 and 8,643,000 incidents reported in the 2011/12 and 2012/13 CSEW.

¹⁰ This confidence interval is the range of values that we can be 95% confident that the actual number of hate crimes is between.

crime and each monitored strand are relatively large, as shown in Figure 1. For example, the 278,000 hate crimes estimated by the 2011/12 and 2012/13 CSEW has a confidence interval of between 212,000 and 344,000 incidents. The large confidence intervals mean it is difficult to make comparisons between the monitored strands and over time.

Figure 1: Number of estimated incidents of hate crimes with confidence intervals, 2011/12 and 2012/13 CSEW



Note: Figures for all hate crime do not equal to the sum of incidents in individual strands as the victim may have said the crime was motivated by more than one strand.

Of the monitored strands asked about in the 2011/12 and 2012/13 CSEW (race, religion, sexual orientation, disability and gender-identity), the strand most commonly perceived as an offender’s motivation for committing a crime was the offender’s attitude to the victim’s race (around 154,000 incidents on average a year). The monitored strand least commonly perceived as an offender’s motivation for committing a crime was the victim’s gender-identity (the number of CSEW respondents who were victims of this type of hate crime was too low to provide a robust estimate) (Appendix Table 1.01).

The CSEW provides estimates of the levels of personal and household crimes experienced by adults in England and Wales. Personal crimes relate to all crimes against the individual and only relate to the respondent’s own personal experience (not that of other people in the household). Household crimes cover property crimes which target the entire household (for example, burglary, criminal damage, or vehicle-related theft) and respondents are asked whether anyone currently residing in the household has experienced any such incident.¹¹

¹¹ See Section 2.5 in ONS’s [User Guide to Crime Statistics in England and Wales](#) for a discussion of measures of CSEW crime.

The 2011/12 and 2012/13 combined CSEW shows there were around 166,000 incidents of personal hate crime and 111,000 incidents of household hate crime a year.¹² Total CSEW crime incidents were around 3,597,000 incidents of personal crime and 5,476,000 incidents of household crime a year overall in the CSEW for the equivalent combined period (Appendix Table 1.01). While most incidents of overall CSEW crime were household crime (60%), the majority of hate crime incidents (60%) were personal crimes such as violence or theft from the person.

The type of incidents perceived to be hate crimes has been explored further. Three per cent of crime incidents overall in the CSEW (5% of CSEW incidents of personal crime and 2% of CSEW incidents of household crime) were perceived to be hate crime incidents. The proportion of incidents that were perceived to be hate crime varied by crime type in the 2011/12 and 2012/13 CSEW (Appendix Table 1.02). For example, for personal crimes nine per cent of assault with minor injury or no injury incidents were perceived to be hate crime incidents whereas for household crimes three per cent of vandalism incidents were perceived to be hate crime incidents. These two offence types accounted for the majority of hate crime incidents, with 40 per cent of hate crime incidents being assault with minor injury or no injury, while around a quarter of were incidents of vandalism (Table 1).

Table 1: Percentage of hate crime incidents, by type of offence, 2011/12 and 2012/13 CSEW

<i>Percentages</i>	England and Wales, CSEW
Type of incident	
PERSONAL CRIME	
Assault with minor injury or no injury	40
Wounding	9
Robbery	5
Theft from person	4
Other theft of personal property	2
ALL PERSONAL CRIME	60
HOUSEHOLD CRIME	
Vandalism	24
Burglary	9
Vehicle-related theft	2
Bicycle theft	1
Other household theft	5
ALL HOUSEHOLD CRIME	40
<i>Unweighted base</i>	399

Source: Crime Survey for England and Wales, Office for National Statistics

¹² Numbers do not sum to overall hate crime incident total due to rounding.

The combined 2011/12 and 2012/13 CSEW estimates show that 0.5 per cent of adults were victims of any hate crime in the 12 months prior to interview. A similar percentage were victims of personal hate crime (0.2%) as were victims of household hate crime (0.2%). To put these figures in context, looking at CSEW crime overall, around six per cent of adults were victims of any personal crime and around 15 per cent of households were a victim of any household crime (Appendix Table 1.04).

Victimisation by personal and household characteristics

Analysis of victimisation by personal and household characteristics showed that for personal hate crime (as with CSEW crime overall, [ONS, Crime in England and Wales - year ending March 2013, Annual Trend and Demographic tables](#)), the risk of being a victim varied by socio-demographic characteristics. It should be noted that differences in victimisation rates between ethnic groups may be at least partly attributable to factors other than ethnicity. Previous research ([Jansson, 2006](#); [Salisbury and Upson, 2004](#)) has shown that people with a Mixed ethnic background are most at risk of crime. However, multivariate analyses identified that, for the key crime types, ethnicity was not independently associated with the risk of victimisation ([Jansson et al., 2007](#)). The proportion of young people in the Mixed ethnic group was, for example, found to be large in comparison to other ethnic groups; and young people are at a higher risk of victimisation ([Flatley et al., 2010](#)). There are also inter-relationships between other personal characteristics.

The risk of being a victim of personal hate crime in the 2011/12 and 2012/13 CSEW (Appendix Table 1.05) was highest, for example, among:

- people aged 16 to 24 (0.5% experienced personal hate crime), and in particular men aged 16 to 24 (0.7% of 16- to 24-year-old men experience personal hate crime, compared with 0.1% of men aged 55–74);
- those with the religious group 'other' and Muslim (1.1% and 0.8%, respectively, compared with 0.3% of those with 'no religion');
- people with Black and Minority Ethnic backgrounds (0.6% compared with 0.2% of White adults);
- those whose marital status was single (0.5% compared with 0.1% of married adults);
- the unemployed (0.6% compared with 0.2% of adults in employment).

The risk of being a victim of household hate crime (Appendix Table 1.06) was highest among, for example, people who:

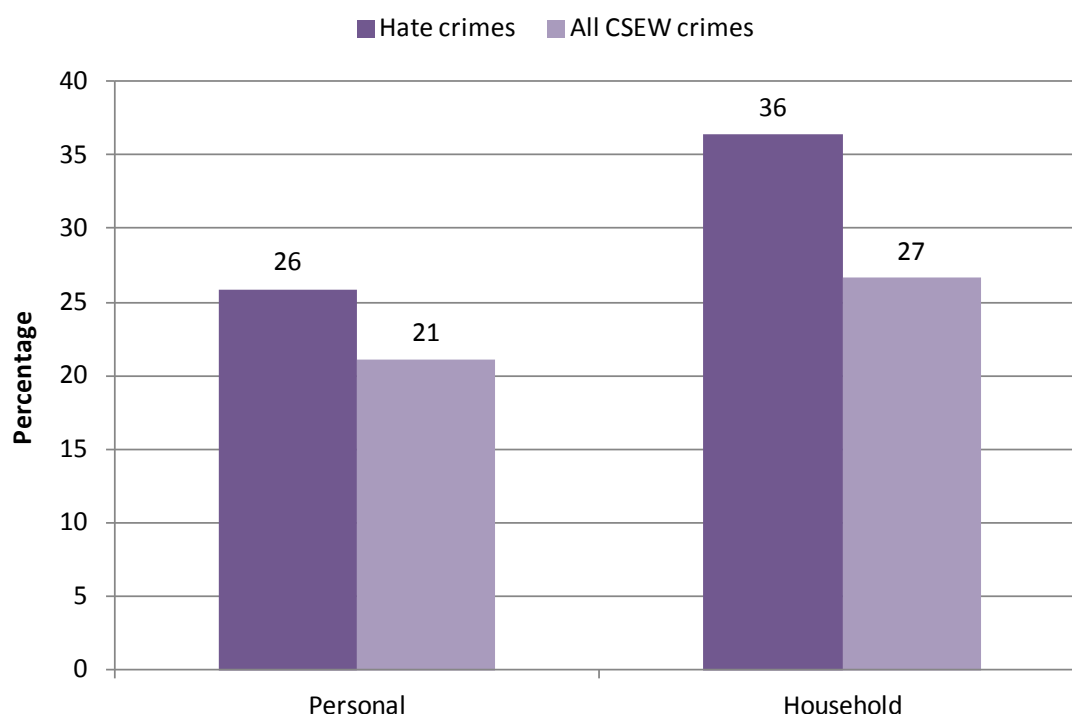
- were social renters (0.6% experienced household hate crime compared with, for example, 0.1% of owner occupiers);
- lived in a household with a total income of less than £10,000 (0.5% compared with 0.1% among those who lived in households with a total income of £50,000 or more).

Repeat victimisation

Repeat victimisation¹³ is defined here as being a victim of the same type of any hate crime more than once in the last year.¹⁴ Levels of repeat victimisation account for differences between CSEW estimates of incidence rates (Appendix Table 1.03) and victimisation rates (Appendix Table 1.04). For instance, high levels of repeat victimisation will be demonstrated by lower victimisation rates when compared with corresponding incidence rates (see for example, [ONS, Crime in England and Wales - year ending March 2013, Annual Trend and Demographic tables](#)).

The combined 2011/12 and 2012/13 CSEW estimates show higher rates of repeat victimisation for hate crime compared with CSEW crime overall (Figure 2 and Appendix Table 1.07). Incidents of hate crime were more likely to be repeatedly experienced for household crime offences than for personal crime offences. The 2011/12 and 2012/13 combined surveys showed 36 per cent of victims of household hate crime had been victimised more than once in the previous year, compared with 26 per cent of victims of personal hate crime. This difference is larger than that found in overall CSEW crime (27% of victims of CSEW household crime were repeat victims, compared with 21% of victims of CSEW personal crime; Appendix Table 1.07).

Figure 2: Percentage of victims who were victimised more than once in the previous year, 2011/12 and 2012/13 CSEW



¹³ See Section 2.5 of ONS's [User Guide to Crime Statistics for England and Wales](#) for a discussion of repeat victimisation.

¹⁴ Where incidents of a similar nature that are probably carried out by the same perpetrator(s) have occurred, CSEW estimates only include the first five incidents in this 'series' of victimisations, see Section 2.5 of ONS's [User Guide to Crime Statistics in England and Wales](#)

Reporting hate crime

The CSEW asks people who experienced crimes in the past year whether the police came to know about the incident, that is, whether they reported it or the police came to know about it in another way (for example, they arrived at the scene). Based on the 2011/12 and 2012/13 CSEW, overall 40 per cent of hate crime incidents came to the attention of the police, a similar level to overall CSEW crime (39%; Table 2). This compares with 51 per cent of hate crimes coming to the attention of the police in the 2007/08 and 2008/09 CSEW. This fall is largely seen in the proportion of personal hate crimes coming to the attention of the police (48% in the 2007/08 and 2008/09 CSEW and 33% in the 2011/12 and 2012/13 CSEW).

Table 2: Percentage of CSEW hate crime incidents that came to the attention of the police

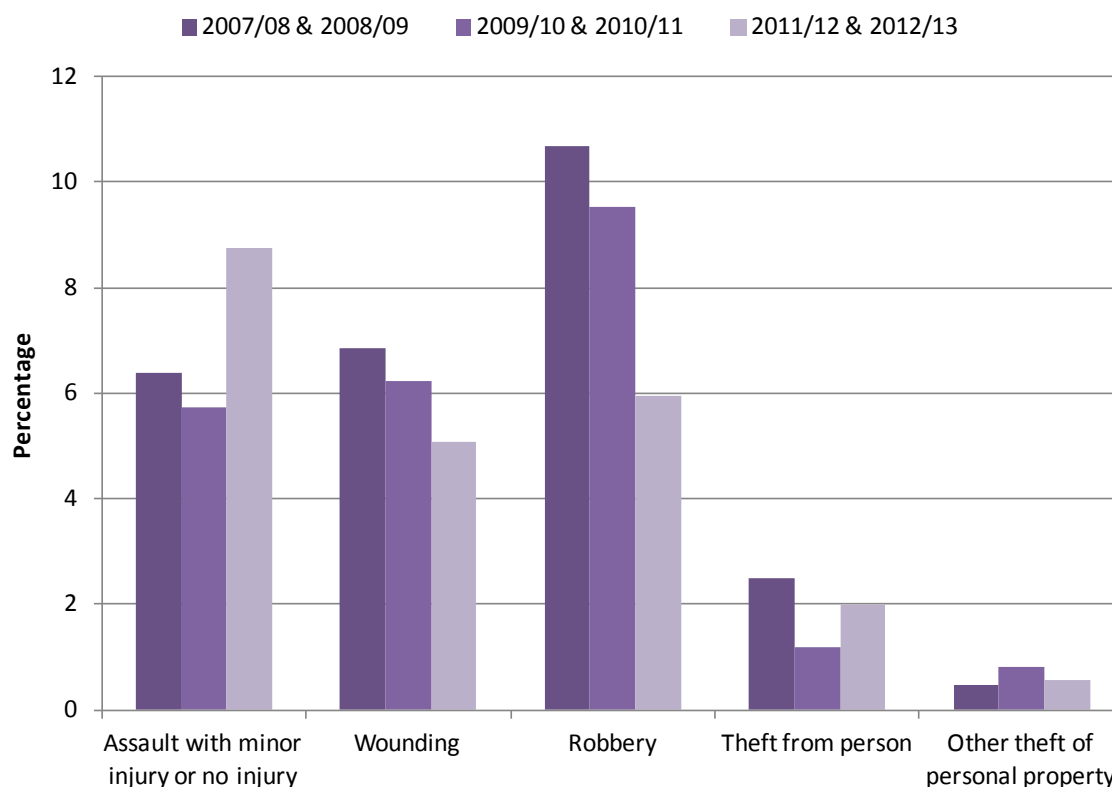
Percentages	England and Wales, CSEW					
	2007/08 & 2008/09 ²		2009/10 & 2010/11 ²		2011/12 & 2012/13	
	Incident reported to police	Unweighted base ³	Incident reported to police	Unweighted base ³	Incident reported to police	Unweighted base ³
Personal hate crime	48	232	42	195	33	170
All CSEW personal crime	37	5,599	39	5,138	40	4,456
Household hate crime	54	284	59	237	51	226
All CSEW household crime	40	19,237	40	17,786	39	14,741
All hate crime	51	516	49	432	40	396
All CSEW crime	39	24,836	39	22,924	39	19,197

Source: Crime Survey for England and Wales, Office for National Statistics

1. Incidents that were reported to the police also includes those incidents that the police came to know about in another way, e.g. they arrived at the scene.
2. Combined 2007/08 & 2008/09 CSEW and combined 2009/10 & 2010/11 CSEW exclude gender-identity as questions on this strand were not included until 2011/12.
3. Unweighted base is crime incidents.
4. Please note that the hate crime offences are a subset of all CSEW crime, this should be borne in mind when making comparisons between them.

