



House of Commons  
Northern Ireland Affairs  
Committee

---

# **The Challenge of Diversity: Hate Crime in Northern Ireland**

---

**Ninth Report of Session 2004–05**

*Volume I*





House of Commons  
Northern Ireland Affairs  
Committee

---

# The Challenge of Diversity: Hate Crime in Northern Ireland

---

**Ninth Report of Session 2004–05**

***Volume I***

*Report, together with formal minutes*

*Ordered by The House of Commons  
to be printed 6 April 2005*

**HC 548-I**  
Published on 14 April 2005  
by authority of the House of Commons  
London: The Stationery Office Limited  
£0.00

## 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).

### Current membership

Mr Michael Mates, MP (*Conservative, East Hampshire*) (Chairman)  
Mr Adrian Bailey, MP (*Labour / Co-operative, West Bromwich West*)  
Mr Roy Beggs, MP (*Ulster Unionist Party, East Antrim*)  
Mr Gregory Campbell, MP (*Democratic Unionist Party, East Londonderry*)  
Mr Tony Clarke, MP (*Labour, Northampton South*)  
Mr Stephen Hepburn, MP (*Labour, Jarrow*)  
Mr Iain Luke, MP (*Labour, Dundee East*)  
Mr Eddie McGrady, MP (*Socialist Democratic Labour Party, South Down*)  
Mr Stephen Pound, MP (*Labour, Ealing North*)  
Rev Martin Smyth, MP (*Ulster Unionist Party, Belfast South*)  
Mr Hugo Swire, MP (*Conservative, East Devon*)  
Mr Mark Tami, MP (*Labour, Alyn & Deeside*)  
Mr Bill Tynan, MP (*Labour, Hamilton South*)

### Powers

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](http://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](http://www.parliament.uk/parliamentary_committees/northern_ireland_affairs.cfm)

A list of Reports of the Committee in the present Parliament is at the back of this volume.

### 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), Julia Kalogerides (Secretary).

### Contacts

All correspondence should be addressed to the Clerk of the Northern Ireland Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 2172/3; the Committee's email address is [northircom@parliament.uk](mailto:northircom@parliament.uk)

# Contents

---

<b>Report</b>	<i>Page</i>
<b>Summary</b>	<b>3</b>
<b>1 Introduction</b>	<b>5</b>
<b>2 Hate Crime – an increasing trend?</b>	<b>7</b>
Incidence of hate crime	7
Racial incidents/crimes	7
Homophobic incidents/crimes	8
Sectarian incidents/crimes	9
Incidents/crimes against the disabled	10
Reasons for the increasing trend in hate crime	11
<b>3 Enforcement</b>	<b>15</b>
Response by the PSNI	15
Clearance rates	15
Reporting hate crime	17
Relations with minority communities	18
Training and hate crime policy	19
Recruitment	21
Northern Ireland Policing Board and District Policing Partnerships	22
Other Criminal Justice Agencies	22
Restorative Justice Programmes	23
A shared responsibility	24
<b>4 Central Government’s response</b>	<b>26</b>
Response of central Government	26
Avoiding a fragmented response to hate crime	26
Government activities	27
Policy into practice	29
Education initiatives	32
Northern Ireland Housing Executive initiatives	34
Legislation	36
<b>5 Local Government activities</b>	<b>39</b>
<b>6 Response by community organisations, employers, trade unions, and Churches</b>	<b>41</b>
Response by support and community organisations	41
Employers and trade unions	42
Churches	43
Building bridges with young people	44
<b>7 Conclusion</b>	<b>46</b>
<b>Conclusions and recommendations</b>	<b>47</b>

<b>Annex A:</b>	
<b>Hansard Society Online Consultation on Hate Crime in Northern Ireland</b>	<b>55</b>
<b>Formal minutes</b>	<b>72</b>
<b>Witnesses</b>	<b>73</b>
<b>List of written evidence</b>	<b>75</b>
<b>List of unprinted written evidence</b>	<b>77</b>
<b>Reports from the Northern Ireland Affairs Committee since 2001</b>	<b>78</b>

## Summary

---

‘Hate crimes’ are offences committed against people and property on the grounds of ethnicity, sexual orientation, religion, political opinion or disability. Recent years have witnessed an increase in the number of racist, homophobic and sectarian incidents in Northern Ireland. Hate crime against people with disabilities is least well documented, but is likely to be on a scale at least comparable to homophobic incidents. What is alarming, given Northern Ireland’s troubled history, is that until recently the Police Service of Northern Ireland had no formal definition of sectarian hate crime.

Our inquiry has identified a lack of firm and effective leadership by the Government, the Police Service of Northern Ireland (PSNI), and the criminal justice agencies in Northern Ireland to tackle these appalling crimes.

Improvements must be made in a number of areas:

- Urgent action is required by the Office of the First Minister and Deputy First Minister (OFMDFM) and the Northern Ireland Office whose approach to addressing hate crime has been disjointed, sluggish, and lacking in vision. They must improve their co-ordination of policies to counteract hate crime, publish their hate crime strategies more quickly, and ensure that policy work is carried through into clear improvements in the position of minority groups ‘on the ground’.
- The PSNI must improve its clear-up rates for homophobic and racial attacks, translate its revised hate crime policy into practice quickly, and take all the necessary measures to build increasingly effective relationships with the minority communities. The police need to improve general confidence in the reporting system, address reasons for under-reporting, and encourage victims to come forward and report crimes. Police training to deal with racism, homophobia, sectarianism and disability must be improved, and all the necessary steps to secure higher levels of recruitment from minority ethnic communities must be advanced.
- The Department of Education must ensure that its *Local and Global Citizenship* initiative is followed through vigorously, and is monitored regularly to assess its contribution to the attitudes and behaviour of young people to hate crime. We urge the Government to examine integrated education with renewed urgency, and to ensure that adequate funding is made available for integrated schools.
- We were impressed by the way the Northern Ireland Housing Executive and the Department for Social Development are adapting their substantial experience of dealing with sectarian hate crime in housing to other forms of hate crime. These measures must be accelerated and extended, particularly their pilot projects for integrated estates.
- Local district councils must expand their focus on sectarianism to encompass racism, homophobia and crimes against the disabled. This has been largely absent from policies and programmes within district councils. Without this commitment

policies introduced centrally will lack local impact.

- Enforcement authorities, particularly the PSNI and the DPP, must use the Criminal Justice (Northern Ireland) Order 2004 vigorously. There should be an early review by the PSNI and the criminal justice agencies of the success of the new measure.
- The racial, homophobic and disabled support and community organisations, churches, and trade unions must continue their existing efforts to provide support and advice within the communities to the victims of hate crime.
- It is most important that the minority communities report each incident to the police. Without such co-operation this criminal activity will go unchecked, inter-community relations will continue to deteriorate, and the unfortunate impression will be given that the problem is less severe than it is. We recognise the difficulties of making such reports, but there is no alternative if this problem is to be confronted. Minority communities must also keep their democratic representatives in local councils and the UK Parliament fully abreast of these matters, and we expect local councillors and Members of Parliament to offer all possible support to these vulnerable communities. The press also has a role to play and should keep these dreadful attacks firmly in the public eye.

These improvements need to be implemented in a co-ordinated way. If action is not taken, and the present disjointed approach continues, hate crime may spiral out of control with extremely serious consequences for the pace of social improvement in Northern Ireland. The Government must co-ordinate action to ensure that these appalling crimes are eradicated from Northern Ireland society.

# 1 Introduction

---

1. ‘Hate crimes’ are offences committed against people and property on the grounds of their ethnicity, sexual orientation, religion, political opinion or disability.<sup>1</sup> These crimes take different forms, including verbal abuse, physical assault, intimidation and damage to property. While the more extreme manifestations of sectarian hate crime have subsided since the Belfast (Good Friday) Agreement of 10 April 1998,<sup>2</sup> the rate of racist and homophobic hate crime appears to be rising, and this is reflected in its growing media profile.<sup>3</sup>

2. Against this troubling background, we launched an inquiry in February 2004 into “Hate Crime in Northern Ireland” specifically to:

- explore the reasons for the reported increase in crimes and incidents motivated by hatred within and between the communities in Northern Ireland
- examine the effectiveness of measures taken by Government and relevant agencies to tackle prejudice, and to support the victims of such prejudice, and
- assess the effectiveness of the existing law and proposed changes to that law.

