SEEKING ADVICE AND REDRESS AGAINST RACISM IN NORTHERN IRELAND
AN INFORMATION HANDBOOK

MARCH 2005
EQUALITY COMMISSION FOR NORTHERN IRELAND
AND NATIONAL CONSULTATIVE COMMITTEE ON RACISM AND INTERCULTURALISM
This booklet is intended for information purposes only. It is not a legal document.

A large format version of this publication is available on www.nccri.ie and www.equalityni.org
Seeking Advice and Redress Against Racism in Northern Ireland

An Information Handbook

March 2005

Equality Commission for Northern Ireland and National Consultative Committee on Racism & Interculturalism
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Disclaimer
While every effort has been made to ensure that the information in this handbook is up to date and accurate, the NCCRI and ECNI will not to be held responsible for any errors.
Introduction

The purpose of this handbook is to provide information to individuals, community groups and advice organisations on where to seek redress on the different forms of racism in Ireland, North and South. It has been published by the Equality Commission for Northern Ireland (ECNI) and the National Consultative Committee on Racism and Interculturalism (NCCRI), based in Dublin to mark International Day Against Racism March 21 2005.

This section of the handbook relates to Northern Ireland. The reverse section of the handbook refers to Ireland (Republic of Ireland).

The handbook recognises that racism is a multifaceted issue that can range from assaults and threatening behaviour to discrimination in the workplace or in the provision of goods, facilities and services. It seeks to provide guidance on where you can seek advice, make complaints and seek redress against racism/racial discrimination. It is published to coincide with the forthcoming Race Equality Strategy in Northern Ireland and the recent launch of the National Action Plan Against Racism in Ireland.

The handbook acknowledges that many people will know that if they need to complain or seek advice and redress against discrimination they may wish to contact the Equality Commission for Northern Ireland. The Commission can provide advice and assistance but does not itself decide cases of discrimination. A person must bring their complaint, within certain time limits, to the Industrial Tribunal and/or Fair Employment Tribunals (‘the Tribunal system’) in employment matters or the County Court for non-employment matters.

However what is less well known are issues such how to complain about racism on the internet? Whose responsibility is it to remove racist graffiti that appears on a wall in your neighbourhood? What complaint mechanisms are in place if you consider that an advertisement or a television programme causes serious offence to minority ethnic groups? What other related complaint mechanisms are available in respect of employment or accommodation? This handbook seeks to bring all this information together in an accessible handbook for the first time. This first edition of the handbook is structured as follows:
Part 1: Focuses on discrimination in the area of employment and in the 
provision of goods, facilities and services

Part 2: Focuses on racist incidents including assaults threatening 
behaviour and incitement to hatred

Part 3: Focuses on the media and the Internet

Making a complaint: Some practical advice

The following is general advice on making a complaint on racism.

1 Make careful records of the incident(s).
2 Seek witnesses to the incident and if possible the contact details 
of witnesses.
3 Seek evidence that will substantiate your complaint (for example in 
cases of assault, seek written confirmation of injuries sustained from 
a medical source).
4 Using this handbook, decide what type of racism took place. The two 
main categories are a) discrimination (racial discrimination law) and b) 
racist incidents (criminal law).
5 If the incident is one of discrimination the primary bodies of complaint 
and redress are the Equality Commission for Northern Ireland and the 
employment tribunals and the County Court.
6 Ensure that your complaint is made in time (see this handbook for 
deadlines under the equality legislation).
7 If the incident is a racist incident (criminal law) the primary bodies of 
complaint and redress are the police (Police Service for Northern Ireland) 
and the courts.
8 In the case of reporting a racist incident, you can also get in contact 
with the local Police Minority Liaison Officers (contact details in 
this handbook).
9 From this handbook identify other bodies that might help you, for 
example, trade unions in relation to an employment issue or the 
Northern Ireland Council for Ethnic Minorities (NICEM) who operate 
a harassment project.
10 Consider the full range of possible redress. For example, mediation can 
play a role in certain circumstances.
11 Make careful records of your complaint as it progresses, including 
copies of completed forms and correspondence.
Part 1: Discrimination
(racial discrimination law)

Part 1 of this handbook provides basic information about racial discrimination law in Northern Ireland in employment and in the provision of goods, facilities and services, the management of premises, accommodation and housing and in the area of employment, education and training. This part of the handbook also looks at related complaint mechanisms in relation to employment and accommodation.

The Equality Commission for Northern Ireland has responsibility for enforcing the Race Relations (Northern Ireland) Order, 1997 (as amended) and it has a specific duty to advise and assist individuals who wish to complain of racial discrimination. Part 1 of the handbook is structured as follows:

1.1 Defining Discrimination
1.2 Discrimination in employment matters
1.3 Discrimination in the provision of goods, facilities and services
1.4 Making a complaint
1.5 Other complaint and support mechanisms
1.6 Dealing with discrimination: Useful contacts

1.1 Defining discrimination

The Race Relations (Northern Ireland) Order, 1997 (as amended) makes racial discrimination unlawful in the following areas:
• Employment
• Goods, facilities and services
• Education
• Housing and accommodation
• Management and disposal of premises.

Racial discrimination is defined in the law as discrimination on the grounds of colour, race, nationality or ethnic or national origins. Irish Travellers are specifically named under this law as a racial group and are also afforded protection from racial discrimination. Travellers’ nomadic way of life is also covered by the legislation.
Types of discrimination
Three types of racial discrimination are defined:

- Direct Discrimination
- Indirect Discrimination
- Harassment

Direct Discrimination arises where one person, or organization, treats another less favourably, on racial grounds, than he or she treats (or would treat) someone else in the same or similar circumstances.

An example of direct discrimination would be if an Asian worker was not appointed to a job because of the racial group to which she/he belongs. It could also be where a Traveller is refused access to a shop, pub or club. Segregating a person from others on racial grounds can also amount to discrimination.