The main reason for the fall in the proportion of personal hate crimes coming to the attention of the police is likely to be the change in the type of hate crimes identified by the CSEW. For example, Figure 3 shows that in the 2007/08 and 2008/09 CSEW more robberies were hate crime related compared with the 2011/12 and 2012/13 CSEW where more assaults were hate crime related, indicating that the profile of personal hate crime incidents has changed over this time. These two incident types have very different reporting rates to the police, with assault with minor or no injury incidents having consistently had a lower reporting rate compared with the reporting rate to the police for robbery incidents (39% and 51% respectively, Table D8 - [ONS, Crime in England and Wales - year ending March 2013, Annual Trend and Demographic tables](#)).

Figure 3: Percentage of personal incidents that were identified as a hate crime by type of personal incident



Victims of crime who did not report incidents to the police were asked why they did not do so. The most frequently mentioned reason for not reporting hate crime incidents was that victims believed that the police would or could not do much about them (43% of hate crime incidents that were not reported, 2011/12 and 2012/13 CSEW) (Appendix Table 1.09).

Police recorded hate crime offences

Police recorded crime data also provide information on hate crime offences. In the process of recording crime, the police can ‘flag’ an offence as being motivated by one or more of the five centrally monitored strands. Not all hate crime comes to the attention of the police; therefore the number of police recorded hate crimes is lower than the level estimated by the survey. There are also additional reasons why there are differences between the two sources and these are described later in the ‘**Understanding differences between the CSEW and police recorded crime**’ section.

There were 42,236 hate crime offences recorded by the police in England and Wales in 2012/13.¹⁵ As it is possible for an offence to have more than one motivating factor (for example, a hate crime might be flagged as being motivated by hostility to someone’s race

¹⁵ Police recorded hate crime data presented here relate to a subset of crimes that are recorded by the police and make up roughly around one per cent of all crimes based on police recorded crime figures for 2012/13 ([see Crime statistics, period ending March 2013](#)).

and religion), these offences included 43,927 motivating factors (Table 3). In the last year, four per cent of hate crime offences involved more than one motivating factor.

Table 3: Hate crimes recorded by the police, by monitored strand, 2011/12 and 2012/13

<i>Numbers</i>	England and Wales, recorded crime	
	2011/12	2012/13
Hate crime strand		
Race	36,016	35,885
Religion	1,622	1,573
Sexual orientation	4,362	4,267
Disability	1,757	1,841
Transgender	309	361
Total number of motivating factors	44,066	43,927
Total number of hate crimes	N/A	42,236

Source: Police recorded crime, Home Office

The level of hate crime recorded by the police was similar in 2011/12 and 2012/13. While the corresponding figure for the 42,236 ‘unique’ hate crime offences recorded in 2012/13 is not available¹⁶, it is possible to compare how many motivating factors for hate crimes there were. In 2011/12 there were 44,066 motivating factors, a similar level to the 43,927 recorded in 2012/13.

Hate crime figures from the police prior to 2011/12 were published by the Association of Chief Police Officers (ACPO).¹⁷ These previously published figures by ACPO found similar distributions as shown in this release, with the majority of hate crimes being race hate crimes. However, data are not directly comparable as the time periods for the collections differ as does the recording methodology (forces previously recorded solely one form of monitored hate crime for each offence) and geographical coverage (the collection included Northern Ireland). Due to these differences, ACPO still make their hate crime data available via the True Vision website.¹⁸

Hate crimes by type of offence

Additional information on the nature of hate crimes is available from the Home Office Data Hub (HODH¹⁹). The HODH is a data collection tool for police recorded crime. In addition to collecting data on the count of recorded crimes, police forces can also submit information identifying whether offences are hate crimes; hence the HODH contains information on the type of offences hate crimes involve.

¹⁶ Information on the overall number of hate crimes including one or more motivating factors was not collected in 2011/12.

¹⁷ Data for 2009 and 2010 can be found here [Recorded hate crime data for 2010 for England, Wales and Northern Ireland](#)

¹⁸ [True Vision](#) provides information about hate crime as well as providing an online reporting tool.

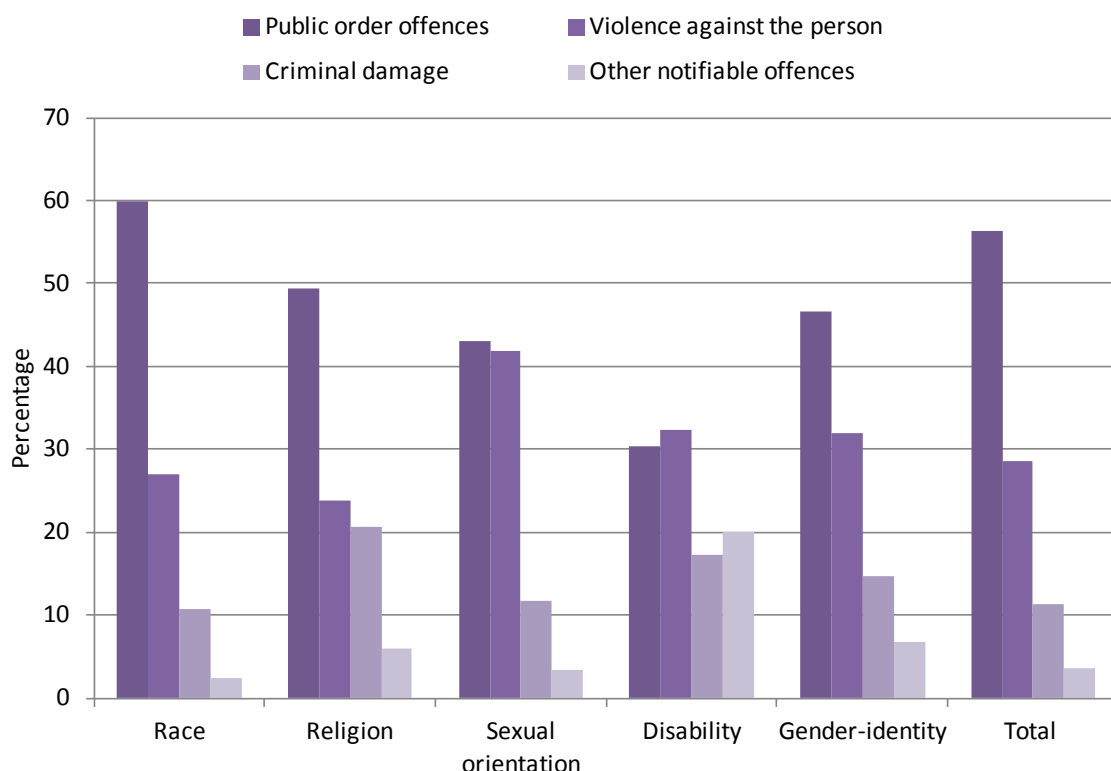
¹⁹ See Data Sources section for further details.

Police forces are gradually moving to sharing police recorded crime information through the HODH and the following information on type of offence is therefore based on a limited number of forces (17) that provided suitable data for 2012/13. Caution should therefore be applied in interpreting these data as an accurate picture across England and Wales. These forces account for only 20 per cent of the 42,236 hate crimes recorded by the police in 2012/13 and may not be representative of the population profile across England and Wales.

The available data showed that the majority of all hate crimes (56%) involved public order offences (and the vast majority of these were public fear, alarm or distress²⁰); the highest proportion among the monitored strands was for race hate crimes, where 60 per cent of race hate crimes were public order offences. The next most common offence type for hate crimes was violence against the person offences (29%). Around a tenth (11%) of hate crimes were criminal damage, and the remainder of hate crimes were accounted for by a range of other notifiable offences, such as theft offences, burglary and sexual offences (Figure 4).

The pattern of hate crime offences recorded by the police is different to that shown by the CSEW. This is discussed below in the ‘**Understanding differences between the CSEW and police recorded crime**’ section.

Figure 4: Proportion of hate crimes by recorded offence type, 17 police forces, England and Wales 2012/13



²⁰ This is part of ‘public order offences’ which cover circumstances where an offender is behaving in a way that causes or would be likely to cause alarm, distress or disorder. This would generally not include offences where physical violence is used (or attempted) against a victim, though it may include some offences where injury is threatened.

The type of offence differs by hate crime strand. For example, 42 per cent of sexual orientation hate crimes were for violence against the person offences, higher than that for race (27%) and religious (24%) hate crimes.

Not all violence against the person offences result in injury; just over a half (52%) of all police recorded violence against the person offences in 2012/13 involved injury ([Crime statistics, period ending March 2013](#)). However, a higher proportion of hate crimes that were violent crimes resulted in injury – overall, 62 per cent of hate crimes that were recorded as violence against the person resulted in injury.

Understanding differences between the CSEW and police recorded crime

There are a number of differences in the coverage of the CSEW and police recorded crime which present challenges in comparing across the sources.

The sources cover different time periods; CSEW data relate to a near three-year period due to the joining of two datasets mentioned earlier (although figures presented are per year), while police recorded crime data are on a financial year basis (and are only available on a comparable basis for 2011/12 and 2012/13).

The coverage of the sources also differs; the CSEW is a victimisation survey which covers adults aged 16 and over resident in households in England and Wales while police recorded crime figures includes crimes against people of all ages, against society (crimes where there is not a direct victim such as public order offences) as well as businesses and institutions. A key difference for hate crime offences is the coverage of public order offences in police recorded crime but generally not in the CSEW, as many of these offences will not involve a specifically identifiable victim. As previously shown, around half of all police recorded hate crime is for public fear, alarm or distress, a public order offence.

For the crime types the CSEW does cover, the combined 2011/12 and 2012/13 surveys estimated that 40 per cent of hate crime incidents came to the attention of the police. However, there are a number of reasons (in addition to those detailed above) why the police recorded levels of hate crime are not as high as 40 per cent of the CSEW estimate.

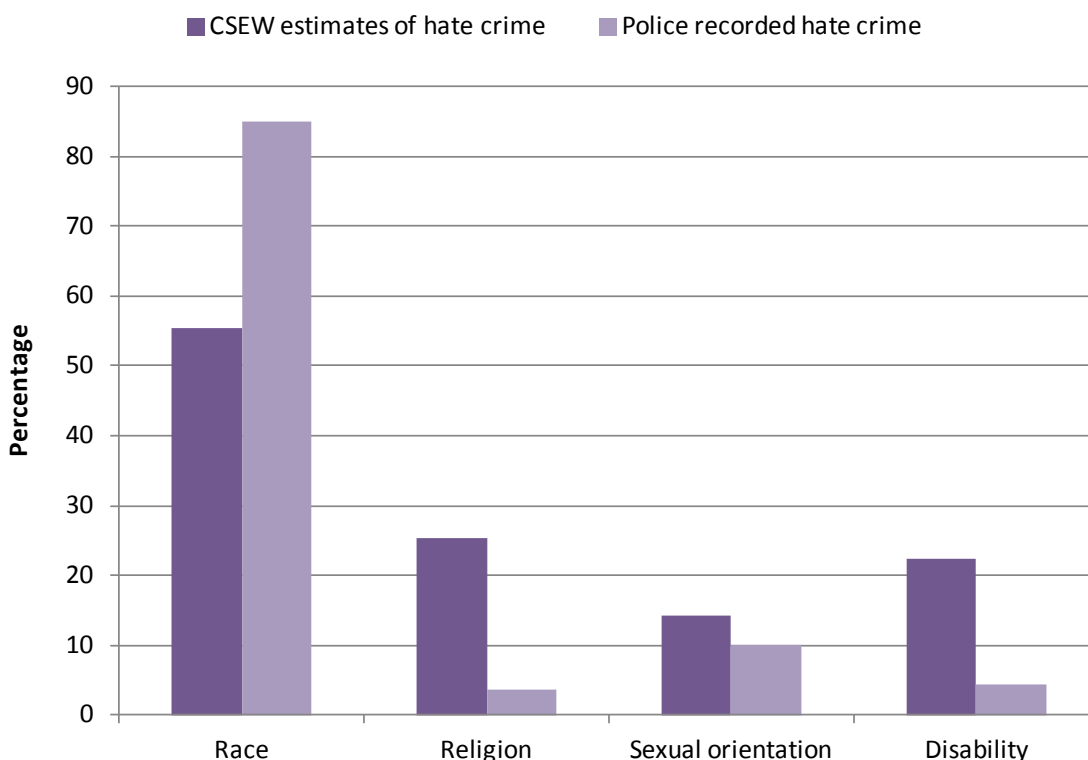
- The survey questions might be misunderstood by the respondent. When they are asked whether they think a crime is motivated by a factor (such as disability), they may instead be responding based upon their perceived vulnerability.
- The respondent is asked in the survey whether the hate crime incident came to the attention of the police, not whether the police actually recorded the crime (the police may witness an incident and think it not a crime, for example).
- Similarly, while a respondent might say the crime did come to the attention of the police, we do not know whether the respondent actually told the police that they thought it was motivated by one of the five hate crime strands (and therefore whether the police flagged the offence as a hate crime).

- In the recording of a crime, it might not become apparent that there was a motivating hate factor, meaning that police may not ask the direct question that the survey does about whether the victim thought that the crime was a hate crime.

There is also overlap between some of the hate crimes in the CSEW (especially racially and religiously motivated hate crimes) as the survey allows respondents to identify more than one motivating factor for each incident. For example, based on the combined 2011/12 and 2012/13 surveys around 20 per cent of racially or religiously motivated hate crimes contained both these motivating factors (data not shown). Conversely, only four per cent of police recorded hate crimes involved more than one motivating factor.

The differences between the sources can also be seen in the distribution of hate crimes. While 85 per cent of hate crimes recorded by the police were race hate crimes, the corresponding figure from the survey is 55 per cent (Figure 5). The survey suggests a higher proportion of hate crimes are for the religion, sexual orientation and disability hate crime strands than is found in the police recorded crime figures. For disability hate crimes, for example, this fits the pattern that some respondents in the CSEW might be answering the question based upon their perceived vulnerability. For example, a burglary victim with a disability may have felt that this was a factor that made them a vulnerable target, but it does not necessarily follow that the offender targeted the individual due to a hatred of disability.

Figure 5: Proportion of hate crimes by each strand, CSEW (2011/12 and 2012/13) and police recorded crime (2012/13)



Hate crime by motivating factor

This section provides a summary of the information available for each of the five monitored strands across the sources presented above. Where possible, additional analysis is also presented. There is a greater amount of information available for race and religious hate crimes than the other three monitored strands. For example, race hate crimes can be analysed by characteristics such as race and religion due to the number of incidents identified by the CSEW. However, the CSEW cannot be used to provide information below the headline statistics on the strands of disability, sexual orientation or gender-identity as the number of victims covered by the sample in the survey was too small to provide robust estimates.

Given the low volume of hate crime incidents captured in the CSEW, caution should be used when interpreting these estimates from the survey. Information on comparing survey data with police recorded crime data is provided in the '**Understanding differences between the CSEW and police recorded crime**' section.

