

# Home Office Police Research Group Briefing Note



## POLICING RACIALLY MOTIVATED INCIDENTS

Police Research Group - Crime Detection and Prevention Series Paper 84

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### Summary

This research involved a national survey of all 43 police forces in England and Wales in order to obtain basic information about the types of crime and methods of disposal which accounted for the 13,000 or so racially motivated incidents recorded by the police in 1996/7. This survey was followed up by visits to four forces where officers were interviewed in depth about their processing of 88 cases. The results of the survey revealed:

- a large degree of variation between forces in the information on racial incidents that is recorded and counted. A number of forces were unable to provide us with all of the data we requested, and others retained it in different ways. In addition, each force has developed its own form(s) for recording racially motivated incidents.
- large variations between forces in the rate of recorded racially motivated incidents per 1000 ethnic minority population which are difficult to explain without reference to consistency in recording procedures.

These findings rather support the view that the current ACPO definition of a racial incident allows for a wide range of interpretations at force, divisional or even individual officer level.

- that the bulk of racially motivated incidents are accounted for by less serious types of crime: 58% of incidents in our survey were either damage to property or verbal harassment.
- that 39% of detected cases resulted in a caution or charge.

The findings on charging routes and case outcomes from the national survey were corroborated by the cases we scrutinised in depth. After discounting those cases where there was little chance of identifying a suspect, only just over a third of cases with the potential to, actually resulted in a charge or a caution. The other two-thirds were disposed of by informal means, around half at the behest of the victim and the other half on the advice of the police. Figures for the four forces where officers were interviewed are shown in table 1.

**Table 1: Reasons for not charging or cautioning detected cases**

	Detected cases	Not charged/ cautioned	Victim's wishes	Police advice
Forest Gate (Met)	6	6	2	4
Radford Road (Notts)	13	10	7	3
Nottinghamshire	17	9	5	4
Leicestershire	10	5	4	1
Sussex	13	7	2	5
<b>Totals</b>	<b>59</b>	<b>37</b>	<b>20</b>	<b>17 *</b>

Note: \* This figure includes five cases which officers initially wished to charge but after referral to the CPS for advice resulted in no case being taken forward

It was beyond the scope of this report to examine the extent to which cases dealt with informally could have been dealt with via a caution or charge. There would seem a need to look more closely at this, and the effects of dealing with this proportion of cases informally on public perceptions and on repeat offending. We came across very few cases of repeat victimisation; not enough forces were able to provide us with data to be able to say much at a national level about its incidence, although previous research (Sampson and Phillips, 1995) shows the extent to which it is underrecorded in this area.

Two divisions included dealing with racially motivated incidents as a priority in their policing plans. One coupled divisional monitoring of reported incidents and outcomes with allocating follow-up with both perpetrators and victims to local beat officers; the other deployed officers to a full-time specialist Racial Incidents Section who carried out the investigation and follow up of every case. These divisions were no more likely than other areas to have officers attending the scene suggest that an incident was racially motivated; they seemed rather less likely to bring cases to result in a prosecution or a caution. In our view the allocation of the entire investigation and follow-up to a specialist section resulted in the marginalising of racially motivated incidents from front-line officers. Allocating follow-up to local beat officers appeared to encourage them to sign up to this aspect of divisional priorities and is commensurate with the problem oriented policing philosophy adopted in a number of forces.

Officers who had received training in how to handle racially motivated incidents were more aware of the available legislation, particularly section 4A of the Public Order Act. Whilst multi-cultural awareness training received a mixed response, this probably achieved more good than harm in that those who were hostile to it would probably have been hostile without it, whereas the genuinely open-minded had found advantage in receiving it.

Very few officers were completely aware of the provisions of section 4A of the Public Order Act, many being confused about what it could be used to deal with.

Half the officers thought that a new offence of racially motivated violence would be a good thing, half that it would not and that current powers in dealing with violent crime were sufficient.

## Points for action

The report concludes with a number of recommendations for the Home Office and police:

- A standard form should be introduced nationally to record racially motivated incidents in order to improve the provision of detailed nationally comparable data.
- ACPO and the Home Office should consider clarifying the definition of a racially motivated incident, to

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CPU Series paper 15.	Crime Prevention and Racial Harassment in Asian-run Small Shops: the scope for prevention. Paul Ekblom & Frances Simon with the assistance of Sneh Birdi. 1988.
CPU Series paper 36.	Multiple Victimisation: Racial Attacks on an East London Estate. Alice Sampson & Coretta Phillips. 1992.
CDP Series paper 67.	Reducing Repeat Racial Victimisation on an East London Estate. Alice Sampson & Coretta Phillips. 1995

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reduce variation between forces, divisions and individual officers in what is recorded as a racial incident.

- Officers must be made aware that racially motivated incidents are more likely to take the form of damage to property or verbal harassment than assaults or more serious crimes, and it is these types of incident which they should be equipped to deal with.
- Front-line police officers, their supervisors and the Crown Prosecution Service should usually, where evidence exists, charge and prosecute racially motivated incidents. It should be recognised that there may be circumstances where the victim, for whatever reason, wants the matter to be dealt with informally. Police officers should not, however, discourage victims from bringing charges in favour of administering informal warnings, particularly in cases of repeat victimisation. This may have implications for witness care which the government is currently addressing as part of the inter-departmental review of vulnerable or intimidated witnesses.
- Forces or, where appropriate, divisions might consider making dealing with racially motivated incidents a priority in their policing plans. However, prioritising does not necessarily have to mean deploying a limited number of officers to full-time specialist teams, and managers should be aware of the problems which may arise if racially motivated incidents become marginalised from mainstream front-line policing.
- Forces should consider instituting two types of training in this area: to explain the legislation available and the procedures employed in dealing with racially motivated incidents, and in multi-cultural awareness in order to be more cognisant of what members of particular ethnic minority groups might find offensive.
- The Home Office should consider revising the current guidance relating to section 4A of the Public Order Act to make more obvious to front-line officers the circumstances in which it can be applied.
- The Home Office should also consider carefully the wording of any new offence of racially motivated violence, or guidance related to it, in order to address two sets of worries expressed by some of the officers interviewed: the difficulties of proving 'motivation' should not provide an opportunity for the case to be lost; and that prosecutions under the offence must be seen to be able to be brought with white as well as with ethnic minority victims. The potential difficulty of proving motivation is recognised in the government's recent consultation paper on new statutory offences for racial crime, with the proposal that alternative verdicts should be permitted if the racial element is unproven.