Indirect discrimination occurs where a provision, criterion or practice is applied which, although applied equally, it has the effect of disadvantaging those belonging to a particular racial group and it cannot be justified on non-racial grounds.

An example is excluding immigrants from renting or accessing housing or accommodation. The effect of this is that it disproportionately disadvantages a racial group and cannot be justified; or where an employer or service provider refuses to provide interpreter services and as a result, individuals who cannot speak English, cannot gain access to the service or facilities. This could also be a form of direct discrimination.

Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of:

a) violating another person’s dignity;

b) or creating an intimidating, hostile, degrading, humiliating or offensive environment for another person

In deciding whether harassment took place the tribunal or court will have regard to all the circumstances, including in particular the perception of the person complaining of harassment.

Victimisation is also an unlawful form of direct discrimination. This is when someone is treated less favourably because they have, for example, complained
People who believe that they may have suffered unlawful discrimination may take legal action. Legal proceedings are determined by an independent Industrial Tribunal, fair employment tribunal or the county court.

1.2 Discrimination in employment matters

It is unlawful for any employer to discriminate:
• In recruitment and selection, including arrangements for deciding who should be offered employment
• In the terms on which employment is offered, or
• By refusing or deliberately omitting to offer a person employment

In the terms and conditions of employment:
• In relation to access to benefits, including opportunities for promotion, transfer, training or any other benefits, or the refusal of those opportunities
• By dismissing an employee or causing him/her any other detriment after the employment relationship has ended.

Racial harassment in the workplace
Racial harassment or abuse in the workplace is a form of direct discrimination. It is unwanted conduct, on racial grounds and it has the purpose or effect of violating someone’s dignity or creating an environment that is intimidating, hostile, degrading, humiliating or offensive.

For example, racial harassment can include racist jokes, banter, insults, circulation of offensive material, including email, isolating or excluding individuals, being condescending about personal dress or speech or generally creating a hostile or intimidating atmosphere.

Complaints of racial harassment may be made against the employer as well as the harasser and both can be held liable and required to pay compensation to the victim.

Genuine Occupational Requirement (GOR)
Before 2003 the law allowed for a number of specific situations where the race relations legislation did not apply e.g. for dramatic performance, as a
photographic model and also for jobs where food or drink was served to the public. These exceptions had to be linked to a ‘reason of authenticity’ and as such the job required someone from a specific racial group. In addition there was an exception where the jobholder provides persons of a particular racial group with personal services promoting their welfare and those services can most effectively be provided by a person of the same racial group.

In 2003 the law was amended and now includes this list approach together with a general exception for a Genuine Occupational Requirement.

The new general approach leaves it up to employers to satisfy themselves that by reason of the nature of the particular occupational activities concerned or of the context in which they are carried out, a given characteristic constitutes a genuine and determining occupational requirement, provided that the objective is legitimate and the requirement is proportionate. This may include the provision of personal support services to particularly vulnerable people within specific communities.

1.3 Discrimination in provision of Goods, Facilities and Services

It is unlawful for all service providers to discriminate on racial grounds in the provision of goods, facilities and services. Goods or access to facilities or services cannot be refused or offered at a lesser quality. Service providers include hotels, insurance companies, pubs, certain types of clubs, cinemas and restaurants.

The Race Relations Order (Amendment) Regulations (NI) 2003 extends protection to cover all public authority functions that relate to the provision of goods, facilities and services. This makes it unlawful for public authorities to discriminate against a person on the grounds of race or ethnic or national origins, or to harass someone in carrying out any functions, in the areas of social security, healthcare and any other form of social protection or any form of social advantage. This also covers harassment in the provision of goods, facilities and services.

Equality Duty
Public authorities in Northern Ireland also have a duty under Section 75 of the Northern Ireland Act 1998 to have due regard to the need to promote equality of opportunity between persons of different racial groups and to have
regard to the desirability of promoting good relations between persons of
different racial groups.

If you consider a public authority has not complied with this duty you should
contact the Equality Commission’s Statutory Duty Unit which will advise you
further: Telephone 0044 (0)28 90500590.

1.4 Making a Complaint

Staff in the Equality Commission for Northern Ireland can offer advice and
assistance in making a complaint in relation to racial discrimination. If at
any time you would like to speak to a member of the complaints staff they
can be contacted by phone, textphone or at their offices (by appointment).
The Commission can give free and confidential advice to prospective
complainants. It will also consider all applications for legal assistance in
cases of alleged discrimination. However, the Commission does not rule
on whether or not discrimination has occurred: this is for the employment
tribunal or a court to decide.

Further information is contained in the Racial Discrimination - How can
we help? and Racial Equality - Advice and Assistance booklets. For details
of these and other useful publications see www.equalityni.org or contact
the Equality Commission’s Information and Advice team on
0044 (0)28 90500590. Application forms for registering your complaint
with an employment tribunal can be obtained from the Equality Commission’s
office or may be obtained from most Citizens’ Advice Bureaux.

Equality Commission for Northern Ireland
Equality House
7 - 9 Shaftesbury Square
Belfast
BT2 7DP
Tel: 0044 (0)28 90500590
Fax: 0044 (0)28 90331544
Textphone: 0044 (0)28 90500589
Email: information@equalityni.org
Website: www.equalityni.org

Northern Ireland Human Rights Commission
The Northern Ireland Human Rights Commission is charged with the
protection of individual human rights and this includes breaches of human
rights on racial grounds. Whilst the Equality Commission for NI is the agency
responsible for providing advice and assistance to those who are victims of racial discrimination and the Police Service of Northern Ireland has responsibility for protecting those under threat of violence or attack and investigating racially motivated crime. The NI Human Rights Commission does play a role at a policy level to enhance protection against racism in all its forms. If you wish to seek advice on human rights aspects of dealing with racism you can obtain further information from their website (contact details are set out in section 1.6).

