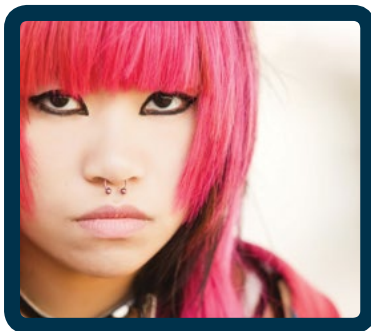




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Tackling Hate Crimes and Incidents A Framework for Action



May 2014

Foreword

Foreword by Welsh Government Minister for Communities and Tackling Poverty, Jeff Cuthbert AM

I am delighted to launch 'Tackling Hate Crimes and Incidents: A Framework for Action'. I would like to thank everyone who contributed to the development of this Framework through the consultation which took place across Wales during 2013. We received over 120 responses to the consultation. This has helped Welsh Government ensure that we have captured the right evidence to take forward an effective response to hate crime.

During the development of the Framework, many people across Wales have shared personal experiences of hate crimes and incidents with us. This has highlighted both the severity and impact of the prejudice and hostility which unfortunately still exists in our communities. This is not acceptable - we want Wales to be a place where people can live, work and contribute to our communities without living in constant fear of experiencing hatred of any kind.

Communities which are resilient and cohesive work together to tackle tensions when they arise and to support the principles of fairness and equality. We all have a collective responsibility to challenge inappropriate behaviour and negative attitudes – this is crucial if we are to enable everyone to fulfil their potential.

The Framework will tackle hate crimes and incidents in respect of the protected characteristics under the Equality Act 2010. These include disability, race, religion, sexual orientation and gender reassignment. Age is also a protected characteristic and following comments made during the consultation, it has also been incorporated into the Framework. The Framework will also take forward work in relation to mate crime, far right hate and cyber hate and bullying.

The Equality Act 2010, created a duty on listed public bodies when carrying out their functions to advance equality of opportunity and the need to foster good relations between people who share a relevant protected characteristic and people who do not. We are of course working in a climate of financial restrictions where there is a strain on resources across all sectors which can impact on delivery. This means that there is an even greater importance to work in partnership to ensure that we can support delivery of the Equality Act 2010 and to share resources and practice in difficult times.

The Welsh Government will work with partners to deliver on the three strategic objectives identified in the Framework of prevention, supporting victims and improving the multi-agency approach. This is supported by an annual delivery plan and indicators which will highlight what progress is being made and will ensure that priorities can be refreshed annually. I will also receive advice from an Independent Advisory Group on the delivery of the plan. I am determined that this will be a Framework based on delivery and outcomes and that the publication will mark the beginning of driving real change.

The principles of partnership working are threads woven throughout all areas of the Framework. Working individually will not help to bring about the changes which are required; the role of partnership working across the public sector, statutory agencies and Third Sector Organisations is the only way forward. I am pleased and encouraged by the establishment of the Hate Crime Criminal Justice Board Cymru and continued support from the Disability Hate Crime Action Group and the Race Forum. I have also announced projects which will be funded by the Equality and Inclusion Grant, including the development of a national reporting centre run by Victim Support.

The Welsh Government will continue to demonstrate strong leadership to drive these changes. It is important that Local Health Boards, Social Services and Social and Private Landlords help to work towards supporting victims of hate crimes and incidents. Although criminal justice is non-devolved, there are excellent relationships in place across agencies and I want these to continue to be strengthened.

I strongly believe that Wales is a better country when equality and diversity is welcomed and where we can all appreciate and value people. We can create change together. I want to be able for us all to look back in years to come and to be proud that we have taken positive steps to eliminate hostility and prejudice. I want victims to stand up and feel confident to say that experiences of hate crimes and incidents are not acceptable and for agencies to listen and to respond effectively.



Jeff Cuthbert AM
Minister for Communities and Tackling Poverty





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1. Introduction

What do we mean by Hate Incidents and Hate Crimes?

The definitions of Hate Crime and Incidents from the Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) are:

A Hate Crime is defined as: “A criminal offence which is perceived, by the victim or any other person to be motivated by a **hostility or prejudice** based on a person’s actual or perceived disability, race, religion and belief, sexual orientation and transgender”

A Hate Incident is defined as: “Any non-crime incident which is perceived by the victim or any other person to be motivated by **hostility or prejudice** based on actual or perceived disability, race, religion, and belief, sexual orientation and transgender”.

Hate crime is currently recorded and monitored by police forces across the protected characteristics of disability, race, religion/belief, sexual orientation and gender identity, although people may experience hate crimes due to other characteristics. Some people may experience hate crimes and incidents because of a combination of more than one identifying factor such as their race and disability. A victim of a hate crime or incident does not necessarily have to belong to any of the above protected characteristics but is perceived to do so by the perpetrator.

Hate crimes are dealt with by the court system as an ‘aggravating factor’ at the sentencing stage in relation to sections 145 and 146 of the Criminal Justice Act 2003. Where a crime is considered to be motivated by, or demonstrating a hostility toward the victim based on disability, race, religion and belief, sexual orientation and gender identity, this would attract an increased sentence.. This allows the court to use a ‘sentence uplift’ to impose a harsher penalty for offences motivated by prejudice or hostility.



Why do we need a Framework to tackle Hate Incidents and Crimes for Wales?

Census data shows that 21st century Wales is a diverse country with a mixture of people from differing backgrounds, beliefs and cultures. Huge strides have been taken to make our country a safe and vibrant place to live, where people's differences are something which should be valued and celebrated and where we have a great sense of belonging and pride.

Evidence shows that when hate crime occurs, it can not only have a corrosive and damaging impact on the victim, but also has a wider impact on the communities in which we live. As a consequence, people can feel unsafe and disconnected from community life which can have a detrimental impact on health, housing, education and economic wellbeing.

The Programme for Government identifies the vision "to support the development of a fairer society in which every person is able to make the most of their abilities and contribute to the community which they live". This approach is underpinned by the need to support equality to "create a fair society free from discrimination, harassment and victimisation with cohesive and inclusive communities".

The Framework will consolidate and build upon current work to ensure that the Welsh Government, in partnership with other organisations, takes an innovative approach to eliminate hostility and prejudice.

History of Tackling Hate Crimes and Incidents in Wales

This has been taken forward as part of the Community Cohesion Programme which commenced in 2009. It has included tackling social attitudes to increase feelings of understanding and belonging within local communities. The Welsh Government, criminal justice agencies, local authorities and voluntary sector organisations have worked together to help take forward work across Wales, to improve the operational and strategic response to Hate Crime.

Examples of positive practice taking place across Wales include:

- A Third Party Reporting Scheme in Wrexham to increase reporting.
- A Multi-Agency Forum operating in Gwent to support victims and to increase reporting.
- The Pegasus scheme in Dyfed Powys Police Force area to tackle repeat victimisation.
- South Wales Police neighbourhood engagement approach to increase community confidence to tackle hate.
- The Disability Hate Crime Action Group which has taken a proactive approach to encourage disability and statutory organisations to work together.

Recent reports have led to a greater understanding of the extent of hate crime and the effect it has on victims. This has included findings by the Equality and Human Rights Commission (EHRC) inquiry in 2011 into disability-related harassment, Cardiff University and Race Equality First also published the All Wales Hate Crime Research 'Time for Justice', in 2013 and Welsh Government commissioned research carried out by Cardiff University into 'Who Commits Hate Crimes and Why They Do It' in 2013.



What work has been undertaken to develop the Framework?

Hate incidents and crimes cannot be tackled by one agency or organisation alone, the development of key actions and areas within the Framework have been taken forward with partners across Wales. This has included:

- A Task and Finish Group consisting of 22 member organisations and key Welsh Government policy areas.
- 7 focus and stakeholder groups.
- On-line survey with 167 responses from across Wales.

Further evidence was gathered through the consultation of the Framework from 11 July 2013 to 18 October 2013. There were 120 responses to the consultation and this evidence was supplemented by 5 consultation events, and a further 19 focus groups undertaken across the protected characteristics. Key findings from the consultation stage have been published in the 'Consultation - Summary of Responses' in 2014. These findings have helped to shape the final version of the Framework.

What do Hate Crimes and Incidents look like?

Hate Crimes and Incidents can range from verbal harassment and hostility to serious cases of abuse and harassment. The EHRC inquiry into disability-related harassment found that many people routinely experience hate on a daily basis and consider this as a part of everyday life. This can include:

- Teasing and name calling
- Bullying
- Physical Violence
- Exploitation
- Torture and even Murder.

We know that people do not always relate to the terminology 'hate'. It is important to understand that the key determinant to a hate crime or incident is that there is a basis of hostility or prejudice based on a person's identity. If a person is being discriminated against or harassed for who they are, then this is a form of hate.

The impact of low level harassment can have a detrimental impact on individuals, whether a crime has been committed or not, and the EHRC findings identify the constant 'drip-drip' impact which bullying and harassment can have on individuals. If this is not dealt with effectively by agencies at an early stage, then this can lead to persistence and escalation where, as a consequence, victims can be targeted repeatedly, leading sometimes to assault, murder or suicide. The emphasis of the Framework to tackle 'incidents' aims to focus on early preventative steps which can ensure that victims' voices are heard and prevent situations escalating to hate crimes.



2. The Evidence



The Figures

There were 1,765 hate crime offences recorded by the police in Wales in 2012/13. As it is possible for an offence to have more than one motivating factor (for example, a hate crime might be identified as being motivated by hostility to someone's race and religion), these offences included 1,810 motivating factors in comparison to 1,809 in 2011/12. a

Table 1: Incidence of Hate Crime by Monitored Strand

Financial Year	Race	Religion	Sexual Orientation	Gender Identity	Disability	Total Number of Motivating Factors
2011/12	1,368	54	244	21	122	1,809
2012/13	1,398	39	219	19	135	1,810

Source: Home Office, Office for National Statistics and Ministry of Justice: An Overview of Hate Crime in England and Wales

Convictions

The Crown Prosecution Service (CPS) produces annual reports on 'Hate Crime and Crimes against Older People' and provides information on performance in prosecuting. The following statistics are across all of the monitored protected characteristics in Wales:

Table 2: Crown Prosecution Service, Prosecutions by Outcome

Financial Year	Convicted		Unsuccessful		Total
	Volume	%	Volume	%	
2009/10	552	82.6%	116	17.4%	668
2010/11	606	82.3%	130	17.7%	736
2011/12	552	82.3%	119	17.7%	671
2012/13	561	85.0%	99	5.0%	660

Source: Crown Prosecution Service: Hate Crime and Crimes Against Older People

The Impact on People

The EHRC inquiry into disability-harassment identified that being targeted for who you are has a greater impact on your wellbeing than being the victim of a 'non targeted' crime. People sometimes adjust the way they live to avoid being targeted by hate, which leads to constrained lives, isolation, distress, depression and anger.

The EHRC inquiry has also shown that people regularly adapt their everyday routines to avoid potentially threatening situations, including taking precautions to avoid victimisation. These findings are consistent with the All Wales Hate Crime Research (AWHC research) which indicates that:

- Nearly a fifth (18%) of respondents attempted to conceal their identity post-victimisation;
- Nearly a third (29%) of victims had thoughts about moving from their local area post-victimisation; and
- Nearly a fifth (18%) had considered moving out of Wales entirely.

The AWHC research identifies the psychological impacts of hate crime victimisation which can include feelings of anger, depression and a reduction in confidence. This can lead to extreme consequences with one in seven respondents identifying having suicidal thoughts. The research identified a number of predictors which can influence if a hate crime victim suffers multiple impacts simultaneously, which include:

- Demographic – being unemployed and having a negative 'sense of belonging' to a local area; i.e. feeling secluded;
- Perpetration – repeat victimisation (by the same offender) was by far the strongest predictor of multiple impact experience;
- Protected characteristics – those experiencing Transphobic and Disability hate crimes were more likely to experience a greater number of impacts; and
- Crime/ Incident-specific – those experiencing violent crimes were significantly more likely to suffer greater impacts.

Hate crimes and incidents can impact negatively not only on victims, but also their families and friends. The AWHC research identifies that most people experience hate on their own (40%), but around a quarter were with friends, neighbours and partners. There are cases of hate incidents and crimes, which can also be targeted against families and friends. This can lead to increased isolation and withdrawal from mainstream communities and services.





Under-reporting

The AWHC research identifies that more than half of respondents (56%) did not report to police and that reporting levels remain low. The reasons people wanted to report an incident includes:

- That it was the right thing to do (69%);
- To stop it happening again (62%); and
- Hoping that the offender would be brought to justice (52%).

Respondents' reasons for not reporting predominantly focussed on perceptions that the case was too trivial (29%) and that the police were not able to do anything about the crime or incident (27%). Others regarded experiences of hate crime as a 'private matter' or feared retaliation by offenders (19%).

Other reasons which can provide barriers to reporting include a lack of understanding of the term or the criminal nature of 'hate crime', inaccessible ways of reporting, cultural reasons and a perceived lack of evidence. The numbers reporting hate crime on grounds of disability, sexual orientation and gender identity still remain low. Research identified in Chapter 7 identifies that communities such as Migrants, Refugees, Asylum Seekers and Gypsies and Travellers are far less likely to report incidents or crimes.

The Impact on Communities

Hate crimes and incidents have a damaging and corrosive impact upon community cohesion, which can in turn increase community tensions and create a sense of intolerance. Respondents to the AWHC research identified the following impacts of hate crime on their local communities: increased isolation, the creation of distrust and a reduction in respect. The research revealed that victims were almost 3 times more likely to think that experiences of hate crimes and incidents had a negative impact on the community. Tackling hate at an early stage can help develop relationships within communities and ensure that a sense of belonging and resilience is built up.

The 'National Survey for Wales' results in 2012 found that 73% of people agreed that people in their local area treat each other with respect and consideration. Where there have been changes in populations in terms of ethnicity or new migration, for example, it is important that communities are resilient and welcome people regardless of their backgrounds or perceived differences.

Where are Hate Crimes likely to take place?

Evidence through the AWHC research has highlighted that hate incidents and crimes can take different forms and can take place in a number of different places and settings. For example this can take place at home, within communities, outside bars and pubs, in educational settings and on public transport. Respondents to the AWHC research identified being victimised in or immediately outside their home (31%) and around a quarter (23%) in a public street or park.

