



House of Commons
Northern Ireland Affairs
Committee

**'Hate Crime': the Draft
Criminal Justice
(Northern Ireland)
Order 2004
Government Response**

**Fifth Special Report of Session
2003–04**

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The Northern Ireland Affairs Committee

The Northern Ireland Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Northern Ireland Office (but excluding individual cases and advice given by the Crown Solicitor); and other matters within the responsibilities of the Secretary of State for Northern Ireland (but excluding the expenditure, administration and policy of the Office of the Director of Public Prosecutions, Northern Ireland and the drafting of legislation by the Office of the Legislative Counsel).

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Rt Hon Michael Mates, MP (*Conservative, East Hampshire*) (Chairman, main Committee)

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The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/parliamentary_committees/northern_ireland_affairs.cfm.

Committee staff

The current staff of the Committee are Dr John Patterson (Clerk), Hugh Farren (Attached Clerk), Dr Aileen O'Neill (Committee Specialist), Tony Catinella (Committee Assistant), Camilla Brace (Secretary).

Contacts

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Fifth Special Report

The Committee published its Fifth Report of Session 2003–04 on 21 May 2004. The response from Rt Hon John Spellar MP, Minister of State for Northern Ireland, was received in the form of a letter dated 29 June 2004 and is published as the Appendix to this report.

Appendix

I am pleased to be able to provide you with the Government's formal response to the recommendations made by the Committee in their Fifth Report of Session 2003–04. This response includes input from the Police Service of Northern Ireland on recommendations which have an impact on them.

I have also just received your letter of 22 June enclosing a copy of your letter to the Chief Constable. As some of the issues bear upon the Committee's main report, in advance of Chief Constable's reply, I thought it worth taking this early opportunity to respond. I trust that my response to the Inquiry report will provide the assurances you require.

The Committee's recommendations

The Committee made three recommendations in respect of the Government's proposed "hate crime" legislation. It recommended the inclusion of disability within the draft proposed Order. Members also said they expected to see the problem of "hate crime" tackled more vigorously in future by the Police Service of Northern Ireland. They also recommended that statistics should be collected by the Government and PSNI for incidents of "hate crime" against disabled people.

Inclusion of disability

The Committee urged the Government to amend the proposed draft Order to afford protection from "hate crime" to people with disabilities. As outlined in my letter of 15 June, I have accepted the Committee's recommendation and approved the inclusion in the draft Order of provisions to protect people with disabilities. This brings the law in Northern Ireland into line with that in England and Wales.

Tackling "Hate Crime"

The Committee stated that they expected to see the problem of "hate crime" tackled more vigorously in the future by the Police Service of Northern Ireland than appears to have been the case in the past. Your recent letter expresses particular concerns.

The Police Service of Northern Ireland is fully committed to protecting members of minority and vulnerable groups and will continue to ensure that this is the case. This has been evidenced in South Belfast where additional Minority Liaison Officers have been appointed, extra patrols have been directed into areas where attacks have taken place and

information leaflets were distributed into 29,000 homes asking for the public's support in preventing and reporting incidents to police.

Whilst the Police Service welcomes the increase in reporting of both racial and homophobic incidents during 2003/2004, which is believed to reflect the efforts made over the past months to encourage reporting and build confidence, it recognises that actual incidents and the nature of incidents has increased. Every effort will and must be made to deal effectively with incidents of this nature.

The Police Service are currently developing a Hate Crime Policy which will be aimed at ensuring the delivery of a consistent, robust, proactive and effective approach when dealing with racial and homophobic hate crime. Included in this policy will be the introduction of policy in respect of the monitoring and investigation of sectarian incidents and hate incidents perpetrated on persons with disabilities.

Collecting statistics

The Committee recommended that statistics should be collected by the Government and PSNI for incidents of "hate crime" against disabled people.

The recording of hate incidents against persons with disabilities will be included in the new Hate Crime Police Service Policy. This policy will introduce the monitoring and recording of sectarian incidents and incidents against persons with disabilities. It will complement and develop the procedures introduced in 1997 to investigate and monitor racial incidents and in 2000 those introduced for homophobic incidents. The 29 District Minority Liaison Officers continue to work to monitor incidents and support victims of Hate Crime.

The considerable effort by the Police Service in recent months to encourage reporting of such incidents by the introduction and development of a number of further means to report Hate Incidents, including third party reporting, Crime Stoppers and internet reporting demonstrates the Police Service's commitment to deal effectively with hate crime and we believe this has been reflected in the increase in reported incidents during 2003/2004.

The Police Service fully recognise the need to continue to work to support victims and prevent hate crime and where possible ensure that those who perpetrate such crimes are held to account. The Chief Constable will no doubt provide you with similar assurances.

Conclusion

In conclusion, I would like to take this opportunity to thank the Committee for their interest in this important issue. And I would like to thank you as Chairman for prioritising the legislative aspect of your Inquiry and for the swift issue of the Committee's report.

I would hope to be able to advise the Committee of the laying the draft Order shortly, thus ensuring—subject to Parliamentary consideration and approval—that this important new piece of legislation is on the statute books as soon as possible. As we take the new legislation forward, we will be ensuring that all criminal justice agencies are fully briefed on its content and importance and prepared for its commencement.

I believe that the measures which Government is proposing will help to ensure that “hate crime” is dealt with effectively in Northern Ireland and a strong message will be sent out that crimes of this nature will not be tolerated.

Once again thank you and Committee members for their interest in and commitment to this important matter. Your work has been extremely important in helping Government take forward its legislative proposals.