Identifying Hate Crimes

1) Hate Crime

2 Parts to a Hate crime

1. Crime   - Criminal Offense

2. Bias Selection   - Harder to see

2) Bias Indicators

- Victim/witness perception

- Comments, written statements, or gestures

- Drawings, markings, symbols, and graffiti

- Involvement of organized hate groups or their members

- Location and timing

- Patterns/frequency of previous crimes or incidents

- Nature of violence

- Lack of other motives

✳ See Handout Worksheet

Recording Homophobic & Transphobic Crimes

1) The problem

Under reported by the public

- Invisible
- Coming out
- Shame/Internal
- Don't trust the Police
- It's just what happens to us

1) The problem

Under recorded by police worldwide

- Police don't recognise (knowledge)

- Police don't flag (on purpose)

- Victim doesn't identify

- Systems don't allow for recording

2) Police Solutions

- Train Police to recognise them (Bias indicators)

- Train data input staff to identify

- Supervise the recording of crimes

- Create policy if absent

- Update systems to record MO IT/Paper

EGPA 2014 Recording Anti-LGBT Crimes

3) 3rd Party Reporting

Recognises

- Victim may not trust police

- Victim may not think police will take seriously

- Victim suffers an impact

- Victims has important information

3) 3rd Party Reporting

Benefits

- Victim tolerance levels decrease

- Victim can get support

- Victims can provide important information to support police protecting LGBT people

3) 3rd Party Examples

STAD
Stop Transphobia and Discrimination

ILGA EUROPE

challenging homophobic & transphobic hate crime

galop
.org.uk

SOS
homophobie
20 ans
QU

bashing

Sometimes it seems like homophobia is claiming the streets. And in order to address this problem, people need to know what happens, and where.

Install the Bashing app on your smartphone and use it when you become the victim of a discriminative slur or physical attack. It will immediately be visible on our Bash-map.

Take your time and click your way through the reports on the map. You will quickly feel how intimidating this kind of attack can be...

Curious to find out more about Bashing? You'll find the full story in our FAQ.

Developed by

OUTRAGE! FAMOUS

Supported by

IGK.nl

Investigating LGBT Crimes - Practical Tips

1) The Barrier

- Secrecy - When witnessing means being outed

  (Politie Investigation Tips @ gay-police.eu/resources)

2) Build a Foundation

- Be Proactive - Framework in place before the crime happens!

- Provide crime prevention advice

- LGBT Liaison Structures

- Relationships with NGO's built and maintained

3) Basic Tools

- LGBT Police Network/Advisory Group

- LGBT Liaison Officers

- LGBT NGO's regular interaction

- 3rd Party reporting information received and actioned

- Policing where required

- Too late to start when murder happens

4) Use Your Assets

- LGBT Police Network - Best of both worlds

- LGBT Liaison Officers - Know the people

- LGBT NGO's - Have access to information you don't!

5) Secret Environments

- Public Sex Environments

- Chat Forums

- On line dating sites

- Be aware of Undercover rules and legislation if engaging in UC work on internet (e.g. Kent Police and Spain)

6) Media

- Utilise LGBT media/ Social media

- Mainstream media - Non scene witnesses

- Leaflets/fliers at venues

- Work in partnership if suitable with NGO

- Allow for 3rd Party reporting and confidential reporting 'Crimestoppers'