## *‘Hate Crime’: the Draft Criminal Justice (Northern Ireland) Order 2004*

3. Immediately prior to the announcement of our inquiry, the Government published its proposal for a draft Criminal Justice (Northern Ireland) Order containing measures to “deal with crimes based on hostility of race, sectarianism, and sexual orientation”.<sup>4</sup>

4. As a key reason for our inquiry was to assess the adequacy of the legislation dealing with hate crime in Northern Ireland, we took the opportunity of the publication of the Government’s proposal for hate crime legislation both to consider some legal aspects of the inquiry, and to subject the proposed Order to detailed scrutiny.<sup>5</sup> We heard evidence on 14 May 2004, and reported almost immediately on 21 May.<sup>6</sup> We welcomed the Government’s decision to accept the main recommendation of our report ‘Hate Crime’: the Draft Criminal Justice (Northern Ireland) Order 2004 that the proposed draft Order to deal with ‘Hate Crime’ should be amended to afford the same protection to people with disabilities as

---

1 PSNI definition: [http://www.psni.police.uk/index/hate\\_crimes.htm](http://www.psni.police.uk/index/hate_crimes.htm)

2 Deaths due to the security situation have dropped from 54 in 1994/95 to 7 in 2003/04, *Police Service of Northern Ireland 2003-2004 Report of the Chief Constable* p 14

3 BBC news, 17 January 2005, *Campaign to highlight hate crime*; Irish News, 18 January 2005, *Police Investigating two separate ‘hate crimes’*; Newsletter, 20 January 2005, *Rallying to Fight Racism*

4 Explanatory Memorandum, *Proposal For A Draft Criminal Justice (Northern Ireland) Order 2004*, Northern Ireland Office, 9 February 2004, Part 1

5 Explanatory Memorandum, *Proposal For A Draft Criminal Justice (Northern Ireland) Order 2004*, Northern Ireland Office, 9 February 2004, Part 1

6 Northern Ireland Affairs Committee Fifth Report of Session 2003-04, *‘Hate Crime’: the Draft Criminal Justice (Northern Ireland) Order 2004*, HC 615

for crimes based on hostility of race, sectarianism and sexual orientation.<sup>7</sup> The legislative aspects of the inquiry are dealt with in Chapter 4 below.

5. We wish to thank all those who have contributed to our inquiry, particularly those who have made written and oral submissions. To encourage wide participation, the Committee commissioned the Hansard Society to provide an electronic consultation through a moderated web-based forum which provided a number of useful contributions.<sup>8</sup> Throughout our work we benefited from the advice of our Specialist Advisers, Dr Neil Jarman and Professor Colin Knox.

**6. We have no illusions that hate crime will be dispelled overnight. However, if Northern Ireland is to establish a fully normal society these despicable and brutal attacks must cease. It is up to the Government, the churches, the institutions of civil society, and every single individual in their daily lives, to take collective responsibility for ensuring that these appalling activities are eradicated by all means possible.**

---

7 Northern Ireland Affairs Committee, Fifth Special Report of Session 2003-04, *'Hate Crime': The Draft Criminal Justice (Northern Ireland) Order 2004 – Government Response*, HC 954. The Criminal Justice (No 2) (Northern Ireland) Order 2004 (2004 No.1991 (N.I.15) was made on 24<sup>th</sup> July 2004 and came into force on 28 September 2004

8 The Hansard Society worked in conjunction with the Northern Ireland Council for Voluntary Action, the Northern Ireland Council for Ethnic Minorities, the Equality Commission for Northern Ireland, and Queen's University (e-consultation study group) Belfast. The e-consultation ran for eight weeks from 1<sup>st</sup> September until 22<sup>nd</sup> October 2004 and attracted 42 messages (some from multiple contributors). See Appendix 1 *Hansard Society Online Consultation on Hate Crime in Northern Ireland: Summary Report*, October 2004

## 2 Hate Crime – an increasing trend?

### Incidence of hate crime

7. Recent press coverage has instanced hate crime attacks against a wide variety of minority communities, and has given the impression that hate crime is expanding rapidly in Northern Ireland.<sup>9</sup>

### Racial incidents/crimes

8. Statistics on racial incidents<sup>10</sup> provided by the Police Service of Northern Ireland (PSNI) demonstrate a sharp increase in recent years:

#### Racial incidents recorded by police

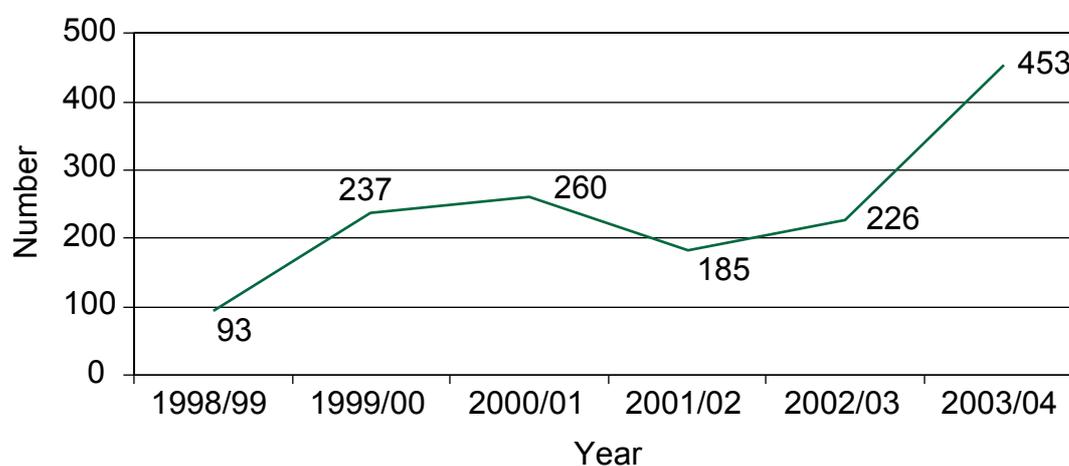


Figure 1

9. Racial incidents are defined by the PSNI as “any incident which is perceived to be racial by the victim or any other person”. ‘Any other person’ may include a police officer, or an individual who is not a victim, but who may have witnessed an incident. This definition is consistent with that recommended by the Stephen Lawrence Inquiry.<sup>11</sup> The police implemented a racial incident monitoring policy in 1997 which demonstrates that the level of reported racial incidents was five times higher in 2003/04 than in 1998/99.<sup>12</sup> The worst record of racial incidents in 2003-04 in any urban area in Northern Ireland was in South Belfast, which experienced 147 incidents. Over the same period Ballymena had the worst record of any rural area, with 37 incidents. The most common types of incident reported

9 Irish News, 2<sup>nd</sup> November 2004, p 3 *Neighbours hold vigil for victims of racist attack*; Irish News, 2<sup>nd</sup> July 2004 p 5 *Teenagers sentenced in ‘gay bash’ murder*; News letter, 5<sup>th</sup> October 2004, p 1 *Protestants accuse nationalists of ethnic cleansing – we’re being pushed out*; Irish News, 29<sup>th</sup> September 2004, p 10 *New legislation on hate crime comes into effect: gloves off for assault on hate crime*

10 Ev 50

11 Ev 45

12 See Figure 1

were attacks on homes (148), followed by verbal abuse or threats (109), and physical assault (103).<sup>13</sup>

### Homophobic incidents/crimes

10. A homophobic incident is defined by the police using the same approach as for a racial incident, namely, as being ‘any incident which is perceived to be homophobic by the victim or any other person’.<sup>14</sup> The PSNI implemented a homophobic incident monitoring policy in July 2000. The police figures show that from 2002/03 to 2003/04 recorded homophobic violence doubled from 35 to 71.<sup>15</sup> The highest number of incidents of homophobic crime in 2003/04 took place in Londonderry with 17 incidents, followed by South Belfast with 15 incidents. The most common types of incident were physical assaults (35), verbal abuse/threats (14), attacks on homes (10), and attacks on property (10).<sup>16</sup>

