

SI2117

# Hate Crime

**SI Identification Number** SI2117

**Policy Ownership** Local Policing

**Initial Publication** 04/05/2017

**Review Cycle** 2 Years

**Reviewed** 25/04/2023

**Last Amended** N/A

**Governing Service Policy** Vulnerability

**Cancellation of** SP16/2012  
Police response to Hate Incidents

**Classification** **OFFICIAL [PUBLIC]**

The aim of this Service Instruction is to provide the Police Service of Northern Ireland with clear information on how to respond to, and investigate [Hate Crimes and Non-Crime Hate Incidents](#).

## Table of Contents

1. Why does the Investigation of Hate Abuse matter? .....	4
2. Our Key Priorities.....	4
3. The Perception Test.....	5
4. Recording of Non-Crime Incidents.....	6
5. Hate Crimes/ Incidents against Police Officers and Staff .....	8
6. Vulnerability Risk Assessment Matrix.....	8
7. Responsibilities of Line Managers .....	10
8. Considerations.....	15

## Table of Appendices

Appendix A Definition of Hate Crime .....	18
Appendix B Legislation and Evidence for Hate Crime .....	20
Appendix C Vulnerability Risk Assessment Matrix .....	21
Appendix D Action Plan – Elements for Consideration.....	24
Appendix E Investigation Standards.....	25
Appendix F Police Service Employee Victims .....	31
Appendix G Hate Crime Engagement Plan.....	32
Appendix H Supportive Guidance and Additional Reading .....	33
Appendix I Chief Constable’s Nine Point Plan.....	34
Appendix J Contact Us .....	35

## 1. Why does the Investigation of Hate Abuse matter?

The impact of hate and signal crime can be long lasting and far reaching, going beyond the victim's own experience and increasing fear in the wider community.

We are committed to ensuring that the needs of all victims are a priority throughout the criminal justice process.

Research repeatedly shows that many people tolerate 'low level' incidents and crimes and do not report to the authorities on the assumption that nothing can, or will, be done, that they won't be believed and won't be taken seriously. This results in a high level of underreporting. Building confidence in how we approach and deal with victims of Hate Abuse is therefore critical.

Our work supporting victims of hate crimes and non-crime hate incidents and working with partners, continuously reinforces the importance of the investigation stage.

During the investigation stage it is the first response, how the investigation is carried out, and the communication with the victim

that can either increase or destroy the communities' confidence in the Police Service. It is not only the direct victim who is affected, but also anyone who shares or is perceived to share their identity.

The partnership that has been fostered through the [Hate Crime Advocacy Scheme](#) shows that people have more confidence and feel safer in their communities when the Police Service gets these first steps right.

## 2. Our Key Priorities

The key priority for the police in terms of hate and signal crime (see [Appendix A](#)) is to ensure that the needs of the victim are treated as paramount. This will shape the nature of the police response and subsequent investigation to:

- Assess the risks to the victim/s as well as to their wider community and to manage those risks through appropriate interventions.
- Effectively investigate all reported crime and non-crime hate incidents in line with investigative standards and ensure victims, complainants or reporting

persons are updated at key stages e.g. arrest, bail.

- Work in partnership with other agencies and organisations to collaboratively address Hate Crime.

### 3. The Perception Test

Evidence is **NOT** the test when reporting a hate incident.

When an incident or crime has been reported to police by the victim, reporting person, complainant or by any other person *and they perceive* it as being motivated by prejudice, hostility or hate against one of the following protected characteristics:

- Race or perceived race – HARC;
- Sexual Orientation or perceived sexual orientation – HAHO;
- Disability or perceived disability – HADB;
- Sectarian – HASE;
- Religion or perceived religion – HARL;
- Transgender identity – HATR.

It will be recorded and investigated, as appropriate, as a non-crime hate incident or hate crime. The protected characteristics are defined at [Appendix A](#). The perception of the victim, reporting person, complainant or any other person is the defining factor in determining whether an incident is a non-crime hate incident, or in recognising the prejudice, hostility or hate element of a hate crime. Perception-based recording refers to the perception of the victim, or any other person.

It would **NOT** be appropriate to record a crime or incident as a hate crime or non-crime hate incident if it was based on the perception of a person or group who:

- Had no knowledge of the victim, crime or the area;
- May be responding to media or internet stories; or
- Are reporting for a political or similar motive.

The other person could, however, be one of a number of people, including:

- Police Officers or Staff;
- Witnesses;

- Family members;
- Civil society organisations who know details of the victim, the crime or hate crimes in the locality, such as a third-party reporting charity;
- A carer or other professional who supports the victim;
- Someone who has knowledge of hate crime in the area – this could include many professionals and experts such as the manager of an education centre used by people with learning disabilities who regularly receives reports of abuse from students; or
- A person from within the group targeted with the hostility, e.g. a Traveller who witnessed racist damage in a local park.