7) Non-Police Contact

- Create non-police address: gmail/hotmail

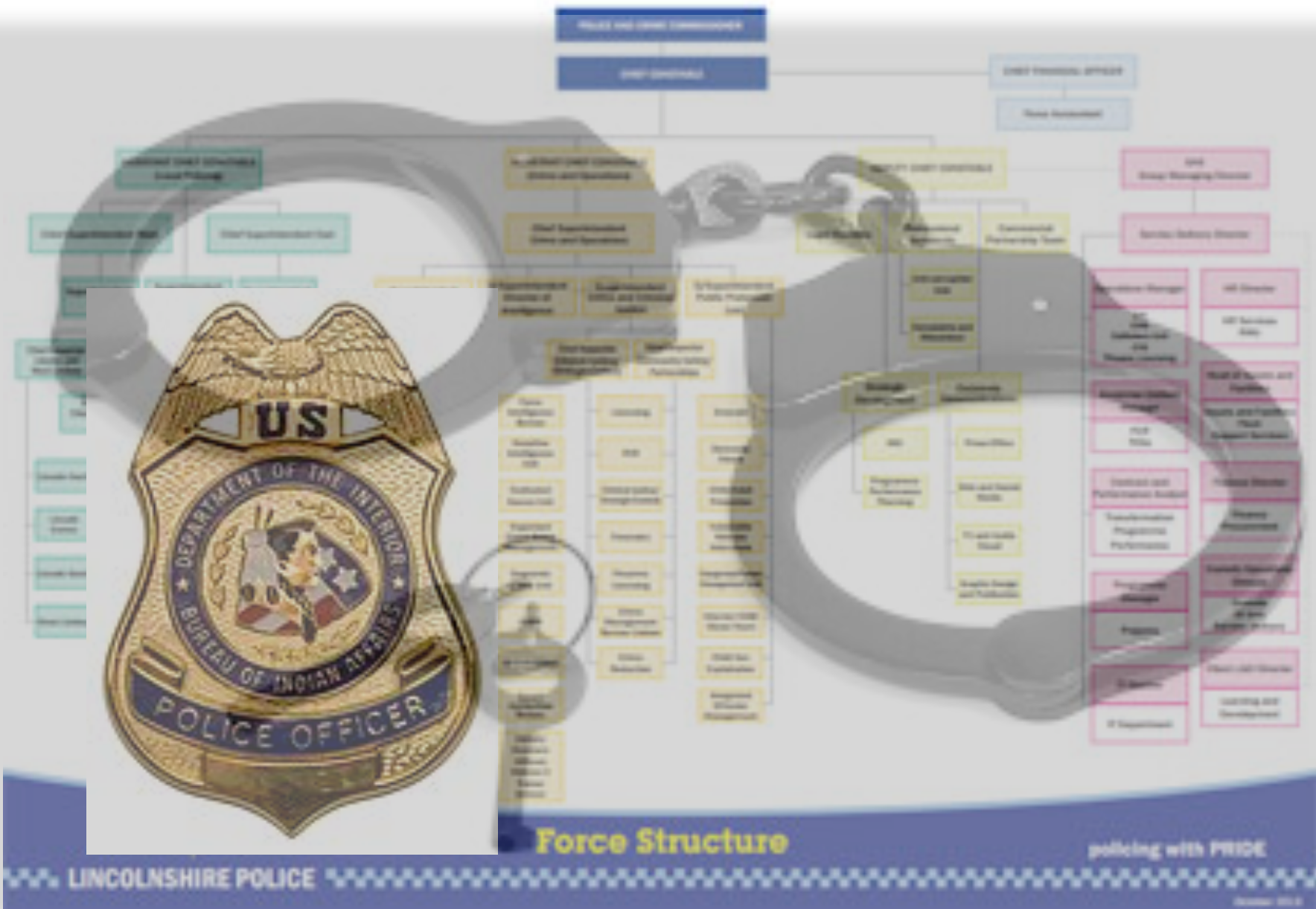- Use non standard police phone/mobile

Victim Perspective

Challenge 1

Tell me a story!

Challenge 2

7 Topics

1. Building Trust
2. Gender Identity
3. Domestic Violence
4. Queer Bashing
5. LGBT Police Officers
6. Public Sex Environments
7. Policing Pride Marches

4/7 Topics

1. Building Trust
2. Gender Identity
3. Domestic Violence
4. Queer Bashing
5. LGBT Police Officers
6. Public Sex Environments
7. Policing Pride Marches

3 x 4 hour sessions

2 - 4 cases per topic

Case 1

Thomas is a 15 year old student in a south Dublin private secondary school. A quiet studious boy he doesn't play any of the "male" school sports such as soccer or rugby. Seen as 'soft' by the other boys, Thomas is often called a "queer", a "faggot" and other derogatory names implying homosexuality and not fitting gender expectations for a "real man". The students in Thomas's school become aware that Thomas was seen at a gay venue in the city centre. The next day at sports class Thomas is badly beaten in the changing rooms. The boys call him homophobic names as they beat him and his head is placed down the toilet and it is flushed. Thomas leaves the school that day and never comes back.

Discussion Points

- Is this a Garda matter?
- Is it the school management's responsibility to police the behaviour in schools or do the Gardaí have a role?
- What is the impact of using homophobic words as derogatory terms in schools or wider society?

Download Me!

Developing Your Police Training Programme

Sgt. Paul Franey
Vice-President
European Gay Police Association

Step 1

- Training Needs Analysis - Where are you?