#### Homophobic incidents recorded by police

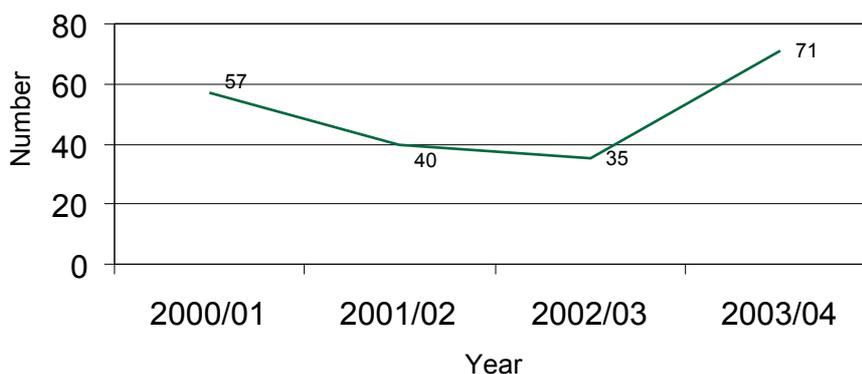


Figure 2

11. The PSNI believe that this rising trend is due to increased incidence, more confidence in reporting, and an improved ability on the part of the police to record these crimes accurately. Enforcement issues are dealt with in detail later in the report, but it is important to point out immediately that the police are not complacent about the rising rates of race and homophobic crimes. Assistant Chief Constable Judith Gillespie admitted that detection rates could be improved and hoped that the police would do better in future. She said that the police looked forward to “next year’s policing plan...[when] we will have a specific target in relation to detections for racial and homophobic crimes.”<sup>17</sup> Mr David Wilson of the Northern Ireland Policing Board said that “The whole gamut of hate crimes is in next year’s policing plan in terms of monitoring the numbers and increasing

13 *Community Safety Branch Statistics on Domestic Violence, Hate Crime and Youth Offences in Northern Ireland 2003/2004*. Police Service of Northern Ireland, p 5

14 Ev 47

15 Ev 50

16 *Community Safety Branch Statistics on Domestic Violence, Hate Crime and Youth Offences in Northern Ireland 2003/2004*. Police Service of Northern Ireland, p 7

17 Q625

protection.”<sup>18</sup> **We are pleased to note a clear intention on the part of the PSNI and the Northern Ireland Policing Board to take account of increasing racial and homophobic attacks. We welcome the continuing targets contained in the Northern Ireland Policing Board and the Police Service of Northern Ireland Policing Plan 2005-2008 to monitor the number of racist and homophobic crimes and incidents.** <sup>19</sup>

### **Sectarian incidents/crimes**

12. Sectarianism is the most obvious manifestation of hate crime in Northern Ireland and is defined by the Community Relations Council (CRC) as ‘hate crime and incidents motivated by inter-communal antagonism between protestant/unionist/loyalist and catholic/nationalist/republican communities in Northern Ireland’.<sup>20</sup> We were astonished to learn that, while the police had monitored over a thousand sectarian incidents in 2003, and seven hundred for the period to November in 2004,<sup>21</sup> until recently there has been no agreed definition about what constitutes sectarian hate crime. Assistant Chief Constable Gillespie of the PSNI admitted that such monitoring was done “on probably a less than scientific basis”.<sup>22</sup>

13. The PSNI defines a sectarian incident using the same approach as for racial and homophobic hate crimes, namely, as ‘any incident perceived to be sectarian by the victim or any other person’. In the context of Northern Ireland, an individual or group must be perceived to be: Catholic or Protestant; nationalist or unionist; republican or loyalist.<sup>23</sup> The PSNI commenced recording sectarian incidents on this basis from September 2004.

**14. Nothing could illustrate the dysfunction of Northern Ireland society better than the absence, until recently, of an agreed, official definition of sectarian hate crime. The process of social normalisation, marked by the Belfast (Good Friday) Agreement in 1998, has enabled society to begin slowly to get to grips with a number of problems which were set aside over the past decades by the overwhelming concentration on the armed conflict. In many respects Northern Ireland’s institutions are now having to relearn their basic functions as society returns, slowly and painfully, to normal. It is good news that, at long last, the PSNI has established a definition for sectarian hate crime as an essential basis for the proactive policing of these unacceptable activities.**

15. While the figures supplied by the police might suggest that the number of sectarian incidents over the last two years is static, or even in decline, little reliance can be placed on this impression because of the absence of any agreed definition of the crime until recently. This caution is borne out by the views of bodies directly involved in addressing sectarianism in Northern Ireland. The CRC’s view is that sectarian crime is subsumed largely within the wider body of criminal violence and anti-social behaviour, and that

---

18 Q652. *The Northern Ireland Policing Board and the Police Service of Northern Ireland Policing Plan 2005-2008* p 16, performance indicator 4.9

19 *Northern Ireland Policing Board and the Police Service of Northern Ireland Policing Plan 2005-2008* p 16, performance indicator 4.8

20 Ev 106

21 Q651

22 Q651

23 Ev 288

many incidents motivated by sectarian attitudes probably go unreported, especially verbal abuse and the minor vandalising of private property.

### ***Incidents/crimes against the disabled***

16. Hate incidents and crimes against the disabled in Northern Ireland are the least well documented by the police and no statistics are available. Maureen Piggott of Mencap Northern Ireland argued that such incidents and crimes against the disabled should be classed as ‘hate crime’ because:<sup>24</sup>

“of a belief that it is motivated in a similar way to crimes against other people who are picked on because of their perceived membership of a group. The motivation is in some way similar. It has to do with the perception of difference, difference in the way people look, difference in the way they behave or perceived differences in those things.”<sup>25</sup>

17. Mencap referred to a study of 904 people in England, Wales, and Northern Ireland, with learning disabilities, *Living in Fear*, conducted in 1999, in which nine out of ten respondents reported being bullied, harassed or intimidated in some way. Almost one quarter of those reported a physical attack.<sup>26</sup> According to Mencap, other studies also show a pattern of victimisation and harassment: a Barnardo’s study of children with a disability, a survey of young deaf people by the Northern Ireland Deaf Youth Association, and a University of Ulster study of people with long-term mental illness. The PSNI commenced recording incidents perceived to be on the grounds of a person’s disability from September 2004, when the Criminal Justice (No. 2) (Northern Ireland) Order 2004 came into force.

18. We have expressed our strong view that attacks on those with a disability fall into the category of hate crime.<sup>27</sup> The absence of official statistics is eclipsed by the appalling and deeply dispiriting stories we heard from victims. For example, one young person explained that her inability to walk, and her slowness, meant that she always felt “in the way. I couldn’t walk so they called me “Rock” because a rock doesn’t move.” Another told us how, through name calling and verbal abuse, she was made to feel like the “class ass” because no one in school understood the symptoms of her disability. We heard how a disabled support group faced opposition from residents when they decided to build accommodation for disabled people. In one shocking instance, the tenants in one group of homes wanted to remove a Downs syndrome child because he “spoiled the look of the place”.<sup>28</sup> In a separate incident one man claimed that a group of young people sang regularly outside his window “where is the loony?”.<sup>29</sup> We are sure that these examples of despicable and cruel behaviour represent only the ‘tip of the iceberg’.

24 Mencap is a voluntary organisation which provides information, advice and a range of direct services for people with a learning disability. It supports a membership network of over 70 local (Northern Ireland) groups and clubs. Mencap campaigns alongside people with a learning disability and their families and carers for an equal right to choice, opportunity and respect. Ev 31

25 Q91

26 Q91

27 See paragraph 4 above

28 Northern Ireland Affairs Select Committee private meeting with victims, 14<sup>th</sup> June 2004.

29 Ev 36

19. It is high time that the police and criminal justice system in Northern Ireland took with the utmost seriousness crimes against the most vulnerable in our society. Many attacks on people with disabilities appear to be rooted in the perception of the attacker that the victim's disability indicates some essential difference which provides a licence to discriminate. This is an utterly false perception which must be challenged head-on. We are pleased that the Government has accepted our advice to take legislative steps to label such actions for what they are, hate crimes, and to make available to the courts appropriate sentencing powers.

20. The fundamental responsibility for creating a decent society rests not only with the Government and the courts but also, and crucially, with individuals in their day to day lives. We hope that the normalisation of society in Northern Ireland which is taking place gradually will manifest itself at individual level in the reduction and disappearance of actions by misguided individuals which make the already challenging lives of those with disabilities infinitely more trying and stressful.