When a non-crime hate incident or crime has been reported to police by a reporting person, complainant, victim or by any other person and they perceive it as being motivated by prejudice, hostility or hate against one of the protected characteristics, it will be recorded and investigated as a non-crime hate incident or crime.

The Police Service will accept, without challenge, the view of a victim or any other person that the crime was motivated by hate on one of the defined grounds (See [Appendix A](#)).

In all cases, victims should be treated sensitively in a way that is appropriate to their needs and their personal culture and traditions, recognising the greater impact that hate crimes and non-crime hate incidents may have on victims and the wider community

## 4. Recording of Non-Crime Incidents

When dealing with non-crime hate incidents alleged to be motivated by prejudice, hostility or hate, Officers and Staff **must** apply proportionality, common sense and discretion when deciding, based on the available facts, whether a report, perceived by the reporting person to be motivated by prejudice, hostility or hate should or should not be recorded as a non-crime hate incident.

A non-crime hate incident must not be recorded where it is trivial and a hostility /

hate motivation qualifier should not be added where it would not be reasonable to do so. The initial reported incident should still be recorded in line with the National Standard for Incident Recording (NSIR). For example, where the complaint is irrational or malicious, and/or there is no evidence to support the perception of the complainant or other person that the incident is motivated by hostility against a monitored strand or protected characteristic.

Police **must** ensure that where non-crime hate incidents are being recorded and dealt with, this is done by the **least intrusive method**, and achieves a legitimate policing purpose. For example, it may not be necessary to record personal data of any party, other than the complainant, to achieve the relevant policing purpose. Simply recording location data and an overview of the circumstances may meet intelligence, problem solving and auditing needs.

To achieve the least intrusive method, Officers **must** apply proportionality, common sense and discretion when deciding, based on the available facts,

whether a report, perceived by the reporting person or complainant as motivated by prejudice, hostility or hate, should, or should not be recorded as a non-crime hate incident.

If there is no basis to conclude that an incident was motivated by prejudice, hostility or hate, it should not be recorded as a non-crime hate incident. However it should be recorded as an incident / occurrence e.g. if A claims that B shouted abuse at her in the street for wearing an Arsenal shirt and that this was motivated by the fact that Arsenal's fans are generally from racially mixed areas, but the Officer deems this to be trivial on the basis that there is no reason to suspect any hate motivation. This incident should still be recorded but not as a hate incident.

Where an involved party is identified, traceable and where it is proportionate, they should be notified that a complaint has been made and given a right to reply. It may also be necessary and appropriate to remove information that might identify any party complained about because there is no policing purpose to retain that information.

**Remember!** Non-crime terminology should be used to refer to the parties involved in a non-crime incident, for example complainant, reporting person or involved party.

## 5. Hate Crimes/Incidents against Police Officers and Staff

Any employee of the Police Service who is the victim of a hate crime or non-crime hate incident is afforded the same level of service with regard to investigation and support.

Hate crimes or non-crime hate incidents against Police Officers and Police Staff are unacceptable and should not be considered 'part of the job'.

Hate crimes or non-crime hate incidents against Police Officers or Police Staff must be recorded and the principals of the Chief Constable's Nine Point Plan must be adhered to (See [Appendix I](#)).

Any hate crime or non-crime hate incident against a Police Officer or Police Staff must be brought to the attention of their line

manager who can put in place appropriate support measures.