Racially motivated hate crime

Based on data from the CSEW for 2011/12 and 2012/13, it is estimated that there were an average 154,000 incidents of racially motivated hate crime per year (Appendix Table 1.01). The majority of incidents (93,000) were personal crimes (such as assault or personal theft offences).

From these combined surveys, 0.3 per cent of adults were estimated to be victims of a racially motivated hate crime in the 12 months prior to interview. Adults in non-White ethnic groups were much more likely to be victims of a racially motivated hate than White adults (1.3% and 0.1% respectively, 2011/12 and 2012/13 CSEW; Appendix Table 1.13). This is a more pronounced difference in the likelihood of victimisation for overall CSEW crime (of which hate crime incidents are a subset), where 23 per cent of adults from a non-White ethnic group were victims of crime compared with 20 per cent of White adults (2011/12 and 2012/13 CSEW; Appendix Table 1.05).

Analysis of racially motivated hate crime by religion shows that Muslim adults were more likely to be a victim of racially motivated hate crime (2%) than other adults (Appendix Table 1.13).

In 2012/13, the police recorded 35,885 race hate crimes, similar to the 36,016 recorded the previous year (Appendix Tables 2.01 and 2.02). Race hate crimes accounted for 85 per cent of hate crimes overall in 2012/13. Race hate crimes accounted for the majority of hate crimes in all forces, ranging from 62 per cent of the 604 hate crimes recorded by Suffolk to 94 per cent of the 295 hate crimes recorded by Bedfordshire. The distribution between forces tends to reflect the ethnic diversity of the police force area, with areas with larger proportions of Black or Ethnic Minorities tending to have a higher proportion of race hate crime.

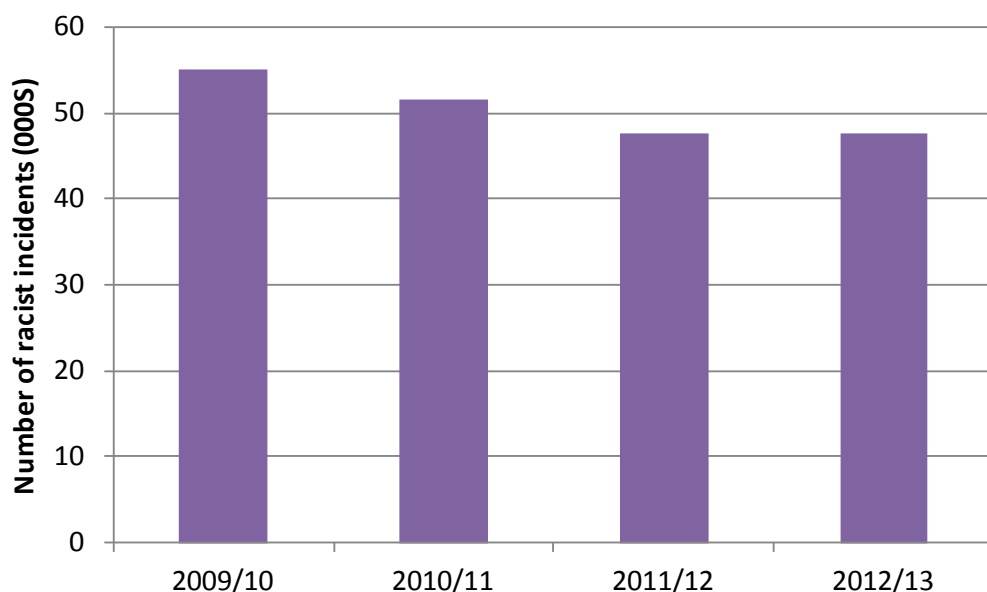
Sixty per cent of race motivated hate crimes were public order offences, the highest proportion for any strand. Just over a quarter (27%) of race hate crimes were recorded as violence against the person and of these nearly two-thirds (63%) resulted in injury (Figure 4; Appendix Table 2.03).

Racist incidents

An additional source of information from the police is data on racist incidents. A 'racist incident' is defined as any incident, including any crime, which is perceived to be racist by the victim or any other person. This is a wider collection than race hate crime, as it will include incidents that the police deal with that were not subsequently recorded as a notifiable offence.²¹ These figures exclude incidents dealt with by the British Transport Police.

The police recorded 47,548 racist incidents in 2012/13, a similar level to the previous year (47,678 incidents; Appendix Table 2.08). The number of racist incidents has fallen since 2009/10.

Figure 6: Number of racist incidents, England and Wales, 2009/10 to 2012/13



²¹ For example, if graffiti can be cleaned from a surface with little effort then it does not meet the criteria to be a notifiable criminal damage offence. However, if the graffiti was racist in nature it would still be recorded as a racist incident.

Religiously motivated hate crime

Based on data from the CSEW for 2011/12 and 2012/13, it is estimated that there were an average of 70,000 incidents of religiously motivated hate crime per year (Appendix Table 1.01). This total was split fairly evenly between personal crimes (34,000 incidents) and household crimes (36,000).

From these combined surveys, it is estimated that 0.1 per cent of adults were victims of a religiously motivated hate crime in the 12 months prior to interview. The 2011/12 and 2012/13 CSEW showed that Muslim adults were the most likely to be a victim of religiously motivated hate crime (1.5%; Appendix Table 1.14).

Adults with a non-White ethnic group were more likely to be victims of a religiously motivated hate crime than adults of White ethnic group (0.7% and less than 0.1% respectively, 2011/12 and 2012/13 CSEW; Appendix Table 1.14).

In 2012/13, the police recorded 1,573 religious hate crimes, compared with 1,622 offences the previous year (a fall of 3%). Four per cent of police recorded hate crimes in 2012/13 were religious hate crimes. In all forces, religious hate crimes accounted for less than ten per cent of hate crime (ranging between less than 1% to 9%; Appendix Tables 2.01 and 2.02).

Around one-quarter (24%) of religious hate crimes were recorded by the police as violence against the person and of these violent crimes, 64 per cent involved injury (Figure 4; Appendix Table 2.03).

Sexual orientation motivated hate crime

The combined 2011/12 and 2012/13 CSEW dataset estimates that there were 39,000 sexual orientation hate crimes per year on average (Appendix Table 1.01).

In 2012/13, the police recorded 4,267 sexual orientation hate crimes, compared with 4,362 the previous year (a fall of 2%). Ten per cent of police recorded hate crimes in 2012/13 were sexual orientation hate crimes. While there was some variation between forces, sexual orientation hate crimes accounted for 20 per cent of hate crimes or less across all forces (ranging between 3% and 20%; Appendix Tables 2.01 and 2.02).

Around two in five (42%) sexual orientation hate crimes involved violence against the person and of these violent crimes, a half (52%) involved injury. A similar proportion (43%) involved public order offences (Figure 4; Appendix Table 2.03).

In October 2013, Stonewall released 'Homophobic Hate Crime: The Gay British Crime Survey 2013'.²² This survey, based upon the responses from 2,544 lesbian, gay and bisexual adults from across Britain in February and March 2013, provides an alternative

²² [Homophobic Hate Crime: The Gay British Crime Survey 2013](#)

source of information about sexual orientation hate crime. Key findings include the following.

- One in six lesbian, gay and bisexual people has experienced a hate crime or incident in the last three years.
- One in ten victims experienced a physical assault.
- More than three-quarters of victims did not report what they had experienced to the police and two-thirds did not report it to anyone.

These results are not comparable with those from the CSEW as they are based only on a relatively small sample of lesbian, gay and bisexual adults from a self-selecting sample and cover a three-year recall period.

Disability motivated hate crime

The combined 2011/12 and 2012/13 CSEW dataset estimates that there were 62,000 disability motivated hate crimes per year on average (Appendix Table 1.01).

In 2012/13, the police recorded 1,841 disability hate crimes, compared with 1,757 offences the previous year (a 5% increase). Disability hate crimes accounted for four per cent of all hate crimes recorded by the police in 2012/13. There was little variation in the proportion recorded by forces with the exception of Norfolk and Suffolk whose disability hate crimes accounted for 19 per cent and 20 per cent respectively of the hate crimes those forces recorded (Appendix Tables 2.01 and 2.02).

A third (32%) of disability hate crimes involved violence against the person; of these offences, 61 per cent involved injury. Public order offences accounted for 30 per cent of disability hate crimes (Figure 4; Appendix Table 2.03).

The Life Opportunities Survey²³ provides additional information on disability hate crime. In December 2011, the Office for Disability Issues published the Life Opportunities Survey Wave One results 2009/2011 based on a total of 31,161 interviews with adults aged 16 and over, across 19,951 households.

The survey found that two per cent of all adults interviewed had been a victim of hate crime in the past 12 months. This is higher than the CSEW estimate of 0.5 per cent, partly because it includes age and gender motivated hate crime but partly due to the different question wording.²⁴

²³ [Life Opportunities Survey home page](#)

²⁴ The answer categories included a health condition, illness or impairment, which is not included in the CSEW question.

Gender-identity motivated hate crime

The CSEW has only asked about gender-identity hate crime since 2011/12. Even though the data have been analysed using data from combined years of the CSEW, the numbers reporting a gender-identity motivated crime is still very small and therefore a reliable estimate for this particular strand of hate crime cannot be produced.

Gender-identity hate crime is the least commonly police recorded hate crime, with 361 offences in 2012/13. This compares with 309 offences in 2011/12, an increase of 52 offences, or by 17 per cent (Appendix Tables 2.01 and 2.02). However, due to the relatively low number of police recorded gender-identity hate crimes, care should be taken in examining trends in this type of hate crime. For example, in 2010 the police in England and Wales recorded 352 gender-identity hate crimes²⁵, similar to the 2012/13 figure. Around one per cent of all police recorded hate crime is gender-identity hate crime, with the proportion of offences of this type below five per cent of all hate crime across all forces.

Just under a half (47%) of gender-identity hate crimes were public order offences and a third (32%) were violence against the person offences (Figure 4; Appendix Table 2.03).

²⁵[Recorded hate crime data for 2010 for England, Wales and Northern Ireland](#)

Racially or religiously aggravated offences: Police recording to court outcome

In the previous sections, statistics were presented on all offences which were ‘flagged’ by the police, during the process of recording crime, as being motivated by one or more of the five centrally monitored strands. The following section focuses specifically on the subset of these offences which are specifically known to be racially or religiously aggravated offences, as defined by statute. Information for these offences is available from police recording through to court outcomes.

A number of pieces of legislation have introduced specific ‘racially and/or religiously aggravated’ offences, which granted the police and courts increased powers to deal with individuals committing the following selected offences when the offending behaviour was assessed to be motivated by hate:

- assault (with and without injury);
- harassment;
- public fear, alarm or distress;²⁶ and
- criminal damage.

The legislation (in particular the Crime and Disorder Act 1998 and Public Order Act 1986) allowed the police to record such offences as racially or religiously aggravated based on the evidence available when the offence is recorded if:

- at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the victim’s membership (or presumed membership) of a racial or religious group; or
- the offence is motivated (wholly or partly) by hostility towards members of a racial or religious group based on their membership of that group.

Similarly, defendants can also be proceeded against for these racially or religiously aggravated offences. As such, it is possible to make comparisons between the number of crimes recorded and the proceedings and convictions for these crimes. However, there are some challenges in comparing between the sources which are outlined in the ‘**Data sources**’ section.

For each of these racially or religiously aggravated offences, there is a corresponding “non-aggravated” offence, for example, criminal damage offences which are not assessed as motivated by hostility towards members of a racial or religious group. Within this section comparisons are made between trends for racially or religiously aggravated offences and their non-aggravated equivalent. Information is presented on the number of racially or religiously aggravated offences recorded by the police, the proportion of these crimes that

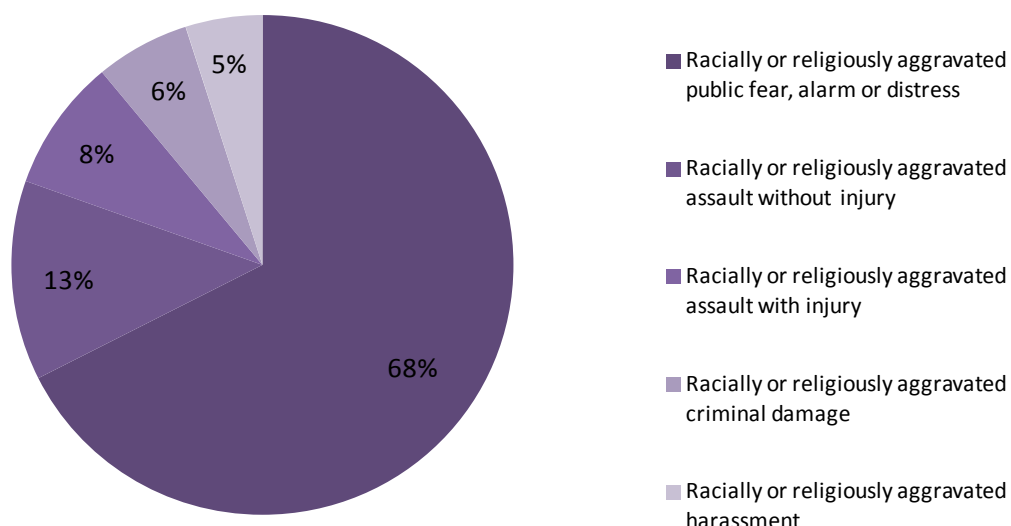
²⁶ This is part of ‘public order offences’ which cover circumstances where an offender is behaving in a way that causes or would be likely to cause alarm, distress or disorder. This would generally not include offences where physical violence is used (or attempted) against a victim, though it may include some offences where injury is threatened.

are detected and how these offences are dealt with by the CJS. Data are presented from 2002/03 for statistics from the police and from 2002 from the courts. As these offences are specifically for crimes that are racially or religiously aggravated, data are not available for the three other monitored strands.