### Reasons for the increasing trend in hate crime

21. Several reasons were suggested for the upward trend in hate crime.

- **There has been an increase in the number of incidents and crimes.** For example, Assistant Chief Constable Judith Gillespie argued that the police would be:
 

“quite concerned, in particular in the area of homophobic crime, if the number of incidents reported started to go down. That may be a strange thing to say but this is very much to do with confidence in reporting to the police. We know there is a significant level of under-reporting in particular for homophobic crime for a whole lot of reasons. We would be concerned if that dipped considerably. An upward trend is not necessarily an altogether bad thing but clearly we have to address the upward trend in the crimes.”<sup>30</sup>
- **The police have introduced better reporting systems.** Ms Judith Gillespie told us that since September 2004, the police have been using “a much more comprehensive and scientific recording system” for hate crime which should help identify trends and patterns.<sup>31</sup> Inspector Robin Dempsey told us that the new system records all forms of hate crime.<sup>32</sup>
- The PSNI has also introduced a new hate crime policy to “further reinforce the need for a consistent, robust and effective police response to all hate related incidents motivated by religion, sectarianism, homophobia, disability and racism.”<sup>33</sup>

---

30 Q627

31 Q651

32 Q650

33 Ev 288: The aims of the PSNI new Hate Crime Policy are to: record, respond and investigate all reported incidents of hate crime in a consistent, robust, proactive and effective manner; maintain specialist Minority Liaison Officers in every Police District; ensure that every reported hate crime investigation is appropriately supervised; ensure that every victim of reported incidents of hate crime is offered the services of a Police Service Minority Liaison Officer and provided with information relating to local statutory and voluntary support agencies; take appropriate steps to identify and protect repeat victims

- **Some limited growth in confidence in hate crime victims to report incidents.** While Mr John Spellar MP, Minister of State at the Northern Ireland Office, accepted that there had been an increase in hate crime, he stressed that there was also “a greater willingness and greater confidence from those who are victims” to report such crime. He acknowledged, however, that there was still a reluctance among victims to proceed with a case after reporting it to the police.<sup>34</sup>

- **Housing policy appears to have an impact on hate crime.** The prevalence of race hate crime in loyalist areas was highlighted. Because of housing shortages within nationalist or republican areas, ethnic minorities tend to be housed in loyalist areas. Peter McGuire from Duncrun Cultural Initiative described why loyalist people feel under pressure:

“They see their areas disappearing... They feel under threat from nationalist/republican areas and in the morning they wake up, come out of their door and there is an Asian family or black family living beside them. It is obvious what is going to happen, particularly because no work or preparation has been done within these communities for those coming into the community.”<sup>35</sup>

- **As the worst manifestations of sectarian violence decrease, racial and homophobic violence has increased.** Dame Joan Harbison of the Equality Commission told us that “when one area of prejudice disappears, another raises its head”.<sup>36</sup> This is perhaps best evidenced by data gathered in two large scale surveys undertaken in 2001 and 2003 where people were asked

“Do you think Catholics, Protestants, LGBT [lesbian, gay, bisexual and transsexual community], ethnic minorities and disabled are generally treated better than they were 5 years ago, worse or the same?”<sup>37</sup>

The results, set out below in Figure 3, show that for Catholics there has been no change in the way they are treated, for Protestants a modest improvement. But people with disabilities, ethnic minorities, and the LGBT community, see themselves as treated worse than they were 5 years ago, with significant deterioration in the position of ethnic minorities.

---

34 Q714

35 Q375

36 Q4

37 Northern Ireland Life and Times Survey 2003, Queen’s University Belfast and the University of Ulster, [www.ark.ac.uk/nillt](http://www.ark.ac.uk/nillt). ‘LGBT’ is the acronym for lesbian, gay, bisexual and transsexual community

### Treated worse than 5 years ago?

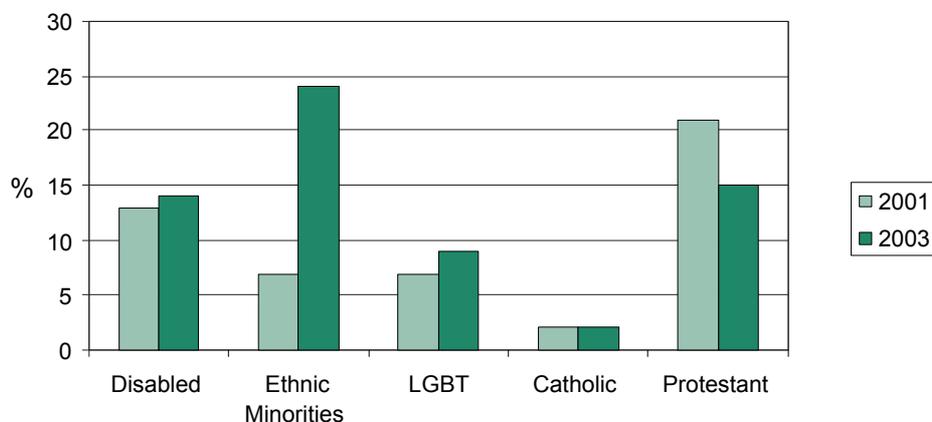


Figure 3

- Sectarian hate crime is fuelled by increasing polarisation between the two main communities and hence limited inter-community contact breeds ignorance and intolerance of ‘the other side’. Evidence from the Government’s *Shared Future* policy document shows that housing has become more segregated over the last 20 years (70% of Housing Executive Estates, which makes up around 20% of total housing stock, are more than 90% Protestant or Catholic);<sup>38</sup> around 95% of children still attend segregated schools; and there is little change in the extent of inter-community friendship patterns. In short, Northern Ireland remains a deeply segregated society with disturbingly little indication of progress towards becoming more tolerant or inclusive.<sup>39</sup>
- **The inward flow of ethnic minorities to Northern Ireland in the wake of the peace process heightens their visibility**, though Tom Gillen from the Irish Congress of Trade Unions (ICTU) sounded a note of warning that it was too early to conclude whether the influx of foreign workers in the workplace was contributing to hate crime.<sup>40</sup>
- **Increasing xenophobia since ‘September 11th’.**<sup>41</sup> Mr Patrick Yu, Director of the Northern Ireland Council for Ethnic Minorities (NICEM), argued that attacks on ethnic minorities were being organised by far right parties:

“it is not local people committing this [racial] crime but the BNP splinter group, the White Nationalist Party. They are active in Northern Ireland in stirring up racial hatred... There were 4,000 leaflets sent out to schools by the White Ulster Nationalist

38 *A Shared Future* is a policy consultation document which was launched by OFMDFM in January 2003 intended to stimulate debate on what the fundamental aims and objectives of the Government’s community relations policy should be, and the principles that should underpin the policy. It also sought views on the Government’s proposals for measures and actions that they should take to achieve the agreed aims and objectives.

39 *A Shared Future: A Consultation Document on Improving Community Relations* January 2003. OFMDFM

40 Q320

41 Q41

Party. The content is outrageous; it is an incitement to racial hatred... They have close links with paramilitaries in Northern Ireland.”<sup>42</sup>

**22. There appears to be general agreement that hate crime in Northern Ireland is on the increase, and is subject to significant under-reporting.**

## 3 Enforcement

---

### Response by the PSNI

23. The Government consider that “enforcement action by the Police Service of Northern Ireland will continue to be the key to tackling hate crime”.<sup>43</sup> We agree that, while by no means the sole response called for, police activity will be a crucial factor in bearing down on hate crime offences. It is essential that the PSNI gives this form of crime a high priority and its success will be judged ultimately by the number of successful prosecutions.

