

OFFICIAL: Sensitive**D/2022/63891****ISSUE****Request for approval of the Hate Crime Guidelines and Policy Statement.****BACKGROUND**

Hate crimes and hate incidents are under-reported. Studies indicate less than one in four victims have reported their hate crime to the police and over 75% of victims would not report verbal abuse.¹

A review undertaken by a team of researchers led by Associate Professor Philip Birch at University Technology Sydney (UTS, formerly at Charles Sturt University (CSU)), showed that prior studies looking to understand low reporting rates have focused on the Police and their response to hate crime. These historical studies presented the Police as an institution that was racist, homophobic and Islamophobic. These perceptions could, in part, account for the low levels of reporting.²

The research then moved on to a Delphi study that sought to question the experts on hate crime, namely sworn officers in the NSW Police Force (NSWPF), in which three rounds of questioning took place between October 2020 and October 2021. The aim of this study was *"to reach a consensus relating to perceptions of hate crime amongst NSW Police Officers, from both an operational and organisational perspective."*³

Preliminary findings of the NSWPF did not support the historical narrative of the Police being a systemic racist or homophobic institution. Instead, it revealed that officers considered themselves 'moderately' knowledgeable about hate crime, with 61% perceiving that it is not rare.

Officers are aware of the main motivations for hate crime, with the top six reasons being:

1. Prejudice and bias (93%)
2. Intolerance (91%)
3. Religion/Religious views (90%)
4. Political views and upbringing (88%)
5. Emotions: anger (86%)
6. Retaliation for terrorism (85%)

These findings revealed that over 90% of officers felt education was required for perpetrators and at-risk individuals and groups, and over 85% felt education was required for the public and the Police themselves.⁴

This research highlighted that there is a dual need for training of officers and educating the public. The Hate Crime Guidelines is one of three elements that will address this need and is

¹ N. Chakraborti, 'Responding to Hate Crime: Escalating Problems, Continued Failings', *Criminology & Criminal Justice*, 18/4 (2018)

² P. Birch et al, 'Developing consensus amongst NSW Police Officer (sworn) for addressing Hate Crime – A Preliminary Findings Report', *Centre for Law & Justice, CSU*, December 2021

³ Ibid.

⁴ Ibid.

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complemented with PETE training and an external education package (further details outlined below).

A/Professor Birch has prepared extracts from this Delphi study for an article in the Australian Police Journal (APJ). This will provide the opportunity for all police jurisdictions throughout Australia and New Zealand to have access to information in relation to this research and will reference the NSWPF EHCU promoting further collaboration amongst jurisdictions on Hate Crime. The final research paper and article for the APJ will be completed by April 2022.

Process

The Hate Crime Guidelines have been created to include the most relevant and contemporary procedures, language and victim support. During the development of these guidelines and accompanying training and education packages, the Engagement & Hate Crime Unit (EHCU) consulted with local jurisdictions, including Victoria Police, New Zealand Police and Tasmania Police. Of note, the NSWPF is the only force within our local area (Australia-New Zealand) to have a dedicated Hate Crime Unit. This was of interest to other jurisdictions and we have continued to work with them so they can learn from our experience.

Alongside the UTS study, extensive research was also undertaken, including evaluating work into hate crime from the Metropolitan Police (UK), Toronto Police (Canada), International Association of Chiefs of Police (USA), Home Office (UK) and numerous research studies. A one-day workshop was conducted, which included all senior members of the EHCU. This workshop consolidated the findings from the research and allowed the EHCU to discuss and come to a consensus on how to define hate crime and the relevant categories for hate crimes in WebCOPS.

This intensive three-month research immersion, consultation and workshop formed the basis for the Hate Crime Guidelines and Policy Statement. The Hate Crime Guidelines then went through an extensive internal and external review process with the following Commands and people:

- Five international academics specialising in Hate Crime and Criminology (from Australia, UK and America)
- General Counsel
- All Regional Commands
- State Crime Command
- Policy Prosecutions & Licensing Enforcement Command
- Capability, Performance & Youth Command
- Corporate Sponsors for Aboriginal Engagement, Multiculturalism, Sexuality & Gender Diversity
- Principal Advisor & Senior Policy Officer, Counter Terrorism & Special Tactics Command
- Operational Legal Services Command

There was some minor feedback, which has been incorporated.

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The Hate Crime Guidelines & Policy Statement is one of three elements in the Hate Crime Awareness Campaign from the EHCU.

**1. Hate Crime Guidelines & Policy Statement**

Once approved, the guidelines will be available on the intranet site. The EHCU recommends the Hate Crime Policy Statement is publicly available on the NSWPF internet site as a clear statement of intent from the NSWPF on how we address hate crimes.