Racially or religiously aggravated police recorded offences

In 2012/13, the police recorded 30,234 racially or religiously aggravated offences across England and Wales (Appendix Table 2.04), accounting for over 80 per cent of all police recorded racially or religiously motivated hate crime as shown in Table 3. As with previous years, public fear, alarm or distress was the most commonly recorded racially or religiously aggravated offence, accounting for around two-thirds (68%) of these aggravated offences (Figure 7).²⁷

Figure 7: Racially or religiously aggravated offences recorded by the police, by type of offence, 2012/13

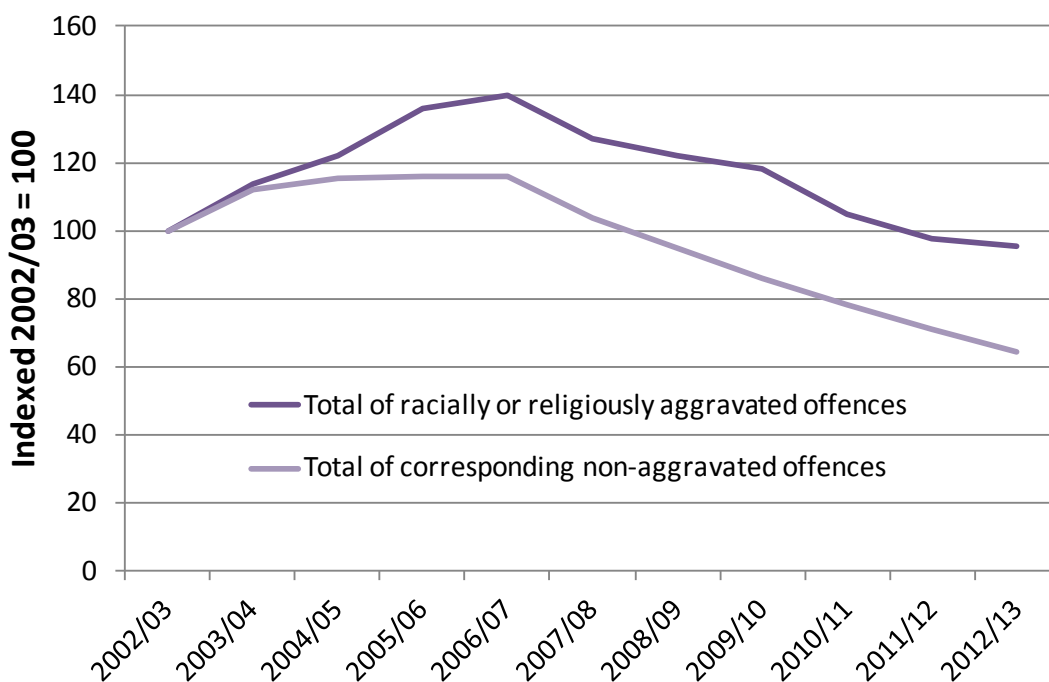


The number of racially or religiously aggravated offences has fallen in recent years. Over the last five years, there has been a 24 per cent decrease in the number of aggravated offences recorded by the police. This compares with a 38 per cent decrease for the corresponding non-aggravated offences. Care should be taken in interpreting these trends; the slower fall in the aggravated offences may be, for example, due to the police improving their identification of these aggravating factors when recording crimes over time.

Figure 8 shows a time series for racially or religiously aggravated offences and the non-aggravated equivalent offences. These trends are indexed to allow a clearer comparison of the changes over time as the series have a different magnitude of offences. Further information on these offences can be found in Appendix Table 2.04.

²⁷ Analysis from the 17 forces supplying additional information to the HODH suggests that around 84 per cent of all race or religious hate crime is covered by these racially or religiously aggravated offences.

Figure 8: Indexed trends for racially or religiously aggravated offences and their corresponding non-aggravated offences



Police detections

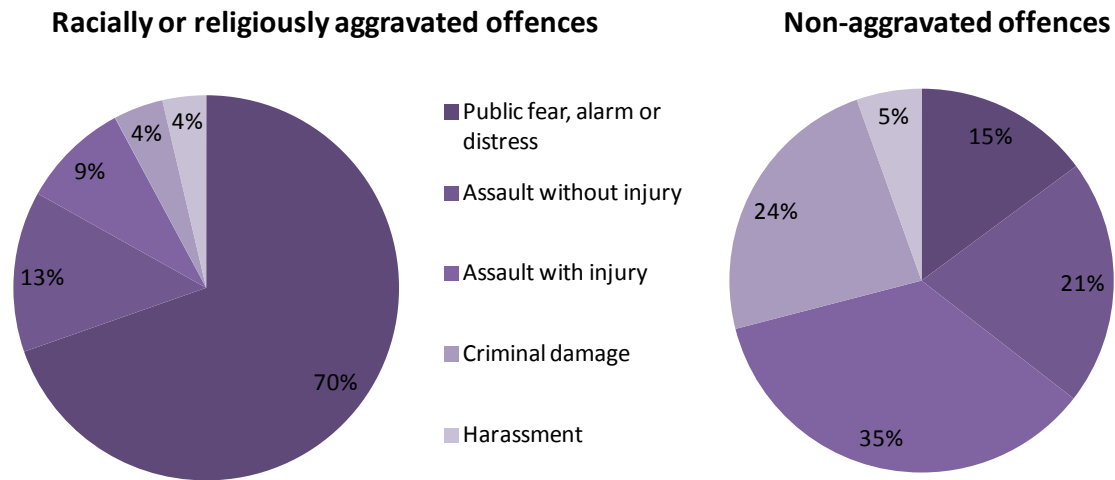
Information is also available on how many crimes the police detect.²⁸ In 2012/13, the police detected 13,768 racially or religiously aggravated offences. This gives a detection rate²⁹ of 46 per cent, higher than the 31 per cent for the corresponding non-aggravated offences. However, this higher detection rate is in part due to the different mix of offences between racially or religiously aggravated and non-aggravated offences. For example, in 2012/13 public fear, alarm or distress offences made up 70 per cent of the racially or religiously aggravated offences but only 15 per cent of the non-aggravated offences (Figure 9). The detection rate³⁰ for public fear, alarm or distress offences was relatively high.

²⁸ Detected crime is a term that describes offences that have been 'cleared up' by the police. For types of detections the police can use see the '**Types of detections**' section or Smith, K. (Ed.), [Crimes detected in England and Wales 2012/13](#)

²⁹ The detection rate is the number of crimes that the police detect in a given year as a proportion of the total number of crimes recorded in the same period. However, in practice some crimes are detected in a different year to the year that the police recorded the crime.

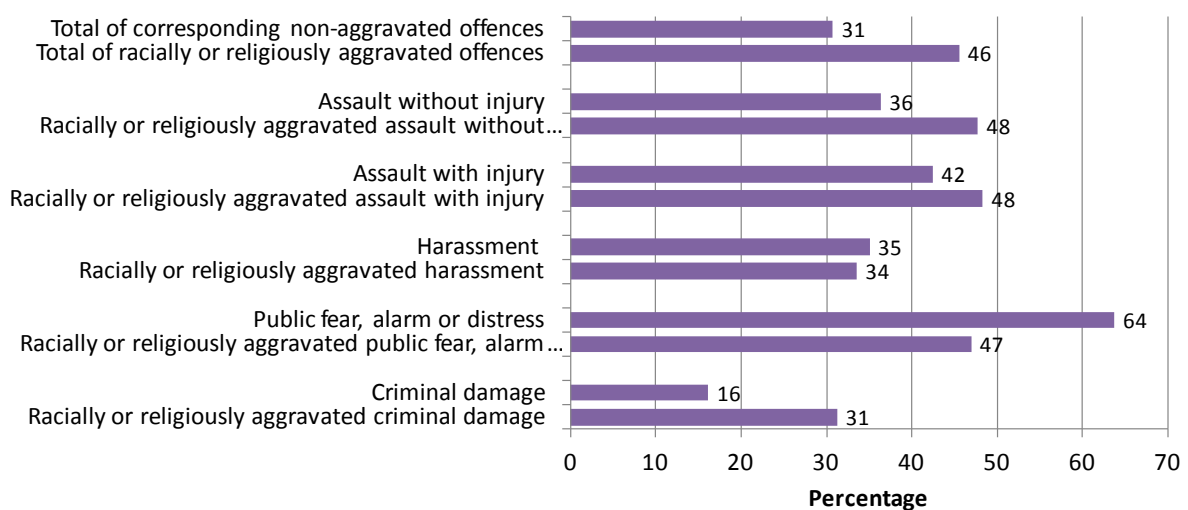
³⁰ Detection rates for offences like public fear, alarm or distress are heavily dependent on police activity rather than actual levels of criminality. In many offences, the crime will come to the attention of the police and will be 'detected' at the same time.

Figure 9: Proportion of offences for racially or religiously aggravated offences and their corresponding non-aggravated offences, 2012/13



Analysis of detection rates by offence type shows that the offences of assault (with and without injury) and criminal damage have a higher detection rate when racially or religiously aggravated (Figure 10). In contrast, racially or religiously aggravated public fear, alarm or distress has a lower detection rate than the corresponding non-aggravated offences. The detection rates for harassment offences are similar, although in recent years the aggravated offences did tend to have a higher detection rate. Over the time period shown, there has been an upward trend in all racially or religiously aggravated detection rates (Appendix Table 2.06).

Figure 10: Detection rates for racially or religiously aggravated offences and their corresponding non-aggravated offences, 2012/13



Types of detections

There are a number of ways in which the police can state they have detected a crime in the data they send to the Home Office: by charge or summons, by issuing a caution, by issuing a Penalty Notice for Disorder, taking offences into consideration³¹ or by a number of 'other' ways.³²

Racially or religiously aggravated offences were more likely to be detected by charge or summons compared with non-aggravated offences. Appendix Table 2.07a shows that, for 2012/13, 80 per cent of detections for racially or religiously aggravated offences were by means of charge or summons, compared with 58 per cent for non-aggravated offences. Conversely, racially or religiously aggravated offences were less likely to be detected by means of caution (13%) compared with non-aggravated offences (26%). This reflects that cautions should not normally be used for serious offences and that the police and CPS (who should make all charging decisions for hate crime) consider racially or religiously aggravated offences to be more serious in general than non-aggravated offences. This pattern is shown across all of the offence types with the exception of harassment, where the proportion of offences being detected by charge or summons and caution are similar, whether aggravated or not (20% were detected by caution; Appendix Tables 2.07a to 2.07f).

Further information on police cautions

In addition to the information on the number of cautions issued from the police detection statistics, information is also available from the Police National Computer (PNC), statistics on which are routinely published by the Ministry of Justice. Data presented below are based on the numbers of offenders cautioned and relate to the offence that the caution was ultimately issued for. Although both data sources cover cautions issued by the police, there are differences between the datasets – the main one being that the Home Office data are counted on a per-victim basis, while Ministry of Justice data are on an offender basis. Further explanation can be found in the '**Data sources**' section.

Cautions are issued by the police and aim to deal with low risk, low-level and mostly first-time offenders outside of the court system. Cautions are used only where the specific circumstances of the case make it appropriate. There may be cases in which the particular circumstances of the offence or offender mean that it is not in the public interest to prosecute – for example, where the age, welfare or mental well-being of the victim or offender argues against a trial.

In 2012,³³ there were 1,004 offenders³⁴ cautioned for racially or religiously aggravated offences, including juveniles given a reprimand or final warning. In comparison, in 2012,

³¹ An offence is deemed to be detected if the offender admits the crime and asks for it to be taken into consideration by the court and where there is additional verifiable information linking that offender to that crime.

³² Other includes: where the offender dies before proceedings could be initiated or completed; where the CPS decides not to prosecute; or where a local resolution was used. For more information on detections see Smith, K. (Ed.), [Crimes detected in England and Wales 2012/13](#)

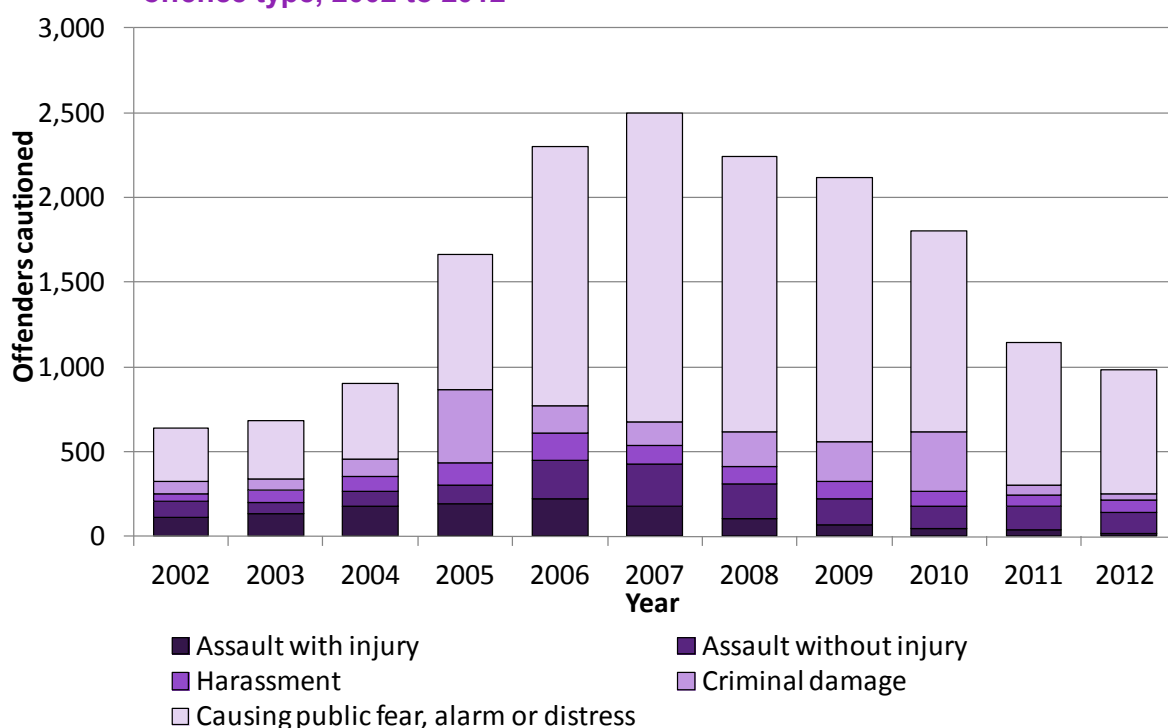
³³ Offender statistics are published on a calendar year basis. The year related to when the offender was cautioned, not necessarily the year the offence took place.

71,639 offenders were cautioned for the corresponding non-aggravated offences. Therefore, for all of these offences (both aggravated and non-aggravated), 1.4 per cent of offenders were cautioned for the racially or religiously aggravated version of the offence. Appendix Table 3.01 shows the number of offenders cautioned by the police for racially or religiously aggravated and the corresponding non-aggravated offences.

Cautions for all the racially or religiously aggravated offence types have decreased since 2007. In 2012, public order offences of behaviour causing public fear, alarm or distress (which do not generally include offences where physical violence is used or attempted against a victim, though may include some offences where injury is threatened) accounted for 73 per cent of cautions for racially or religiously aggravated offences. The number of cautions for these offences has decreased by 60 per cent since 2007 (Figure 11).

Cautions for racially or religiously aggravated assault with injury have decreased by 90 per cent over the period, from 116 cautions in 2002 to 18 in 2012. Cautions issued for racially or religiously aggravated criminal damage offences showed a markedly different trend to the other offence types, with a spike of 436 cautions in 2005. This spike coincides with the six-month period following the terrorist incidents in London in July 2005. Between 2007 and 2010 the number of cautions for these offences increased to 355, before falling sharply to the 35 cautions issued in 2012.