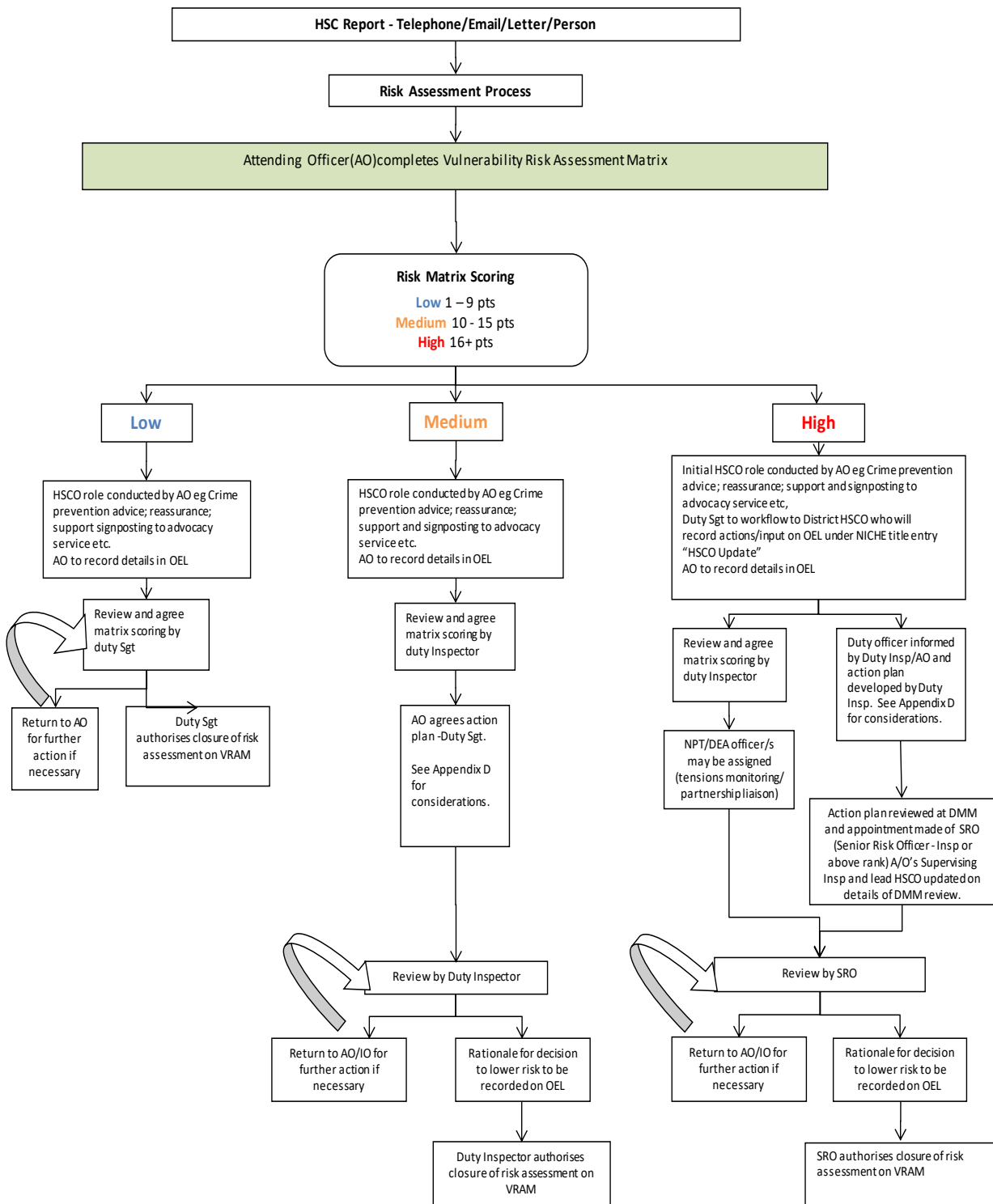
All hate motivated occurrences must be recorded as either a hate crime or non-crime hate incident occurrence on Niche with the Police Officer or Police Staff member victim recorded.

## 6. Vulnerability Risk Assessment Matrix

A [Vulnerability Risk Assessment Matrix](#) (VRAM) will be used to help Officers fully assess and document the risk and impact of hate and signal crime/incident on the victim and the wider community and will prompt and provide an audit of the actions taken by PSNI personnel to mitigate further victimisation. If there is no specifically identifiable person or group at risk a VRAM will not be required, e.g. flag or poster related incident. Details of the action taken by personnel where a hate crime/incident have been scored as LOW; MEDIUM or HIGH are in the following flow chart.



# Corporate Policy | Service Instruction



## 7. Responsibilities of Line Managers

<p><b>Contact Management Centres/Dispatchers (CMC)/Station Enquiry Assistants/Station Duty Officers</b></p>	<p>✓</p>
<p>Upon receipt of a non-crime hate incident or hate crime a new Control Works serial will be commenced unless it is more appropriate to commence an RM log on Niche as per current practice where reports are made outside of the Contact Management Centre</p>	
<p>Obtain necessary information to ensure the appropriate action is taken and to identify repeat victims and vulnerability issues. If in doubt simply ask the reporting person or victim sensitively/carefully about their needs/worries/concerns.</p>	
<p>When closing it is essential that the appropriate qualifiers are correctly entered to ensure that the incident is properly recorded.</p> <ul style="list-style-type: none"> <li>• Race or perceived race– HARC;</li> <li>• Sexual Orientation or perceived sexual orientation – HAHO;</li> <li>• Disability or perceived disability – HADB;</li> <li>• Sectarian – HASE;</li> <li>• Religion or perceived religion – HARL;</li> <li>• Transgender identity – HATR.</li> </ul>	
<p>Contact Management Centre Supervisors should regularly check that Control Works serials are fully completed and comprehensively updated and that the appropriate closing codes and qualifiers are included.</p>	