Hate incidents and crimes are happening across Wales not just in larger cities. Hate crime is taking place in both rural and urban settings. The AWHC research also highlighted that a number of interview participants indicated that the rural nature of their locality exacerbated feelings of vulnerability and a sense of isolation. The research also found a statistically significant association between social housing residence and experiences of hate crime impact. This indicates that there is a role for social landlords to play in tackling hate crime and to increase reporting.

Who Commits Hate Crimes and Why They Do It?

Welsh Government commissioned research into 'Understanding Who Commits Hate Crimes and Why They Do It' in 2013 through Cardiff and Manchester Universities. This has produced a number of findings:

The literature on hate crime offenders identifies four broad categories of offender:

- Thrill offenders - those who commit their crimes for the excitement or the thrill.
- Defensive offenders - those who view themselves as defending their "turf".
- Mission offenders - those whose life's mission is to rid the world of groups they consider evil or inferior.
- Retaliatory offenders - those who engage in retaliatory violence in the belief that revenge is being sought.

Further findings from 'Understanding Who Commits Hate Crimes and Why They Do It' in 2013 show that:

- The majority of hate crime offenders in the UK are white, male and under 20. However, offenders convicted of more serious and violent offences tend to be older.
- Contrary to classic portrayals of hate crimes, very few are committed by strangers and a small proportion of hate crime offenders appear to 'specialise' only in hate crime.
- There is a difference in offence profile between disability hate crime and all other categories. There are greater links to the categories of theft and handling, robbery and sexual offences. In contrast, perpetrators of racial and religious hate crimes are more likely to commit public order offences against the person. The latter group of acts is also particularly common in respect of homophobic and gender identity hate crimes.

The AWHC research identifies that almost half (43%) reported that they knew their perpetrator and that just over two thirds (70%) indicated that there was more than one perpetrator. A quarter of respondents (24%) witnessed female involvement.



3. Purpose, Vision and Objectives

What is the Purpose of the Framework

The Framework brings together current evidence and practice across Wales to explore the current response to hate crimes and incidents. This includes action across Welsh Government as well as with statutory and third sector partners. The Framework builds on current approaches and identifies the key policy and practice areas where hate crimes and incidents will need to be tackled in the future.



What is the vision and objectives for the Framework

The Framework will be delivered against a high level outcome:

Individuals and communities are enabled to be resilient, cohesive and safe to tackle hate incidents and crimes.

The high level outcome of the Framework will be supported by three strategic objectives across Wales, these include:

1) Prevention – by challenging the attitudes that underpin it, raising awareness, early intervention to prevent it escalating, training organisations and using the specific equality objectives to work with Public Sector Organisations

2) Supporting Victims – by increasing reporting levels, encouraging the further development of third party reporting, enhancing safety and wellbeing and exploring quality support to victims

3) Improving the Multi-agency Response – by exploring relevant data and barriers to sharing information, increasing multi-agency working and tackling motivations of offenders.

To focus on delivery, each of the three strategic objectives has been underpinned with 8 delivery areas, which will align to a delivery plan once the final version of the Framework has been launched, following consultation. These include:

Objective 1 – Prevention

- 1 – Tackling Hate-related Bullying and Promoting Respect
- 2 – Promoting Inclusion and Resilience
- 3 – Delivering Fairness and Equality
- 4 – Delivering Training and Awareness in Service Delivery

Objective 2 – Supporting Victims

- 5 – Increasing Reporting of Hate Crimes and Incidents
- 6 – Increasing Support for Victims

Objective 3 – Improving the Multi-Agency Response

- 7 – Improving Partnership Working
- 8 – Tackling Perpetrators.



FREDA - Human Rights based approach

The Framework will be built upon a human rights based approach of the FREDA principles of Fairness, Respect, Equality, Dignity and Autonomy. The Welsh Government strongly supports these core human values which resonate with the need to tackle hate, so that people are free to live independently without experiencing hostility and prejudice.

Value	Human right	Links with Hate
Fairness	Right to a fair trial	Reported hate crimes are taken fairly through the criminal justice system and victims are provided with support.
Respect	Right to respect for family and private life, home and correspondence	Prevention to tackle negative stereotypes and views with people and communities. Respecting diversity for people and families to live within communities free of hostility and prejudice.
Equality	Right not to be discriminated against in the enjoyment of other human rights	Supporting the delivery of the Equality Act 2010 duties to enable people across the protected characteristics to live independently
Dignity	Right not to be tortured or treated in an inhuman or degrading way	Perpetrators to understand that targeting somebody based on hate is not tolerated
Autonomy	Right to respect for private life	Victims to have control and support to make decisions on how to deal with hate and for a multi-agency approach to support autonomy

The Scope of the Framework

The Framework will support the delivery of the five recorded and monitored protected characteristics through the Equality Act 2010 of race, religion, disability, sexual orientation and gender identity. Consultation responses have highlighted the need to include age within the scope of the Framework as a protected characteristic across children and young people and older people. It is also important to recognise that a person could be the victim of hate crime because of more than one protected characteristic.

Following our evidence gathering through the consultation 'Summary Response' (2014), it is recognised that anyone can be the victim of a hate incident or crime if behaviour is driven by prejudice or hostility and it is not just limited to the five recorded protected characteristics. In addition, the Framework will also tackle cyber-bullying/ hate, "mate crime" (where a person is befriended for exploitation) and extreme far-right views.

Out of Scope

Addressing gender inequality is being taken forward through other mechanisms, including the Welsh Government's Right to Be Safe Strategy, which is a six year integrated strategy for tackling all forms of Violence Against Women and Domestic Abuse. Priorities are also reflected in the policy and legislative proposals in the White Paper on Ending Violence Against Women, Domestic Abuse and Sexual Violence, on which legislation will be introduced into the Assembly in June 2014.

Programme for Government

The Programme for Government underpins the development of the Framework for Action on Hate Crime, for indicator see Table 1. There are two specific commitments for delivery which include:

- 'Work with partners to reduce the incidence of domestic and sexual violence and reduce homophobic, transphobic, disability related and religiously motivated bullying and hate crime'.
- 'Work with the Police and race organisations to tackle the rise in extreme right wing protests'.

The Welsh Government's Strategic Equality Plan

The Framework for Action supports the development of the Welsh Government's Strategic Equality Plan and Objectives, published in April 2012.

Hate Crime is included as part of a key action under Objective 4 to 'reduce the incidence of all forms of violence against women, domestic abuse, 'honour' based violence, hate crime, bullying and elder abuse'.

UK Government Hate Crime Action Plan

The UK Government published an Action Plan to tackle Hate Crime – 'Challenge it, Report it, Stop it' in March 2012. This is a cross-Government plan which sets out key delivery areas until 2015. This work is being overseen by an Inter-Ministerial Group on Equalities, which is chaired by the Home Secretary and delivered through the Hate Crime Strategy Board which is a cross-departmental officials group. The Group reviews the Action Plan annually and is working with an Independent Advisory Group on Hate Crime, which includes victims of hate crime and voluntary sector partners.

The Welsh Government will work with the UK Government in areas that are non-devolved.



4. Prevention

Aim

We want to promote a fair and equal Wales by tackling the root causes of hate crime through challenging attitudes and stereotypes, raising awareness, training and promoting inclusion and human rights.

Why this is important

Challenging Attitudes and Stereotypes

Challenging stereotypes will promote greater understanding and tolerance which will help to tackle hate. Wales is a diverse nation with a mix of people from different cultures, backgrounds, races, sexualities, genders, beliefs and lifestyles. People should feel free to live their lives without fear of experiencing hatred. We want to challenge attitudes so people feel confident that they can actively take part in community life

Evidence collected from a Task and Finish Group (consisting of Welsh Government policy leads and Statutory and Third Sector organisations) has highlighted that preventative work within education and communities should form the foundations for a long term change in attitudes by challenging stereotypes. This evidence highlights that leadership and partnership working from across organisations within the public, statutory and voluntary sectors can make a positive impact, to tackle hostility and prejudice both within the workplace and in wider society.

Culture of Disbelief - The EHRC inquiry into disability-related harassment (2011) identified “a culture of disbelief” where harassment can take place in “full view of other people and the authorities without being recognised for what it is”.

The culture of disbelief needs to be tackled by making sure that hostility and prejudice are not accepted or considered commonplace. The EHRC inquiry highlights that this may be due to a lack of understanding, fear of the unknown, negative stereotypes or an acceptance of certain behaviour. There are particular people facing greater inequalities and hate due to ingrained stereotypes including Gypsies and Travellers, Migrants, Refugees, Asylum Seekers, disabled people and gender identity.

Raising Awareness

Raising awareness of hate crime is important to make sure that people know what actions they can take whether they are the victim of hate crime or an observer. People need to understand how hate crime can impact on an individual. We want to raise the profile of hate crime through publicity and general awareness.

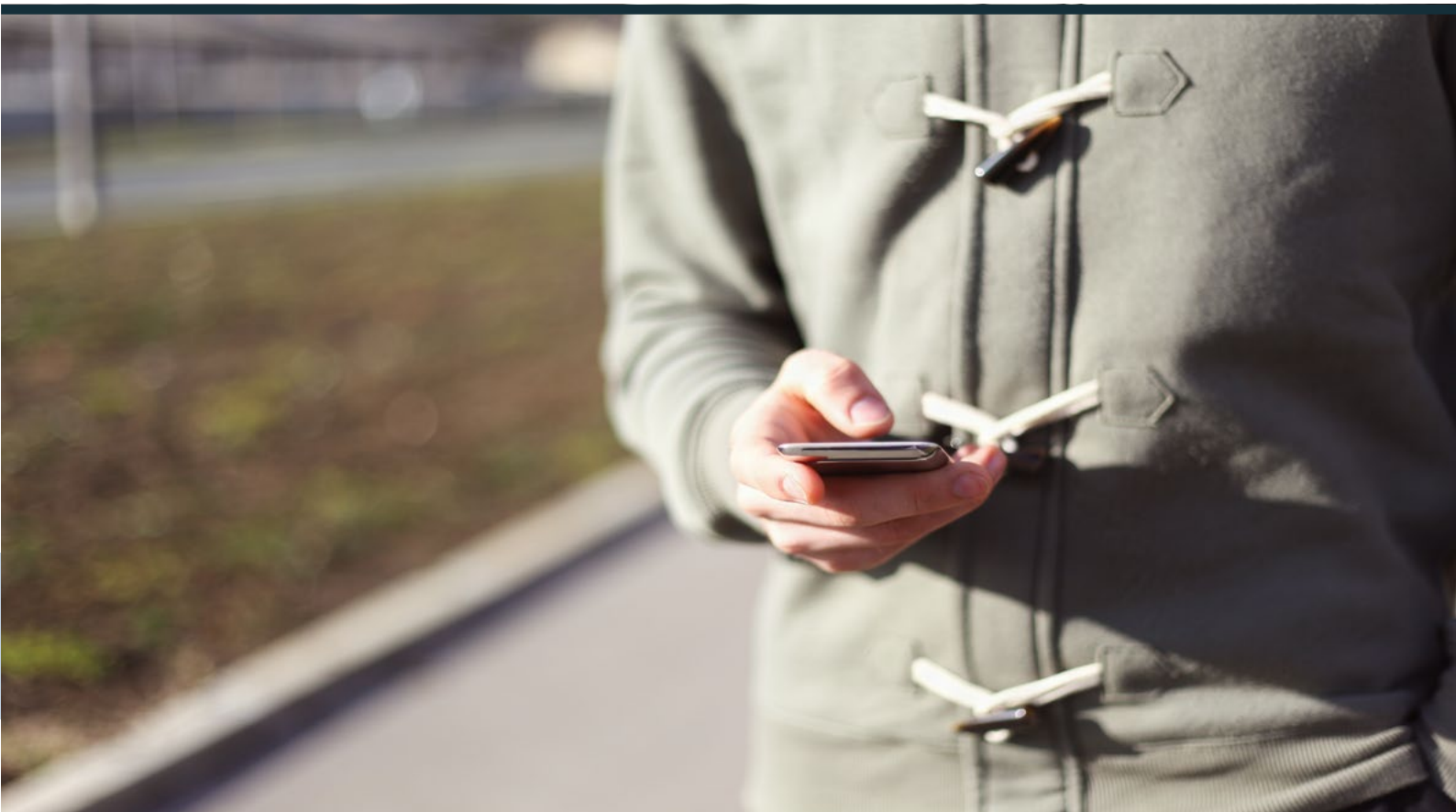
Respondents within the Welsh Government's on-line survey into the Hate Crime Framework ("On-line Framework Survey") in 2012, have evidenced that some people do not understand or are unaware of hate crimes and incidents. There is a perceived lack of understanding by the general public and with staff working across front line delivery areas. People appear to be more aware of racism and homophobia within the wider context, but do not realise that hate crimes are an offence. Respondents to the survey told us that the terminology of hate crimes and incidents can be confusing and can be a barrier to actually making a report and understanding their rights.

The Task and Finish Group identified weaknesses in current awareness campaigns, in order to publicise the impacts of hate crimes and ways to report. There are some examples of effective local campaigns, but this has not been taken forwards on an all Wales basis. Stronger campaigning during Hate Crime Awareness Week, which takes place during October every year, is a way to promote the need to tackle hate crime.

Training

Effective prevention of hate crime needs to be underpinned with greater awareness amongs staff working in the statutory and voluntary sectors. There are benefits for front line staff being able to identify and spot early indicators of hate to mitigate the impact at an early stage. We want to work with partners to identify relevant training needs and to map across service provision where greater awareness and support is required.

Evidence gathered by the Task and Finish Group supports the need for a consistent training programme to be delivered on an all Wales basis across a range of settings and with statutory and voluntary organisations. This should highlight the need to tackle hate incidents and crimes. Training may need to focus particularly on front line staff to identify and respond to hate crimes and incidents, however, the importance of general awareness raising is essential to help create a cultural change in attitudes.



Delivery Area 1 - Tackling Hate-related Bullying and Promoting Respect

The Welsh Government recognises that tackling negative stereotypes and attitudes needs to be taken forward across a range of settings including in places of education, at home and in our communities. Working with children and young people to promote respect and diversity can help to change ingrained stereotypes and to raise awareness of the rich mix of cultures and people who are living and working in Wales.

Schools have an important role to play to increase understanding and to challenge inappropriate behavior. Within the Foundation Phase, personal and social development, well-being and cultural diversity is an area for all learners aged 3-7 in Wales. Concepts of fairness and justice are introduced and children are encouraged to think about and respect the feelings of others. Welsh Government has produced a Unity and Diversity Guidance booklet, which supports schools to decide on how best to integrate the promotion of race equality and diversity within their planning for teaching and learning.