Figure 11: Offenders cautioned for racially or religiously aggravated offences, by offence type, 2002 to 2012



Note: Other offences against the state or public order are not shown due to the small number of offenders.

³⁴ These statistics are based on the number of offenders, not the number of crimes. Some crimes will involve more than one offender. Therefore, the number of cautions issued to offenders will not match the number of offences detected by caution in the police recorded crime statistics.

The declining trend in cautions for racially and religiously aggravated offences (and non-aggravated offences) broadly matches the trend in the overall use of cautions for all offences, which peaked at 362,900 cautions in 2007 and has since declined by 45 per cent, to 200,900 cautions issued in 2012. The decline in the use of cautions coincided with the replacement in April 2008 of a target to increase offences brought to justice, with one placing more emphasis on bringing serious crime to justice. The latter target was subsequently removed in May 2010.

Proceedings at magistrates' courts

If there is sufficient evidence against the defendant and none of the out of court disposals is appropriate, the police or CPS will formally charge the suspect. The law then requires the defendant to be brought before a magistrates' court as soon as possible. On hearing the evidence, the magistrates will decide whether or not there is a case to answer (if not, the charge is dismissed) and enough evidence to proceed, and if so, whether or not to commit the defendant to the Crown Court for trial.

Virtually all criminal court cases start in a magistrates' court and less serious offences can be handled entirely within this court.³⁵

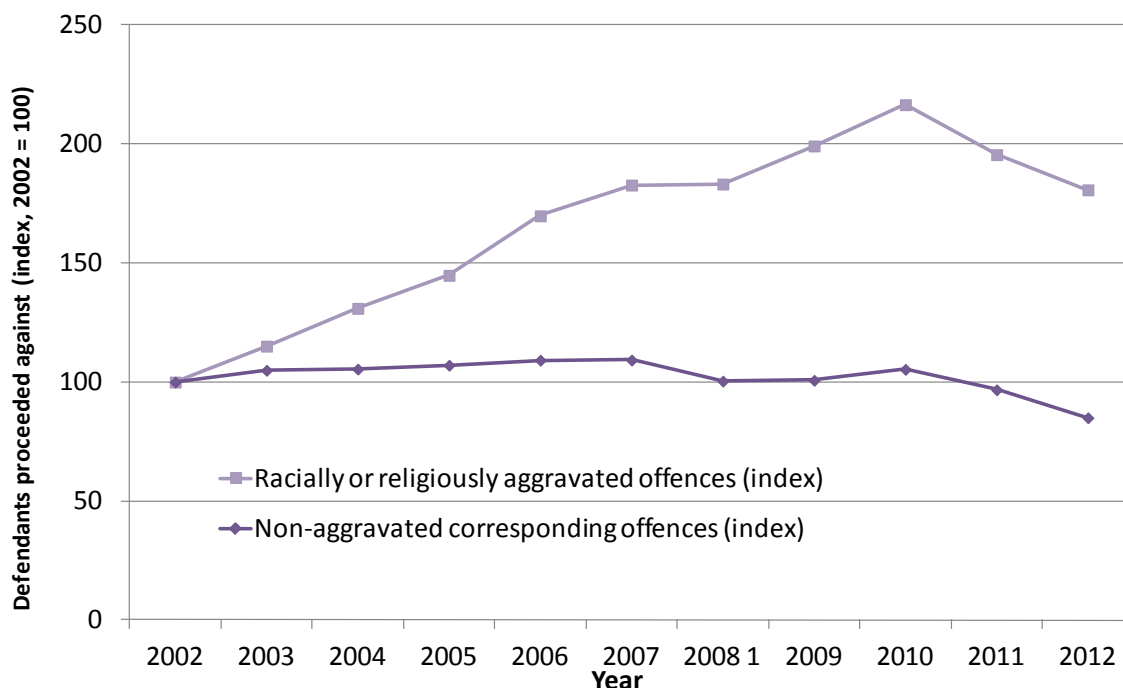
In 2012, there were 8,898 defendants proceeded against at magistrates' courts for racially or religiously aggravated offences. This represents an 81 per cent increase compared with 2002 volumes. Criminal proceedings for the offences increased year on year to a peak over the last decade of 10,660 in 2010, before decreasing by 17 per cent between 2010 and 2012.

In comparison, in 2012, 131,754 defendants were proceeded against for the corresponding non-aggravated offences. This represents a 15 per cent decrease compared with 2002 volumes. The number of proceedings for the non-aggravated offences was broadly stable between 2002 and 2010, before decreasing 19 per cent between 2010 and 2012. Figure 12 shows the trends for racially or religiously aggravated offences and the non-aggravated equivalent offences – using 2002 as the index value.

Appendix Table 3.04 shows the number of defendants proceeded against at magistrates' courts for racially or religiously aggravated and comparable non-aggravated offences.

³⁵ For more information on processes within the criminal justice system and related statistics, see "A Guide to Criminal Justice Statistics", available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260147/criminal-justice-stats-guide-nov-2013.pdf

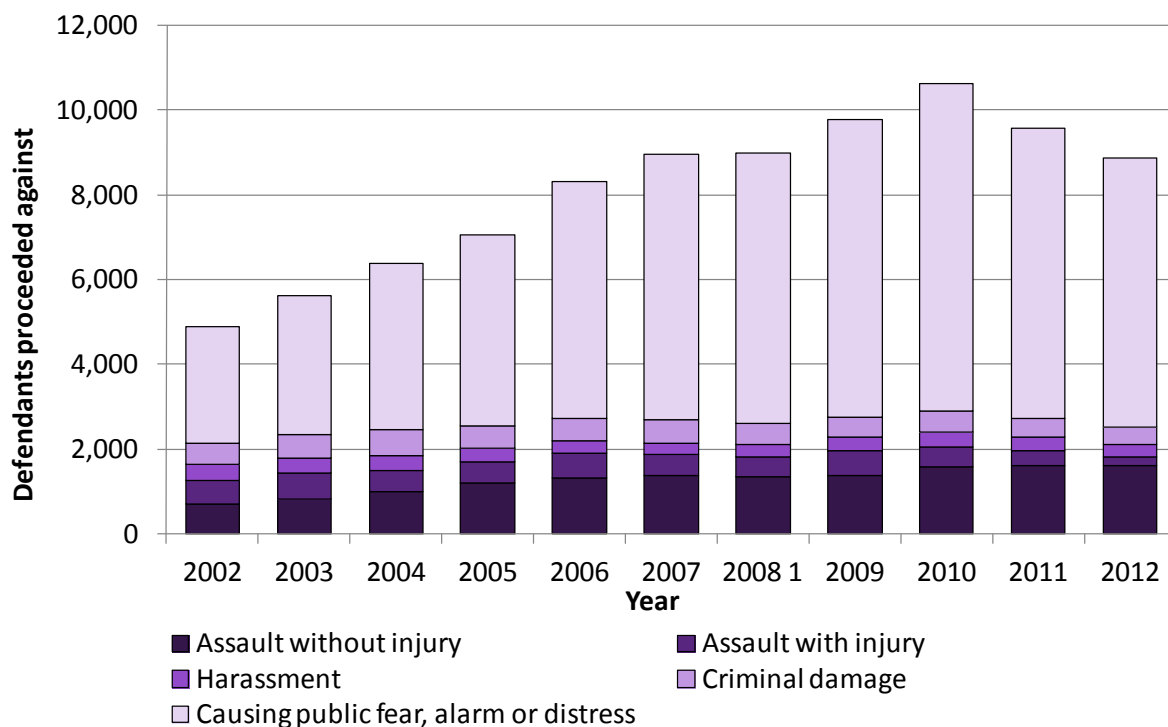
Figure 12: Defendants proceeded against for racially or religiously aggravated offences and corresponding non-aggravated offences, 2002 to 2012



The trend over the last decade for proceedings for racially or religiously aggravated offences has been largely driven by public order offences of causing public fear, alarm or distress, which accounted for 72 per cent of defendants proceeded against in 2012. Proceedings for the offence rose year on year from 2002 to a peak of 7,726 in 2010, before decreasing by 18 per cent to 2012.

Since 2002, proceedings for racially or religiously aggravated assaults without injury have increased almost year on year, with 1,601 defendants proceeded against in 2012, more than double the number in 2002. The remaining racially or religiously aggravated offence types have seen a reduction in volumes of defendants proceeded against in recent years, with proceedings for harassment and criminal damage decreasing by 22 per cent and 18 per cent respectively between 2010 and 2012, and assault with injury proceedings decreasing 62 per cent since 2009 (Figure 13).

Figure 13: Defendants proceeded against for racially or religiously aggravated offences, by offence type, 2002 to 2012



Note: Other offences against the state or public order are not shown due to the small number of defendants.

The demographic profile of defendants proceeded against for racially or religiously aggravated offences is slightly different to the profile for the corresponding non-aggravated offences. Where racial or religious hostility is assessed as a motivating factor, females account for a higher proportion of assault without injury, harassment, and public fear, alarm or distress offences.

There is no evidence to suggest the ethnic profile of defendants proceeded against for racially or religiously aggravated offences differs from the profile for the corresponding non-aggravated offences, nor from the ethnic breakdown of the population aged ten or over of England and Wales.

Breakdowns by gender, age group and ethnicity of defendants proceeded against at magistrates' courts in 2012 for racially or religiously aggravated and non-aggravated offences are provided in Appendix Tables 3.5 and 3.6.

Offenders convicted at all courts

A conviction is where a person or a company is found guilty of a criminal offence at either the magistrates' court or the Crown Court. Conviction ratios are calculated as the number of convictions as a proportion of the number of proceedings, and give a measure of the relative number of defendants who are found guilty within a given year when compared with the number who are proceeded against that year.

The complex nature of the CJS means there are a number of possible factors contributing to changes in conviction ratios over time and the difference between ratios for different offence types – for example, changes in guilty plea rates, the mix of cases handled in and out of court, impacts of operational changes, and so on – and as such it is difficult to separately identify the impacts of different factors.

Furthermore, the offence shown in conviction statistics is the one for which the court took its final decision, and is not necessarily the same as the offence for which the defendant was initially proceeded against. Between the initial hearing at the magistrates' court and the first hearing at the Crown Court, the prosecuting authority, the CPS can decide the initial charge is incorrect and change to another offence, known as 'downgrading'. For example, a charge of racially or religiously aggravated assault could be downgraded to one of non-aggravated assault, to increase the chances of a conviction. This makes the simple comparison of proceedings and convictions for an individual offence group potentially misleading.

In 2012, there were 6,458 defendants convicted at all courts for racially or religiously aggravated offences (Appendix Table 3.09).

This represented a 181 per cent increase in convictions (that is, the volume almost tripled) compared with 2002 volumes. Convictions for the offences increased year on year to a peak over the last decade of 7,265 in 2010, before decreasing 11 per cent between 2010 and 2012.

In comparison, in 2012, 95,366 defendants were convicted at all courts for the corresponding non-aggravated offences, an eight per cent increase compared with 2002 volumes.

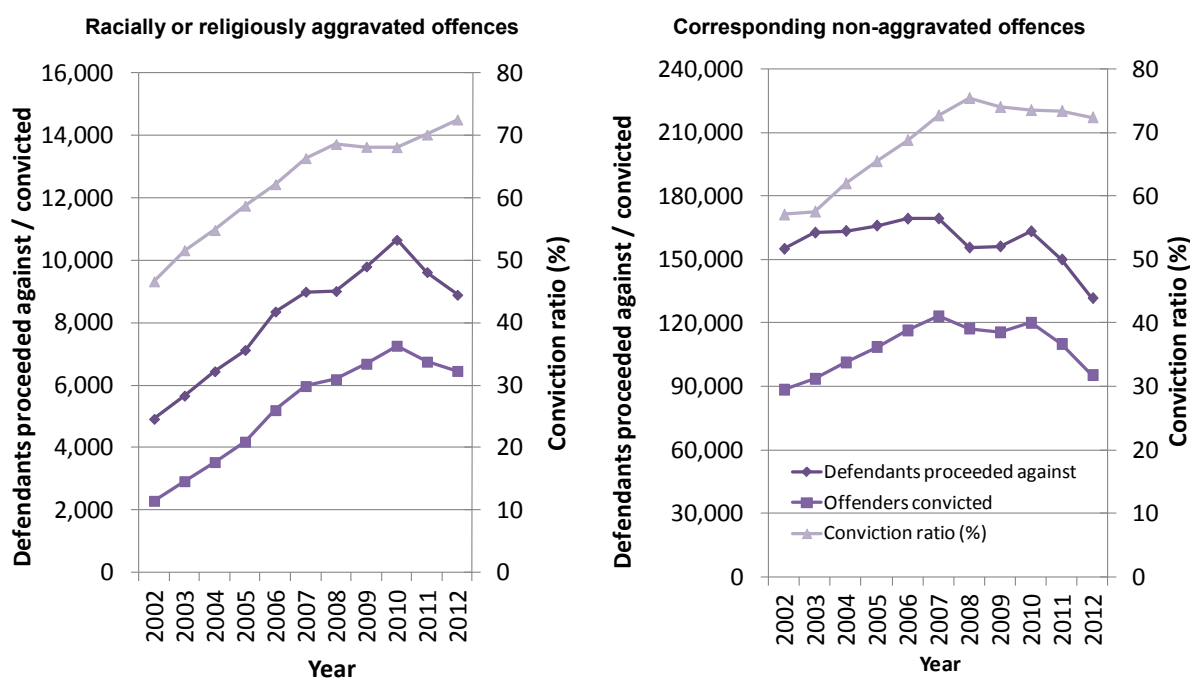
Appendix Table 3.09 shows the number of offenders convicted at all courts for racially or religiously aggravated and the comparable non-aggravated offences.

Trends in the number of offenders convicted (those that plead or are found guilty) at all courts are driven by two factors, namely:

- the number of individuals dealt with through the courts (the trend in proceedings); and
- the proportion of those individuals who are found guilty.

For racially or religiously aggravated offences, the increase in prosecutions between 2002 and 2012 coincided with an increase in the conviction ratio from 47 per cent to 73 per cent over the same period. For the comparable non-aggravated offences, the decrease in proceedings between 2002 and 2012 was counteracted to some degree by an increase in conviction ratio, albeit a less sizeable increase, from 57 per cent to 72 per cent. Figure 14 illustrates the trends in proceedings and convictions alongside the change in conviction ratio for the two groups of comparable offences.

Figure 14: Proceedings and convictions for racially or religiously aggravated offences and corresponding non-aggravated offences, with conviction ratio, 2002 to 2012



Notes on comparison of police recorded crimes through to convictions in court

It is not currently feasible to track individual cases from initial recording by the police through the CJS. However, it is possible to some extent to make generalised comparisons of overall volumes of offences or people counted at each stage of the system – as presented in Figure 1 in the executive summary – whilst taking into account a number of important caveats.