**The employment tribunals and the county court**

The 'employment tribunals' is the name that is often commonly applied to describe the Industrial Tribunals and the Fair Employment Tribunal. These are independent tribunals that adjudicate on claims of discrimination in employment under the racial discrimination legislation.

The Industrial Tribunals hears and determines complaints in relation to the racial equality legislation. They also have functions in relation to other employment and anti discrimination law (see section 1.5).

The Fair Employment Tribunal hears and determines complaints of discrimination on the grounds of religious belief or political opinion. Complaints about discrimination in the provision of goods, facilities and services (i.e. areas other than employment) are heard in the County Court.

**Time limits**

Anyone who believes they may have been the victim of unlawful discrimination should seek advice from the Equality Commission as soon as possible, as time limits apply to legal proceedings.

In most employment discrimination cases, complaints should be made to the Industrial Tribunal within 3 months of the date of the act of discrimination. In exceptional situations, the Tribunal has the power to extend this 3 month time limit. The Equality Commission, trade union or local citizen’s advice bureau can advise you more on this.

Complaints relating to discrimination in the areas of goods, facilities, services and premises must be made to the County Court within 6 months of the date the discrimination took place.

Complaints about racial discrimination in education must be made to the County Court, normally within 6 months. In certain cases, a complaint must first go to the Department of Education for Northern Ireland.
1.5 Other complaint mechanisms

This section looks at other complaint, support and redress mechanisms in relation to employment and accommodation that could be considered.

**Employment**

If you are in employment and there is a trade union where you work, they may be able to help you to take out a grievance. Discrimination should be a disciplinary, in some cases even a dismissible, offence. But you should not delay seeking advice about filing a complaint while trying to resolve matters through the company's internal procedures - you could miss the deadline for applying under the racial discrimination legislation (see section 1.4). You can always withdraw your case at any time if you reach a satisfactory agreement with your employer. The Industrial Tribunal has a role to hear and determine complaints under various employment protection legislation (for example legislation related to minimum wage and breach of contract) as well as the various anti-discrimination enactments, under sex discrimination, race relations and fair employment legislation.

The Labour Relations Agency was established in 1976 as a non-departmental public body with responsibility for promoting the improvement of employment relations in Northern Ireland. It provides an impartial and confidential employment relations service to those working in industry, commerce and the public services. The Agency's services include the provision of advice on good employment practices and assistance with the development and implementation of employment policies and procedures. The Agency is also active in resolving disputes through its conciliation, mediation and arbitration services.

Users of the Agency's services are normally workers, employers, employers’ associations, trade unions and other organisations or individuals who require assistance with matters relating to employment practices and employment relations.

**Housing and accommodation**

It is unlawful to discriminate against a person on racial grounds in connection with the selling, letting or management of premises. This provision applies to the Northern Ireland Housing Executive, housing associations, hostels, private landlords, estate agents, property developers, managing agents, owner-occupiers, banks and building societies. Certain types of property are exempt from the Order. For further information contact the Equality Commission for Northern Ireland.
The following forms of accommodation are considered:
• The Northern Ireland Housing Executive and other forms of social housing
• Direct provision for asylum seekers and refugees
• Traveller specific accommodation

Northern Ireland Housing Executive and other forms of social housing
The Northern Ireland Housing Executive (NIHE) provides help and advice to its tenants and members of the public on housing matters. Its Tenant Charter sets out the standards of service the public can expect from each of their offices. The NIHE core values are ‘equity, value for money, consultation and participation’. The NIHE has a complaints procedure, details of which are available on their website www.nihe.gov.uk or from an NIHE office in the form of the ‘how to make a complaint’ leaflet. It is NIHE policy to try and address complaints within 15 working days. Informal meetings can also be arranged through the NIHE information officer in the area office.

The NIHE published its first draft Race Relations Policy for consultation in January 2005. The policy includes:

• Placing Black and minority ethnic issues at the heart of policy development
• Tackling racial harassment and intimidation (see Part 2 of this handbook)
• Promoting Black and minority ethnic social inclusion
• Encouraging community participation and development
• Addressing migrant worker issues

If you need to complain about the NIHE’s services you can contact the Northern Ireland Ombudsman’s Office www.ni-ombudsman.org.uk. This site will give you a step by step guide to making a complaint to the Ombudsman.

Other forms of social housing, such as Housing Associations and Co-operatives also have their own complaint mechanisms which are available from local managers or their head office.

Direct provision for asylum seekers and refugees
The National Asylum Seekers Support Service (NASS) under the Home Office in Britain has responsibility for providing advice and support to those seeking asylum in Northern Ireland. Complaints regarding any aspect of this service provision should be raised initially with the Belfast NASS office, contact details are set out in the Other Useful Contacts section. If a complaint is not resolved locally then it should be referred directly to the Home Office, email: Julie.martin@homeoffice.gsi.gov.uk
Traveller specific accommodation

Traveller specific accommodation is the responsibility of the Northern Ireland Housing Executive (see above). Advice and support may also be provided by local NGO Traveller support groups and by Traveller Movement (Northern Ireland). See also Part 4 of this handbook.

1.6 Dealing with Discrimination Useful Contacts

**Equality Commission for Northern Ireland**

Equality House
7-9 Shaftesbury Square
Belfast, BT2 7DP
Tel: 0044 (0)28 90500600
Fax: 0044 (0)28 90248687
Textphone: 0044 (0)28 90500589
Website: www.equalityni.org

**Function:** The Equality Commission for Northern Ireland has responsibility for enforcing the Race Relations (Northern Ireland) Order, 1997 (as amended) and it has a specific duty to advise and assist individuals who wish to complain of racial discrimination.