<b>Co-ordination Tasking Centre</b>	✓
Co-ordination and Tasking Centres (CTCs) will be the interface between CMCs and Attending Officers and will co-ordinate and direct resources to key priorities as per threat, risk, harm and opportunity.	
<b>Attending / Investigating Officer</b>	✓
Attending Officer (AO) will attend the scene of the hate crime or non-crime hate incident.	
Commence investigation, add and complete the Vulnerable Risk Assessment Matrix (VRAM) Appendix C refers. Complete the initial investigation record (IIR) for hate crimes and non-crime hate incidents. Discuss the role and independence of the <a href="#">Hate Crime Advocacy Scheme</a> and seek consent from victim to make a referral on their behalf. VRAM to be discussed with supervisor for agreement and direction.	
Retain and progress investigation of the hate crime/incident unless otherwise directed by supervisor.	
<b>Record detail of victims’ ethnicity; nationality; religion and disability type</b> where applicable on both incident record and against the victim/subject Niche profile.	
<p>If a withdrawal statement is recorded from the victim it should include:</p> <ul style="list-style-type: none"> <li>• Alleged crime</li> <li>• Reasons for withdrawal</li> <li>• Clarity - is victim stating the offence did not occur or does not wish the investigation to continue</li> <li>• Was victim pressurised, directly or otherwise</li> </ul>	

<ul style="list-style-type: none"> <li>An account of how the crime has impacted on the victim.</li> </ul>	
Update victim in line with current guidelines i.e. 10 day victim updates.	
<b>Ensure records updated and NICHE workflows managed, including Contact Management Support Unit (CMSU).</b>	
<b>Supervising Sergeant</b>	✓
Review the initial investigation, VRAM and actions to support the victim and wider community. If the victim is a Police Officer or Police Staff then the Chief Constables 9 Point Plan is to be implemented.	
Record reviews and directions on NICHE OEL: Supervise the investigation of the hate crime/ non-crime hate incident to completion unless otherwise directed.	
Action Plan considerations to be included in OEL for those assessed as medium risk.  ( <a href="#">Appendix D</a> ).	
Review assessed risk on VRAM and authorise closure of risk assessment process of non-crime hate incidents and hate crimes assessed as low risk on VRAM. Actions to mitigate risk must be recorded.	
<b>Duty Inspector</b>	✓
Record advice provided or direction made as an OEL entry on NICHE.	
Action Plan considerations to be included in OEL for those assessed as high risk. ( <a href="#">Appendix D</a> ).	

Review current risk and authorise Risk Assessment closure of non-crime hate incidents and hate crimes assessed as medium risk on VRAM. Actions to mitigate risk must be recorded.	
Brief the Duty Officer and District/HQ Corporate Communications if incident is assessed as <b>High Risk</b> .	
<b>District Hate Crime Champion – Chief Inspector</b>	✓
Ensure Hate Crime interventions are developed with Policing and Community Safety Partnerships (PCSPs), statutory, voluntary and community support agencies within their District, in order to establish good working practices and innovative initiatives in preventing non-crime hate incidents and crimes. Ensure repeat victims are monitored through Pulse and appropriate intervention is taken to reduce repeat victimisation of Hate Crime.	
Ensure an appropriate District Engagement Strategy (see <a href="#">Appendix G</a> ) is developed based on the framework in the PSNI Operational Guidance Manual.	
Ensure that PCSPs updates are provided to Local Policing (In Belfast this will be DPCSPs).	
Appoint at least one District Lead Hate and Signal Crime Officer.	
Monitor District performance to ensure compliance against the service procedure through dip sampling of 20% of hate crime and hate incidents (dip sampling completed by C&A).	
Task Compliance & Audit function to dip sample hate crimes and non-crime hate incident reports and report back any trends or concerns being identified.	
Monitor Pulse for trends that may require a response	

<b>District Management Meetings(DMM)</b>	✓
Review high risk hate crimes and non-crime hate incidents at DMM with a view to ensuring all actions in terms of mitigating risk are being progressed accordingly. Record on Niche OEL.	
Appoint a Senior Risk Officer (SRO) (Inspector or above depending on incident/crime) who will have responsibility for reviewing and authorising Risk Assessment closure of hate incidents/crimes assessed as <b>High Risk</b> .	
<b>Senior Risk Officer</b>	✓
Review current risk and authorise Risk Assessment closure of non-crime hate incidents and hate crimes assessed as high risk on VRAM. Actions to mitigate risk must be recorded.	
<b>Hate and Signal Crime Role Officer(s) (HSCOs)</b>	✓
HSCO will be appointed in incidents assessed as <b>High Risk</b> and will update OEL using the NICHE OEL title entry “HSCO update” They will complete tasks assigned to them by the SRO.	
Lead HSCOs will be a single point of contact (SPOC) for internal District and HQ reference, training purposes as well as being the link for the advocacy services.	
<b>Criminal Justice Branch</b>	✓
Where OCMT personnel update NICHE regarding the hate statistic classification tab on NICHE, a notification of the change to the Investigating Officer and Supervisor will be confirmed via a manual work-flow on NICHE.	