Bullying and the use of derogatory terms are not acceptable and challenging negative views and speech needs to form a part of a school's effective approach to tackling bullying. The Welsh Government published anti-bullying guidance *Respecting Others* in 2011 which provides practical advice and case studies for schools. Educational institutions are required to produce Strategic Equality Plans as part of the Equality Act (Wales Regulations) 2010. We will work with schools and the EHRC to understand how these form part of an effective anti-bullying strategy.

We want to work proactively with partners, including Local Authorities and Third Sector organisations to identify continuing good practice and to take forward a strategic approach. We will review the membership and remit of the All Wales Bullying Network to ensure it is fit for purpose in order to drive programmes and interventions across Wales.

Wellbeing is at the heart of the Schools Effectiveness Framework and this has been reflected in Estyn's 2010 Common Inspection Framework. Pupils who participate in decision-making can enjoy enhanced self-esteem and motivation, gain important personal, social and organisational skills, and become familiar with group and democratic processes. Learner voice also plays an important role in Estyn's post-2010 Common Inspection Framework. We will work with Estyn to consider how the inspection process can monitor bullying practices within schools.

The School Councils (Wales) Regulations (2005) made it a statutory requirement for all maintained schools in Wales to have a school council. Wales was the first country in the UK to pass this law. Children and young people have a right to participate in decisions that affect them. School Councils provide an opportunity for pupils to do this and to influence the development of school policies and procedures, including anti-bullying policies.

School Governors have an important and visible role to tackle bullying. The Education (Wales) Measure 2011 allows Welsh Ministers to introduce mandatory training for governors. The governor induction training and training for chairs of governors will cover the governing body's core responsibilities, which include promoting high standards of behaviour in schools and the wellbeing and safeguarding of learners.

The Qualified Teacher Status (QTS) Standards are outcome statements that set out what trainee teachers at the start of their teaching careers must know, understand and be able to gain QTS and be able to teach in a maintained school in Wales. The principles of recognising equality, diversity and mutual respect is a key theme throughout the QTS standards and once qualified are principles recognised in the Practising Teacher Standards.

For example in order to secure QTS trainee teachers must be able to demonstrate that they understand the diverse learning needs of pupils and endeavour to provide the best possible education for them to maximise their potential whatever their individual aspirations, personal circumstances, or cultural, linguistic, religious or ethnic backgrounds. They must be able to recognise and respond effectively to social inclusion and equal opportunities issues as they arise in the classroom, including by challenging stereotyped views and by challenging bullying or harassment. It is important that trainee teachers have high expectations of learners and build successful relationships, centred on teaching and learning establishing a purposeful learning environment where diversity is valued and respected and learners feel secure and confident.

We need to ensure that teachers are well equipped to deal effectively with situations when they arise across the full range of curriculum activity. Between 2010 and 2012, as an interim measure prior to the introduction of the Masters Programme in Educational Practice (MEP) for Newly Qualified Teachers, £530,000 grant funding was made available to local authorities for use on training in well evaluated behaviour management techniques, including specific anti-bullying interventions. As a result, 3,600 teachers, support staff and local authority behaviour support officers received training across the 22 local authorities. The MEP has been carefully designed by the Welsh Government to ensure that it focusses on our core priorities for education in Wales. This includes a module on Behaviour Management which all Newly Qualified Teachers who choose to undertake the MEP are required to complete. This module has been designed by Cardiff University and is based on the very latest international research evidence.

Revised professional standards for head teachers, teachers and Higher Level Teaching Assistants were published in 2011 and include standards which relate to recognising and tackling bullying. The standards describe the required values, knowledge and skills and set clear expectations about effective practice at each stage of a practitioner's career. The Welsh Government has strengthened the performance management process for teachers and all schools were required to adopt the new arrangements by December 2012. The professional standards form a backdrop to the performance management process and enable practitioners to identify areas for professional development in a consistent and systematic way.

The Welsh Government will update 'Safeguarding in Education' Guidance which will include a specific section on bullying and will support education professionals. This will provide definitions of bullying, signposts to the relevant statutory duties, guidance materials and gives information on preventing and responding to bullying.



In 2010, we commissioned a research consortium led by the British Association for Counselling and Psychotherapy and the University of Strathclyde to evaluate our School-based Counselling Strategy. The research highlighted that for 14.5% of children and young people accessing counselling, bullying was an issue. The research also indicated that developing services which are inclusive and sensitive to the needs of diverse groups has presented challenges: the percentage of children and young people from BME backgrounds who accessed school-based counselling was low. From April 2013 local authorities have been required, under the School Standards and Organisation (Wales) Act to make reasonable provision of counselling services for children and young people aged between 11 and 18 in their area and pupils in year 6 of primary school. In addition from April 2013, £4.5m has been transferred to local authorities' Revenue Support Grant for this purpose.

Work to tackle hate-related bullying should be mainstreamed and embedded in lesson planning. The All Wales School Liaison Core Programme is a spiral scheme of lesson deliveries for pupils from age 5 to 16 by Police Officers. Lessons around issues to do with hate crime start out with a focus at age 5 on learning about respect and consideration. As they become older, pupils learn about issues around anti-social and bullying types of behaviour, its various forms, impact and consequences. Specific diversity lessons at secondary school level help raise awareness of the law as related to diversity; how stereotyping can result in prejudice and hate crime; how to challenge these negative expressions and who can help. We will explore how further work can be taken forward to strengthen education on hate crime.

Promoting community cohesion is also a way for schools to fulfil the Equality Act 2010 requirement to promote good relations. Guidance for schools entitled Respect and Resilience was published in 2011. This helps to promote debate and discussion around changing community dynamics and encourage respect for others. Schools can also embed lessons about global citizenship into key areas of the curriculum. This highlights how to develop peaceful and harmonious communities by promoting understanding between people who are different from one another. The Welsh Government published a Sustainable Development and Global Citizenship Action Plan in 2011.



While preventative work within schools is important, the vital role that parents have to play in shaping attitudes is crucial. Parents have a role to play supporting children and young people who have been bullied and to prevent negative attitudes and behaviour to others. There are important links with Flying Start, Families First, Communities First and Community Focused Schools to work proactively with parents and families.

There is recognition that hate-related bullying does not end at the school gate and there is an important role to work with children and young people within community settings. Youth services are integral to working with children and young people, where there are established relationships and support mechanisms in place. In some cases children may be disengaged from education and Alternative Education and Youth Offending Services play an important role to challenge negative behaviour.

Children and Young People's rights are integral to ensuring that they are empowered to speak out about hate-related bullying and tackling discrimination forms an important approach through the Articles of the United Nations Convention on the Rights of the Child (UNCRC). The Rights of Children and Young Persons (Wales) Measure 2011 extended duty comes into force on May 1 2014. This will help to strengthen the focus on the rights of children and highlight any potential impact as a result of all decisions that relate to children and young people under age of 18.

The majority of children and young people are not eligible, or able to access independent professional advocacy services through statutory means, unless they privately pay for it. The Welsh Government made a commitment to provide an accessible National Advocacy and Advice Service open to all children and young people. "Meic" was launched in 2010 and is the first helpline of its kind on a national level. It provides children and young people with a single point of contact via freephone, text and instant messaging and has been fully operational as a 24 hours, 7 days a week service.

Further and higher education institutions can also play an important role in tackling issues which may lead to hate crime. These are settings where many young people begin to develop into adulthood, where freedom of speech is encouraged and where there can be greater exposure to people from more diverse backgrounds. We have published Creating Safe Learning Communities in 2011 for further education institutions in Wales, which aims to promote community cohesion through mutual understanding and respect.

Universities play a key role to support international students and to promote positive inclusion within settled communities. It is important that students can understand and exercise their rights and should not be subjected to any form of hate crimes or incidents. This can provide particular challenges around transient migration and to ensure that we can recognise and celebrate the rich mix of cultures and diversities which can impact positively across communities.

Our Delivering Community Learning for Wales focuses on adult community learning in community venues to meet local needs. This plays a significant role in promoting inclusiveness and involvement in learning and increases contact between people within the communities, which can help to break down barriers and perceived stereotypes.



Delivery Area 2 – Promoting Inclusion and Resilience

We want to explore ways to challenge stereotypes and to raise awareness within community settings to tackle hate. Communities which are built upon principles of cohesion and shared understanding are more likely to be resilient and to work together to tackle the corrosive impacts of hate incidents and crime.

The Communities First (CF) Programme supports the most disadvantaged groups in the most deprived areas of Wales with the aim of contributing to alleviating persistent poverty and tackling the causes of poverty. A supporting aim of the Programme is to also ensure that the community is safe for all who live there by promoting tolerance and resilience.

Communities First Clusters have in place Delivery Plans and Community Involvement Plans which must identify the needs of the local community, how these needs will be addressed and how local people will be involved in tackling these issues. The Plans also set out how the promotion of equality, diversity and human rights are embedded within delivery by understanding the community population and dynamic. These plans are 'living documents' which are regularly monitored and updated to reflect the changing needs of the population and the local environment. They are reported against on quarterly to Welsh Government and supported by an annual Cluster report. We are embedding training on community cohesion and hate crime into our core equality and diversity training for the CF Workforce and providing further guidance and support to raise awareness of hate crime.

Hate Crimes and Incidents can be directed at families and at more than one generation. The Framework aligns with the Families First Programme and we want to increase training and focus on early signs of inappropriate or undesirable behaviour and to develop intra-family intelligence. Each local authority produces a Families First Action Plan and it is important that protected characteristics and local demographics are understood. Local authorities are required to conduct an assessment of local needs and develop services to meet those needs. Families First also requires local authorities to develop a Team Around the Family model, bringing together a range of agencies and organisations working together to support families.

The Welsh Government's Tackling Poverty Action Plan sets out key milestones and targets for improving the outcomes of those living in poverty with a specific emphasis using all possible levers to prevent poverty, help people out of poverty and mitigate the impact of poverty. We know that certain groups with protected characteristics are more at risk of living in poverty. This includes households with disabled people and certain minority ethnic groups.

The Joseph Rowntree Foundation Report into "Poverty and Ethnicity" published in 2011 highlights that there is considerable disadvantage in many areas of life for people from across many ethnicities. In addition, Welsh Government analysis of the impacts of welfare reform on those with protected characteristics (published in July 2013) highlighted that disabled people are particularly at risk of being disadvantaged by the reforms. Furthermore, evidence tells us that disabled people are much more likely to be living in a household where no-one is in paid work and living in poverty and that those in employment are also more likely to be low paid than non-disabled people. Reducing the number of people living in households that are not working is a key priority within the Action Plan, and we will continue to take forward action to support those most at risk.

Through the Action Plan, we will also work to increase awareness of hate crimes and incidents, including discrimination in the workplace. It is important that we continue to work with our external partners, to ensure that those living in poverty are not discriminated against and that they are accessing the services and support to which they are entitled. Action to deliver on income maximisation is particularly important, for

example through initiatives such as our Better Advice Better Lives Project, which aims to support households to access benefits to which they are entitled.

Increasing the number of women and other under-represented groups in public life is a Welsh Government Programme for Government commitment. Our Action Plan to Increase Diversity in Public Appointments has now been developed. Actions include Sponsor Divisions within the Welsh Government working with Chairs of Public Sector Boards to ensure that more people from under-represented groups apply for public appointments and to ensure that adverts and job specifications take account of the best practice highlighted in public appointments guidance. We have established a steering group which will be monitoring the action plan and advising on best practice. The steering group includes representatives from Diverse Cymru, Stonewall Cymru; Women Making a Difference; Race Council Cymru and Women's Equality Network Wales. Ministers wrote to Chairs of Key Public Sector Boards in Wales in Autumn 2013 asking them to continue their targeted approach in increasing diversity on Public Sector Boards. Good practice materials have been published to the Welsh Government website and issued to Sponsor Divisions and Chairs of Public Sector Boards in Wales.

We will promote community and leadership roles across the protected characteristics, which can help to reduce stereotypes and promote positive role models. The Local Government (Wales) Measure 2011 required local authorities to conduct a survey of councillors and unsuccessful candidates at the 2012 elections. The survey results have been published and are the first of its kind in Wales which will help to scope future policies to broaden participation in local government.

There are barriers which may prevent people from taking part in their communities and understanding their rights. Language can act as a significant barrier to inclusion and English for Speakers of Other Languages (ESOL) is important for people within a variety of settings to fully take part in civic life. The 2011 census highlights that 3,500 people in Wales reported that they could not speak English and a further 15,800 reported that they could not speak English well. We will be publishing an ESOL Policy Statement for Wales in 2014, which will look to identify how provision and services can be effectively allocated across Wales. Language plays a key role in tackling hate crime, and these will be factors we monitor through the impact of the ESOL policy and wider Adult Community Learning policy.

There is a commitment to support some of the most diverse communities across Wales who can experience some of the most extreme forms of hate, through the Refugee Inclusion Action Plan and 'Travelling to a better future: a Gypsy and Traveller Framework for Action'. Countering negative stereotypes and myths by communicating accurate information can help to reduce tensions, hate and hostility against people within communities. We will update progress against delivery within the Refugee Inclusion Plan and Travelling to a Better Future.

The National Principles for Public Engagement in Wales developed by Participation Cymru and endorsed by Welsh Government are aimed at public service organisations across all sectors in Wales. The principles set out how people of all ages can become involved in decisions about how services are planned and provided.

A conference held by MENCAP Cymru and Disability Wales in 2012 highlighted that the media can create negative stereotypes against disabled people which play upon community fears increasing local tensions and hostility. Although media is a non-devolved issue, working proactively with the media needs to be driven through leadership within organisations in order to challenge inappropriate reporting, and also for partnerships to work proactively to highlight positive stories.





Art and culture can be used to promote positive inclusion. The Arts Council of Wales recognises this through its annual Arts Council in Wales Strategic Equality Plan. Since the arts deal very much with the cultural and social issues of the day, diversity, equality and tolerance are key themes that are regularly explored within the arts. Many of Wales's arts organisations have been at the forefront of exploring these themes. Examples would include 'Pieces of Hate', Theatr Ffynnon's play about prejudice faced by disabled people, Valley and Vale Community Arts pioneering work with Barnardos around bullying faced by lesbian and gay young people and National Theatre Wales' 'De Gabbay' project highlighting issues facing the Somali population in Wales. We will work with the Arts Council to understand how people across the protected characteristics can explore some of their experiences of living in communities in Wales.