### Clearance rates

24. In the previous chapter we set out the growing number of racial and homophobic incidents recorded by the police. The ‘clearance rate’<sup>44</sup> for racial and homophobic incidents in 2003/04 is set out below:<sup>45</sup>

**Table 1: Racial Incidents 2003/04 - clearance rate**

Total number of incidents reported to police	453
Total number of incidents recorded as crimes	267
Total number of crimes cleared	45
Clearance rate	16.9%

25. Over 40% of racial incidents reported to the police in 2003/04 were not recorded as crimes. The clearance rate achieved of 16.9% compares unfavourably with the overall recorded crime (all categories) clearance rate of 27.4% in 2003/04. The specific crime clearance rate of ‘offences against the person’ is 57% in 2003/04, which provides a benchmark against which to compare the poor performance of the police in relation to hate crime.<sup>46</sup>

26. The breakdown of ‘crimes cleared’ is set out in Table 2. The PSNI do not retain statistics for convictions. The statistics also show that 40% of victims declined to prosecute:

---

43 Ev 75

44 An offence, having been recorded for statistical purposes, is said to have been cleared if: a person has been charged, summonsed or cautioned for the offence; the offence has been taken into consideration by the court; there is sufficient evidence to charge the person, but the case is not proceeded with (for example, because the complainant has declined to prosecute, or the suspected offender is under the age of criminal responsibility or has died).  
*Northern Ireland Office: A commentary on Northern Ireland Crime Statistics 2003*, p 18

45 Ev 61

46 *Police Service of Northern Ireland 2003-2004: Report of Chief Constable* p 14

**Table 2: Racial Incidents 2003/04 – clearance types**

Charge or summons	18
Adult caution/adult informed warning	2
Juvenile informed warning/restorative caution	3
Under age	2
Complainant declined to prosecute	18
No prosecution directed	2
Total number of cases cleared	45

27. A broadly similar pattern emerges when the clearance rates for homophobic crime are examined.<sup>47</sup> Almost 37% of homophobic incidents reported in 2003/04 were not recorded as crimes. The clearance rate of those incidents categorised as crime was 17.8%. Whilst marginally higher than the clearance rate for racial incidents (16.9%) in the same year, this also represents a poor performance when compared to other types of crime, for example, sexual offences which had a clearance rate of 50.8% in 2003/04.<sup>48</sup>

**Table 3: Homophobic Incidents 2003/04 - clearance rate**

Total number of incidents reported to police	71
Total number of incidents recorded as crimes	45
Total number of crimes cleared	8
<b>Clearance rate</b>	<b>17.8%</b>

28. Half of complainants declined to prosecute (Table 4), higher than the 40% for victims of racial crime. The figures recorded for homophobic incidents significantly under-represent this type of incident/crime. Fear of reporting is often combined with the taboo associated with being lesbian, gay, bisexual or transgendered in Northern Ireland, difficulties in 'coming-out', and the potential for reprisal, which we heard in oral evidence.<sup>49</sup>

---

47 Ev 61

48 *Police Service of Northern Ireland 2003-2004: Report of Chief Constable* p 14

49 Q529

Table 4: Homophobic Incidents 2003/04 – clearance types

Charge or summons	3
Complainant declined to prosecute	4
No prosecution directed	1
<b>Total number of cases cleared</b>	<b>8</b>

29. While the PSNI does not retain statistics on resulting convictions, information provided by the Director of Public Prosecutions (DPP) indicated that, since 1987, a total of thirteen people were prosecuted “arising from hate crimes in Northern Ireland” contrary to the Public Order (NI) Order 1987, although not all these cases were concluded in court.<sup>50</sup> The victims of hate crime can take little comfort from these figures.

30. **The figures supplied by the PSNI indicate a disturbingly low clearance rate for racial and homophobic incidents relative to other similar crimes. In both categories, less than 7% of incidents recorded as crimes by the police resulted in a charge or summons, including complainants who declined to prosecute.<sup>51</sup> It is good that the PSNI and the Policing Board have set targets in the recent policing plan (2005-2008) to increase the clearance rate for racist and homophobic crimes and to establish a baseline clearance rate for crimes motivated by sectarianism and crimes against persons with a disability. However, putting these measures in place is only a start, and the PSNI must now do everything possible to demonstrate a commitment to improve the clearance rate for homophobic and racist crimes. The Policing Board must monitor the PSNI’s performance closely.**

### **Reporting hate crime**

31. While the PSNI and the Minister were optimistic that the willingness of the public to report hate crime was increasing, this was not the message we received from the minority ethnic groups. For example, the Chinese and Muslim communities claim that there is a general lack of confidence in the police. Anna Lo, from the Chinese Welfare Association, told us that “a lot of [victims] do not bother reporting incidents. We feel there is a sense within the Chinese community that they are second-class citizens and they will always be second-class citizens here and that the police never take them seriously.”<sup>52</sup>

32. This lack of confidence was also evident in the LGBT community. Ms Mairead McCafferty, Lesbian Line, considered that many women still feel “uncomfortable about

50 Ev 269. Prosecutions of 7 persons were directed for offences contrary to Article 9 of the Public Order (Northern Ireland) Order 1987; 3 persons contrary to Article 10; and 3 persons contrary to Article 13 of the same Order

51 Ev 61. 267 racial crimes in 2003/04 resulted in 18 charges or summons; 45 homophobic crimes in the same year resulted in 3 charges or summons.

52 Q552

going to the police” to report a homophobic attack.<sup>53</sup> She told us that those who have reported incidents to the police have found that cases are neither pursued by the PSNI nor dealt with sensitively”.<sup>54</sup> She held the view that “the onus of responsibility” should be on the PSNI to create a climate where victims feel able to report incidents in confidence.<sup>55</sup> The Coalition on Sexual Orientation (CoSO) explained that victims are unwilling to report an attack because they “fear exposure of their sexual orientation”.<sup>56</sup>

33. The PSNI acknowledged that there had been significant under-reporting of incidents and that they have experienced problems in recording them.<sup>57</sup> Inspector Dempsey told us that the PSNI are seeking to improve the way in which they record incidents by revitalising their crime information system so that it provides more accurate information and allows for more effective analysis of incidents.<sup>58</sup> Assistant Chief Constable Judith Gillespie informed us that the PSNI have also explored options for third party and internet reporting of hate crimes, and have worked in partnership with the Community Safety Unit of the Northern Ireland Office to develop an inter-agency reporting structure for hate crimes.<sup>59</sup>

## ***Relations with minority communities***

### ***The police perspective***

34. The PSNI acknowledged the importance of building effective and supportive working relationships with organisations that represent minority ethnic communities, the LGBT community, and people with disabilities. They are currently involved in a number of projects to achieve this goal, for example, the Northern Ireland Race Forum and the Community Safety Unit Hate Crime Project. At a local level, they have an input into the South Belfast LGBT Forum and the Migrant Workers Forum in Dungannon and South Tyrone. The PSNI has also appointed Minority Liaison Officers (MLOs) in each police district to advise and support the victims of hate crime. The MLOs have a broad range of responsibilities, including providing advice to operational officers in relation to hate crime, developing working relationships with local groups, and participating in relevant forums.

35. The PSNI told us that they have improved the interpreting service which they provide to victims of hate crime, and have an extensive database of local interpreters and 24-hour access to multilingual telephone translator services.<sup>60</sup>

### ***The view of minority communities***

36. Anna Lo of the Chinese Welfare Association was critical of the lack of engagement which the PSNI has with minority ethnic communities. She considered that the police

53 Q511

54 Q519

55 Q519

56 Ev 208

57 Qq 130, 149, 150, 155, 625, 654

58 Q146, Ev 58

59 Ev 57, 58

60 Qq 657, 658

needed to “double their efforts” to develop a satisfactory relationship with the Chinese community, respond more efficiently to reports of attacks, and meet the community more regularly.<sup>61</sup> She was critical also of the lack of availability of interpreters at police stations and felt that this had an effect on whether members of the Chinese community reported an incident to the police.<sup>62</sup>

37. Mr Iweida, President of the Belfast Islamic Centre, told us that the Muslim community lacked confidence in the police, and there was little or no sign of a positive relationship developing between them.<sup>63</sup> Ms Mairead McCafferty, Lesbian Line, felt that there was a need for the PSNI to create “a climate of confidence” and “a climate of equality” because, in her view, members of the LGBT community feel as if they are treated as “second class citizens”.<sup>64</sup> Mr James Knox, CoSO, felt that more needed to be done to publicise the PSNI’s minority liaison officers.<sup>65</sup> The view of Mr Patrick Yu, NICEM, was that the PSNI required more resources in order to respond effectively to hate crime.<sup>66</sup> However, in contrast, Dr Katy Radford told us that the Jewish community had received “a lot of support” from the PSNI for initiatives to encourage members of the community to report incidents where they have been attacked.<sup>67</sup>

**38. We are greatly concerned about the very low level of confidence which members of the LGBT and most minority ethnic communities have in the PSNI. While we recognise the steps taken by the police to develop more effective relationships with them, both communities expressed deep concerns about the extent to which the PSNI are taking hate crime attacks seriously. Much more needs to be done by the PSNI to increase the confidence of the communities and to build more effective relationships with them. This will require great patience and commitment, and progress is likely to be gradual, but we expect the PSNI to take the lead decisively to effect discernable, positive changes. The Government must ensure that adequate resources are made available to the PSNI for this purpose.**