<b>Compliance and Audit Function (C&amp;A)</b>	✓
<p>Hate crimes and non-crime hate incidents will be dip-sampled with a sample rate of 20% of incidents and crimes from each District and forwarded to the District Hate Crime Champion for appropriate action. Key Controls are found in <a href="#">section 7</a>.</p> <p>Investigation files will be subject to audit and inspection as directed by Service Hate Crime lead.</p> <p>Key learning points to be forwarded to Service Hate Crime lead via District Hate Crime Champions.</p>	
<b>Area Intelligence Hubs</b>	✓
<p>Research and link intelligence with the corresponding non-crime hate incidents and hate crimes. Process intelligence requests and brief the Investigating Officer accordingly.</p>	

## 8. Considerations

The following table outlines the steps to take and who has responsibility for that activity depending on the risk assessment:

Refer to <u>Risk</u> <u>Flowchart</u>	Responsible	Compliance – Low, Medium, and High
1	CMC	Appropriate qualifiers used on Control Works when closing

2	Attending Officer	VRAM added to NICHE and completed. Initial referral to Hate Crime Advocacy Service
3	Investigating Officer	“Stats Classification Misc” tab appropriately completed and relevant personal details of victim/subject updated on NICHE (via CMSU)
4	Investigating Officer	Victim/ Complainant updated within 10 days
5	Sergeant	Supervisory updates on OEL

	Responsible	Compliance – Low
6	Sergeant	Following a review of current risk the risk assessment must be closed on the VRAM at initial review
	Responsible	Compliance – Medium
6	Sergeant	Action plan considerations noted on OEL.
7	Inspector	Following a review of current risk the risk assessment must be closed on VRAM



	<b>Responsible</b>	<b>Compliance – High</b>
<b>6</b>	Duty Inspector	Action plan considerations noted on OEL.
<b>7</b>	DMM	Subject to DMM
<b>8</b>	SRO	Action plan considerations noted on OEL
<b>9</b>	Lead District HSCO	Input using “HSCO Update”
<b>10</b>	Senior Risk Officer	Following a review of current risk the risk assessment must be closed on VRAM
	<b>Responsible</b>	<b>Compliance - Additional</b>
<b>1</b>	C&A	Dip Sampling as per direction of Service Hate Crime Lead

## Appendix A Definition of Hate Crime

<p><b>Hate motivation</b></p>	<p>Hate crimes and incidents are taken to mean any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone who is perceived to be or associated with an identifiable group of people, could be a victim of a hate crime or non-crime hate incident.<sup>1</sup></p>
<p><b>Hate Crime</b></p>	<p>A hate crime is any criminal offence which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on:</p> <ul style="list-style-type: none"> <li>• a person's <b>race</b> or perceived race, or             <ul style="list-style-type: none"> <li>○ any racial group or ethnic background including countries within the UK and Gypsy and Traveller groups</li> </ul> </li> <li>• a person's <b>religion</b> or perceived religion, or             <ul style="list-style-type: none"> <li>○ any religious group including those who have no faith</li> </ul> </li> <li>• a person's <b>sexual orientation</b> or perceived sexual orientation, or             <ul style="list-style-type: none"> <li>○ any person's sexual orientation</li> </ul> </li> <li>• a person's <b>disability</b> or perceived disability, or             <ul style="list-style-type: none"> <li>○ any disability including physical disability, learning disability and mental health or developmental disorders</li> </ul> </li> <li>• a person who is <b>transgender</b> or perceived to be transgender,</li> </ul>

<sup>1</sup> [Responding to hate \(college.police.uk\)](http://college.police.uk)

	<ul style="list-style-type: none"> <li>○ Including people who are transsexual, transgender, cross dressers and those who hold a Gender Recognition Certificate under the Gender Recognition Act 2004.</li> <li>● A person’s religious denomination or political opinion or perceived religious denomination or political opinion</li> <li>○ Includes Catholic/ Protestant, Nationalist/ Unionist, Loyalist or Republican but is wider than just the Northern Ireland context and can also relate to other religious denominations for example, Sunni/Shi’ite in Islam</li> </ul> <p>While a crime may be recorded as a ‘hate crime’, it may only be prosecuted as such if <a href="#">evidence of hostility</a> is submitted as part of the case file.</p>
<p><b>Hate Crime Prosecution</b></p>	<p>A hate crime prosecution is any hate crime which has been charged in the aggravated form or where the prosecutor has assessed that there is sufficient evidence of the hostility element to be put before the court when the offender is sentenced.</p>
<p><b>Non – Crime Hate Incident</b></p>	<p>Any incident where the perpetrator’s hostility or prejudice against an identifiable group (as defined above) of people is a factor in determining who is victimised. A non-crime hate incident should not be recorded where it is trivial, it is irrational or there is no basis to conclude that an incident was motivated by hostility or prejudice.</p>
<p><b>Signal Crime</b></p>	<p>A '<b>signal crime</b>' can be defined as <b>any criminal incident that causes change in the public's behaviour and/or beliefs.</b></p>

## Appendix B Legislation and Evidence for Hate Crime

Details of a hate motivated case where an offence is aggravated by hostility must be clearly and fully included at the beginning of the '**structured outline of the case**' on the NICHE case papers. The PPS can then properly consider whether the case can be opened in court as an offence aggravated by hostility.' under the Criminal Justice (No 2) (Northern Ireland) Order 2004. The first line in '**structured outline of the case**' should say the following ' This is perceived to be a XXXXX (insert which strand of hate crime). It should also be noted that although transgender is not currently a protected characteristic in law PPS can proceed with prosecution of a transgender hate crime under Sexual Orientation.