Cadw and its key partners in the historic environment sector are finalising a Community Archaeology Framework which will actively foster community engagement and cohesion. Cadw's pan-Wales Heritage Interpretation Plan promotes the telling of key storylines from the past which resonate today, including stories of settlement, conflict and co-existence. We will work with Cadw and Amgueddfa Cymru - National Museum Wales to further promote inclusion through interpretation, learning events and exhibitions and explore how positive messages to tackle hate crimes and incidents can be supported. Mosaic is a project run by Campaign for National Parks; its aim is to ensure the National Parks are enjoyed by everyone. Mosaic projects give opportunities to young people and people from BME communities to learn about the work of National Parks and provide them with opportunities to visit the parks.

Sport plays a powerful role to shape attitudes and to promote positive messages and behaviour. Sport can break down barriers to participation and promote greater community cohesion with people across different backgrounds. Sport Wales has an important role to promote positive inclusion and to increase participation, which is set out through the Sport Wales Strategic Equality Plan 2012-2016. Wales also has a number of sporting teams across all levels where tackling hate and hostility across the protected characteristics is essential to challenge behaviour and negative views, as is promoting positive role models. We will work with Sport Wales and we will encourage teams across all levels in Wales to promote good relations and to tackle hate.

Disability Sport Wales aim is to break down barriers so that disabled people have increased access to opportunities to become involved in physical activity and sport. The Disability Sport Wales' "insport project" consists of 3 programmes which are aimed at different sectors of sport and leisure. It is supported by a 3 year funding cycle by the St James' Place Foundation. The sectors include governing bodies of sport, local authorities and clubs and enable the delivery of resources, case officers and workshops to support these bodies delivering sporting opportunities for disabled people.

A strong working relationship across Welsh Government and the Third Sector is integral to promote equality and tackle hate and hostility. The Welsh Government in 2013, undertook a review of its relationship with the Third Sector to identify ways in which funding and engagement arrangements can be strengthened to support delivery of Programme for Government commitments. The Minister for Communities and Tackling Poverty has since launched the new Third Sector Scheme and the annexed Code of Practice for Funding the Third Sector. We will continue to identify opportunities across the Third Sector for further training, funding and support to tackle hate crime and to promote good relations.



Delivery Area 3 - Promoting Equality and Good Relations

Delivering fairness, equality and sustainable development are at the heart of delivering work across the Welsh Government. From April 2012, all public sector authorities across Wales have Strategic Equality Plans and objectives in place. 20 local authorities and other authorities, such as Police Forces, Fire Services and Local Health Boards have identified hate crime as a key delivery area. We will map hate crime objectives across the public sector and work with national Forums and Networks to drive better co-ordinated planning across key delivery and work areas.

We will work closely with local government, by collaborating with the Welsh Local Government Association and Equalities Officers to drive leadership and change. Each area has a key role to co-ordinate an effective localised approach to tackle hate crime and to promote equality. We will work with the All Wales Equality Network to consider joined up approaches in Wales.

Promoting good relations and eliminating discrimination are key requirements of the Equality Act 2010. The 2009 Community Cohesion Strategy in Wales, *Getting on Together*, supports this requirement by seeking to promote equality, social inclusion and community cohesion. We will update the phase 2 Action Plan in 2014 to mainstream community cohesion for future sustainability. Regional Community Cohesion Co-ordinators have been funded to work across local authorities and have a strategic role to tackle hate incidents and crime. There was guidance published on *Mainstreaming Community Cohesion* in 2012 and *Community Mapping and Tension Monitoring* in 2011 which supports local delivery.

We are aware that positive inclusion and fair access to services can play an important role for people to feel supported within mainstream services. The *Our Healthy Future Public Health Strategic Framework* includes a commitment to reduce inequities in health in Wales and this is being taken forward through *Fairer Health Outcomes for All (FHOFA)*, the Welsh Government's strategic action plan to reduce inequities in health. FHOFA includes a wide-range of activity including action to make health and social services more equitable and to develop health assets in communities.

The Welsh Government, like other devolved listed public bodies in Wales, has a statutory duty under the *Welsh Specific Equality Duties (Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011)* to assess the impact of its significant decisions on people with protected characteristics under the Equality Act 2010. The role of Equality Impact Assessments (EIAs) can be pivotal to assess the impact of policies, services and funding for people across the protected characteristics. A Budget Advisory Group on Equality (BAGE) has been established to provide knowledge and experience of effective practice in assessment of equality impacts and assists with continuous improvement. This includes Scrutiny Panels which assess the delivery of EIAs on a local basis. We will share practice across the wider Welsh Public Sector to increase understanding of equality considerations.

Welsh Government has provided funding (2014-16) through the Equality and Inclusion Grant across 16 organisations. This will support delivery of the Welsh Government's Strategic Equality Plan equality objectives, including through objective 4 to 'reduce the incidence of all forms of violence against women, domestic abuse, 'honour' based violence, hate crime, bullying and elder abuse'.

Delivery Area 4 - Training and Awareness in Service Delivery

Improvements in service delivery as a result of increased training can provide support to victims and a consistent approach to tackle hate crimes and incidents. We will encourage training by mapping and exploring future requirements across different settings across front line staff and as part of general awareness raising. We will work with the Hate Crime Criminal Justice Board Cymru to review and provide a framework and a training package across Wales.

Housing - Housing is an important area to tackle hate and hostility because Housing Associations and housing officers work with residents and with communities. A Tackling Hate Incidents Toolkit was produced in 2008 as a resource for Housing Associations through the Anti-Social Behaviour Forum. This was to develop a common approach based on best practice, that enables social landlords to deliver a focused service to victims of hate crime and anti-social behaviour based on individual needs within a common framework.

Research in 2012 undertaken by Shelter Cymru and Tai Pawb identified that whereas only one third of Housing Associations currently use the Tackling Hate Incidents Toolkit, the ethos of the Toolkit is followed by most organisations. The Welsh Government is working with partners to revise and up-date the Tackling Hate Incidents Toolkit.

The Welsh Government aims to work with the sector through Community Housing Cymru, Tai Pawb and Chartered Institute of Housing, Private Landlords and Local Authorities to drive leadership and increase support and awareness.

The Supporting People Programme is in place across Wales to provide housing-related support to the most vulnerable people. The Welsh Government will work with Cymorth Cymru and the local authority Supporting People Information Network to improve communication, training and awareness to tackle hate crime.

Health – Health services, particularly front line staff can play an important role in identifying and responding to hate incidents and crimes. There is a need to ensure that staff are aware of potential signs of hate incidents and crimes, and for them to be able to respond and provide support to individuals experiencing prejudice or hostility.

Some key areas where there should be increased awareness includes accident and emergency departments, general practices, pharmacies and specialist services so that staff understand the signs of hate and can recognise and respond to adverse incidents. We will work with Welsh Ambulance Service NHS Trust to ensure that signs of hate incidents and crimes can be recognised during front line delivery and through risk assessment when calls are received.

Local Health Boards can play a role to tackle hate incidents and crimes by providing a leadership role across the sector to highlight how training can be embedded within service delivery. We will work collaboratively across Health Boards to take forward training and guidance on tackling hate and exploring how equality data is being effectively utilised to shape services by working with the National Health Service Centre for Equality and Human Rights.



Social Services – social care workers have an important role to understand and identify signs of hate and discrimination at an early stage. We have taken forward actions through the Social Services and Wellbeing (Wales) Bill to reform and integrate social services law and make provision for improving the well-being outcomes for people who need care and support. This is also extended to carers who need support to ensure co-ordination and partnership by public authorities with a view to improving the well-being of people. This is a key area which will promote a human rights based and person-centred approach. We will explore how greater training and support to identify and tackle hate crime can be taken forward.

Care and Social Services Inspectorate Wales (CSSIW) - is responsible for promoting improvement and providing assurance about social services and social care through inspection and review. This work encompasses all the protected characteristics. A modernisation programme is underway to improve business and the operational response to the people who use or need social care services. A 'Short Operational Framework for Inspection' to be followed in inspections of most regulated services for adults enables closer understand regarding the experience of people using services, including those who are vulnerable to abuse and hate crime. We will explore training and support needs across the sector.

All inspections of regulated services consider the effectiveness of arrangements for safeguarding and CSSIW regularly inspect the performance of local authority social services in delivering adult and child protection services. CSSIW are providing professional advice to policy colleagues on the development of the safeguarding provisions of the Social Services and Wellbeing (Wales) Bill. The implementation of a statutory framework for adult protection will help to support the identification of hate crime and enhance the deliver of a multi agency response to help those affected.

Policing – All Police force areas routinely collect data and statistics on hate incidents and crimes and have training and awareness programmes in place. We have funded 500 new Community Support Officers in Wales who have received hate crime training, in order to identify signs of hate when working in community based settings. It is important that training is given to a range of staff including Responding Officers, Neighbourhood Officers and Police staff in key roles such as Station Enquiry and Public Service Centres. We will continue to work with all Welsh Police Forces through the Hate Crime Criminal Justice Board Cymru to develop future training programmes and to take forward national awareness campaigns. We will work proactively with Police and Crime Commissioners to challenge and tackle hate crimes and incidents.

Criminal Justice System – There are important awareness raising roles across the criminal justice system for prosecutors and police officers to raise awareness of hate crime and the legal context. The Crown Prosecution Service currently provides training which is also extended to other agencies and groups. We will work with all criminal justice agencies through the Hate Crime Criminal Justice Board Cymru including HM Prison Services, National Probation Services and HM Courts and Tribunals Service to explore training and to increase awareness of hate incidents and crimes.

Transport – The Equality and Human Rights Commission inquiry 2011 into disability harassment highlighted that hate incidents and crimes take place in many different settings. In terms of transport, harassment incidents can occur on and around public transport, including stations, stops, ticket offices and waiting areas.

It is important that people can feel safe using any mode of public transport and the Welsh Government is committed to ensuring that we take steps to improve accessibility, safety and mobility of public transport services. We need to ensure that people do not avoid the use of public transport because of a perceived lack of safety, especially when many disabled people are reliant on public transport and are at risk of being left more isolated and socially excluded.

Public Transport operators are responsible for ensuring the safety of public transport, including stations, stops, ticket offices and waiting areas. It is essential that as part of their responsibilities they ensure that frontline staff are appropriately trained to deal with cases of hate crime, when they arise.

The British Transport Police is a special police force that polices railways and light rail systems in Great Britain and we currently fund the provision of Police Community Support Officers (PCSOs) for the British Transport Police in Wales under two different programmes.

We have been funding 21 PCSOs in a tri-partite arrangement with, Arriva Trains Wales and British Transport Police since 2005. The Programme for Government included a commitment to fund 500 additional PCSOs in Wales, which has seen an additional allocation of 18 PCSOs for the British Transport Police.

The British Transport Police is responsible for identifying and preventing hate incidents and crime when they take place on the railways. It has a number of initiatives in place to deal with and reduce such incidents.

As part of the management of these grant schemes the Welsh Government meets regularly with British Transport Police to review its activities and policing priorities. We get regular information about crime figures on the rail network in Wales and can have access to more detailed breakdown of these figures.

We agreed with the Community Transport Association Wales for the inclusion of questions about hate crime in their 2013 State of the Sector survey. The results of this Survey, when published, will establish an evidence base and increased awareness of hate incidents and crimes within and linked to the Community Transport sector.

We will also be working with the British Transport Police, Community Transport Association Wales, Bus Users' Wales, Confederation of Passenger Transport (bus operators' trade body), and Local Authorities to increase awareness across Wales and to explore how we can deal effectively with hate incidents and crimes on and around public transport.

The 2010 All Wales Travel Behaviour Code lays down a set of behavioural standards to which all learners up to the age of 19 must adhere to promote safety when travelling, by tackling unacceptable behaviour. It sets out the responsibilities of learners when travelling; provides advice on how to ensure, as far as is practicable, a safe journey; and describes the rights of learners when travelling. This is enforced by the Learner Travel (Wales) Measure 2008 (the 'Measure') that sets out the statutory requirements for home to school transport provision of learners in Wales.

Advice and Support Services – there are a range of areas where advice and support agencies take place, such as Citizen's Advice Bureau, local authorities, Youth Service Provision, schools, national help lines, chaplaincies and community based organisations across the protected characteristics. We will assess where future training and support needs will need to be undertaken across these services.



5. Supporting Victims

Aim

We want to increase the reporting of hate crimes and incidents in Wales through a range of different reporting mechanisms and to enhance the experience of a person who has reported a hate crime to increase confidence and support.

Why this is important

Reporting of Hate Crimes and Incidents

Hate crimes and incidents are significantly under reported across all protected characteristics and even lower within certain communities. There are barriers for people reporting which need to be understood and overcome. People should have access to a range of ways to report which are accessible and are easy to use, which provide flexibility for a range of service users. We want to explore how this can be effectively implemented across Wales to increase reporting levels.

As considered in Chapter 2, within the evidence, there are a number of reasons why people are reluctant to report hate crimes and incidents across Wales. Evidence through the Task and Finish Group has highlighted that there are multiple reporting systems in place across Wales, which can operate at a local or a national level. This can sometimes be confusing and make it difficult to understand how to report a hate crime. Further evidence from Focus Groups across the protected characteristics have emphasised the need for greater flexibility and a more dynamic system, which should be able to be accessed by both victims, witnesses and encourage bystander reporting. Recommendation 16 of the Macpherson Report states that victims and witnesses should be able to report hate incidents 24 hours a day, and at locations other than police stations.



Third Party Reporting Systems and Centres have been piloted in Wales through Torfaen People's First 'Talk about It Project' in 2012 for people with learning disabilities. This highlighted the importance of being able to work with people to raise awareness in an environment where trust has already been established. This pilot has identified that there was not an instant increase in reporting over the short-term life of the project, but longer term benefits and increased support for victims were evident.

The Task and Finish Group evidence has highlighted the confusion and distinction between a case of anti-social behaviour and a hate incident or crime. Crimes and incidents can sometimes be incorrectly recorded as anti-social behaviour and people are not always aware that they are experiencing a hate crime or incident. Practitioners and front line staff are not always identifying and recording when hate crimes or incidents are taking place. Repeat incidents and victimisation, especially low level harassment, requires action. There have been initiatives taken forward around anti-social behaviour regarding 'Trigger Points' which helps to identify and challenge repeat cases.