### ***Training and hate crime policy***

39. The PSNI told us that they are improving and extending the training that is provided to police officers so that they can respond more effectively and sensitively to reports of hate crimes.<sup>68</sup> They said that their training programme includes religious diversity and refugee/asylum training for Minority Liaison Officers and that police detectives are trained in dealing with racially motivated crimes and incidents. Officers serving in district command units and student officers receive training in racism, diversity and cultural awareness.<sup>69</sup> To date the programme has not included training in how to deal with either

---

61 Q552

62 Qq 566, 567

63 Q552

64 Q519

65 Q522

66 Q70

67 Q552

68 Qq 156, 704

69 Qq 156, 704

sectarian harassment, or harassment of people with disabilities, but the police have indicated that these issues will be included in their hate crime policy.<sup>70</sup>

40. The PSNI told us that it is in the process of revising its hate crime policy, and is also actively involved in the redrafting of the Association of Chief Police Officers' (ACPO) hate crime manual.<sup>71</sup> We were told that both documents will be published by the Spring of 2005.<sup>72</sup> According to Inspector Robin Dempsey, the new hate crime policy is a "key way to reinforce the minimum standards" and to ensure that the police are "consistent and effective" in their response to hate crime attacks.<sup>73</sup> Mr John Spellar, the Minister, explained that the policy had two strands, one "to get a better handle on the level and extent and depth of hate crime", and the other was about educating the community, the role of the courts and "getting a better understanding amongst the youth" about hate crime.<sup>74</sup>

### *The minority community view*

41. Ms Tansy Hutchinson of the Northern Ireland Council for Ethnic Minorities (NICEM) acknowledged that the PSNI had undertaken positive training work with Minority Liaison Officers, but she felt that they had not yet 'mainstreamed' their training programme within the police service. She believed that this was crucial to its success.<sup>75</sup> The view of Mr Duane Farrell of the Rainbow Project was that "the cohort of (trained) officers" was not "anywhere near enough ... particularly outside of Belfast and Derry."<sup>76</sup> Ms Mairead McCafferty, Lesbian Line, believed that a "more concerted effort" was required by the PSNI to contact the representative organisations and involve them in the training of police officers.<sup>77</sup>

**42. We welcome the steps taken by the PSNI to improve its training strategy to take account of the growing problem of hate crime in Northern Ireland. However, in order to ensure it has a fully responsive strategy, the PSNI must take advice from key representative organisations which provide support to the victims of hate crime. The police need to ensure that their existing training programmes are implemented throughout the organisation, and that representatives of the minority ethnic and LGBT populations are actively involved in providing that training. It must ensure that the revised hate crime policy is comprehensive and takes into account the increase in the scale and diversity of the minority ethnic and the LGBT population across all parts of Northern Ireland.**

**43. As we have said, the responsibility for combating these crimes is the equal responsibility of each police officer in Northern Ireland. It is vital that the policing of minorities is not itself 'ghettoised' by being seen within the police service as the**

---

70 Ev 288

71 Ev 57

72 Ev 57

73 Q661

74 Q723

75 Q62

76 Q523

77 Q527

**exclusive preserve of Minority Liaison Officers. Rather, the MLOs must be trained as the leaders of police locally in combating these crimes.**

### **Recruitment**

44. The present strength of the full time PSNI is 7,500.<sup>78</sup> There are only seventeen officers of the PSNI from a minority ethnic background (four Chinese, one Black, one Indian and eleven others), and there are no data on the number of LGBT police officers. The PSNI told us that it had attracted some applications from the minority ethnic communities, but accepted that the police could “work a lot harder in terms of attracting applications from minority ethnic groups”.<sup>79</sup> We were told that the police had received applications from twenty three Chinese people since November 2001, and that three of these applicants had been appointed as a constable.<sup>80</sup>

45. The police told us that steps had been taken to establish both a PSNI Ethnic Police Officers’ Association and PSNI Lesbian and Gay Police Officers’ Association. The Disabled Police Officers Association has been established for many years.<sup>81</sup> Judith Gillespie, Assistant Chief Constable, told us that the PSNI were trying to develop the Lesbian and Gay Association, but acknowledged that many police officers were “still not comfortable about declaring their sexuality”.<sup>82</sup>

**46. It is crucial that the PSNI is more representative of all communities in Northern Ireland. We believe that this will help increase the confidence which the communities have in the PSNI and will increase the effectiveness of the PSNI in dealing with hate crime. We recommend that the PSNI and the Northern Ireland Policing Board take the necessary steps to secure higher levels of recruitment from the minority ethnic communities to the PSNI as a matter of priority.**

**47. We welcome the steps taken to establish support associations within the PSNI for ethnic minority officers and members of the LGBT community, and expect the PSNI to demonstrate full support for them.**

**48. It is deeply worrying that many minority communities do not have full confidence in the police, particularly against the background of increased incidence of hate crime. This situation must be changed rapidly. Better reporting systems, the police hate crime policy, and the introduction of performance targets in the Policing Plan, offer a good opportunity to measure the extent of hate crime and to monitor the performance of the police, but these measures are only a beginning. The PSNI must set itself to work closely with other statutory agencies and victim support groups to improve general confidence in the reporting system, address reasons for under-reporting and unwillingness to prosecute, to demonstrate the commitment of every police officer to protect vulnerable groups.**

---

78 The 7,500 officers are complemented by 1,765 reserve officers: *Police Service of Northern Ireland 2002-2003 Report of the Chief Constable*, p 2

79 Q708

80 Ev 57

81 Q707, Ev 288

82 Q707

## Northern Ireland Policing Board and District Policing Partnerships

49. The Northern Ireland Policing Board acknowledged a growing awareness of the scale of hate crime, as did Cookstown District Policing Partnership (DPP) from whose representatives we also took evidence.<sup>83</sup> The Policing Board told us that it was in the process of commissioning research into the attitudes of minority ethnic communities and the LGBT community to the Policing Board, the District Policing Partnerships (DPP) and the Office of the Police Ombudsman for Northern Ireland.<sup>84</sup> Mr David Wilson, Policing Board, said that the Board intends to obtain “an accurate picture of the level of under-reporting”, assess satisfaction with the PSNI, and the reasons for under-reporting.<sup>85</sup> He expected the research to be completed by June 2005 and that the findings would be used to bring forward recommendations to the Chief Constable and to inform the development of future policing strategies and performance targets in the Annual Policing Plan.<sup>86</sup>

50. Both the Policing Board and Cookstown DPP acknowledged the desirability of having various minority communities represented in the membership of their organisations. Mr David Wilson told us that the Policing Board had received applications from five individuals from minority ethnic communities for membership of the DPPs, and that three had been appointed to the DPPs in Antrim, Coleraine and Omagh. He also noted that a further ethnic minority applicant was likely to be appointed to the Dungannon and South Tyrone DPP.<sup>87</sup> Mr Ivor Paisley of Cookstown District Council informed us that there were three disabled members of the local DPP.<sup>88</sup> However, he was not aware of any lesbian or gay members of the DPP:

“I suspect that west of the Bann people who are gay and lesbian are still to a large extent closet gay and lesbian. I think that most people in rural Northern Ireland are quite secretive about their gender if they are gay or lesbian. I suspect that is a tradition and I suspect it is through fear.”

**51. We welcome acceptance by the Policing Board that hate crime is a growing problem. We expect the Board’s hate crime research projects on policing and the minority ethnic and LGBT population to make recommendations to the Chief Constable that will improve the reporting of all types of hate crime and increase the confidence which minority communities have in the policing authorities overall.**

## Other Criminal Justice Agencies

52. Mr Patrick Yu of NICEM raised concerns about the treatment of members of the minority communities by the criminal justice system:

---

83 Qq 648, 652

84 Ev 243

85 Q662

86 Q672

87 Ev 243

88 Q670

“among the ethnic minority in Northern Ireland there are strongly held beliefs, based on their daily experiences, that they are treated unequally and less favourably by the Northern Ireland criminal justice system.”

He highlighted the need for “good, robust training” on the part of the criminal justice agencies, a more pro-active engagement by them with the ethos of Section 75 of the Northern Ireland Act 1998, and the desirability of following good practice developed by similar agencies in England and Wales.<sup>89</sup> Rather surprisingly we did not receive any written evidence from the DPP, the Northern Ireland Court Service, and the Probation Board for Northern Ireland on the work they had undertaken in relation to training and raising awareness of the hate crime provisions in the 2004 Order, so we wrote to them requesting information on what action had been taken.