PPS require the following to be set out in the hate crime case files:

- Who perceives the hate crime?
- Why there is the perception it is a hate crime.
- Evidence to back up the demonstration of the aggravation by hostility or the motivation of the offender. This should be a verbatim lift from the statements of evidence.
- Details of evidence to back up the demonstration of the aggravation by hostility or the motivation of the offender being put to the suspect at interview.
- Record of the response to the evidence to back up the demonstration of the aggravation by hostility or the motivation of the offender provided by the suspect at interview.
- If the case is flagged as a hate crime, but there is no evidence available regarding the aggravation element, include this fact in the structured outline of the case.

The better the evidence to the PPS, the more effectively the case can be prosecuted.

Alternative disposal methods e.g. Community Resolution Notices may be relevant given the circumstances of the investigation. Any decision should be conducted in line with the current Criminal Justice Branch guidance.

## Appendix C Vulnerability Risk Assessment Matrix

The HSC RA Closure and Hate and Signal Crime entry forms are now incorporated in the new VRAM on Niche (Screen Shots below)

Restricted: External report: MW15083364 Robbery @01/08/2019 12:00 - WHIT...  
File Edit View Actions Help

Report

**Victim Risk Assessment Matrix for  
WHITE, MARGARET 01/02/1950 (72) F**

Guidance on completing the VRAM can be found here: <http://point/sites/hatecrime>

**Overview**

Occurrence: MW15083364 Robbery @01/08/2019 12:00 (12 FRANCES Created on: 14/06/2022 15:09

**Risk Assessment - Impact Factors**

F3 or ENTER to add/change associated occurrence

Restricted: External report: MW15083364 Robbery @01/08/2019 12:00 - WHIT...  
File Edit View Actions Help

Report

**Risk Assessment - Impact Factors**

Probability of risk:

Impact of Consequences:

Community Impact:

What risks, if any, are there to the wider community, including other members from the relevant protected characteristic?:

**Hate/Signal Crime Information**

F3 or ENTER to add/change associated occurrence

Restricted: External report: MW15083364 Robbery @01/08/2019 12:00 - WHIT...

File Edit View Actions Help

Report

**Hate/Signal Crime Information**

Who perceives this incident to be hate motivated?

What was the victim's emotional response to the incident?

Has a referral been made to NPT for follow up?

Has a referral been made for the Hate Incident Practical Action Scheme or the victim provided with Specialist Crime Prevention Support?

F3 or ENTER to add/change associated occurrence

Restricted: External report: MW15083364 Robbery @01/08/2019 12:00 - WHIT...

File Edit View Actions Help

Report

**Additional Information**

Further historical; vulnerability; support; information:

Conclusion (including rationale for decisions made):

**Signatures**

Officer/Staff Completing:

F3 or ENTER to add/change associated occurrence

Restricted: External report: MW15083364 Robbery @01/08/2019 12:00 - WHIT...

File Edit View Actions Help

Report

Conclusion (including rationale for decisions made):

**Signatures**

Officer/Staff Completing:

Supervisor Approval:

F3 or ENTER to add/change associated occurrence

## Appendix D Action Plan – Elements for Consideration

Police Officers may wish to consider mitigations to reduce the risk relating to the following areas:-

1. Community - local, national, international level;
2. Communications - Media/ PR/Social Media;
3. Intelligence - Requests/Form A submissions;
4. Taskings - to other Officers/Units/external agencies;
5. Way-markers - identify hot-spot areas for targeted patrolling; and
6. Reassurance - Support/Sign-posting/Advice to the victim/Advocacy Service.



## Appendix E Investigation Standards

### 1. Actions of the initial Officer(s) attending the scene – the Primary investigation

Steps should be taken to ensure that a forensic recovery strategy has been implemented and the scene properly secured.

Where forensic opportunities exist then Crime Scene Investigation (CSI), imaging and mapping should be considered.

Names etc. to be taken of all persons present at the scene

The Attending Officer should consider where appropriate, recording the details of clothing worn by those present at the scene and also activating Body Worn Video Camera (BWVC).

### 2. Statements from Victims or Witnesses

Consideration must be given to conducting ABE interviews with any vulnerable victims in line with current Service guidelines. Otherwise, comprehensive witness statements should be recorded.