Recognising hate crime across multiple protected characteristic areas can also provide a barrier to reporting which the All Wales Hate Crime Project identifies can be the case for race and religion, but also disability and age. This can add confusion when it comes to the reporting stage.

Support to Victims

Reporting an incident or crime is a monumental first step for victims, so it is important that an immediate response is put in place to provide support to the victim and to assess their practical and emotional needs. A victim focused approach should assess what levels of support are required and ensure that there are clear lines of communication in place. We will work with partners to assess current methods of delivery and to increase the ways in which victims can be supported.

Police forces undertake satisfaction surveys to assess the person's level of happiness with support and outcomes. Through Focus Groups across the protected characteristics, there are examples where people have not reported further hate incidents or crimes because they have not been happy with the outcome of the case or an agency's response. This notably can occur in cases of low level harassment, where people have stated that they report on a few occasions but do not report repeat incidents when nothing has been done to resolve the initial case.

Task and Finish Group evidence has shown that support for victims does not always need to come from the police. There are agencies such as Victim Support and roles for local third sector organisations to provide levels of help and advice. In less serious cases peer support has been identified as a potential effective mechanism.

Respondents in the 'Consultation – Summary of Responses' in 2014 have highlighted the need for instilling trust in a national reporting system. This should include underpinning monitoring with support, signposting and strong communication for the victim. This includes through the journey of a hate crime case from initial reporting all the way through to the criminal justice system. A victim's emotional needs and wellbeing should be paramount to any support provided.



Delivery Area 5 - Increasing Reporting of Hate Crimes and Incidents

We will aim to increase reporting through the development of a comprehensive and national Third Party Reporting Centre for Wales delivered by Victim Support. This will provide a One Stop Shop system, which will have an all Wales helpline, on-line reporting facility, text, e-mail and drop in services. This service will provide a full range of access options across language, interpretation and disability to ensure that the service is accessible. This will provide a unified system for Wales which aims to work with victims to provide a complete service which links together reporting and increased victim support, where advice, advocacy and emotional help will be linked through case workers and a network of volunteers across the protected characteristics.

Producing clear and direct information on how to report hate incidents and crimes in Wales is important to ensure that victims can have a range of choices based upon personal preferences and needs. Accessing police support through 999 and 101 is essential when a crime has been committed and victims should be encouraged to report hate crimes directly. But, reporting should also be accessible and provide a range of choices for a victim to feel comfortable and confident to report. This includes through Third Party Reporting choices and work with partners will include the need to rationalise existing reporting mechanisms and Third Party Reporting Centres, by working closely with those already in existence. This will be focussed around assurances that advice and support is clear and transparent for the benefits of a victim.

It will also be important to monitor and increase the recording of hate crimes and incidents which are taken forward through Third Party mechanisms. We are supportive of existing models around Third Party Reporting Centres which provide an environment where a victim has established relationships. Work through the national Hate Crime Reporting Centre will aim to support existing and new Centres. We will then aim to work with Police and statutory and voluntary agencies in Wales through the 101 service and other reporting mechanisms to collate and record crimes and incidents reported. This will build a greater intelligence picture for effective prevention and intervention to take place.

We will develop specific guidance and advice by working with partners across different sectors across Wales to understand how we can target communities where there have historically been low levels of reporting. This will include assessing some of the barriers across communities and to explore how awareness, targeted support and advice can be implemented across the protected characteristics.

The 2012 White Paper, Better Lives and Communities, is clear that anti-social behaviour is unacceptable and landlords should take a proactive approach in tackling it. The commitments include making a robust assessment of the current situation and good practice that exists to evaluate the Wales Housing Management Standard for Tackling Anti-Social Behaviour. Research has been commissioned and published in February 2014. It reviews the practices of social landlords in relation to anti social behaviour, and the effectiveness of the Welsh Government guidance in supporting this work. Work has been undertaken with Anti Social Behaviour Forums, police and other partners to identify how anti-social behaviour cases which have a hate element can be identified from an early stage and to endeavour to increase the recording and reporting of hate crimes and incidents in housing associations.

Our Substance Misuse Delivery Plan 2013-15 sets out the actions that we are taking to tackle substance misuse over the next three years and include a range of actions to support vulnerable groups. Hate crimes and incidents can be experienced during the night time economy. We will review our Night Time Economy Framework, working in partnership with the police and others, to make our towns and cities a safe and vibrant place to visit at night. We will explore through the Night Time Economy Framework how we can work with partners to explore how hostility and prejudice across the protected characteristics is being tackled through people working and participating in towns and cities.

Delivery Area 6 - Increasing support for victims

Providing emotional and wellbeing support for a victim is essential to ensure that tailored support can be put in place across a range of statutory and third sector agencies. There are specialist organisations who work with victims to provide specialist support and advocacy. This is important to provide an independent support mechanism to increase the available options for confidential help for victims of hate crime, witnesses, their family and friends. We will work with agencies, such as Victim Support, Citizens Advice and Third Sector Organisations, to identify how advocacy and support for victims of hate is currently provided across Wales. There is also a key role for service providers such as social and private landlords, health services, transport providers and social services to assess how victims of hate crimes and incidents are supported.

We will explore how help can be provided to victims in an informal environment by identifying how organisations can provide support and peer mentoring. This will include working with Victim Support to develop specialist case workers and an all Wales network of volunteers across the protected characteristics to offer peer support. This will include providing a support plan for the victim.

The All Wales Hate Crime research in 2013 has highlighted that victims across the protected characteristics have disclosed thoughts of suicide. Suicide is one of the highest causes of death amongst young people, which can be caused by cases of bullying and discrimination. In order to address this, local agencies should work in collaboration to implement the recommendations within Talk to me: the National Action Plan to Reduce Suicide and Self Harm in Wales.

Police and Crime Commissioners have set out their strategic priorities in Police and Crime Plans and we will support work with criminal justice partners to identify how a victim-centred approach can be taken to support responses to hate incidents and crimes. This will include assessing victim satisfaction with the support they receive and identifying where good practice can be shared across Wales.

When a case of hate crime is reported there are currently risk assessment processes in place in police forces across Wales through call handling and trained front-line staff, with police having specially trained Hate Crime Officers. It is important for front line staff to work with Police to assess the potential risk levels of a victim and to ensure that the appropriate level of support is put in place by working across agencies and partners.





The All Wales Hate Crime research in 2013 has highlighted as a key finding that many victims found that there is a disjuncture between victim-centred reporting mechanisms (that are based on victim perception that an incident was hate related) and evidence-driven criminal justice prosecution processes. We want to work with criminal justice agencies to increase confidence for victims accessing support and to provide clear and accessible information for victims.

We want to assess what a victim would like to see happen and to ensure that satisfaction of support provided is assessed to promote continuous improvement. There are positive examples of Police and Crown Prosecution Service Scrutiny Panels which assess how cases are managed and dealt with. We will also work with criminal justice agencies to explore satisfaction rates. We will also explore the journey of a victim of hate crime through the Third Party Reporting Centre with Victim Support, through reporting to accessing support through the criminal justice system.

Victims need additional support if a case goes to a court trial and the Crown Prosecution Service (CPS) has hate crime policies in relation to supporting vulnerable and intimidated witnesses. This can include providing special measures to support witnesses to give their best evidence in Court and more general assistance provided by the joint Police and CPS Witness Care Units. Police also have specific published policies on supporting victims and witnesses with mental health issues or learning disabilities.

6. Improving the Multi-agency Response

Aim

We want to increase the multi-agency response to tackle hate crime by sharing data and information across Wales and to protect high risk victims through a pilot Multi Agency Risk Assessment Conference (MARAC) model. We want to reduce repeat victimisation by tackling perpetrators including piloting a restorative justice programme.

Why this is important

Partnership approaches

Improving the multi-agency response to hate crimes and incidents will enhance support for victims, so that services are effectively being linked across Wales to provide a comprehensive, consistent and a joined up approach. Sharing information and data across services is integral to ensure that a person experiencing a hate crime or incident is signposted to the right level of support and to ensure effective safeguarding for high risk victims. We will explore how local structures can aid this approach on a consistent basis across Wales.

The EHRC Inquiry in 2011, 'Hidden in Plain Sight', emphasised that the most effective way of eliminating disability-related harassment is through partnership working involving public authorities, the voluntary sector, disabled peoples organisations and individuals. This includes sharing good practice and information which significantly enhances the operational response, so that key information is not only being held by certain agencies. This helps to support the victims of hate crime and ensures that a proportionate and risk based approach can be put in place which is relevant across all forms of hate. This approach was endorsed by the National Assembly for Wales Communities, Equalities and Local Government Committee's inquiry into disability harassment in 2011. The inquiry also called for leadership to be driven by key Public Sector Bodies across Wales to ensure that structures and roles are clearly defined and are responsive.

Supporting high risk victims of hate crimes and incidents is an important step to ensure safeguarding and to provide tailored level of support based upon shared information. Both the EHRC and the National Assembly for Wales Inquiries referred to the use of Multi Agency Risk Assessment Conferences (MARACs), which are currently being used in Wales for cases of domestic abuse. A MARAC is a model based on local agencies meeting to discuss high-risk victims of domestic abuse living within the local area. The objective of these conferences is to reduce the risk of serious harm or homicide of a victim and increase the health, safety and wellbeing of those at risk.



A joint review in 2013 took place by Chief Inspectors of Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI), Her Majesty's Inspectorate of Constabulary (HMIC) and Her Majesty's Inspectorate of Probation (HMI Probation) of how disability hate crimes are responded to within the Criminal Justice System entitled 'Living in a Different World'. This highlights the need for greater co-ordination and awareness to tackle disability hate crime across the criminal justice system to ensure a joined up approach is in place. This links with the need to ensure that data is being shared and that a co-ordinated approach is in place to deal effectively with offenders.

Perpetrators of hate crimes and incidents

Working with perpetrators at an early stage can help to change and challenge attitudes to reduce further cases of repeat offending. We want to work with Criminal Justice Agencies in Wales to implement an effective all Wales programme.

'Understanding Who Commits Hate Crimes and Why They Do It' by Cardiff University in 2013 highlights Restorative Justice and bridging activities as potential ways to tackle hate crimes. Restorative justice brings those harmed by crime or conflict, and those responsible for the harm, into communication to find a solution to the conflict. Evidence through both Task and Finish and Focus Groups highlights support for this approach from organisations. However, not all victims would be comfortable with this approach and it would need to be victim led. Educating communities through intergroup contact and 'bridging' activities, can also help to reduce stereotypes and build trust and community cohesion. This form of support through partnership delivery, when delivered in a meaningful way, can help to repair community tensions when they arise.

Cardiff University research highlights that dealing effectively with serious hate crime offenders through psychiatric counselling and rehabilitation can have mixed results and impact, particularly for more serious cases of hate crime. There is a need for criminal justice agencies and partners to work together to ensure that an effective method is in place to deal with persistent offenders, in order to minimise the risk and impact to the victim.



Delivery Area 7 – Improving Partnership Working

We will work with Police Forces and partner agencies across Wales to pilot a MARAC, within the use of existing MARAC arrangements for those at high risk of harm. The approach will aim to explore risk assessments and to provide a consistent approach to support and safeguard victims. This will promote non-statutory multi-agency support from across public and statutory sectors and from third sector organisations. This pilot model will be evaluated and guidance will be produced which will be driven by a multi-agency steering group chaired by Association of Chief Police Officers (ACPO) Cymru.

A multi-agency response to safeguarding is a key theme of the Social Services and Well-being (Wales) Bill. The Bill will establish an adult protection legal framework for the first time in Wales that places duties on a range of agencies, beyond just social services and including the health service and the police. It will seek to ensure that there is the same consistent, co-ordinated and robust multi-agency response to adult protection cases, including abuse of the elderly. The Social Services and Well-being (Wales) Bill will also establish new Safeguarding Adult Boards, which will run in parallel to Safeguarding Children Boards established at the same time.

Data sharing protocols will be a key delivery area which will need to be explored to understand some of the barriers for sharing information across agencies. Information should only be shared in line with data protection legislation, the Wales Accord on the Sharing of Personal Information (WASPI) and guidance from professional regulators. We will undertake a data sharing investigation through the development of the MARAC model to understand some of the barriers and to identify relevant solutions.

We will link with current structures and partnerships to take forward a stronger multi agency approach. This includes working with Community Safety Partnerships who have an important role to play to tackle the causes of hate crime. Many Local Service Boards have set specific objectives to increase levels of reporting through Community Safety Partnerships as part of regionalised structures to tackle hate crime. This links with the wider communities programme and we will work closely with Wales Association of Community Safety Officers (WACSO).

The All Wales Equality Network and Regional Groups have a key role in sharing and developing practice on equality work, including hate crime and promoting good relations as part of the Equality Act 2010. There are also regional and local structures which have been developed to support Community Cohesion and Hate Crime across Wales. We will work with local authorities to drive consistent structures to support work on hate crime in co-ordination with local and regional partners, including Housing Providers and Local Health Boards.

Although, criminal justice is not devolved to Wales, we want to create effective partnership working to take forward key areas of delivery. A national Hate Crime Criminal Justice Board Cymru has been developed which is a partnership across key criminal justice agencies, Welsh Government, Third Sector and key statutory agencies. The Board has key responsibilities to drive leadership, consistency and to share best practice. This will enable positive working practices and has effective governance established with the All Wales Criminal Justice Board.



Many hate crime cases will be suitable to be dealt with by Magistrates Courts, but the more serious cases must be dealt with through the Crown Courts. The National Offender Management Service (NOMS) has a Hate Crime Group and an Operational Group. Crown Prosecution Service (CPS) Cymru has four Local Scrutiny and Involvement Panels within each Police commissioner area. Each panel meets quarterly and members represent a variety of communities. The panels are asked to examine finalised cases and provide feedback on how the CPS and other agencies handled the case and discuss policies relating to hate crime.

Work is underway with the four Welsh police forces to undertake a Data Assurance exercise. This examines whether the Police and CPS consistently and accurately exchange information about cases identified as hate crime. The work will also examine the causes of attrition that intervene between reporting and a conviction. Performance data is collected on the monitored hate crime categories looking at the volume of cases and the number of successful outcomes.