53. The Northern Ireland Court Service and the DPP both told us that they had provided information on the 2004 Order to relevant staff, and had made the Order available on the appropriate intranet site.<sup>90</sup> The Court Service explained that they require staff to attend diversity training and that the Judicial Studies Board had recently commenced a programme of diversity awareness training and was considering options for training in the new hate crime legislation. The DPP requires staff to undergo equal opportunities training and is working with NICEM to develop a programme of racial awareness training, which he expected to be delivered early in 2005.

54. The Probation Board for Northern Ireland recognised the “need to review and develop training provision in relation to racism and cultural diversity within the Criminal Justice System” and the need to provide training on the new hate crime provisions. It also thought that the new legislation “suggests an area for collaborative and joint training” among the various sections of the Criminal Justice System.<sup>91</sup>

**55. While we were disappointed by the initial lack of response by some criminal justice agencies in Northern Ireland to our inquiry, our probing has demonstrated that the agencies appear to be aware of the problem and are taking some action to make their staff aware of it and to provide training. These are initial steps only and the agencies need to sustain a robust and coordinated approach in order to keep awareness of their staff high. We recommend that the NIO takes the lead in ensuring that all the training provided is founded on common principles; that there is collaboration between the agencies in delivering training; and, in particular, that this is developed in conjunction with the representative bodies of the minority communities.**

### ***Restorative Justice Programmes***

56. The Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) thought that consideration should be given to introducing restorative justice programmes to deal with the sectarian and race elements of hate crime.<sup>92</sup> Mr Pat Conway of NIACRO considered that such methods “would be an ideal vehicle to actually repair

---

89 Qq 73,77. Ms Patricia McKeown of Unison made a similar point in her evidence to the committee Q 312

90 Ev 263, 269

91 Ev 264

92 Q285

relationships on an individual basis”, and would “form an educating role within the context of Northern Ireland.”<sup>93</sup> Mr Tom Winston, Greater Shankill Alternatives, shared this view, and told us that his organisation helped to educate perpetrators of hate crime in the devastating impact of their attacks.<sup>94</sup> His view was that bringing “the offender to sit round the table to and discuss the problem” facilitated solutions.<sup>95</sup> The Reverend Winston Graham, Methodist Church of Ireland, thought that there was a need to promote ‘restorative justice’ as a means of dealing with hate crime, and to ensure that it was properly understood.<sup>96</sup> Inspector Robin Dempsey told us that the PSNI had already established models of ‘restorative cautioning’ for youth offending and he agreed that it might be appropriate to adapt this approach to deal with perpetrators of hate crime.<sup>97</sup>

**57. Using ‘restorative justice’ as a means of dealing with the perpetrators of hate crime offers a number of potential benefits. We were told that it helps to educate perpetrators, repair relationships with victims, and offers a more constructive approach to dealing with hate crime. The PSNI employ ‘restorative cautioning’ for youth offending, and we recommend that the PSNI and other criminal justice agencies explore the full potential for developing a programme of ‘restorative cautioning’ for use in dealing with the perpetrators of hate crimes.**

## **A shared responsibility**

**58. Minority groups, and particularly victims, must play their part: they must be encouraged to come forward and report crimes against them. We appreciate fully how difficult it can be report such attacks. Victims may be fearful of the authorities and ‘authority’ in general, as a result of experiences in their country of origin. They may not speak English (and we heard from victims in this category), or may have language skills they feel are inadequate. They may consider that, on the basis of past experience, no action will be taken however much they press for attention. They may be fearful that they do not have the sympathy of neighbours. They may be in the UK without official permission. The leaders of these groups must show leadership on behalf of the victims.**

**59. It remains the case, however, that without victims’ reports, the police and the authorities can do little or nothing. Worse still, the impression may persist that there is simply no problem to address, or the problem is a minor one. This plays into the hands of the perpetrators, encourages them in the belief that they can commit these crimes with impunity, and stokes the flames of prejudice and intra-community frustration. We expect the minority communities to record and report attacks on them and their members and instances of abuse as a matter of priority. We had evidence that some groups were taking action on reporting, and this is heartening.<sup>98</sup> All groups must follow this lead. They must use the law proactively, and take every opportunity to hold the police and authorities generally, and their own elected representatives, to account in**

---

93 Q285

94 Q374

95 Q383

96 Q433

97 Qq 712, 713

98 See Chapter 6

**investigating incidents, tracking down the perpetrators, and obliterating this crime from Northern Ireland society.**

## 4 Central Government's response

---

### Response of central Government

60. The Government's general response to hate crime has been to seek to improve community relations. Drawing on the *Shared Future* consultation exercise, in which more than 10,000 people participated, the Minister suggested three priorities:

- the elimination of sectarianism and racism to enable individuals to live and work without fear or intimidation
- the reduction of tension and conflict in interface areas, and,
- support for the development of integrated shared communities where people wish to live, work and play together.

61. The *Shared Future* consultation response suggested a cross-departmental approach that encourages explicitly 'sharing' over 'separation' in the delivery of services. Three public policy areas were identified for particular attention: security and law and order, education, and housing.<sup>99</sup>

### *Avoiding a fragmented response to hate crime*

62. The Office of the First Minister and Deputy First Minister (OFMDFM) and the Northern Ireland Office (NIO) made a joint submission to the Committee. OFMDFM contains four units within its Equality Directorate with an interest in hate crime: the Anti-discrimination Division, the Equality and Social Need Division, the statutory Equality Unit, and Race Equality and Race Relations Division.<sup>100</sup>

63. In the Northern Ireland Office, the Community Safety Unit has a key role because it is involved in 'the development of a multi-agency working group on recording and monitoring of incidents motivated by hatred based on religion, race, sexual orientation and disability.'<sup>101</sup> The Unit brings together a number of key statutory and voluntary bodies to initiate arrangements for responding to hate crime incidents, particularly those of a racist nature. It is intended that the arrangements will include both physical measures for protection of those subject to such incidents and associated advice and guidance on available support.<sup>102</sup> Mr Conal Devitt, Community Safety Unit, acknowledged that up until now the approach to hate crime had been "reactive" rather than "proactive", but expected the new multi-agency reporting system to "capture data in a standardised way" so that it could be properly analysed and that "the responses can be more appropriate".<sup>103</sup>

**64. Responsibility in Government for tackling hate crime currently straddles the NIO and the OFMDFM. It is of vital importance that this split between departments does**

---

99 Northern Ireland Grand Committee, 17th June 2004: Column 015

100 <http://www.ofmdfmi.gov.uk/equality>

101 Ev 76.

102 Ev 76

103 Q223

not impair the Government's ability to respond to the challenges presented by hate crime in a unified and focussed way. The involvement of many voluntary groups such as the Northern Ireland Victim Support, an organisation which receives core funding from the NIO to deliver services to victims of crime, adds to the complexity of the position, and increases the potential for a disjointed policy response. We look to the Government to demonstrate that these dangers are being avoided, and that the administration is working as one in tackling this problem.

### Government activities

65. We were told about a wide range of Government activity in this area.

- OFMDFM is currently developing a 'Good Relations Policy', in response to the *Shared Future* consultation, which urged Government to take the lead and begin to tackle the worst excesses of sectarianism and racism. A final draft of the *Shared Future* consultation response was issued in December 2004, and, after our inquiry closed, and we were in the process of agreeing this report, the final 'good relations' policy document, *A Shared Future*, was published on 21 March 2005.<sup>104</sup>
- OFMDFM is also finalising its 'Race Equality Strategy' covering 'the full range of policy issues that impact on the daily lives of our citizens from minority ethnic communities'.<sup>105</sup> A Race Forum has been established to assist in the development and implementation of the Strategy and to help tackle issues of concern to ethnic minorities. The Forum comprises representatives of minority ethnic communities, Northern Ireland departments, statutory bodies, and voluntary and community organisations.<sup>106</sup>
- More generally, OFMDFM is strengthening the legislative base of equality of opportunity through a Single Equality Bill for Northern Ireland. The Bill will seek to harmonise existing equality and anti-discrimination legislation, extending and amending it where appropriate.
- OFMDFM set up a Minority Ethnic Voluntary Organisations scheme in 2001 to support voluntary and community groups to assist in improving relations between different ethnic groups, including the majority communities. Awards of £0.5m in respect of twenty one organisations were announced in March 2004.<sup>107</sup> The Minister allocated an additional £100,000 funding for the scheme in December 2004; and on 14 February 2005, announced that a further £100,000 had been made available to assist local community and minority ethnic community groups to