**Office of the Industrial Tribunals and Fair Employment Tribunal**

(‘employment tribunals’)

Long Bridge House
20-24 Waring Street
Belfast, BT1 2EB
Tel: 0044 (0)28 90327666
Fax: 0044 (0)28 90230184
Website: www.industrialfairemploymenttribunalsni.gov.uk

**Function:** The Industrial Tribunal has a role to hear and determine complaints under various employment protection legislation and the various anti-discrimination enactments, under Sex Discrimination, Race Relations and fair employment legislation. The Fair Employment Tribunal hears and determines complaints of discrimination on the grounds of religious belief or political opinion.

**Northern Ireland Housing Executive**

Head Office
Housing Centre
Adelaide Street
Belfast BT 1
Tel: 0044 (0)28 90240588
Website: www.nihe.gov.uk
See NIHE website for list of area, district and grant offices

**Function:** The regional housing management authority for Northern Ireland has a wide range of functions including identification of housing need and house build and Traveller accommodation.

**Northern Ireland Citizens Advice Bureaux (NIACAB)**
Lower Crescent
Belfast
Tel: 0044 (0)28 90231120
Fax: 0044 (0)28 90236522
info@citizensadvice.co.uk
Website: www.citizensadvice.co.uk

**Function:** Provides independent advice through network of local offices throughout Northern Ireland.

**Labour Relations Agency**
HEAD OFFICE
2-8 Gordon Street
Belfast, BT1 2LG
Tel: 0044 (0)28 90321442
Fax: 0044 (0)28 90330827
Email: info@lra.org.uk
Website: www.lra.org.uk

**Function:** among the Agency’s services include the provision of advice on good employment practices and assistance with the development and implementation of employment policies and procedures.

**Labour Relations Agency Regional Office**
1-3 Guildhall Street
Londonderry, BT48 6BJ
Tel: 0044 (0)28 71269639
Fax: 0044 (0)28 71267729
Email: info@lra.org.uk
Website: www.lra.org.uk

**Northern Ireland Human Rights Commission**
Temple Court Belfast.
Tel: 0044 (0)28 90243987
Email: nihrc@belfast.org.uk
Website: www.nihrc.org

**Function:** Includes a focus on racism in relation to human rights and policy issues.
Part 2: Racist Incidents

Part Two of this handbook focuses on racist incidents that are for the most part covered by the criminal law. These racist incidents can take many different forms, for example, personal assaults, damage to the home or property, as well as verbal abuse, hate mail or circulating racist leaflets and material. This section focuses on racial incidents that are primarily criminal law issues. This part of the handbook is divided as follows:

2.1 Defining racist incidents
2.2 Assaults including fatal assaults
2.3 Threatening behaviour and incitement to hatred
2.4 Hate crime
2.5 Making a complaint
2.6 Recording incidents
2.7 Dealing with racist incidents: Useful contacts

2.1 Defining a racist incident

The Police Service of Northern Ireland (PSNI) will record any incident perceived to have been committed against any person or property on the grounds of a particular persons ethnicity, sexual orientation, religion, political opinion or disability, whether it amounts to a crime or not. These incidents are commonly referred to as hate crimes. Hate crimes can take many forms, including, physical assault, verbal abuse, intimidation and damage to property.

According to the Police Service for Northern Ireland (PSNI), a racist incident is defined as ‘any incident which is perceived to be racial by the victim or any other person’.

It is therefore very important to report all known racist incidents. Not only does reporting enable investigation and prosecution of the perpetrators but it also helps organisations and agencies working to tackle racism measure the extent to which this form of racism is developing. It also helps them to lobby Government and policing services to ensure that adequate resources are targeted to reduce and prevent this racist hate crime.

The key pieces of legislation in the area of racist incidents are:

• Public Order (Northern Ireland) Order 1987
• Criminal Justice (No. 2) (NI) Order 2004
• Offences Against the Person Act 1861
• Criminal Damage (NI) Order 1977
• Protection from Harassment (NI) Order 1997

2.2 Assaults Including Fatal Assaults

**Fatal Offences**
A person can be convicted under common law of murder if he/she is of sound memory and discretion and unlawfully kills any human being with malice aforethought, either express or implied. A person can be convicted of manslaughter under common law where he/she unlawfully kills another without malice, either express or implied.

**Non-Fatal Offences**

**Offences Against the Person Act 1861**
Under *section 42*, a Constable may arrest any person whom within his view unlawfully assaults or beats any person.
Under *section 47*, it is an offence to assault any person thereby occasioning actual bodily harm.
Under *section 18*, it is an offence to unlawfully and maliciously wound or cause any grievous bodily harm to any person.
Under *section 20*, it is an offence to unlawfully and maliciously wound or inflict any grievous bodily harm upon any other person, either with or without any weapon or instrument.

**Criminal Damage (NI) Order 1977**
Article 3 of the order states that a person who without lawful excuse destroys or damages property belonging to another intending to destroy or damage any such property shall be guilty of an offence.

**Protection from Harassment (NI) Order 1997**
Article 3 of this order prohibits a person from pursuing a course of conduct which amounts to harassment. References to harassing a person include alarming the person or causing the person distress. In order to commit the offence it is necessary to show that harassment was caused by a 'course of conduct' defined in the order on more than one occasion. Course of conduct may include speech and the alleged offender must know, or ought to know, that the course of conduct amounts to harassment of the other.