Firstly, police recorded crime and Ministry of Justice statistics are on a different basis; while police recorded crime and detections figures are on a **victim basis**, criminal justice outcome statistics are on an **offender basis**. Crimes can take place which involve more than one victim or more than one offender, and also there may be multiple victims and offenders relating to a single crime. For example, if two people are assaulted by three people who are then proceeded against, the Home Office figures will show two crimes and two detections while the Ministry of Justice figures will show three criminal proceedings, one for each of the three offenders.

Additionally, for police recorded crime, the crime is recorded according to the Home Office Counting Rules, and stays recorded as this crime unless there is further evidence to the contrary. However, the police may decide to issue a caution or the police or CPS decide to prosecute, for a lesser offence. Ministry of Justice figures will show the caution issued or prosecution for the lesser offence.

Lastly, it is important to note that police recorded crime figures are counted in the year the crime was reported, irrespective of when the offence took place. The criminal justice

outcome information is counted at the date of the final outcome, again irrespective of when the crime took place. As such, with time lags occurring between the recording of a crime and the appearance of a defendant in court, it is not straightforward to compare volumes occurring within each time period across the different stages of the CJS.

Sentencing

When someone is convicted of a crime, they will be given a sentence by a court – generally time to be spent in prison, a community sentence, a fine or discharge. To determine the appropriate sentence in a particular case, courts will assess the seriousness of the offence or offences committed by the offender. In assessing the seriousness of an offence, courts are required by law take into account the culpability of the offender and the harm the offence caused or might foreseeably have caused. Courts will also take into account other aggravating and mitigating factors relevant to the offender or the offence, for example, whether the offender has relevant and recent previous convictions, or whether the offence was aggravated by virtue of hostility to the victim's race, religion, disability, sexuality or gender identity.

While the number of offenders convicted and subsequently sentenced at all courts for racially or religiously aggravated offences has increased over the last decade, it is important to note that over the period an increasing proportion were convicted and sentenced for less serious offences.

The changing mix in racially or religiously aggravated offence types brought before the courts is a significant factor to consider when assessing sentencing trends for these hate crimes. For example, in 2002, public order offences of causing fear, alarm and distress accounted for 66 per cent of offenders sentenced, increasing to 75 per cent in 2012. Across the same period, the proportion of offenders sentenced accounted for by the more serious offences of assault with injury and harassment decreased, from six and seven per cent respectively down to two per cent each. As such, it should not be surprising that the overall custody rate (the proportion of offenders sentenced who received an immediate custodial sentence) for racially or religiously aggravated offences decreased from 20 per cent in 2002 to 13 per cent in 2012.

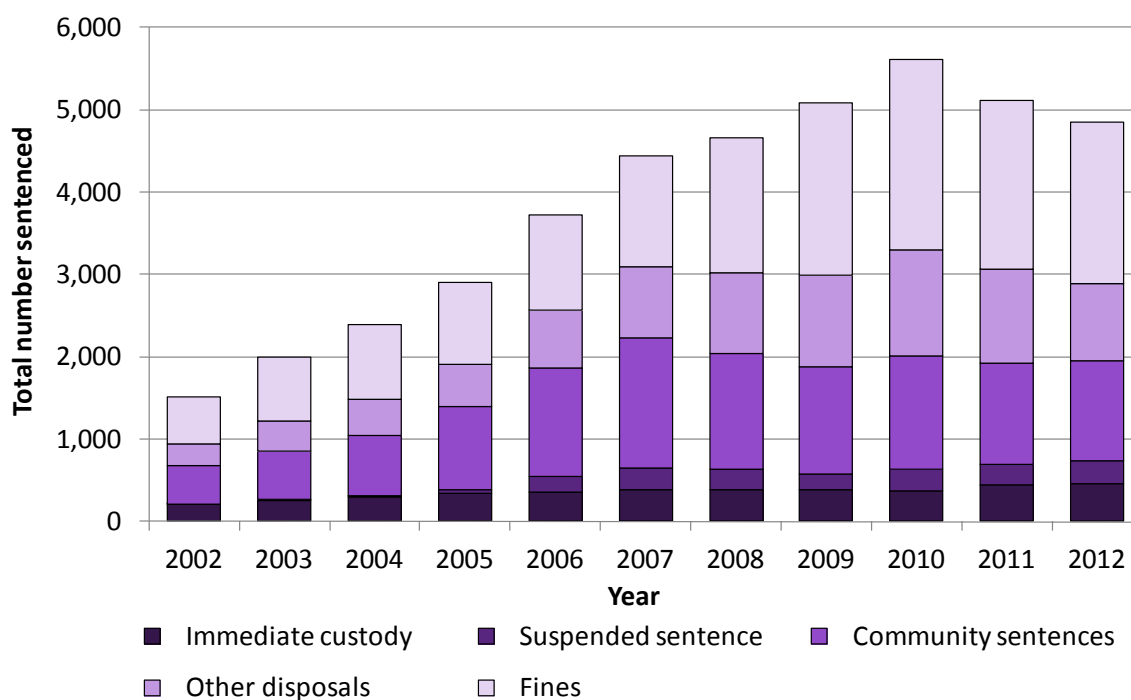
The custody rate for each type of racially or religiously aggravated offence is higher than for the offence of a similar nature without the aggravating factor. For example, in 2012, the custody rate for racially or religiously aggravated assault with injury offences was 20 percentage points higher than the comparable non-aggravated offence.

Further, a second factor to consider when assessing sentencing trends is the change in sentences available to judges and magistrates across the period. The use of Suspended Sentence Orders (SSO) increased dramatically since 2005 as a result of a change in the law implemented on 4 April 2005 under the Criminal Justice Act 2003, which made SSOs more readily available. SSOs accounted for less than one per cent of offenders sentenced for racially or religiously aggravated offences each year prior to 2005, but by 2012 accounted for nine per cent of sentences.

To look at sentencing trends in more detail, and to illustrate the difference in sentence outcomes by type of offending behaviour, it is more meaningful to look at trends for specific racially or religiously aggravated offence types.

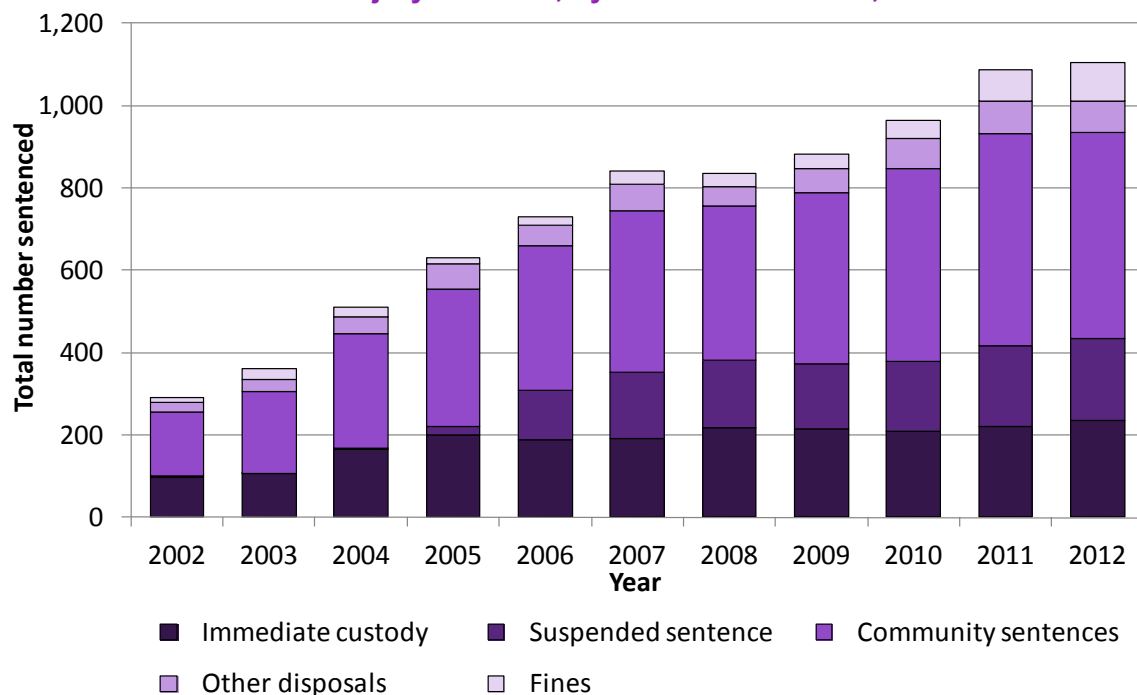
For example, in 2012, 4,858 offenders were sentenced for racially or religiously aggravated public fear, alarm or distress offences, accounting for 75 per cent of offenders sentenced for aggravated offences. Changes in the breakdown by sentence disposal have been largely driven by fines over the last six years. Figure 15 shows how, excluding offenders sentenced to fines, the volume and sentence breakdown of offenders sentenced for the offence has been broadly stable since 2007. Overall, fines account for around two-fifths of sentences given for this type of offence, with community sentences given to around a quarter of offenders, and less than a tenth given a custodial sentence.

Figure 15: Offenders sentenced at all courts for racially or religiously aggravated causing public fear, alarm or distress offences, by sentence outcome, 2002 to 2012



Furthermore, in 2012, 1,106 offenders were sentenced for offences of racially or religiously aggravated assault without injury – accounting for 17 per cent of offenders sentenced for aggravated offences. As shown in Figure 16, since 2006, the sentencing breakdown has been broadly stable, with just under half of offenders sentenced to a community sentence, around a quarter given immediate custody (around 200–220 offenders per year), and around a fifth given an SSO.

Figure 16: Offenders sentenced at all courts for racially or religiously aggravated assault without injury offences, by sentence outcome, 2002 to 2012



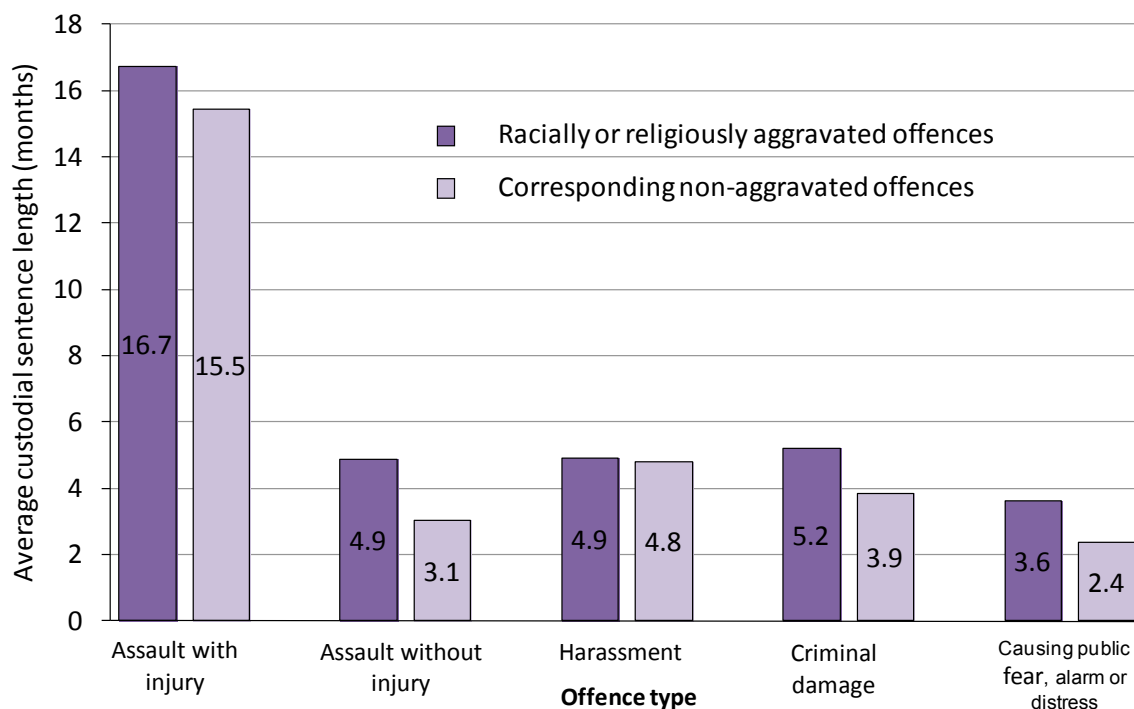
There is no evidence to suggest that sentence outcomes vary by ethnicity for racially or religiously aggravated offences, with the proportions of offenders receiving each type of sentence disposal consistent across the three main ethnicities. A breakdown by ethnic group of offenders sentenced at all courts in 2012 for racially or religiously aggravated and similar offences, with sentence outcomes, is provided in Appendix Table 3.17.

Average custodial sentence length

In 2012, each type of racially or religiously aggravated offence attracted a higher average custodial sentence length³⁶ (ACSL) than those handed down for the comparable non-aggravated offence. For example, offenders sentenced to custody for racially or religiously aggravated causing public fear, alarm or distress received an ACSL of 3.6 months, compared with 2.4 months for offenders sentenced for the comparable non-aggravated offences. Similarly, offenders sentenced to custody for racially or religiously aggravated assault without injury received an ACSL of 4.9 months, compared with 3.1 months for the non-aggravated offences (Figure 17).

³⁶ Excluding life and indeterminate sentences.

Figure 17: Average custodial sentence length (in months) for racially or religiously aggravated offences and corresponding non-aggravated offences, 2012



However, the overall ACSL for offenders sentenced to immediate custody at all courts for racially or religiously aggravated offences was lower than for the comparable non-aggravated offences, 5.2 months compared with 7.7 months. To understand this, in a similar way to the analysis of the composition of sentence outcomes for racially or religiously aggravated offences, comparisons of ACSL must be made taking into account the *mix of offence types* brought before the courts. For example, public order offences of causing public fear, alarm or distress accounted for just over half of offenders sentenced to custody for racially or religiously aggravated offences, compared with nine per cent of custodial sentences for non-aggravated offences. In contrast, the offence of assault without injury, an offending behaviour which in general attracts longer average sentence lengths, accounted for just under half of offenders sentenced to custody for non-aggravated offences, compared with 29 per cent of custodial sentences for racially or religiously aggravated offences. This different composition of offence types leads to the overall ACSL for non-aggravated offences being longer than for aggravated offences.

Over the last decade, the overall ACSL for racially or religiously aggravated offences has decreased, from 7.8 months in 2002 to 5.2 months in 2012. This has been driven mainly by the decrease in ACSL for racially or religiously aggravated causing public fear, alarm or distress (from 5.8 months in 2003 down to 3.6 months in 2012) and assault without injury offences (from 6.2 months in 2005 down to 4.9 months in 2012). There are a number of possible factors contributing to the decrease in ACSL over time, such as case mix within offence groups for people receiving custodial sentences and the types of offences handled outside and within court. This makes it difficult to assess what is driving this trend in sentence lengths.