If translators are required refer to the guidelines from Community Safety Department.

Obtain statements from all key witnesses at the earliest opportunity in order to enhance evidential integrity and content. Probe the witness to ascertain whether any subsequent identification will satisfy the test set out in **R v TURNBULL**.

Use the PEACE model of interviewing to build good rapport, utilising free recall, using open-ended questioning and being sensitive to the negative effects of leading questions.

### 3. House-to-House Enquiries

Ensure that house-to-house enquiries have been conducted in the vicinity of the incident and at any further scenes (vehicles, property etc.).

It is important that an accurate record is maintained of what houses have been called and who has been spoken to and what information has been provided.

The house should be called at twice (only required if you fail to get all the persons in the house the first time) and if there is still no reply then a calling card/ flyer/ questionnaire should be left to contact police.

The second call at the house should be at a time when you reasonably expect persons to be at home.

#### **4. Location and Seizure of CCTV**

Location and seizure of CCTV of evidential value as soon as practicable in order to minimise the risk of corrupting the material by repeated playing etc.

Many homes now have CCTV and occupants should be asked about this during the house to house.

Public buses should be considered for CCTV retrieval if the offence took place on a bus route etc.

CCTV trawl of the surrounding area.

Consider a media appeal for dash cam footage.

#### **5. Computerised or Artists Composite Likeness – Ev ofit**

Consider using this investigative tool where witnesses have viewed and are able to describe the feature.

Do not show a witness photographs before they compile a computerised or artist's composite likeness.

To maximise evidential integrity and value, ensure that the process is completed as soon as practicable, ideally within 24 hours of an unknown offender.

#### **6. Show Photograph Album / Computerised Image Capture – Montage**

Only consider where:

- A witness is unable or unwilling to make a computerised or artists composite likeness.
- Time constraints render the use of a computerised or artists composite likeness impractical.
- The showing of albums of photographs or digital images must be conducted in accordance with the provision of Code of Practice D of the Police and Criminal Evidence (NI) Order 1989.

## **7. Forensic/exhibit review**

Consider immediate action to secure forensic evidence.

When applicable DNA 17 precautions must be taken at all scenes to include disposable scene suit, face mask, double gloves and overshoes. If in doubt consult your FCM or CSI.

Once scenes have been examined any forensic material available must be reviewed with CSI/FCM for prioritization and authorization to submit for examination.

If the Injured Party has been assaulted then their clothing should be seized and held for 72 hours in the event that suspects are identified.

Consideration should be given to the injuries of the injured party and the requirement for authorization for prioritization within Forensic Science Northern Ireland (FSNI).

Establish the results of any forensic examinations and the significance of the orientation of fingerprints/marks.

Remember similar fact evidence, have the suspect's fingerprints been found in similar circumstances in the recent past?

Are there any outstanding forensic hits, including footwear, against the suspect for other types of crimes?

Does the suspect MO match that of any other crimes?

Research of databases, consultation with District analysts, and ROU teams may assist.

Cross-reference descriptions with any seized exhibits, for example suspect clothing.

Consider comparing footwear with the footwear database.

Make sure all exhibits are correctly accounted for, entered on Niche, and there is continuity.

Consider if there is justification for the interrogation of any seized mobiles/computers.

## **8. Interrogate Intelligence and Crime Recording Systems**

- Linking offender to the scene.
- Geographic modus operandi (MO) Links.
- Check all available data bases, (NICHE, PNC etc.).
- Property Search.
- Source Intelligence.
- Forensic Intelligence.
- Consider links from Intelligence Units, Crime Management Units and researchers.
- Priority Offenders and other prolific offenders and Local Targets.
- Hot Spot Location.
- Crime Series/Incident.

Make full use of such systems. Ensure that you submit the information gleaned from your own enquiries. The system is only as good as the information put into it.

Research other crimes occurring in the same area, including the MO, time and day of offence, stolen/damaged property, recovered and abandoned property, descriptions and details of any suspects and vehicles used etc.

## 9. Liaise With Others Having Particular Knowledge

Consider liaison with:

- NPT/CID/LPT/ROU etc.
- Intelligence Hubs.
- ANPR Unit.
- District Analysts.
- CSIs.
- Neighbourhood Watch Co-ordinators.
- Benefits Agency.
- Local Authority Housing Departments.
- Hate Crime advocates for Victim Support, Race, Disability, Sexual Orientation and Transgender identity.

## 10. Circulate Relevant Information

Circulate descriptions of offender(s), unusual modus operandi, identifiable stolen property and other noteworthy factors promptly.

Consider using the local media where witnesses are sought, PSNI Facebook pages etc. for the identification of offenders and to assist with preventative measures. Co-ordinate all media releases through Corporate Communications Department.

## **11. Record Action Taken**

To comply with The Criminal Procedure and Investigations Act (CPIA) 1996, record accurately and completely all actions that have been undertaken.