**Criminal Justice (No2) (Northern Ireland) Order 2004**
Provides courts with powers to impose heavier sentences when an offence is aggravated by hostility based on the victims actual or presumed religion, race, sexual orientation or disability.
2.3 Threatening Behaviour and Incitement to Hatred

Part III of the Public Order (Northern Ireland) Order 1987 currently provides offences and penalties against the use of threatening, abusive or insulting words or behaviour, the display and distribution of written material, and related activities intended or likely to stir up hatred or arouse fear. The protections are currently provided with regard to religious belief, colour, race, nationality, ethnic or national origins. The penalties for stirring up hatred or arousing fear in such cases is: on summary conviction, a maximum of 6 months imprisonment, a fine not exceeding the statutory maximum, or both; on conviction on indictment, a maximum of 2 years imprisonment, a fine, or both.

Graffiti
The Northern Ireland Housing Executive is responsible for removing racist graffiti from its property. Complaints in this regard should be made to the local NIHE District Office. Interpreter facilities will be made available if needed at the point of contact.

In other cases it is the property owner's responsibility to remove offensive racist graffiti from their own property. If you have difficulty in identifying the owner of the property, the NIHE or Department of the Environment can assist in identifying the owner (also see section 2.5)

2.4 Hate Crime

In September 2004 new powers were introduced under the Criminal Justice (No. 2) (NI) Order 2004 to give judges greater powers in sentencing where hostility is proven, including increases in maximum sentences for a series of violent offences. Judges now have additional powers to hand down sentences which fit the seriousness of the crime.

The new laws see the maximum penalties for causing grievous bodily harm, assault occasioning actual bodily harm, and putting someone in fear of violence increase from five to seven years. The penalty for criminal damage has increased from 10 to 14 years.

The key features of the Criminal Justice (No. 2) (NI) Order 2004 are:

- Where an offence involves hostility based on religion, race, sexual orientation, or disability, on conviction the Court must take this into account when sentencing.
• The Court’s sentencing powers - mainly in relation to specified crimes of violence which are often connected with "hate crime" - will also increase.
• For example, offences of "grievous bodily harm", "assault occasioning actual bodily harm" and "putting someone in fear of violence" will increase from 5 to 7 years imprisonment; and criminal damage will increase from 10 to 14 years imprisonment. Common assault will have a maximum penalty of two years imprisonment, a fine, or both.
• Hostility based on race, religion, sexual orientation or disability, can be based both on hatred of a group or of an individual. The legislation will cover attacks on both people or property.

2.5 Making a Complaint

Contact the Police Service For Northern Ireland:
• Telephone 999 in an emergency
• Telephone 0800 555 111 (www.crimestoppersni.com)
• Reporting on-line at www.psni.police.uk

The PSNI has access to interpreters 24 hours a day for those individuals who have difficulty understanding English.

Minority Liaison Officers have been appointed in every Police District in Northern Ireland. These officers are specifically trained to advise and support victims of racist crime. Local contact details for Minority Liaison Officers are available in section 2.7 of this handbook.

The Police Racial Incident leaflet is also available on the police website www.psni.police.uk in Urdu, Hindi, Arabic, Italian, Portuguese, traditional Chinese and simplified Chinese.

Complaints about the police
The Office of the Police Ombudsman provides a free, independent and impartial police complaints system for the people and police under the Police (Northern Ireland) Act 1998 and 2000. It deals with complaints from people about how police officers do their jobs. Although the word 'police' is in their title, it is there simply to identify the people it investigates. The Office is entirely independent of the police and investigates complaints about how the police behave when they are doing their job. Complaints may involve allegations of criminal behaviour by a police officer, or allegations that a police officer broke the police code of conduct for example racist behaviour.
Even if a complaint is not made the Police Ombudsman can investigate a matter if they have reason to think that a police officer may have committed a criminal offence or broken the police code of conduct. It can also investigate a matter if the Secretary of State, the Chief Constable or the Policing Board asks them to. The Police Ombudsman also monitors complaints against the police and checks whether the complaints follow any trends or patterns.

Complaints to the Northern Ireland Housing Executive
If you wish to complain about racist incidents that occur on a Northern Ireland Housing Executive estate you should write to the local District Office Manager. Addresses of all local offices are in the telephone directory or on the NIHE website www.nihe.gov.uk

In criminal cases the individual can lodge a complaint in their local police station, where the Minority Ethnic Liaison Officer is trained to assist the victims of racially motivated crime and to deal with such complaints.

Complaints in regard to graffiti should be made to the local NIHE District Office. Interpreter facilities will be made available if needed at the point of contact. It is the property owner’s responsibility to remove offensive racist graffiti from their own property. If you have difficulty in identifying the owner of the property, the NIHE or Department of the Environment can assist in identifying the owner.

In the case of NIHE property, a complaint can be made directly to the local District Office in person or in writing to the local District Manager and details of this complaints procedure are on the NIHE website www.nihe.gov.org.uk Further advice and assistance relating to any of these matters concerning NIHE’s policy on tackling racism can be obtained from the NIHE Equality Unit or the Race Relations Officer in the NIHE Community Cohesion Unit through the NIHE Head Office (see also Part 1 of this handbook in relation to racial discrimination and accommodation).

Other sources of advice and support
The Equality Commission for Northern Ireland can provide advice on a wide range of issues related to racism.

The Northern Ireland Council for Ethnic Minorities (NICEM) has developed a project that focuses on the problem of racial harassment in Northern Ireland. See their website for further details www.nicem.org.uk
There are also many NGO’s working in this area of concern, some of which are listed in Part four of this handbook.

The Northern Ireland Citizens Advice Bureaux are also a very useful source for information and advice.

2.6 Recording incidents

The Police Service of Northern Ireland currently collate details on reported racially motivated incidents and further details about how you can do this are contained in this guide. In recognition of the fact that many racist incidents may not constitute a criminal offence and to ensure that Government has a more accurate picture of hate crime generally, the Community Support Unit of the Northern Ireland Office in cooperation with equality and human rights agencies, some key public authorities and the police as well as voluntary and community organisations working in this field have been developing a more comprehensive monitoring and reporting system across the voluntary, community and public sectors. The Monitoring and Recording of Hate Crime in Northern Ireland (MRHNI) system is currently being finalised and will be piloted at sample locations across Northern Ireland later this year.