Additional information from the Crown Court Sentencing Survey

The Sentencing Council for England and Wales collect data on Crown Court sentencing decisions via their Crown Court Sentencing Survey (CCSS). On every sentencing occasion in the Crown Court, the judge is expected to complete a form that details the harm, culpability, aggravating and mitigating factors that they have taken into account when passing sentence on the offender.

On 13 June 2011, the Sentencing Council for England and Wales introduced a new definitive sentencing guideline for the sentencing of assault offences. The guideline included the statutory aggravating factors of motivated by/demonstrating hostility to race/religion, disability, sexual orientation and gender-identity as factors indicating higher culpability. The CCSS form was at that point changed to follow the structure of the guideline and incorporated all the sentencing factors in that definitive guideline.

Courts data show that only one per cent of offenders sentenced at the Crown Court for an assault offence were sentenced for a specifically identified (by the statute under which the offender was convicted) racially or religiously aggravated offence. Data from the CCSS allow further analysis of assault offences sentenced in court which were not specifically classified as a racially or religiously aggravated offence by statute, but may still have contained some degree of hostility towards a protected characteristic.

In 2012, of offenders sentenced at the Crown Court for assault offences which were not classified as racially or religiously aggravated by statute, in less than two per cent of cases the sentencing judge indicated that they had taken into account the statutory aggravating factor of “the offence was motivated by/demonstrating hostility to race or religion” when sentencing the case (Table 4).

Table 4: Proportion of offenders sentenced at the Crown Court for assault offences which were not classified as racially or religiously aggravated by statute but deemed to be motivated by hatred, by monitored strand, 2012

Offence type	Monitored strand				Total (one or more strands)
	Race / Religion	Disability	Sexual orientation	Gender-identity	
Actual Bodily Harm	1%	<0.5%	<0.5%	<0.5%	1%
Grievous Bodily Harm / unlawful wounding without intent	<0.5%	<0.5%	<0.5%	<0.5%	1%
Grievous Bodily Harm with intent	1%	<0.5%	<0.5%	0%	1%
Common assault and battery	5%	<0.5%	0.5%	0%	5%
All assault offences	2%	<0.5%	<0.5%	<0.5%	2%

Source: Crown Court Sentencing Survey, Office of the Sentencing Council

Furthermore, in less than half of a per cent of cases the sentencing judge indicated that they had taken into account a statutory aggravating factor of either the offence was motivated by/demonstrating hostility to disability, sexual orientation or gender-identity when sentencing the case.

Actual bodily harm was the highest volume assault offence sentenced in the Crown Court in 2012. The statutory aggravating factor of motivated by/demonstrating hostility to race/religion was quoted by the sentencing judge in just over half of a per cent of cases as having been taken into account. The other three hate crime statutory aggravating factors were taken into account in less than half of a per cent of cases by the sentencing judge.

In common assault cases (the fourth highest volume assault sentenced in the Crown Court in 2012), in just under five per cent of cases the sentencing judge indicated that the hate crime aggravating factor of motivated by/demonstrating hostility to race/religion had been taken into account.

Due to the small number of cases where a hate crime statutory aggravating factor has been used in an assault offence, it would not be meaningful to do a comparison of the final sentence outcome between those cases where the factor was quoted and where it was not.

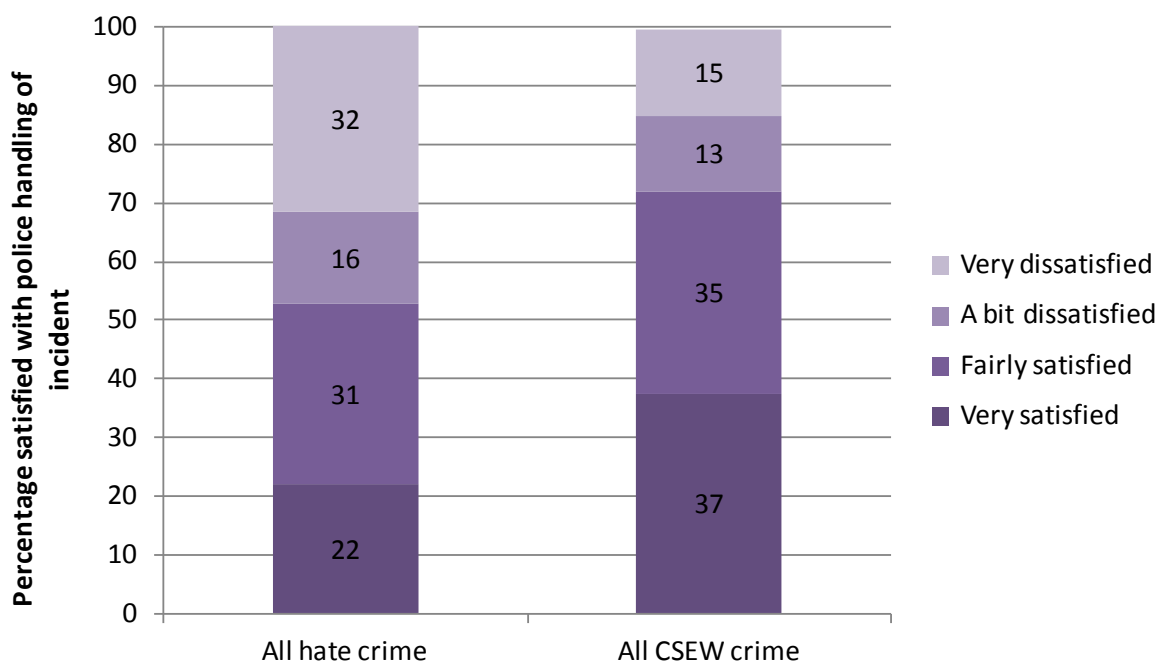
Additional information from the CSEW

As well as the level of hate crime estimates from the CSEW, additional information is available on victim satisfaction with the police following a crime incident, the emotional impact of being a victim and respondents' worry about hate crime. Where possible, comparisons are made with overall crime as measured by the CSEW.

Victim satisfaction with the police

CSEW respondents who were victims of crime and had contact with the police in the last 12 months were asked how satisfied they were with the way the police handled the matter. Based on the combined 2011/12 and 2012/13 surveys, 53 per cent of hate crime victims were very or fairly satisfied with the way that the police handled the matter. Conversely, 32 per cent of victims were very dissatisfied with the handling of the matter. Victims of hate crime were less satisfied with the way the police handled the matter than victims of CSEW crime overall (72% were very or fairly satisfied; Appendix Table 1.10 and Figure 18).

Figure 18: Victim satisfaction with the police, 2011/12 and 2012/13 CSEW



Note: 'Too early to say' responses are not shown due to low numbers (less than 1%)

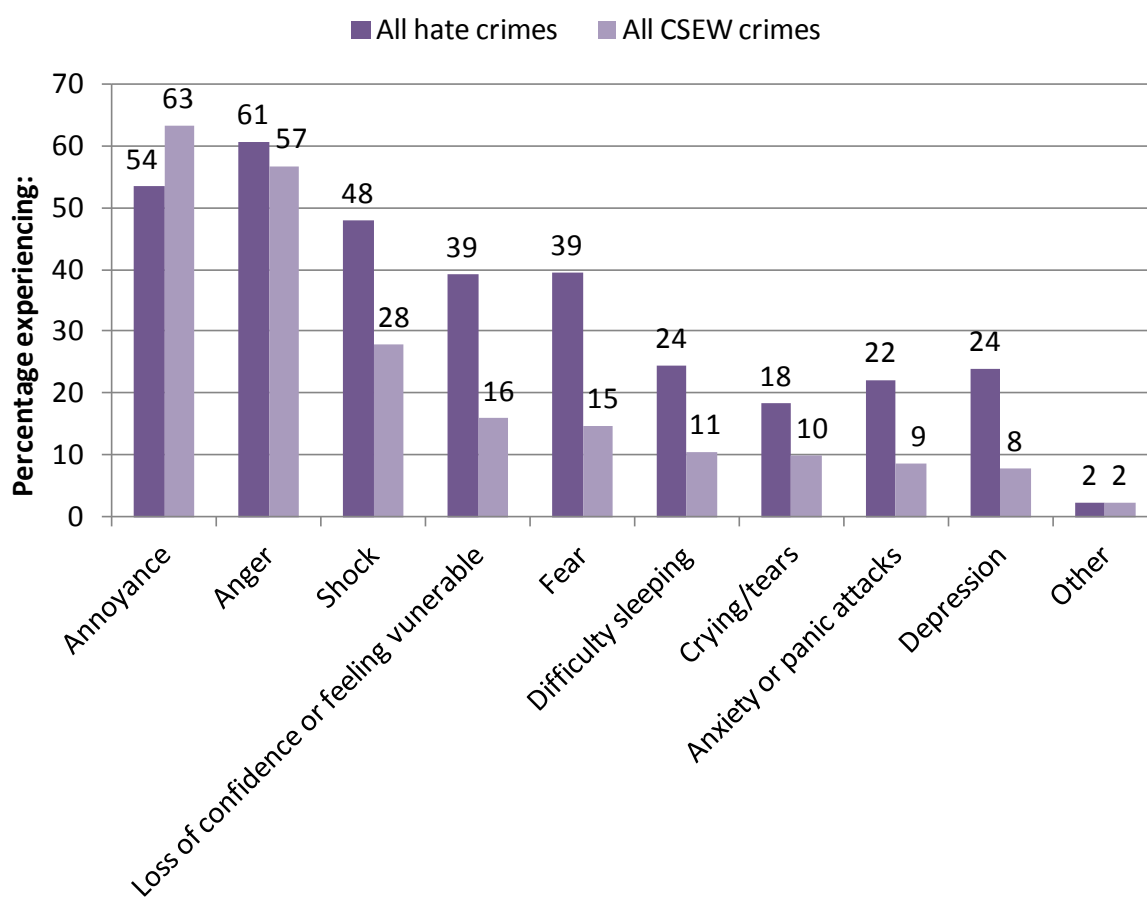
The combined 2011/12 and 2012/13 surveys show that victims of hate crime were less likely to think the police had treated them fairly or with respect, compared with victims of CSEW crime overall. For example, in 59 per cent of hate crime incidents the victims thought the police treated them fairly, compared with 80 per cent of incidents of CSEW crime overall. Similarly, in 76 per cent of incidents of hate crime, victims thought the police treated them with respect, compared with 88 per cent of incidents of CSEW crime overall. These patterns are similar to previous years (Appendix Table 1.10).

Effects of hate crime

As part of the follow-up questions on their crime experience, victims were asked if they had an emotional reaction after the incident and, if so, how much they were affected and in which ways. According to the 2011/12 and 2012/13 surveys victims of hate crime were more likely than victims of CSEW crime overall to say they were emotionally affected by the incident (94% and 82% respectively) and more likely to be 'very much' affected (34% and 14% respectively); this trend is similar over time (Appendix Table 1.11).

Of those who said they were emotionally affected, victims of hate crimes tended to be more affected than victims of CSEW crime overall. For example, more than twice as many hate crime victims said they had suffered a loss of confidence or had felt vulnerable after the incident (39%), compared with CSEW crime overall (16%). Hate crime victims were also more than twice as likely to experience fear, difficulty sleeping and anxiety or panic attacks compared with victims of overall CSEW crime (Figure 19).

Figure 19: Emotional impact of hate crime incident, 2011/12 and 2012/13 CSEW



Worry about being a victim of crime

The CSEW asks respondents how worried they are about being a victim of different types of crime. The 2011/12 and 2012/13 CSEW showed that overall four per cent of adults were 'very' worried about being subject to a physical attack because of their skin colour, ethnic origin or religion. Unsurprisingly, as with the other perception questions, this was much higher among adults from Black and Minority Ethnic backgrounds than among White adults (16% and 3% respectively; Appendix Table 1.12). This compares with nine per cent of adults who were 'very' worried about being a victim of any crime, the pattern amongst ethnicity showing a similar split (7% of White adults and 21% of all non-White adults).

Data sources

This section describes the data sources used in the compilation of this publication, providing further details to that covered in the main text. It also covers the symbols and conventions that have been used throughout the tables in the publication.

Crime Survey for England and Wales

The Crime Survey for England and Wales (CSEW) is a face-to-face victimisation survey in which adults resident in households in England and Wales are asked about their experiences of crime in the 12 months prior to interview.³⁷ Due to the relatively low volume of hate crime incidents in the sample survey, the figures are not sufficiently robust to report for a single year of the CSEW. Data from two survey years have therefore been combined to give a larger sample size, increasing the number of incidents available for analysis. For the latest time period data have been combined for the 2011/12 and 2012/13 surveys. As the survey runs continuously throughout the year and respondents are asked about their experiences in the 12 months to interview, the time period covered from these combined surveys is March 2010 to February 2013.

This report provides an estimate of the level of hate crime in England and Wales from these combined surveys. Analysis of CSEW data is presented for earlier years but, due to the small numbers of hate crime incidents reported, the data cannot be compared over time (combined data for 2007/08 and 2008/09 and for 2009/10 and 2010/11 surveys). Information from the survey also covers details about people's experiences of hate crime, including whether they reported the incident to the police, the emotional affects experienced and their satisfaction with the police. Data are also provided on respondents' worry about hate crime. Where possible, comparisons are made with overall crime as measured by the CSEW.

As well as asking respondents about the five monitored strands of hate crime, the CSEW also asks respondents if they thought the incident was motivated by age or gender, though no analyses are produced by age and gender in this publication.

The CSEW question on whether an incident was motivated by race was first introduced in 1988, and has been kept as a separate question since then. Religiously motivated hate crime used to be asked about as a separate question (in the 2005/06 and 2006/07 CSEW) but was merged into the main CSEW question when further hate crime questions referring to sexual orientation, age and disability were introduced in 2007/08. In 2009/10, gender was added as a motivation and gender-identity was added as a motivation to the 2011/12 survey.

For this publication total hate crime for the 2011/12 and 2012/13 CSEW includes all five monitored strands, though estimates for gender-identity hate crimes are not provided separately due to the small number of incidents that are perceived as being motivated by

³⁷ See Section 2.4 in ONS's [User Guide to Crime Statistics for England and Wales](#) for details of reference periods.

this strand. Total hate crime for the 2007/08 and 2008/09 CSEW and the 2009/10 and 2010/11 CSEW only include the four strands: race, religion, disability and sexual orientation.

Limitations of the CSEW questions

The CSEW does not ask about hate crime directly as the concept is not well understood by the public and is likely to lead to mis-reporting. Instead, victims are asked about their perception of the offender's motivation for the incident which is an indirect measure as it represents the victim's perceptions of the offender's motivation for the crime. This may result in some over-reporting since it is possible that some crimes considered here as hate crimes may actually be more a result of the victim's vulnerability to crime, for example, a vulnerable householder victim of a distraction burglary³⁸, or an assumption on the victim's behalf that the crime was motivated by the offender's attitude. Conversely, a victim might be unaware that they were targeted due to a personal characteristic covered by the hate crime strands.