An Investigation plan is compulsory and is to be completed fully with supervisors recording and resulting lines of enquiry.

In more complicated investigations a current situation report (CSR) should be commenced.

These are essential to enable meaningful comparative case analysis and linking of series and scenes of crimes.

Completed Initial Investigation Record (IIR) on OEL and the VRAM form.

## **12. Update Supervisor**

Investigation plan/CSR reviews must be carried out by supervisors/District Senior Investigating Officer (SIO) in all Hate Crime linked investigations.

## **Appendix F Police Service Employee Victims**

Police Officers and Staff members who experience hate crimes or non-crime hate incidents, on or off duty, should be provided with the same level of service and support available to members of the public.

A Police Officer or Police Staff should report any hate crime or non-crime hate incident that occurs whilst on duty at the earliest stage to their supervisor. The supervisor should ensure an investigation is commenced and a VRAM completed. Police Staff supervisors should refer the matter to a police supervisor, who will complete the VRAM. If the hate crime or non-crime hate incident occurs while the Police Officer or staff member is on duty and dealing with an incident, they should deal with the incident/offences being presented at the time then at the earliest opportunity they should report the non-crime hate incident or hate crime to their supervisor as above. If a Police Officer on duty is the victim, another Officer will be appointed as Investigating Officer of the incident, as soon as practicable.

Supervisors should also consider the welfare implications of the crime/incident and take steps to manage these. Consideration should be given to both internal and external avenues of support including Victim Support NI, the Ethnic Minority Police Association and PSNI LGBT+ Network, the Christian Police Association, the Catholic Police Guild and the Disability Support Network. District Hate Crime Champions and Hate Crime Leads may also be able to assist in identifying support mechanisms.

Any Police Officer or Police Staff member who perpetrates a hate crime or non-crime hate incident will be investigated in the same way as a member of the public, and in line with PSNI Misconduct Procedures.

## Appendix G Hate Crime Engagement Plan

<b>District</b>	
<b>Hate Crime Champion</b>	
<b>Date</b>	

**Community Engagement Strategy**

Each District will have its own specific local support groups in relation to hate crime. These groups can provide entirely tailored support and assistance to victims of hate crime. Each District should therefore construct an engagement Plan that should:

- Outline the local relevant groups and group SPOC.

Determine the level (Local Policing Team and/or Neighbourhood Team) as Engagement SPOC for that group

- Determine the frequency of engagement.
- Develop a Communication strategy (in line with the hate crime Communication strategy) for each group.

<b>Local Group</b>	<b>Police Point of Contact</b>	<b>Frequency of Engagement</b>	<b>Communication Strategy</b>



## **Appendix H Supportive Guidance and Additional Reading**

Information in relation to hate crime may be accessed on POINT

**Dignity at Work Suite** - (Which incorporates Mediation, Grievance and Bullying & Harassment – Available on the HR Knowledge Centre).

Please see [Corporate Policy Homepage](#) under Service Instructions for the following documents:

**Service Instruction SI0521 Critical Incident Management and Community Impact Assessments**

**Service Instruction SI3417 Child Protection Procedures**

**Service Instruction SI2317 Threats to Life** - (Highlighting the procedures to be followed where the 'incident' is such that there is a threat of this nature, or intelligence to suggest such a threat exists).

**Service Instruction SI0718 - Honour Based Violence and Forced Marriages**

**Service Instruction SI0616 Serious Crime Scene**

**Service Instruction SI0817 Youth Justice**

## Appendix I Chief Constable's Nine Point Plan

# Assaults on Officers and Staff Our Nine Point Plan

**Physical assaults on our people are unacceptable and should not be considered 'part of your job'.**

We have developed a Nine Point Plan that outlines how we will deal with such attacks.

- 01** Assaults on Police Officers and Police Staff should be investigated with the same care, compassion and commitment as an assault on a member of the public
- 02** The Victim Charter applies to all victims and therefore to assaults on Police Officers and Police Staff
- 03** The assaulted Police Officer must never be in charge of the investigation into their own assault
- 04** Colleagues recover better and more quickly if they receive the appropriate welfare options and supervisory support
- 05** The supervisor must ensure that the Duty Service Silver Commander is informed when a Police Officer or Police Staff member is hospitalised
- 06** The assault should be raised at the next available local DMM
- 07** To achieve a successful prosecution, the best evidence must be presented
- 08** Chief Constable Statements should be considered in all cases of Assault against Police Officers or Police Staff
- 09** The assaulted Police Officer or Police Staff and their Supervisor must complete the online Accident Reporting (Health & Safety) Form on SAP

**We Care • We Listen • We Act**

Keeping People Safe



## Appendix J Contact Us

If you have any comment to make on the content of this Service Instruction please contact:

### Branch Email

[zscet@psni.police.uk](mailto:zscet@psni.police.uk)