2.7 Dealing with racist incidents: Useful contacts

**Police Service for Northern Ireland**

- Telephone 999 in an emergency
- Telephone 0800 555 111 (www.crimestoppersni.com)
- Reporting on-line at www.psni.police.uk

Website: www.psni.police.uk

**Function:** To provide a comprehensive policing service in Northern Ireland. The Police Minority Liaison officers can be contacted at the following numbers:
<table>
<thead>
<tr>
<th>Minority Liaison Officers</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Belfast</td>
<td>0044 (0)28 90259207</td>
</tr>
<tr>
<td>South Belfast</td>
<td>0044 (0)28 90700509</td>
</tr>
<tr>
<td>East Belfast</td>
<td>0044 (0)28 90259786</td>
</tr>
<tr>
<td>West Belfast</td>
<td>0044 (0)28 90259892</td>
</tr>
<tr>
<td>Antrim</td>
<td>0044 (0)28 94481657</td>
</tr>
<tr>
<td>Ards</td>
<td>0044 (0)28 91829041</td>
</tr>
<tr>
<td>Armagh</td>
<td>0044 (0)28 37521153</td>
</tr>
<tr>
<td>Ballymena</td>
<td>0044 (0)28 25664013</td>
</tr>
<tr>
<td>Ballymoney/Moyle</td>
<td>0044 (0)28 70350958</td>
</tr>
<tr>
<td>Banbridge</td>
<td>0044 (0)28 40621368</td>
</tr>
<tr>
<td>Carrickfergus</td>
<td>0044 (0)28 90259622</td>
</tr>
<tr>
<td>Castlereagh</td>
<td>0044 (0)28 90700314</td>
</tr>
<tr>
<td>Coleraine</td>
<td>0044 (0)28 70350906</td>
</tr>
<tr>
<td>Cookstown</td>
<td>0044 (0)28 79399406</td>
</tr>
<tr>
<td>Craigavon</td>
<td>0044 (0)28 38315355</td>
</tr>
<tr>
<td>Down</td>
<td>0044 (0)28 44611109</td>
</tr>
<tr>
<td>Dungannon &amp; South Tyrone</td>
<td>0044 (0)28 87750503</td>
</tr>
<tr>
<td>Fermanagh</td>
<td>0044 (0)28 66321557</td>
</tr>
<tr>
<td>Foyle</td>
<td>0044 (0)28 71379751</td>
</tr>
<tr>
<td>Larne</td>
<td>0044 (0)28 28271055</td>
</tr>
<tr>
<td>Limavady</td>
<td>0044 (0)28 77766797</td>
</tr>
<tr>
<td>Lisburn</td>
<td>0044 (0)28 92600978</td>
</tr>
<tr>
<td>Magherafelt</td>
<td>0044 (0)28 79633701</td>
</tr>
<tr>
<td>Newry &amp; Mourne</td>
<td>0044 (0)28 30259267</td>
</tr>
<tr>
<td>Newtownabbey</td>
<td>0044 (0)28 90259319</td>
</tr>
<tr>
<td>North Down</td>
<td>0044 (0)28 91474957</td>
</tr>
<tr>
<td>Omagh</td>
<td>0044 (0)28 82246177</td>
</tr>
<tr>
<td>Strabane</td>
<td>0044 (0)28 71379803</td>
</tr>
</tbody>
</table>
Police Complaints Ombudsman
New Cathedral Buildings
St Anne's Square
11 Church St
Belfast, BT11PG
Tel: 0845 6012931/0044 (0)28 90828600
Fax: 0044 (0)28 90828659
Function: Independent, impartial, free complaints agency. It deals with complaints from people about how police officers do their jobs.

Northern Ireland Housing Executive
Head Office
Housing Centre
Adelaide Street
Belfast, BT 1
Tel: 0044 (0)28 90240588
Website: www.nihe.gov.org.uk
Function: The regional housing management authority for Northern Ireland with a wide range of functions including identification of housing need and house build and Traveller accommodation.
Part 3: Media and the Internet

The media and the Internet is often a difficult and complex area in respect of making a complaint or seeking redress against racism. At stake is both the issue of the right to free speech on the one hand and the right to be protected against racism on the other.

The Equality Commission for NI has published research on Press Reporting on Minority Ethnic Issues and Racism (Racial Equality Bulletin no 2, 1999). In cooperation with the National Union of Journalists (NUJ) the Equality Commission developed and published Anti Racist Reporting Guidelines aimed at journalists and newspaper editors as an outcome. Copies of this publication and the accompanying Anti Racist Reporting Guidelines are available from the Equality Commission.

Part 3 of this handbook is structured as follows:
3.1 The broadcast media (radio and television)
3.2 Newspapers
3.3 Internet, e-mail and phones
3.4 Advertising
3.5 Making a complaint
3.6 The media and the Internet: Useful contacts

3.1 The broadcast media (radio and television)

The Office of Communications (OFCOM) is the regulator for the UK communications industries, with responsibilities across television, radio, telecommunications and wireless communications services. One of the aims of the OFCOM is to:

• Balance the promotion of choice and competition with the duty to foster plurality, informed citizenship, protect viewers, listeners and customers and promote cultural diversity.

OFCOM replaces the role of the former Broadcasting Complaints Commission and deals with complaints of racism in broadcasting. You can contact them by email or online. Full contact details are set out in section 3.6.
3.2 Newspapers

Press Complaints Commission
The Press Complaints Commission is an industry self-regulating body. In other words it is not a statutory agency with independent power of investigation. However it does investigate complaints under its Code and adjudicates on these and publishes its decisions. It mainly deals with complaints from members of the public about the editorial content of newspapers and magazines. This service to the public is free, quick and easy. It aims to deal with most complaints in just 32 working days.