The CSEW may over- or under-represent people who are more susceptible to hate crime. For example, people with a disability might find it more difficult to take part in the survey if their disability impacts on their ability to communicate in particular. Conversely, response rates to the survey might be higher among victims than non-victims as the topic seems more relevant to them.

Moreover, there may also be other characteristics underlying those covered by the monitored strands which mean that the victim is more at risk of particular crime types. For example, findings from the CSEW have consistently shown that young people aged 16-24 are more likely to be victims of crime and it is known that particular Black and Minority Ethnic groups have a lower age profile than that for the general population in England and Wales.

It should also be noted that although the CSEW asks whether or not the victim perceived the incident to be motivated by the monitored strands (for example, his or her disability status), it is possible in the cases of household crimes that it was someone else in the household that has the characteristic. For example, it could be that for a household crime the respondent was White but another member of the household of Black or Minority Ethnic background was the intended target of a crime against the household (e.g. an incident of vandalism).

Police recorded crime

When a potential crime comes to the attention of the police, they will record it as such if the circumstances reported amount to a crime defined in law and there is no credible evidence to the contrary.

Police recorded crime is based upon the notifiable offence list, a list of all offences that could possibly be tried by jury plus a few additional closely related summary offences which are

³⁸ Distraction burglary is a form of burglary where the offenders trick or dupe the occupant or distract them, allowing co-offenders to gain access and commit burglary.

dealt with by magistrates (such as assault without injury). Police recording practice is governed by Home Office Counting Rules (HOCR) and the National Crime Recording Standard (NCRS). These provide a national standard for the recording and classifying of notifiable offences by police forces in England and Wales.³⁹

Police recorded crime data are sent to the Home Office by the 43 territorial police forces of England and Wales, plus the British Transport Police. The Home Office supplies these data to the Office for National Statistics who have had responsibility for the publication of crime statistics since April 2012.

As part of the Annual Data Requirement⁴⁰ police forces notify the Home Office how many police recorded offences were flagged as being motivated by one of the five hate crime stands. Potentially, therefore, any notifiable offence could be flagged as a hate crime, although in practice certain offences are more likely to be motivated by hate than other crimes.

The Home Office are implementing a new data collection system that will collect disaggregate data on crime, including hate crime. The Home Office Data Hub (HODH) is designed to align with management information systems used in many police forces, allowing for the creation of automated extracts from one system to the other without the need for the completion of aggregate data collection forms. Some forces have already moved to the HODH; in this bulletin extra analysis is provided from these forces to give information on the types of offences being recorded as hate crime.

Racially or religiously aggravated offences

More detailed information is available on a subset of the notifiable offences that the police record. This subset of offences is called **racially or religiously aggravated offences**. These offences are defined by statute. A number of pieces of legislation have introduced specific racially and/or religiously aggravated offences, which granted the police and courts increased powers to deal with individuals committing the following selected offences when the offending behaviour was assessed to be motivated by hate:

- assault (with and without injury);
- harassment;
- public fear, alarm or distress; and
- criminal damage.

The legislation, in particular the Crime and Disorder Act 1998 and Public Order Act 1986, allows the police to record such offences as racially or religiously aggravated based on the evidence available when the offence is recorded, specifically if:

³⁹ [Home Office Counting Rules](#)

⁴⁰ The ADR is a list of all requests for data made to all police forces in England and Wales under the Home Secretary's statutory powers. Hate crime has been a part of the ADR since April 2011.

- at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the victim's membership (or presumed membership) of a racial or religious group; or
- the offence is motivated (wholly or partly) by hostility towards members of a racial or religious group based on their membership of that group.

Information on these offences is available from the police through to the courts.

Police recorded racially or religiously aggravated offences

The number of racially or religiously aggravated offences recorded by the police is sent to the Home Office as part of the normal police recorded crime return. Information on these offences is available back to 2002/03 on a comparable basis, when the NCRS was introduced. However, it is likely that the police have improved their identification of offences that are racially or religiously motivated over the time period for which data are shown.

Detections

The Home Office also collates information on whether recorded crimes are detected by the police, and if so, how they are detected. Detected crime is a term that describes notifiable offences that have been 'cleared up' by the police.

For the time period covered in this bulletin, the police could use one of several methods to count a crime as detected. These are:

- charge/summons;
- caution;
- Penalty Notices for Disorder (PNDs);
- offences that are asked to be taken into consideration by a court (TICs); and
- other.

The **other** category includes a number of outcomes: where the offence was cleared up but either no further action was taken against an offender, for example, where the alleged offender has died, where the Crown Prosecution Service (CPS) by virtue of their powers under the Criminal Justice Act 2003 decided not to prosecute or in certain cases the offence was cleared up by the use of a form of locally based community resolution.

Given the serious nature of many hate crime offences, the majority of detections are by charge/summons. Further information on detections can be found in Crimes Detected in England and Wales 2012/13.⁴¹

Cautions (Police National Computer)

The statistics presented in this bulletin **in relation to cautions issued to offenders** are taken from an extract of the Police National Computer (PNC) held within the Ministry of

⁴¹ [Crimes detected in England and Wales 2012/13](#)

Justice. The PNC is a large administrative database of offenders and their criminal histories and is maintained by police forces through a combination of automatic and manual processes. As with any large-scale administrative system, the PNC is subject to error and is regularly updated by the police as more information about individual cases becomes available.

There are two data sources for the number of cautions issued by the police: those sent to the Home Office as part of the detections statistical return; and data taken from the PNC which are routinely published by the Ministry of Justice in 'Criminal Justice System Quarterly Bulletin' publications.

Although both data sources cover cautions issued by the police, there are differences between the datasets. The main reason for the differences is that the Home Office data are counted on a victim basis, while Ministry of Justice data are on an offender basis. For example, if one person is assaulted by two people and these two people are cautioned for the offence, the Home Office figures will show one crime, detected by one caution, while the Ministry of Justice figures will show two cautions for the two separate offenders.

Additionally, there may be differences in the data in what the caution is issued for. For police recorded crime, the crime is recorded according to the Home Office Counting Rules, and stays recorded as this crime unless there is further evidence to the contrary. However, the police may decide to issue a caution for a lesser offence (given that the offender has to agree to accept the caution). Ministry of Justice figures from the PNC will show the caution issued for the lesser offence.

Lastly, due to different production schedules, the cautions data may be extracted at different times from the police via the detections statistical return and from the PNC. Given that the systems where the data are coming from are live operational databases, this can affect the exact numbers of cautions in any time period.

Ministry of Justice Court Proceedings Database

The Ministry of Justice collates data on court proceedings via data extracts from court database administrative systems. Statistics on proceedings, convictions and sentencing are either derived from the LIBRA case management system, which holds the magistrates' courts records, or the Crown Court's CREST system which holds the trial and sentencing data. The data include offences where there has been no police involvement, such as those proceedings instigated by government departments, private organisations and individuals (mentioned for completeness only, as not relevant to hate crimes, which will always have police involvement). From July 1995 all Crown Court data on trials and sentences have been received directly from the Court Service's CREST computer system and from November 2008 all magistrates' courts data have been provided by the LIBRA case management system. Prior to November 2008, the police reported on magistrates' court proceedings.

The statistics presented on court proceedings relate to proceedings completed in the year. A defendant may appear more than once in the tables if proceedings were completed against

that defendant on more than one occasion during the year.

The figures given relate to persons for whom these offences were the principal offence for which they were dealt with. When a defendant has been found guilty of two or more offences, the offence selected is the one for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

The offence shown in the conviction statistics is the one for which the court took its final decision, and is not necessarily the same as the offence for which the defendant was initially proceeded against (for example when the court accepts a guilty plea from the defendant on a lesser charge). The sentence shown is the most severe sentence or order given for the principal offence (i.e. the principal sentence); secondary sentences given for the principal offence and sentences for non-principal offences are not counted in the tables.

The complexities of the criminal justice system and the constraints on resources in collating and processing data limit the amount of information collected routinely, so only the final outcome of proceedings at magistrates' courts and the Crown Court (where applicable) is recorded.

Crown Court Sentencing Survey

Shortly after taking over from the Sentencing Guidelines Council in April 2010, the Sentencing Council for England and Wales introduced a Crown Court Sentencing Survey (CCSS) – whereby, on every sentencing occasion in the Crown Court, the judge is expected to complete a survey form that details the harm, culpability, aggravating and mitigating factors that they have taken into account when passing sentence on the offender.

On 13 June 2011, the Sentencing Council for England and Wales introduced a new definitive sentencing guideline for the sentencing of assault offences. This was the Sentencing Council's first definitive sentencing guideline and changed the approach to sentencing guidelines established by their predecessor body, the Sentencing Guidelines Council.

The Sentencing Council's definitive sentencing guideline for assault offences included the statutory aggravating factors of the offence was motivated by/demonstrated hostility to race/religion, disability, sexual orientation, and gender-identity as factors indicating higher culpability. The CCSS form was thus changed on 13 June 2011 to follow the structure of the assault offences definitive guideline and incorporated all the sentencing factors in that definitive guideline.

There is one full year's worth of CCSS information, covering 2012, on which to base an analysis of the hate crime factors of offence motivated by/ demonstrating hostility to race/religion, disability, sexual orientation and gender-identity.

Although a survey form should be completed for every sentence occasion in the Crown Court, in 2012 a survey form was only completed for 60 per cent of all offences sentenced in the Crown Court. The Sentencing Council therefore used the Ministry of Justice (MoJ) CREST extract of principal offences to produce a “weighted” national (England and Wales) analysis of the CCSS analysis. Although CCSS records are matched to the MoJ CREST extract of principal offences, there are some minor discrepancies between the data that is common to both datasets. The analysis of hate crime factors given here is based on the information recorded on the CCSS.

Symbols and conventions

The following symbols have been used throughout the tables and associated Appendix Tables in this bulletin:

-	=	Nil
*	=	Not applicable / figure suppressed as number small to give meaningful information
..	=	Not available

Links to other resources

Statistics references

The basic statistical information in this document should be considered in conjunction with the parent statistical publications and research reports that are now available on related issues. These reports are published on www.gov.uk for Home Office and Ministry of Justice releases and www.ons.gov.uk for Office for National Statistics

Crime Statistics (National Statistics publications presenting the most recent crime statistics from the Crime Survey of England and Wales and police recorded crime) – Office for National Statistics

www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/index.html

User Guide to Crime Statistics for England and Wales – Office for National Statistics

www.ons.gov.uk/ons/guide-method/method-quality/specific/crime-statistics-methodology/user-guide-to-crime-statistics.pdf

Crimes detected in England and Wales 2012/13 – Home Office

www.gov.uk/government/publications/crimes-detected-in-england-and-wales-2012-to-2013

Crime and policing publications (including police recorded crime and detections open data tables and others) – Home Office

www.gov.uk/government/publications?keywords=&publication_filter_option=statistics&topics%5B%5D=crime-and-policing&departments%5B%5D=home-office&official_document_status=all&world_locations%5B%5D=all&from_date=&to_date=&commit=Refresh+results

Criminal Justice Statistics (Official Statistics quarterly bulletins) – Ministry of Justice

www.gov.uk/government/collections/criminal-justice-statistics-quarterly
www.justice.gov.uk/statistics/criminal-justice/criminal-justice-statistics

A Guide to Criminal Justice Statistics, Ministry of Justice – 29 November 2012

www.gov.uk/government/uploads/system/uploads/attachment_data/file/260147/criminal-justice-stats-guide-nov-2013.pdf

Court Statistics (Official Statistics quarterly bulletins) – Ministry of Justice

www.gov.uk/government/collections/court-statistics-quarterly

Crown Court Sentencing Survey (annual bulletins) – Sentencing Council

<http://sentencingcouncil.judiciary.gov.uk/facts/sentencing-survey.htm>

Previous hate crime publications

Hate crime, cyber security and the experience of crime among children: Findings from the 2010/11 British crime survey: Supplementary volume 3 to Crime in England and Wales 2010/11

www.gov.uk/government/publications/hate-crime-cyber-security-and-the-experience-of-crime-among-children-findings-from-the-2010-to-2011-british-crime-survey

Hate crimes, England and Wales 2011/12

www.gov.uk/government/publications/hate-crimes-england-and-wales-2011-to-2012--2

Racist incidents, England and Wales 2011/12

www.gov.uk/government/publications/racist-incidents-table-england-and-wales-2011-to-2012--2

ACPO data on hate crime 2011

www.acpo.presscentre.com/Press-Releases/ACPO-publishes-hate-crime-data-for-2011-1a1.aspx

Other resources

The **True Vision** website provides information on hate crime and provides an online reporting tool

<http://www.report-it.org.uk/home>

Homophobic Hate Crime: The Gay British Crime Survey 2013 (Stonewall)

www.stonewall.org.uk/documents/hate_crime.pdf

Life Opportunities Survey

www.gov.uk/government/collections/life-opportunities-survey (home page)

Contacts

Feedback on this publication of is welcomed by each of the contributing departments. If you have any feedback, questions or requests for further information about this statistical bulletin, please direct them to the appropriate contact given below – split by the data sources.

Crime Survey for England and Wales

Press enquiries should be directed to the Office for National Statistics media relations office:
Tel: 0845 604 1858 Email: media.relations@ons.gsi.gov.uk

Other enquiries about these statistics should be directed to the Crime Statistics and Analysis Team at the Office for National Statistics:

John Flatley
Room 4200E
Segensworth Road
Titchfield
Hampshire
PO15 5RR
Email: crimestatistics@ons.gsi.gov.uk

General enquiries about the statistical work of the Office for National Statistics can be emailed to: info@ons.gsi.gov.uk

Police recorded crime and detections statistics

Press enquiries should be directed to the Home Office press office:
Tel: 020 7035 3535

Other enquiries about these statistics should be directed to:

David Blunt
Chief Statistician
Home Office
5th Floor Peel
2 Marsham Street
London
SW1P 4DF
Email: crimestats@homeoffice.gsi.gov.uk

General enquiries about the statistical work of the Home Office can be emailed to: crimestats@homeoffice.gsi.gov.uk

Proceedings, conviction and sentencing statistics

Press enquiries should be directed to the Ministry of Justice press office:

Tel: 020 3334 3536

Email: newsdesk@justice.gsi.gov.uk

Other enquiries about these statistics should be directed to the Justice Statistics Analytical Services division of the Ministry of Justice:

Mike Elkins

Chief Statistician

Ministry of Justice

7th Floor

102 Petty France

London

SW1H 9AJ

Email: statistics.enquiries@justice.gsi.gov.uk

General enquiries about the statistical work of the Ministry of Justice can be emailed to: statistics.enquiries@justice.gsi.gov.uk

General statistical information

General information about the official statistics system of the UK is available from: www.statistics.gov.uk

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