The Wales Probation response to hate crime and supporting victims, includes the provision of Multi Agency Public Protection Arrangements (MAPPA) across Wales. The purpose of MAPPA is to protect the public from serious harm through local criminal and social justice agencies working together to share information and develop a joint risk management plan to manage dangerous offenders. MAPPA processes include a victim focus in relation to any individual(s) who are vulnerable by virtue of their location in relation to the offender, their age, gender, race, religion, sexual orientation, gender identity, disability or any other distinguishing characteristic in relation to hate crime. Victim engagement is central to the role of MAPPA to ensure that an accurate assessment of risk is made and that the risk management plan created takes into account victims' concerns.



Delivery Area 8 – Tackling Perpetrators

Exploring effective methods to work with offenders of hate crime, including community based tensions, low level offenders and serious offenders is an area which requires further exploration. We will work in partnership through the Hate Crime Criminal Justice Board to co-ordinate and share practice across delivery throughout Wales. This will include working with partners to design effective and consistent interventions which will be based on evidence from the Cardiff and Manchester University Research into 'Understanding Who commits Hate Crime and Why They Do It' in 2013.

Wales Probation are currently expanding the work being undertaken on restorative approaches and are training staff to conduct Restorative Justice Conferences. We will explore operating and evaluating a Restorative Justice Pilot in Wales partnership across different agencies. This will aim to work with offenders of hate crime and to explore costs and benefits before consideration of wider roll out. We want to ensure that this includes working with victims to consider proposed outcomes.

Working with offenders who have been convicted for hate crimes, requires intensive interventions. Wales Probation is delivering a Specified Activity Requirement based upon sessions of specific intervention focussing on hate crime being delivered individually to the offender alongside a supervision requirement to reinforce the learning. We will work with Wales Probation and Prison Services to understand the project results, impacts and outcomes to evaluate future approaches.

Tension monitoring can help to tackle issues and problems before they elevate, as part of a proactive approach through community-based engagement and inclusion. It is important to highlight when community relations are being broken down and for a partnership approach to be in place to respond dynamically. We will work with partners to develop tension monitoring processes and will link with the Collaborative Online Social Media Observatory (COSMOS) programme being undertaken by Cardiff University. This will aim to measure levels of community cohesion and to help local partners to have increased understanding in order to manage tensions when they arise.

The development of educational programmes across Wales to work with communities and individuals who have committed a hate incident to identify early indicators of hate based attitudes will help to challenge and change attitudes at an early stage. This will include working with youth settings such as Youth Offending Service and Alternative Education and with Police to identify how pro-active work can be taken forwards.

There are cases of crimes and incidents, specifically where repeat victimisation is taking place, where a response needs to be put in place to effectively deal with the perpetrator(s) and to safeguard the victim. There are clear overlaps with work in this area regarding anti-social behaviour and we will join approaches and look for effective ways to deal with perpetrators. Through the Renting Homes Bill White Paper we will explore extending a 'Prohibited Conduct' term which could tackle hate crime perpetrators and to explore the policies and procedures which are in place within Housing Associations.



7. Protected Characteristics and Other Forms of Hate

This chapter examines the current evidence on hate crimes across the protected characteristics of disability, race, religion, sexual orientation, gender identity and age. It acknowledges that a person may have multiple protected characteristics and in this context the impact of hate crimes and incidents may be even greater. This chapter also looks at other forms of hate.

Disability

The Picture in Wales

In 2011 census, 22.7% of people in Wales reported being limited in their day-to-day activities because of a “long-lasting health problem or disability”, including 11.9% whose activities were limited a lot.

Statistics

- The Crime Survey for England and Wales suggest that based on combined data from 2011/12 and 2012/13 estimates that there were 62,000 disability motivated hate crimes per annum.
- The All Wales Hate Crime research in 2013 highlights that disabled respondents were 1.4 times more likely to think that there was a hate crime problem in their local area, were more fearful of becoming a victim of hate crime than non-disabled respondents and 30% stated that they have attempted to conceal their disability to minimise victimisation.
- ‘How Fair is Wales?’ by EHRC in 2011 highlights that attitudes towards disabled people are complex: about two-thirds of disabled people feel that there is some discrimination against them as a group, and a third of all people feel that disabled people are not treated fairly.
- Attitudes are especially negative towards people with mental health conditions: four out of ten people think someone who experiences depression is not suitable to be a teacher, while 37% would be unhappy about a close relative marrying someone with a mental health condition.
- Mind Cymru ‘At Risk, Yet Dismissed’ in October 2013 highlights that people with mental health issues are three times more likely to be a victim of a crime and five times more likely to be a victim of assault and this rises to 10 times more likely if you are a woman.
- Scope’s regular polling of disabled people shows that in July 2012 that almost half (46%) said people’s attitudes towards them have got worse over the past year and 73% experienced the assumption that they don’t work and 84% say negative coverage about benefits recipients is a chief cause of worsening public attitudes.
- Mencap estimates in 2010 suggest that nine out of 10 people with a learning disability had been a victim of a hate crime and bullying.
- The National Autistic Society survey ‘The Way We Are: Autism in 2012’ reveals evidence that 65% of respondents had experienced hate crime more than 10 times and that 62% said that they did not think that the police had taken their disability into account.

Evidence

The case of Fiona Pilkington, who tragically killed herself and her daughter in 2007 following repeat victimisation, is a stark reminder of the impact of hate crimes and incidences. The collective failure of multiple agencies to respond to the case and the findings from an inquest into their deaths has highlighted lessons which need to be taken forward across the UK. A review in 2013, 'Living in a Different World', highlights that further work within the criminal justice system was required to tackle disability hate crime.

The EHRC inquiry into disability-related harassment 'Hidden in Plain Sight: Wales Summary' in September 2011 framed four broad key recommendations to be taken forwards, which have been agreed by Ministers. The Framework supports the development of these findings.

The National Assembly for Wales Communities, Equalities and Local Government Committee undertook a 'Short Inquiry into Disability Harassment' in 2011. This obtained evidence from organisations across Wales and made ten recommendations to be taken forward, including the development of a Framework to Tackle Hate Crime in Wales and the development of a Multi-Agency Risk Assessment Conference model in Wales.

'Looking into Abuse' in 2013 by University of Glamorgan, RCT People First and New Pathways highlights that people with learning disabilities in Wales experience hate and discrimination. The research emphasises the need for people and agencies to listen, believe and act.

Research undertaken by University of Glasgow 'Bad News for Disabled People: How the Newspapers are Reporting Disability' in 2011 and an event held in Wales by MENCAP Cymru and Disability Wales on Media Portrayal in 2012 has highlighted the significant negative impact of the media and welfare reform on attitudes and discrimination towards disabled people. Negative and inflammatory reporting are having a serious impact and increasing levels of hostility and hate.

The consultation 'Summary of Responses' in 2014 identified that a person whose appearance is disfigured may not be seen as having a disability, however disfigurement can be a contributory factor in hate crime. Disfigurement can affect a person's confidence and their ability to access mainstream services and support. Respondents also felt that sensory impairments are an important factor in hate crimes and incidents. They can result in specific barriers regarding language and access which can have a negative impact when reporting hate crimes.

UN Convention on the Rights of Persons with Disabilities intends to protect rights and dignity. Articles 15 and 16 focuses on protecting human rights and highlights the role of Governments to protect disabled people from all forms of exploitation, violence and abuse at home and in the community.



Welsh Government Supporting Areas

The Welsh Government launched the Framework for Action on Independent Living in 2013. This aims to create an environment in which disabled people have access to the same opportunities as everybody else and explores the links between safety and accessing mainstream services. There is evidence to support that harassment and discrimination are significant barriers.

Our mental health and wellbeing strategy 'Together for Mental Health and its supporting Delivery Plan' sets out our joined up, 10-year strategic approach to improving the lives of those with mental health problems, and, where possible, preventing such problems developing in the first place. Outcome 7 focuses on ensuring people with mental ill health experience less stigma and discrimination and feel these problems are being tackled. Another relevant outcome is for staff across the wider workforce to recognise and respond to signs and symptoms of mental illness and dementia.

This Framework will link with the updated Autism Strategy which will be issued for consultation in 2014 and the work of the Learning Disability Advisory Group which has been established in Wales to advise the Welsh Government on learning disability policy. 'Time to Change Wales' is a major campaign funded by the Big Lottery and Welsh Government led by the third sector and this aims to proactively address stigma and discrimination in Wales.

Support should be provided for carers and families who can also experience hate because of an association with a disabled person. There is an important role for carers to support people to tackle discrimination. The Carers Strategy for Wales has been updated and was launched on 13 June 2013. Carers' rights will also be considerably strengthened through the Social Services and Well-being (Wales) Bill.

The Welsh Government's suite of anti-bullying guidance Respecting Others, which was launched in 2011, includes specific guidance on bullying around children and young disabled people and young people with special educational needs and highlights the importance of tackling negative stereotypes as an integral part of changing attitudes.

Mate Crime

There is no statutory definition of mate crime in UK law. The term is generally understood to refer to the befriending of people, who are perceived by perpetrators to be vulnerable, for the purposes of taking advantage of, exploiting and/or abusing them. This can strongly be associated, but not exclusively associated with people with learning disabilities or mental health conditions. Taking into account consultation responses, mate crime will be identified as a specific form of disability hate crime in this Framework. This will ensure consistency in terms of how these issues are specifically tackled in Wales. However, mate crime can also be identified as part of age hate crime. This will be considered separately. Despite the label mate crime, this type of exploitation is not recorded as a specific crime. Seven out of the ten murders cited in the EHRC's Hidden in Plain Sight in 2010 involved elements of mate crime.

There is a lack of awareness of mate crime at the moment and no formal way of recording cases. It involves additional and complex issues to understand which sometimes resonate with cases of domestic abuse. A literature review undertaken by Race Equality First identifies some of the features of mate crime:

- Social isolation: targeted individuals often lack the support network that many people take for granted and the level of social isolation in which some people live, at the margins of society.

- Lack of support from agencies: people who are targeted are often those who have no definable impairment or who do not meet the criteria for a high level of services.
- Desire for friendship: people with learning disabilities may have less control and ability to develop and maintain friendships and this can lead to an acceptance of unequal relationships.
- Fear of reporting: when victims do recognise that something is wrong, they may be too afraid to report it.
- Use of threats to control victims: threats are a common feature of hate crimes across the board, but seem to play a particularly strong role in cases of mate crime, where the perpetrators want to control the victim.
- Accusations of sexual misconduct: accusations of a sexual nature are a very common feature of mate crime and are often used by perpetrators to justify an escalation in violence
- Lack of recognition of requests for help: when victims do try to get help, agencies often fail to act on their reports.

These issues will drive the need for an even greater level of multi agency support and leadership across Wales to develop understanding and to identify and respond to cases of 'mate crime'.

Case Study

Steven has cerebral palsy and a facial disfigurement. He is 27 years old. He lives on his own in supported accommodation, and otherwise lives an independent life and has a job working as a packer at an out of town industrial complex.

To get to and from his place of work, every day he takes a bus from the town centre. The morning bus is predominantly full of school children, who have taken to taunting Steven and more recently this has escalated to minor assaults on him, including ruffling his hair, pouring cans of drink over his head and stubbing out cigarettes on the back of his coat. This has made him very depressed and increasingly fearful of taking the journey to work.

He had not told anyone about this and consequently had 'suffered in silence'. He has a support worker in the community who had noticed a change in his behaviour and eventually managed to persuade Steven to tell him about what has been happening.

Together with Steven his support worker has reported this to the Police, and also approached Victim Support to see what help they can offer Steven. This has included working with the local Police (Neighbourhood Police Teams and PCSOs) to ensure that Steven received a thorough response when incidents occur. There has also been work with the bus company to raise the awareness of staff to these incidents and to ensure that there is a proper response from drivers to incidents as they occur. The School has also been contacted to deal with the perpetrators and to increase better understanding around equality and diversity. Steven has been supported to ensure he is accessing specialist support groups.



Race

The picture in Wales

In the 2011 census 93.2% of usual residents of Wales describe themselves as White British. Aside from these the next largest ethnicity include Indian (or British Indian), Polish, Irish, Chinese, African, Pakistani (or British Pakistani), White and Black Caribbean and Bangladeshi (or British Bangladeshi) all of which have more than 10,000 people living in Wales. 2,785 Gypsy or Irish Travellers were recorded in Wales.

Statistics

- The All Wales Hate Crime research in 2013 highlights that ethnic minority respondents were over 1.5 times more likely to think that hate crimes and incidents had a negative impact upon the community compared to white respondents, two-thirds of victims knew their perpetrator and 1 in 5 (21.8%) stated violent crimes as the most serious that they had experienced.
- Race Council Cymru 2012 'Race Equality and Racism in Wales' found that more than two thirds (69%) of survey respondents think that there is racism in Wales today. 73% of Pakistani, 70% of Bangladeshi and 60% of Black African respondents say they have personally experienced racism, but only 18% have reported these experiences to the police.
- 'How Fair is Wales?' by EHRC in 2011 highlights that more than 75% of respondents would have no objection if a close relative married someone from a different ethnic background and one in ten would think it was acceptable to turn away someone from a bed and breakfast because of their race.
- 'How Fair is Wales?' highlights that attitudes towards Gypsies and Travellers are generally negative: 63% of people think Gypsies and Travellers are unsuitable to be teachers and 38% would be unhappy about a close relative marrying a Gypsy or a Traveller. Nearly two-thirds of people would have a strong objection to a Gypsy or Traveller site being near their home.
- 'How Fair is Wales?' highlights that asylum seekers are also not well regarded with 37% unhappy about a close relative marrying an asylum seeker.

Evidence

The tragic murder of Stephen Lawrence in 1993 has changed the way which racially motivated hate crime has been dealt with by the criminal justice system. The subsequent inquiries into his death and the Macpherson Report have had lasting impacts. Although race is the highest recorded form of hate crime there is still a recognition that incidents relating to this protected characteristic continue to be significantly under-reported.

The Race Council Cymru commissioned report 'Race Equality and Racism in Wales' in 2012, found considerable evidence of 'everyday racism' in public spaces particularly verbal abuse affecting the lives of people from Black and Minority Ethnic (BME) backgrounds living in Wales. This is associated with increasing ethnic and cultural diversity and the current economic downturn. The research showed evidence that racism is not being challenged or tackled and that people experiencing hate often deal with racism by changing their own behaviour. Reporting of racist incidents and hate crime to police continues to be under-reported.