  (ILGA Toolkit @ gay-police.eu/resources)

Step 2

- Training needs Analysis - Where are you?

- Define Aims and Objectives - What do the police need to know/understand/do?

Step 3

- Training needs Analysis - Where are you?

- Define Aims and Objectives - What do the police need to know/understand/do?

- Formulate a Strategy

Step 4

- Training needs Analysis - Where are you?

- Define Aims and Objectives - What do the police need to know/understand/do?

- Formulate a Strategy

- Design Training and Select Trainers

A Suggested Structure

Based on Irish Experience

1) Introduction

- Welcome

- House Rules

- Learning Objectives

2) LGBT 101

- Assume they don't know what LGBT means

- Depth varies on knowledge

✳ Presentation & Discussion

3) Why are we here?

- What is the problem?

- We treat everyone the same!

- Victimisation - Under-reporting - Under-recording

- Statistics and Human Interest

✳ Mainly Presentation & Some Discussion

4) Hate Crime

- Define it & Key Concepts

- Bias Indicator Study

✳ Present HC & Bias Indicator exercise

5) Local Context

- Recent History and current legal and historical challenges

- Define the Criminal Justice/LGBT relationship

✳ Presentation with NGO input

6) Human Rights/Law

- The legal context

- Local/European/International Policing Standards

✳ Presentation

7) Practical Learning

- Scenario 1 - Building Trust with the LGBT Community
- Scenario 2 - Gender Identification
- Scenario 3 - Domestic Violence
- Scenario 4 - Queer Bashing
- Scenario 5 - Police Officers 'Coming Out'
- Scenario 6 - Public Sex Environment (PSE)
- Scenario 7 - Pride March

✳ Scenario Break Out Group & Group Discussions

Reactive Policing

(EGPA Scenario Toolkit @ gay-police.eu/resources)

EGPA 2014   **A Template Structure**

8) Local NGO Input

- Stakeholder presentations

- Q&A

- Integrate & Deliver Parts of Training

✳ NGO Presentation & Group Discussion

9) Proactive Policing

- Community Engagement - Next Step

- **Proactive** Initiatives

✴ Presentation on Best Practices (NGO Input)

10) Transgender Module

- Trans 101
- Why is it an issue?
- Local Context
- HR & Legal Framework
- Practical Scenarios
- NGO Interaction

  ✳ Trans NGO NB

11) Evaluation

- Participants

- Trainers

- NGO Attendees

✳ Written Evaluation Sheets & Discussions/Web Survey

Police Responsibility to Protect Life

1) Legal Obligation

1. Article 2 ECHR

2. OSMAN Ruling

3. National Legislation

2) Primary Role

- Protect persons under threat

- Prevent injury to the public

- Protect police officers

- Protect communities/groups targeted

3) Threat Assessment

Low	Unlikely
Moderate	Possible but not likely
Substantial	Strong Possibility
Severe	Highly likely
Critical	Imminent

4) Positive Action

- Assess threat

- Inform & provide advice

- Put in place interventions

- Investigate thoroughly

5) Risk of Failure

- Death/serious injury

- Identified groups further marginalised

- Cost to the state - failure to act

- Undermine public confidence

6) Other

- Fix Responsibility

- Review regularly

- Document all stages

- Investigate thoroughly

Police Responsibility to Protect Freedom of Assembly

ACPOS NPIA Manual of Guidance on Keeping the Peace on Website
@ gay-police.eu/resources

1) Role

Public order policing derives from the police core duties of:

- Protecting life and property;
- Preserving order;
- Preventing the commission of offences; and
- Bringing offenders to justice.

2) Legal Obligation

ECHR Article 11 places both negative and positive duties on the police:

The negative duty means that the police must not prevent, hinder or restrict peaceful assembly except to the extent allowed by ECHR Article 11 (2).

The positive duty means that, in certain circumstances, the police are under a duty to take reasonable steps to protect those who want to exercise their rights peacefully.

2) Legal Obligation

The police can impose restrictions on the freedoms of belief, expression
and peaceful assembly provided any such restriction is:
- In accordance with the law;
- In pursuit of one or more legitimate aims specified in paragraph 2
of the Article in question;
- Necessary; and
- Proportionate.

3) Good Practices

- Police commander sets tone

- Communicate clearly with relevant groups - No surprises

- Media Strategy

- Operationally competent

- Proportionate response based on intelligence analysis

- Use advisors where required

- Least intrusive option