The PCC has published an Editors’ Code of Practice and all complaints are investigated under the Editors’ Code of Practice, which binds all national and regional newspapers and magazines. The Code - drawn up by editors themselves - covers the way in which news is gathered and reported. It also provides special protection to particularly vulnerable groups of people such as children, hospital patients and those at risk of discrimination.

In the area of discrimination the PCC Code states:
‘The press must avoid prejudicial or pejorative reference to an individual’s race, colour, religion, sex, sexual orientation or to any physical or mental illness or disability.’

Details of an individual’s race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

The Press Complaints Commission will only uphold complaints of discrimination where it considers the offending article or publication is in breach of the above clause.

You may of course write directly to the newspaper to complain. Some papers have a policy of correcting mistakes if asked or printing letters of complaint and some have a readers’ ‘watch-dog’ to whom you may complain.

The main trade union for those involved in the media is the National Union of Journalists, although there is also some staff, particularly those involved in media production in other trade unions. Part of its role is to provide guidance to its members and the NUJ has published non-binding ‘Guidelines on Race Reporting’. All NUJ members are bound by the NUJ Code of Conduct.
3.3 Internet, email and phones

**Internet and e-mail**
Ensuring effective protection against racism requires tackling the growing phenomenon of the use of the internet which along with other computer generated illegal activity is collectively known as ‘cybercrime’.

There has been an emergence of websites in UK and Ireland in recent years containing material that would have been prohibited if printed and distributed in Ireland and which can provide a permanent form of incitement if left unchallenged. There are different ways in which racism has been spread through the Internet, including through e-mail, web sites, usenet/user groups or through an internet club. Racism on the Internet can and has been tackled through a number of strategies, including reporting the problem to the internet hotline. The internet hotline for the UK is hosted by the Internet Watch Foundation (IWF) [www.iwf.org](http://www.iwf.org).

The IWF provide a ‘notice and take down’ service to Internet Service Providers (ISPs) in the UK so they can remove potentially illegal content from their servers and the IWF works closely with law enforcement agencies both within and outside the UK to help them trace offenders.

If you receive an e-mail of a racist nature you can also report it to the hotline and/or report it to the internet company who hosts the email account and request that they delete the account. In respect of the workplace, the e-mail should also be reported to the employer (see also Part 1 of this handbook which deals with discrimination).

Many internet server companies have codes of conduct in relation to the use of email accounts, which stipulate that the account cannot be used to transmit emails of a racist nature. These codes of conduct are available on the server’s webpage. This can be a useful tool in preventing abusive e-mails from a particular address. There are, of course, also practical measures you can take to block unwanted e-mail sources through the software on your computer.

**Phones**
OFCOM recommend that if you a problem with your telephone provider or other telecommunications issue you should contact your service provider. If the issue cannot be resolved, all service providers have procedures for handling complaints from customers. Contact your service provider for details. If you believe your complaint has been not handled properly by the service provider, and your complaint has been outstanding for 12 weeks you
can make a complaint through an Alternative Dispute Resolution (ADR) Scheme (see OFCOM Website) or to OFCOM itself.

3.4 Advertising

The role of the Advertising Standards Agency (ASA) is to make sure all advertising, including radio and television commercials, meets the high standards laid down in the advertising codes. Their website will tell you more about the rules for advertising, let you complain online, and explain how the ASA is working to keep advertising standards as high as possible.

3.5 Making a complaint

The body to which complaints are made depends on what form of media/communications the complaint applies. It is important that a complaint is made as quickly as possible as most complaints processes have time limits.

**Broadcast media (radio and television)**
If you have a concern or issue with something broadcast on television or radio (except advertisements, see 3.4), the procedure for resolving it is outlined here. If you have a concern or issue with something broadcast on television or radio (except advertisements, see 3.4), the procedures for resolving your complaint are outlined here. The first contact is to the television or radio broadcasting company involved. You should record some details, the name of the programme, time broadcast, channel and your reason for complaint. The OFCOM website has a list of television and radio licencees where you can access the details of the company. If you have made a formal complaint and believe you have been dealt with unfairly you should contact the OFCOM contact centre at the address below.

**Newspapers**
Contact the Press Complaints Commission (PCC), an industry self regulating body. You can also contact the newspaper itself. Check out what complaint mechanism the newspaper has in place such as a readers watchdog, mechanism for clarifications and apologies.

**Internet, email and phones**
The internet hotline (including problems related to racist e-mails) for the UK is hosted by the Internet Watch Foundation www.iwf.org
In respect of telephones, contact your service provider; the Alternative Dispute Resolution (ADR) Scheme (see OFCOM Website) or to OFCOM itself (see broadcast media).

**Advertising**
Contact the Advertising Standards Agency at www.asa.org.uk. It is also unlawful to publish racially discriminatory advertisements and this is outlawed under the Race Relations legislation. For more information and advice contact the Equality Commission of Northern Ireland.

### 3.6 The media and the internet: Useful contacts

**Office of Communications (OFCOM) Contact Centre**
Riverside House
2a Southwark Bridge Road
London
SE1 9HA
Tel: 0044 (0) 845 456 3000 or 0044 (0) 207981 3040
Fax: 0044 (0) 20 7981 3333
Website: www.ofcom.org.uk
**Function:** Independent regulator for the UK communication industries with responsibilities across television, radio, telecommunications and wireless communications services.