Equality and Human Rights Commission research 'Inequalities Faced by Gypsies and Travellers' in 2009 highlights routine discrimination faced by Gypsy and Traveller communities. This can involve violent and even fatal physical attacks through to lower level abuse and harassment on a daily basis. The research showed examples of communities mobilising to oppose sites. Housed Gypsies and Travellers may be exposed to racism from neighbours, which can have a negative impact on their health and well-being. Gypsies and Travellers may be more reluctant to report hate crimes or incidents because of distrust of the police.

Cardiff Communities First research into 'EU Roma Communities in Cardiff' in 2011 found that the EU Roma interviewed in the course of this research feared that they would continuously be subjected to social discrimination and isolation by stating their need for Roma-specific activities, events and information. They perceive themselves as a segregated group, possibly due to many years of prejudice and intolerance from other EU states where they have resided. The research also highlights significant challenges when working and engaging across communities.

Joseph Rowntree Foundation research 'Immigration and Inclusion in South Wales' in 2008 highlights that discrimination and negative media portrayals were cited as particular barriers by new migrants, while in some apparently integrated and cohesive settled contexts, particular vulnerable groups (e.g. older people and women) remained excluded. Evidence from the Consultation 'Summary of Responses' in 2014 show that negative discrimination against certain nationalities can be due to negative stereotypes and myths.

'Life in Wales for Asylum Seekers and Refugees' by EHRC in 2010 identified that many asylum seekers and refugees have positive experiences in their communities and describe Wales as a very welcoming place to be. Nevertheless, there was a wide range of street-level abuse and violence reported, which asylum seekers and refugees said made them feel unwanted and inhuman. Asylum seekers did not appear well informed of their rights or how to challenge behaviour, either on the street or at a more official level. Many of them spoke of being scared of increased violence or victimisation if they took action, feeding further isolation, disempowerment and feelings of shame and disappointment.





Welsh Government Supporting Areas

There is a Ministerial led Wales Race Forum which is an opportunity for Third Sector organisations across Wales to engage in policy delivery. The Wales Race Forum has identified tackling race hate crime as a priority area.

The Minority Ethnic Achievement Grant tackles barriers to education and provides funding to raise the educational attainment of eligible learners from minority ethnic backgrounds in Wales, including asylum seekers and particularly those for whom English or Welsh is an additional language. The circular 'Unity and Diversity' provides guidance on the promotion of race equality and ethnic, cultural, linguistic and religious diversity in the national curriculum in Wales. The Welsh Government is committed to an inclusive education system which provides learners with classes which are culturally relevant in a school environment which values and celebrates diversity. By raising awareness and dispelling stereotypes, schools can influence lower levels of bullying such as name calling and taunting. The Welsh Government's Respecting Others anti-bullying guidance includes specific guidance on bullying based on race, religion and culture.

In 2011 the Welsh Government launched 'Travelling to a Better Future' Gypsy and Traveller Framework for Action with a supporting delivery plan. This highlights the negative attitudes and views which communities face and sets out that experiences of discrimination can act as a barrier to accessing mainstream services. It identifies that racism and social exclusion are routinely faced by communities across Wales.

The Refugee Inclusion Action Plan launched in 2011 highlights that although some refugees feel safe in Wales, racism on the grounds of immigration status and faith are still common experiences. The arrival of asylum seekers and refugees into deprived communities can lead to a perception of increased competition for scarce resources and fuel animosity among existing residents.

The Welsh Government launched the Welsh Language Strategy 'Living Language: A Language for Living' in 2012 which aims to see the language thrive in Wales and to increase the number of speakers. The Framework recognises the protection of the Welsh Language and people should not face hostility and prejudice when using the language in the community or the workplace.

Case Study

Amena is Asian and moved from Bangladesh two years ago, to join her husband who has lived here for five years. He owns a local business and bought a house on an estate just outside the town centre. They have three children aged between 3 and 10 years old. Amena herself spends most of her days either at home or taking the children to and from their schools/nursery. She speaks little English.

Almost from the time she moved in, the family have been subject of continuous abuse, threats and minor damage. Local youths throw rubbish, including soiled nappies and dog excrement in-to the garden; they throw food including eggs at the house and kick the gate and front door, shouting racist abuse at Amena and her children when they travel to and from the house. This racist behaviour has now started to be shown towards the two oldest children at their school.

Amena's husband did not want to involve the police, because he thinks that this might make matters worse. Because he is at work most of the time, he has not experienced this racist behaviour to the degree that his wife has reported.

Through a local community group Amena was persuaded to make a report to Victim Support, asking for their help, but making it clear that she did not want her husband to know that she had done so. This support included providing language translation and included working with the local Police (Neighbourhood Police Teams and PCSOs) to ensure that Amena receives an effective response when incidents occur. The Police established a nominated person to maintain close contact and the providers of social housing on the estate were contacted to identify an effective response to deal with the ongoing situation. Amena received further support from community groups within her community and further engagement was undertaken with the schools attended by her three children.



Religion and Belief

The picture in Wales

In the 2011 census data Wales 57.6% of people in Wales are Christians, and 32.1% stated that they have no religion. Other religions include 1.5% Muslim, 0.4% other religion, 0.3% Hindu, 0.3% Buddhist, 0.1% Sikh, 0.1% Jewish and 7.6% did not state their religion.

Statistics

- The All Wales Hate Crime research in 2013 highlights that in relation to the most serious incidents, faith hate crime victims are the most likely to be victimised by more than one perpetrator (78%), victims were the least likely to encourage other victims to report (84%). In some instances, faith based hate crime is characterised by the conflation of the racial and religious aspects of a victim's identity. The British Crime Survey in 2011 found that the expectation of being harassed in a public place was higher among Muslims (34%) and Hindus (29%).

Evidence

Research by the EHRC looking at 'Faith-based Discrimination' in 2010 found that there was a lack of sufficient evidence to enable trends to indicate conclusively whether religious discrimination in Britain is increasing or decreasing, taken as a whole. This research identified that there tended to be Islamophobic spikes in the wake of 9/11 and 7/7 bombings in relation to Muslims, which also included people who were perceived to be Muslims.

Race Council Cymru's 2012 research into 'Race Equality and Racism in Wales' found that many Muslim respondents reported verbal abuse directed at them because of their religious identity. For women and girls, the intersection of race, religion and gender is associated with particular forms of racism and discrimination, most notably being called names and having headscarves (hijab) pulled or even removed.

Research by Resources for Change into the 'Extent of Interfaith Activity in Wales' in 2011 highlights that interfaith activities can break down barriers and bring together faiths to build community resilience. In instances where inter-faith activity was stimulated by a negative incident, the activity was short-lived, and rarely led to sustained activity. However, when there were incidents of tension, it made a positive difference to have pre-existing inter-faith relationships.

Respondents in the 'Consultation - Summary of Responses' in 2014 identified the links between inter-faith and intra-faith hate crimes. Many thought that world events can have an impact to create greater tensions across religious communities. Religiously motivated hate crimes can be driven by motivating factors such as people feeling that existing cultures are under threat.

Welsh Government Supporting Areas

The First Minister chairs the Faith Communities Forum which is made up of faith representatives who engage with the Welsh Government on policy delivery. They have an overarching role to communicate messages from the Forum to their communities.

The Religious Education framework has been developed alongside the review of the national curriculum. It offers SACREs (Standing Advisory Council on Religious Education) and Local Authorities an opportunity to customise their locally determined agreed syllabuses. This improves standards of religious education nationally by providing a coherent curriculum and assessment framework for Wales. Religious education encourages learners to explore a range of philosophical, theological, ethical and spiritual questions in a reflective, analytical and balanced way to stimulate questioning and debate. 'Respecting Others' Bullying Toolkit in 2011 has specific guidance based upon Race, Religion and Culture. The Welsh Government's Respecting Others anti-bullying guidance includes specific guidance on bullying based on race, religion and culture.

Case Study

Ayesha is an ethnic minority woman in her twenties who wears a headscarf as part of her beliefs as a practising Muslim. She was not born or brought up in the UK and moved to Wales approximately 12 years ago and was in full time employment and accessing mainstream services as and when they were required.

An incident took place when she was out in a shopping centre with a female family member. They were having lunch in the food court and she sat with her back to the crowd whilst her relative sat across from her. They were just chatting away when she suddenly felt a sharp pain on the back of my head and as she was recovering from the pain and the shock, she heard a voice say to her, "May God be with you" followed by laughter.

She managed to compose herself and turned her head to find 3 people (2 young men and a young woman) standing a few feet away from her laughing. Her relative told her that it was one of them who had hit her and she got up to confront them as she was really angry that not only had she been hit but the perpetrators were standing around laughing about it. She shouted at them and asked them what their problem was and by this time people in the food court were staring at them. Her relative was really uncomfortable with the attention and kept begging her to sit down and just 'let it go'.

The 3 of them then ran off and she headed over to the information counter to report to the staff what had happened. They were horrified when she told them about the incident and they dispatched security staff to search for the perpetrators. There were also police officers in the shopping centre and they joined the search.

Unfortunately the perpetrators could not be located. The incident has left a sense of paranoia about her personal safety. When she is out in public, she feels like she has to constantly be on her guard and be in a position where she may need to run/flee at any moment. She feels that no one should ever have to feel this way and that no one should ever have to fear violence because they happen to be different.



Sexual Orientation

The picture in Wales

How Fair is Wales?' highlights that 1.7% of the Welsh population say they are gay, lesbian or bisexual and estimates suggest that the make up is around 6% of the UK population. The Integrated Household Survey (IHS) 2012 reports the proportion of the Welsh population who are gay, lesbian or bisexual as 1.3 %, and 1.5 % of the UK population, however in many surveys respondents do not respond to questions on sexual identity, so this may lead to underrepresentation. This information was not collected in the census in 2011.

Statistics

- The All Wales Hate Crime research in 2013 highlights that lesbian, gay or bisexual victims were most likely to physically retaliate, to avoid certain places and were most likely to attempt to conceal some aspect of their identity post-victimisation. Over a third (38.3%) of all victims stated that violent crimes were the most serious they had experienced, which is the highest amongst all characteristics in the survey and there were statistically significant differences in levels of fears of hate crime compared to non lesbian, gay or bisexual respondents.
- 'Homophobic Hate Crime – The Gay British Crime Survey' in 2013 shows that two thirds of those experiencing a hate crime or incident did not report it to anyone, more than three quarters did not report it to the police and two in five victims of a hate crime or incident did not report it because they didn't think it was serious enough to report.
- 'How Fair is Wales' by EHRC in 2011 highlights that people in Wales are amongst the least likely in the UK to agree that anti-gay prejudice should be tackled, a fifth (22%) think a lesbian or gay person is unsuitable to be a teacher, 17% think it is acceptable for a bed and breakfast establishment to turn down a booking from a lesbian or gay couple, and more than a quarter (26%) would be unhappy about a close relative marrying or forming a long term partnership with someone of the same sex. The EHRC research 'Homophobic hate crimes and hate incidents' highlights that 7 in 10 lesbian, gay and bisexual people think that they are at greater risk of being insulted and harassed, and half think that they are at greater risk of being physically assaulted than someone who is heterosexual.

Evidence

Stonewall 'Homophobic Hate Crime – The Gay British Crime Survey' in 2013 paints a picture of lesbian, gay and bisexual people suffering wide-ranging abuse, from physical assaults and threats of violence through to harassment, verbal insults and damage to their property. Hate crimes and incidents affect gay people of all ages living in all regions of the country with half of those who experienced a hate crime or incident identifying that the perpetrator was a stranger aged under 25. However, three in ten victims said they knew the perpetrator or one of the perpetrators, whether it was someone living in their area, a colleague or even a friend or family member.

Research by EHRC in 2009 into 'Homophobic Hate Crimes and Incidents', highlighted that lesbian, gay and bisexual ("LGB") people commonly experience harassment and discrimination. People worry about being at risk of experiencing a hate crime or incident which has a dramatic impact on the quality of life for individuals. This found that people can dramatically change their daily routines to avoid being the victim of hate.

Stonewall Cymru research 'The Teachers' Report' in 2012 highlights that homophobic bullying continues to be widespread in Britain's schools. More than half (55%) of lesbian, gay and bisexual pupils have experienced direct bullying. Findings highlight that the use of homophobic language is endemic and that homophobic bullying has a profoundly damaging impact on young people's school experience and impacts directly on their school work. Gay people who are bullied are at a higher risk of suicide, self-harm and depression. Sport Wales in partnership with Stonewall Cymru launched research findings into 'Understanding Lesbian, Gay and Bisexual Participation in Sport' in 2012. This highlighted that LGB people are interested in sport, and furthermore would like to participate and volunteer more in sport. Many are not being discouraged to participate, but are being put off because their perception, based on their experience, is that sporting environments are unpleasant and unsafe for gay people.

The Open University 'Bisexual Report' in 2012 shows that people's experiences differ in important ways from those of heterosexual people and from those of lesbian and gay people. Bisexual people often face discrimination and prejudice from within heterosexual, lesbian and gay communities.



Welsh Government Supporting Areas

Sport Wales is working with Stonewall Cymru to create a thriving sporting community within Wales, where lesbian, gay and bisexual people feel safe, welcome and free from discrimination when participating in sport. Consequently an LGBT Sport Network has been formed to tackle homophobia in Sport.

The Welsh Government's Respecting Others anti-bullying guidance includes guidance on homophobic bullying in schools.

The Welsh Government is working with Stonewall Cymru to strengthen community engagement and encourage the participation of lesbian, gay and bisexual people in communities. Although the sexual orientation of a person should not be an issue, it is vital that we are aware that all people should be able to be themselves and should feel enabled and encouraged to participate in community life.

Case Study

Derek and Anthony are a gay couple who have been together for 8 years. They are planning to get married next year.

Until a year ago they had lived in a busy town centre where they had suffered homophobic remarks and name-calling. They decided to relocate to a quiet village on the outskirts of the town, where they moved into a local Housing Association flat. They had hoped that by doing so they would get away from the behaviour they had previously experienced.

However it soon became the norm for them to be targeted both by adults and youths. This took the form initially of homophobic remarks and taunts but quickly escalated to groups of youths standing outside the front and back of their flat hurling abuse at them; knocking part of their fencing down and throwing objects into their garden. They became prisoners in their flat and they continually had their curtains closed.