2. PETE Training Package

The PETE Training Package complements the Hate Crime Guidelines, and steps officers through the main guideline sections and tests their knowledge with series of quizzes. The EHCU will run a series of presentations to key Crime Managers/Crime Coordinators, Liaison Officers and PACs/PDs prior to the launch of the external education package. This package is in development with Education & Training, with a launch date at the end of February.

3. External Education Package

To encourage more reporting of hate crimes, we need to educate the public on what is hate crime and how to report it. This external education package consists of a 3-min animated video, which will be cut into three shorter pieces, each one showing a different type of hate crime/hate incident and options for reporting (both to the police and other agencies such as the e-Safety Commissioner).

The use of animation will engage people and help the message stand out with a distinct look and feel. This design will be carried across into social media posts, posters for police stations and leaflets that we will distribute to key community groups.

- Animated video that can be cut into three shorter videos, each depicting a different type of hate crime or hate incident
 - Videos will be shared on the NSWPF Facebook, YouTube and Internet
 - Liaising with community groups for their support and hosting the videos
- Social media strategy
 - Social media posts targeting key times of year and communities
 - Supporting the messages from the videos
- Posters for police stations, to display near the front counter, local councils and community groups encouraging people to report hate crime
- Distribution of information cards & leaflets for police stations, local councils and community groups to share giving details on what is hate crime and how people can report it

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On 15 February, a series of focus groups will be run with key community groups, including ACON (supporting people of diverse sexualities and genders), Australian National Imams Council, the Asian Australian Alliance, Community Security Group (supporting the Jewish Community) and eSafety Commissioner. We have also invited representatives from the Hindu, Sikh, Aboriginal and Refugee support communities. These groups will assess the videos and other elements in this package for cultural sensitivities and clarity of message. The video has been reviewed by the Office of General Counsel and Public Affairs, with minor changes incorporated.

Strategy Execution

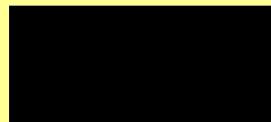
The timing of this education, training and Hate Crime Guidelines are vital and relevant given the announcement in November of an NSW judicial inquiry into historical gay-hate crimes which is likely to start in early 2022. If feasible, we would like these guidelines and policy statement to be approved by mid-February to coincide with the launch of the PETE education package.

Below are the current timings the EHCU are working towards. We want a 3 to 4-week period of internal training prior to the external launch, as the messages to the public will highly likely increase hate crime reporting.

w/c 28 Feb	w/c 7 Mar	w/c 14 Mar	w/c 21 Mar	w/c 28 Mar	w/c 4 Apr	w/c 11 Apr	w/c 18 Apr
Guidelines & Policy Statement Approved							
PETE Launched							
Internal Comms Launch							
				External Education Launch			

RECOMMENDATION

1. Approval is given for the new Hate Crime Guidelines (internal use only).
2. Approval is given for the Hate Crime Policy Statement and for this statement to be publicly available on the NSWPF internet site.



Caroline Booth
Project Coordinator
Engagement & Hate Crime Unit

31 January 2022

1. EHCU Officer in Charge

Supported, the Hate Crime Guidelines and Hate Crime Policy Statement are essential to the progression of the EHCU Hate Crime Education project. The Hate Crime Guidelines and Policy Statement have gone through an extensive review process and are ready for CET review/approval.

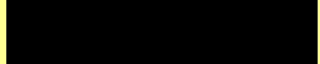


Jason Baltov
A/Inspector
EHCU
01.02.22

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2. Anti-Terrorism Intelligence Group Commander

Noted and both recommendations (1 & 2) strongly supported. Recommend progression for consideration of CET for approval.



Michael McLean
Detective Superintendent
03/02/2022

3. Assistant Commissioner, Counter Terrorism & Special Tactics Commander

Endorsed.



Mark Walton APM
Assistant Commissioner
03 February 2022

3A For CET consideration.



D.W. Hudson APM
Deputy Commissioner
7 February 2022

4. Commissioner's Executive Team

4A. Deputy Commissioner, Regional NSW Field Operations.

Endorsed. The guidelines and methodology have merit in so far as increasing awareness and reporting, which in turn will more accurately capture the significance of this issue.



J J Cassar
A/DCOP Regional NSW
15 February 2022

OBO.

4B. Deputy Commissioner, Metropolitan Field Operations

Endorsed.



Executive Officer
Metro Field Operations
29 March 2022

4C. Deputy Commissioner, Corporate Services

Endorsed. Noting the significant work undertaken to deliver this package, led by NSWPF EHCU, recognition is given to driving awareness and education to high risk individuals, groups, the public and NSWPF employees.



obo/

4D. Commissioner
Approved as recommended.



Christine McDonald
A/Supt - Chief of Staff
12/4/2022

Paul Pisanos APM
Deputy Commissioner
Corporate Services
06/04/2022

5. Project Co-ordinator, Engagement and Hate Crime Unit