**Internet Watch Foundation**
East View
5 Coles Lane
Oakington
Cambridge
CB4 5BA
Tel: 0044 1223 237 700
Fax: 0044 1223 235 921
Website: www.iwf.org.uk
**Function:** The IWF operate the only authorised 'hotline' in the UK for the public to report their inadvertent exposure to illegal content on the Internet. They provide a 'notice and take down' service to ISPs in the UK so they can remove racist content from their servers.
Press Complaints Commission
1 Salisbury Square
London
EC4Y 8JB
Help Line: 0044 (0)20 73533732
Switchboard: 0044 (0)20 73531248
Fax: 0044 (0)20 73538355
Textphone: 0044 (0)20 75832264
Email: complaints@pcc.org.uk
Website: www.org.uk
Function: a self regulation body dealing with complaints in relation to newspapers.

Advertising Standards Authority
Mid City Place
71 High Holborn
London WC1V 6QT
Tel: 0044 (0)20 74922222
Textphone: 0044 (0)20 72428159
Fax: 0044 (0)20 72423696
Email: enquiries@asa.org.uk
Website: www.asa.org.uk
Function: The role of the Advertising Standards Agency (ASA) is to make sure all advertising, including radio and television commercials, meets the high standards laid down in the advertising codes.
Part 4: Other Useful Contacts

This section looks at other useful contacts that can provide advice or support in relation to racism in Northern Ireland.

Northern Ireland Council for Ethnic Minorities (NICEM)
3rd Floor, Ascot House
24-31 Shaftesbury Square
Belfast, BT2 7DB
Tel: 0044 (0)28 90238645
Fax: 0044 (0)28 90319485
Email: info@nicem.org.uk
Website: www.nicem.org.uk

Northern Ireland Citizens Advice Bureau (NIACAB)
Lower Crescent
Belfast
Tel: 0044 (0)28 90231120
Fax: 0044 (0)28 90236522
Email: info@citizensadvice.co.uk
Website: www.citizensadvice.co.uk

Anti Racism Network
C/o MCRC
9 Lower Crescent
Belfast, BT7 1NR
Website: www.armni.tk

The Multi-Cultural Resource Centre (NI)
12 upper Crest
Belfast, BT7 1NT
Tel: 0044 (0)28 90244639
Fax: 0044 (0)28 90329581
Email: info@mcrc-ni.org
Website: www.mcrc-ni.org

Chinese Welfare Association
133-135 University Street
Belfast, BT7 1HP
Tel: 0044 (0)28 90288277
Fax: 0044 (0)28 90288278
Email: contact@cwa-ni.org
Website: www.cwa-ni.org

**Traveller Movement (NI)**
30 University Street
Belfast, BT7 1FZ
Tel: 0044 (0)28 90202727
Fax: 0044 (0)28 90202005
Email: info@tmni.org
Website: www.tmni.org

**Victim Support**
Annsgate House
70/74 Ann Street
Belfast, BT4EH
Tel: 0044 (0)28 90244039
Fax: 0044 (0)28 90313838
Email: info@victimsupport.org.uk
Website: www.victimsupport.org

**Belfast Islamic Centre**
38 Wellington Park
Belfast, BT9 6DN
Tel: 0044 (0)28 90664465
Fax: 0044 (0)28 90913148
Email: info@belfastislamiccentre.org.uk
Website: www.belfastislamiccentre.org.uk

**Northern Ireland Muslim Family Association**
7 Rugby Road
Belfast, BT7 1PS
Tel: 0044 (0)28 90315784
Email: nimbelfast@aol.com
Website: www.nimfa.org

**Law Centre NI**
124 Donegal Street
Belfast, BT1 2GY
Tel: 0044 (0)28 90244401
Fax: 0044 (0)28 90236340
Email: admin.belfast@lawcentreni.org
Website: www.cinni.org
Children’s Law Centre
Phillips Law Centre
123-137 York Street
Belfast, BT15 1AB
Tel : 0044 (0)28 90245704
Fax: 0044 (0)28 90245679
Email: info@childrenslawcentre.org
Website: www.childrenslawcentre.org

Community Relations Council for NI
Glendenning House
6 Murray Street
Belfast, BT1 6DN
Tel: 0044 (0)28 90227500
Fax: 0044 (0)28 227500
Email: info@community-relations.org.uk
Website: www.community-relations.org.uk

Northern Ireland Council for Voluntary Action
61 Duncairn Gardens
Belfast, BT15 2GB
Tel: 0044 (0)28 90877777
Fax: 0044 (0)28 90877799
Email: nicva@nicva.org
Website: www.nicva.org

Committee on the Administration of Justice
45-47 Donegal St
Belfast, BY1 2BR
Tel: 0044 (0)28 90961122
Fax: 0044 (0)28 04890246
Email: info@caj.org.uk
Website: www.caj.org.uk

Northern Ireland Committee Irish Congress of Trade Unions
Congress House
3 Crescent Gardens
Belfast, BT7 1NS
Tel: 0044 (0)28 90247940
Fax: 0044 (0)28 90247940
Email: info@ictuni.org
www.ictuni.org
National Asylum Support Service
(Belfast Office)
Home Office
PO Box 833
NASS Northern Ireland
Belfast, BT1 6WZ
Tel: 0044 (0)28 90585971
Fax: 0044 (0)28 90500880
Email: brenda.webb-o’kane@homeoffice.gsi.gov.uk
National Helpline: 0845 6021739
Immigration & Nationality Directorate General Enquiries: 0870 6067766
Website: www.homeoffice.gov.uk

Northern Ireland Ombudsman’s Office
The Ombudsman
Freepost BEL 1478
Belfast, BT1 6BR
Freephone: 0800 34 34 24
Fax: 0044 (0)48 90234912
Email: ombudsman@ni-ombudsman.org
Website: www.ni-ombudsman.org

National Union of Journalists
c/o Kansas Avenue
Belfast, BT15 5AX
Tel: 0044 (0)28 90777299
Email: photoline@supanet.com
Website: www.nuj.org.uk
Part 5: Publications and Resources

Equality Commission for NI (1999): Racial Discrimination - How can we help?