This had a profound effect on Derek and Anthony's health, both becoming very depressed and frightened. Derek became so ill that he had to be admitted to hospital, because of other medical problems he suffered from, which had been exacerbated by the additional stress of the situation.

They reported numerous incidents to the local police, but there were continued difficulties with identifying the culprits. Further support was received through local Police (Neighbourhood Police Teams and PCSOs) and Victim Support to ensure that a thorough response was taken when incidents occurred, which included installing security measures. The Police established a nominated person to maintain close contact with the couple.

A wider multi-agency response was required under these circumstances. The Housing Association and Health Services were engaged to provide an effective response and to assess the needs of and high risks to the individuals involved. An action plan of support was developed across agencies.

Gender Identity

The picture in Wales

There are no reliable statistics on the number of people in Wales based on gender reassignment.

Statistics

- The All Wales Hate Crime research in 2013 shows that transphobic hate crime victims were most likely to suffer multiple impacts, nearly half (46%) of victims disclosed suicidal thoughts with over a third (37.5%) of victims stating that violent crimes were the most serious they had experienced. Across all the protected characteristics, transphobic respondents were the most likely to fear hate crime.
- 'How Fair is Wales?' by the EHRC in 2011 found that many people in Wales are uncomfortable about transgender people. Only a third of adults say that they would be happy for a relative to have a long-term relationship with a transgender person and nearly half thought a transgender person is unsuitable to be a teacher.
- Press for Change in 2009 reported that 48% of transgender people have been victims of assault, 78% have been verbally abused by strangers and 43% report themselves as a victim of crime motivated because they are transgender.

Evidence

The EHRC 'Transgender Report' in 2009 highlights that the causes of gender identity hate crime were linked to sexism, heterosexism (the view that heterosexuality is normal and superior), authoritarianism and belief in a rigid division of sex or gender. Non transgender people were thought to feel uncomfortable in terms of sexual orientation when they could not ascribe a fixed gender to a person.

'Empowering People to Tackle Hate Crime' by EHRC in 2010 highlights that further work is required in the UK to strengthen trust and support between transgender people and police forces. Also that further support is required for transgender people through the criminal justice system when cases are being prosecuted.



Welsh Government Supporting Areas

The Welsh Government's Respecting Others anti-bullying guidance includes guidance on 'Sexist, Sexual and Transphobic Bullying'. There is strong evidence that teachers are not well informed on working with transgender people and there remains a significant amount of discrimination and negative stereotypes due to a person's gender identity.

Sport Wales is working with Stonewall Cymru to create a thriving sporting community within Wales, where lesbian, gay and bisexual people feel safe, welcome and free from discrimination when participating in sport. Consequently an LGBT Sport Network has been set up, which will also identify how transgender people in sport can be supported to engage and participate and to reduce some of the barriers to negative stigma.

Case Study

Edwina is now 28 years old. She was registered male at birth and throughout her formative and schooling years was Edward and lived as a male. From an early age Edwina felt that she was different from her school friends and was uncomfortable with her gender. She did not feel able to talk to anyone about this, and it meant for her a difficult and often miserable young life. She was withdrawn and often isolated and suffered bullying and name calling.

When she was nineteen years old, she told her parents of her feelings but they were not sympathetic and told her that she was imagining it. This created tensions within her family and after 2 years she moved out of the family home and lived in a town centre flat. She was virtually alone and became depressed and withdrawn. She had a job in a local supermarket, but was the subject of a 'whispering' campaign by work colleagues.

She plucked up the courage to tell her Doctor about how she felt and she introduced her to a Transgender support group. Over the next two years Edwina went through counselling leading to her beginning her transition to her true gender, including surgery, which was completed when she was 26 years old.

Edwina continued to suffer verbal abuse and taunting about her gender identity. She has moved jobs and now works as an administrator. She feels that her work colleagues, although outwardly friendly, are talking behind her back and not accepting her for who she is. A recent incident occurred at work, when she walked in on a conversation where another member of staff was talking to others about her.

She continues to engage with specialist support groups for transgender people and is receiving ongoing support from specialist officers within the Police and Victim Support. She is being provided with additional support through a specialist discrimination advice service in her pursuit of the lack of action by her employers. They have been contacted to ensure that they are fulfilling their obligations under the Equality Act 2010.

Age

The Picture in Wales

In the 2011 census data for Wales, 19% of people are aged 0-16 and 4% are between 16-18 years of age. 38% of the population are over 50 years of age and 9% over 75.

Statistics

- The All Wales Hate Crime research in 2013 shows that hate crime victimisation has the biggest impact on the quality of life of young respondents aged 16-19. Victims were least likely to disclose that the incident was motivated by this aspect of their identity (66%) and were least likely to report (41%) because it was believed that the police could not have done anything to help.
- Funky Dragon national survey in 2013 shows that 47% of children surveyed stated that they had been bullied, 37% of those said that they had suffered from cyberbullying with 43.8% of girls reporting it compared with 27.4% of boys.
- Barnardo's Cymru survey into bullying in 2013 found that 58% had witnessed bullying of children and young people due to their sexuality, 58% had seen bullying as a result of disability or 'special needs', 51% had witnessed bullying due to race or cultural background and that 84% of all respondents felt more should be done to stop bullying.
- Over 30% of Childline callers report that they have experienced bullying and over 65% of young carers are bullied at school. Bullying was a common theme, with nearly every group citing this as a reason for non-attendance (National Behaviour and Attendance Review 2009) and 18% of pupils in Year 6, falling to 11% in Year 10, admit to bullying other pupils (All Wales Survey of Bullying in Schools 2009).
- The Crown Prosecution Service records crime against older people. There were a total of 238 cases recorded in 2011/12 in Wales, although there is no statutory definition of a crime against an older person and no general statutory offence.

Evidence

The All Wales Hate Crime Research in 2013 shows that 'age' was often highlighted by both younger and older victims as an intersectional factor that contributed negatively to how a hate crime was experienced, rather than a dominating factor in their victimisation. It specifies that age is a clear aggravating factor and a number of interviews highlighted that both young and old people stated that age increased feelings of vulnerability during and after a hate crime experience. The study further highlights that older age contributes negatively to how a hate crime is experienced, such as an increase in feelings of fear or vulnerability. Hate-related bullying in schools was thought to be a considerable problem identified.

Barnardo's Cymru 'Research Findings from Anti-bullying Poll 2013' highlights that children and young people have three clear areas of concern. Their first priority was regarding the need to improve current practice in schools, their second was the need for clear systems of support and sanctions for those who display bullying behaviour. Lastly, bullying and community safety was raised including the need to focus on bullying outside the school gates and in the wider community. The research concluded that there was a need to link hate crime and community safety to the experiences of children and young people.



The research also highlighted a high level of concern for cyber bullying which was felt to be an escalating problem. Research by Barnardo's Cymru into 'Young People's Experiences of, and Solutions to Identity Based Bullying' in 2007 highlighted that there was evidence that adults perpetrate hate incidents against children and young people by virtue of their age.

Negative stereotypes and attitudes can develop from a young age. Evidence and practice shows that bullying affects the emotional well-being and mental health of children and young people. There is evidence to support that when children are bullied in schools there is also a detrimental impact on education achievement (Woods and Wolke, 2004). The Welsh Government survey into the 'Prevalence and Incidents of School Bullying in Wales' highlights pupils in years 6, 7, and 10 are victims of bullying which is often both frequent and sustained over long periods of time. Pupils experiencing frequent and sustained bullying also had less confidence that their school could help them if they were bullied, when compared to other pupils. This was a consistent finding across different types of schools and suggests that all schools need to identify more effective ways to reduce this frequent and sustained bullying.

Discrimination on the basis of age can have a massive impact on older people's dignity, independence and wellbeing. Research by Department of Work and Pensions 'Attitudes to Age in Britain' in 2011 has found that our perceptions of the seriousness of age discrimination are influenced by many issues including: our employment, gender, health and housing. In an ageing population, the characterisation of older people as a burden carries potential community cohesion implications now and in the future and may impact on older people's experience of hate crime.



Failure to appropriately record and categorise an offence represents a significant barrier to older people's access to justice. Research findings from the evaluation of Access to Justice Pilot Study by Welsh Government in 2012 identified inconsistencies in the referral patterns used by police, health and social care when dealing with domestic abuse involving older people. The Older People's Commissioner for Wales will be reporting on additional research commissioned into the system's use to record, share and manage adult protection, domestic abuse and hate crime experienced by older people.

The term 'elder abuse' has been useful in raising awareness of the fact that older people can not only experience neglect but also be the victims of physical, psychological, financial and sexual abuse. However, the term distinguishes abuse of older people from the abuse of other adults and terminology is an area which will be explored with the Older People's Commissioner and partners. Although it has no statutory basis, the Crown Prosecution Service 'flags' crimes against older people where there is a relationship and an expectation of trust, or the offence is specifically targeted at the older person because they are perceived as being vulnerable or an 'easy target'. There are parallels with mate crime that need to be explored but more importantly, any targeting of older people due to their perceived vulnerability or for any other reason requires further exploration.

Welsh Government Supporting Areas

Children's rights as set out in the Articles of the United Nations Convention on the Rights of the Child (UNCRC) are interconnected and are for all children under the age of 18 years. The general principles of the UNCRC are that all the rights listed in the UNCRC must be available to all children without discrimination of any kind (Article 2). The Rights of Children and Young Persons (Wales) Measure 2011 extended duty comes into force on 1 May 2014. This will help to strengthen the focus on the rights of children and highlight any potential impact as a result of all decisions that relate to children and young people under the age of 18.

Anti-bullying Guidance 'Respecting Others' was published in 2011 which provides practical advice and case studies for schools.

Hate Crimes against older people is an area which requires greater exploration across Wales. The Welsh Government's Strategic Equality Plan aims to tackle elder abuse and a recent Access to Justice Pilot has taken place to enable older, vulnerable victims of domestic abuse to access criminal or civil justice processes in seeking protection from further abuse. The 3rd phase of Older People Strategy was launched in 2013 and also a Framework for Action by the Older People's Commissioner for Wales which both aim to tackle prejudice, inequality and discrimination faced by older people. Safeguarding Adult Boards to be established under the Social Services and Wellbeing (Wales) Bill will play a key role in tackling discrimination.

Welsh Government has given a commitment to consider the development of a Declaration of Rights for Older People in Wales. The Older People's Commissioner will establish a task group to take this forward. The Declaration will not in itself have legal redress but will send a strong message to public services in Wales on older people's rights giving them a framework to better understand their rights and access them.



Other forms of Hate

Research into **cyber bullying** was carried out by Beatbullying UK. It shows that 28% of 11 to 16 year olds have been deliberately targeted, threatened or humiliated by an individual or group through the use of mobile phones or the internet. For over a quarter of these, this experience was ongoing meaning the individual was continuously targeted for bullying by the same person or group over a sustained period of time. Cases can involve hatred through social networking sites, blogs and chat rooms. Because of the fast changing pace of social media, this form of hate is extremely hard to track and monitor, and presents a particular challenge to parents and teachers alike. The Welsh Government's Respecting Others guidance for schools on anti-bullying includes guidance for schools to tackle cyberbullying.

People across a range of ages may not feel safe on-line and can experience cases of harassment and bullying. There is a perception that people are able to post messages of hate on-line without fear of any repercussions. There are also extreme examples of on-line Trolls who are people who sow discord on the Internet by trying to start arguments and cause distress. The landmark case in 2012 of Liam Stacey, who tweeted racial comments against a Premiership footballer, highlighted that on-line hatred should not be tolerated and that it is important that people understand their responsibilities whilst engaging in an on-line environment.

We recognise that hate crimes and incidents are not only taking place across the five monitored protected characteristics but there are also other forms of hate which require further understanding and prevention. This includes '**Alternative Subcultures**' which have been highlighted following the tragic murder of Sophie Lancaster in 2007, who was attacked because of the way she dressed. There are also issues raised around appearance based bullying and hate. Respondents in 'Consultation – Summary of Responses' have also highlighted negative attitudes and evidence of hatred based upon people who are homeless, ex-prisoners, football supporters and care leavers. Although these are not areas protected under the Equality Act 2010, it is important that the Framework recognises that these forms of hate exist.

We recognise that **far right hatred and extremist attitudes** are damaging and corrosive to community cohesion, where such messages can spread division and hatred. Extremists groups co-exist to feed negative messages and to enforce negative images. This directly links with the UK Government's Prevent Strategy, which has a clear focus on tackling all forms of terrorism and extremism, recognising that the most significant threat facing the UK is currently from al-Qa'ida influenced terrorism.

Work in Wales to identify individuals vulnerable to extremist messaging, including the extreme far right includes Workshops to Raise Awareness of Prevent (WRAP). This training is delivered to frontline staff in Wales through a train the trainer approach, so that potential signs of terrorism and radicalisation can be identified. Channel is a key element of the Prevent strategy. It is a multi-agency approach to protect people at risk from radicalisation. Channel uses existing collaboration between local authorities, statutory partners, the police and the local community to identify individuals at risk of being drawn into terrorism, assess the nature and extent of that risk and to develop the most appropriate support plan for the individuals concerned.

Welsh Government strongly supports the links between 'Prevent', which operates in the 'pre-criminal' space, and community cohesion, where all forms of extremism can be tackled by communities working together to eliminate hatred. There have been lessons learnt about understanding emerging tensions within communities and being able to dynamically react where there are particular issues and concerns. Welsh Government published 'Community Mapping and Tension Monitoring Guidance' in 2011 and we want to continue working with local authorities to understand and monitor local tensions to aid preventative approaches.

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Annex 1 – Key Links

All Wales Hate Crime Research

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An Overview of Hate Crime in England and Wales

<https://www.gov.uk/government/publications/an-overview-of-hate-crime-in-england-and-wales>

Effectiveness of Third Party Reporting Centres: Torfaen People First ‘Talk About It’ Project

<http://wales.gov.uk/about/aboutresearch/social/latestresearch/new-ideas-fund-researching-effectiveness-third-party-reporting-centres/?lang=en>

Hidden in Plain Sight: Inquiry into disability-harassment

<http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report/>

National Assembly for Wales Communities and Local Government Committee: Inquiry into disability-harassment

<http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=1519>

UK Government: Hate Crime Action Plan ‘Challenge It, Report It, Stop It’

<https://www.gov.uk/government/publications/hate-crime-action-plan-challenge-it-report-it-stop-it>



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A decorative graphic at the bottom of the page consisting of several horizontal stripes in yellow, orange, and red colors.