---

104 Office of the First Minister and Deputy First Minister, *A Shared Future: policy and strategic framework for good relations in Northern Ireland*

105 Ev 78

106 Ev 65

107 Ev 65, 100. The following groups received core funding from the Minor Ethnic Voluntary Support Organisations Fund in 2004-05: Ballymena Community Forum (£35,000); Belfast Islamic Centre (£50,000); Belfast Jewish Community (£25,000); Belfast Traveller Education and Development Group/ Belfast Travellers Support Group (£50,000); Chinese Welfare Association (£50,000); Derry Travellers Support Group (£50,000) Indian Community Centre (£40,000); Mandarin Speakers Association (£25,000); Multi-Cultural Centre (£50,000); Northern Ireland Centre for Ethnic Minorities (£50,000); and Traveller Movement (NI) (£50,000). In addition, project funding to enable organisations to develop and provide services was also allocated to a range of groups.

tackle hate crime.<sup>108</sup> In February 2005, the Minister announced that the Government was replacing the minority ethnic voluntary organisations scheme with ‘development funding for minority ethnic minorities’, providing £500,000 over a three year period to those groups “committed to support racial equality and race relations”.<sup>109</sup> He emphasised that the fund had been created with the “changing needs of minority ethnic communities in mind” and aimed to bring minority ethnic communities into mainstream funding in other Government departments.

- OFMDFM is developing a ‘Strategic Action Plan’ on sexual orientation and commissioned research on promoting equality and plugging information gaps in this area.<sup>110</sup> Government has also set up a sexual orientation advisory body comprising representatives of different sexual orientation groups to identify priority issues and problems.<sup>111</sup>

66. OFMDFM highlighted the value of the Race Forum in bringing police and representatives from minority ethnic groups together to get a better understanding of where incidents of hate crime were occurring and the response to them.<sup>112</sup> Officials also described their work with ‘local indigenous communities... to try to get the message across to them that this type of activity (hate crime) is harmful to their communities’.<sup>113</sup> They informed the Committee that £11.5 million of mainstream community relations funding was expended each year through bodies such as the Community Relations Council and district councils to develop inter and intra community relationships.<sup>114</sup> Officials also stressed the usefulness of their engagement with the lesbian, gay, bisexual and transgender population.<sup>115</sup>

### *Better relations?*

67. These are encouraging activities, but we wondered about the extent of their impact to date, and about how solidly founded officials’ claims were that there has been an increasing trend recently towards a more integrated society in Northern Ireland.<sup>116</sup>

68. Figure 4 illustrates the most recent trend in authoritative survey evidence to the question: “Would you say that relations between Catholics and Protestants are better than they were 5 years ago, worse or about the same as now?”<sup>117</sup> This demonstrates that those

108 Office of the First Minister and Deputy First Minister. News release –*Spellar announces additional £100,000 to tackle racism*, 14 February 2005

109 Office of the First Minister and Deputy First Minister. News Release, *More local groups to benefit for longer under new minority ethnic groups fund*, 23 February 2005

110 Ev 65

111 Ev 78

112 Q225

113 Q227

114 Q230

115 Q270

116 Q208

117 Northern Ireland Life and Times Survey 2003, Queen’s University Belfast and the University of Ulster, [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt)

surveyed perceive inter-community relations as worsening though, admittedly, the 2003 picture may foreshadow a more encouraging trend.

#### Better relations than 5 years ago?

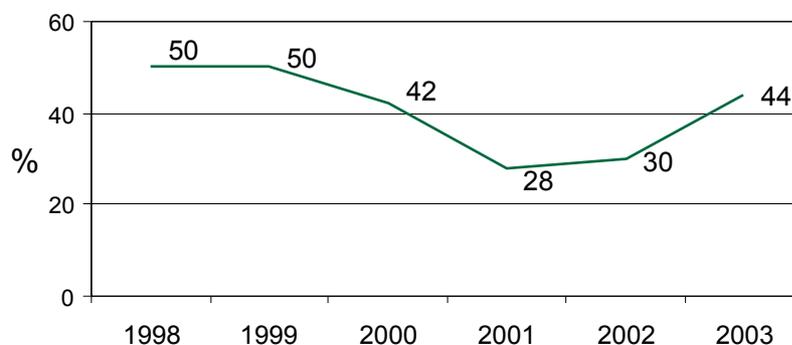


Figure 4

### *Policy into practice*

69. We received relatively little impression that the policy development work which was described to us at length sustained functioning and effective initiatives ‘on the ground’.<sup>118</sup> This apparent disjunction between policy development and practical delivery is of great concern as it seems to have permeated and determined important aspects of the Government’s submission to us. For example, its repeated view that PSNI enforcement is the key to tackling hate crime.<sup>119</sup> As we said, we do not dissent from the great importance of enforcement, but to be fully effective, the police role must be placed in the context of a practical overall strategy which enables the problem to be tackled throughout society. This strategy, while involving PSNI, must come from the Government.

70. We asked the Government about the effectiveness of Section 75 of the Northern Ireland Act 1998 in promoting equality of opportunity and good relations in public authorities. Section 75(1) requires public authorities in Northern Ireland to have regard to the need to promote equality of opportunity between persons of different religious beliefs, political opinion, racial group, age, marital status or sexual orientation, between men and women generally, between persons with a disability and persons without. Authorities are also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.<sup>120</sup>

71. Ms Mary Bunting, Director in OFMDFM with responsibility for the Equality Directorate, told us that the Government’s “job” was not monitoring the effectiveness of Section 75, but “ensuring that the duties are being implemented across Government”.<sup>121</sup>

118 Q226

119 Ev 61, 75. Q226

120 Section 75(2) of the Northern Ireland Act 1998

121 Q232

**This interpretation is overly restrictive, because in ensuring that the duties in Section 75 are being fulfilled by public authorities, the Government must surely have a role in examining how effective the operation of Section 75 has been.**<sup>122</sup>

72. Officials admitted that they did not have a working definition of ‘sectarianism’ after 35 years of sectarian violence in Northern Ireland, though since we took this evidence a definition has been put in place.<sup>123</sup> OFMDFM officials argued that the definition was the responsibility of the Northern Ireland Office.<sup>124</sup>

### *Race Forum*

73. Disagreements over the operation and usefulness of the Race Forum constitute a good example of the way in which policy initiatives appear to be failing to translate into effective structures ‘on the ground’. OFMDFM officials emphasised the ‘extreme importance’ they attached to the role of the Race Forum in bringing together ethnic minority groups and statutory agencies ‘to ensure that all of us, collectively, can respond in order to support groups on the ground’.<sup>125</sup> However, minority ethnic representatives involved told us a different story:

“It [the Race Forum] has been very slow going; meetings have been postponed and postponed and postponed. They really need to have an emphasis in getting it off the ground, in co-ordinating it and putting some energy into it. Ethnic minorities are completely fed up with it. We want to see something happening. We want to see something on the ground... I go to these meetings and I just hear talk and talk of the same thing over and over again.”<sup>126</sup>

### *OFMDFM*

74. More generally, disappointment was expressed by these ethnic groups with the role played by OFMDFM. Anna Lo of the Chinese Welfare Association said:

“I certainly feel that in Northern Ireland we have not tackled the issue (hate crime) head on for the last two or three years. With all these incidents it is very much left to the ethnic minority organisations to deal with it, it has not been seen as a societal problem. We have not seen too many politicians speaking out to condemn it. We have not seen any concerted effort by OFMDFM with a co-ordinated campaign to say we need to do all these different things.”<sup>127</sup>

---

122 This is particularly true given the recent operational review of Section 75 which found particular difficulties for designated public authorities in regard to their duties in some of the nine categories, ‘They find it difficult to address religious belief and political opinion beyond the established ‘community background’ criteria. Sexual orientation also presents difficulties because of the sensitivities and privacy issues involved’. (McLaughlin, E. and Faris, N. *The Section 75 Equality Duty – An Operational Review: Report to the Northern Ireland Office*, November 2004 p 33)

123 Paragraph 14, p 11

124 Q215

125 Q227

126 Q572

127 Q557

### Late strategies

75. The Minister assured us that the strategies on good relations and race equality, referred to by his officials were being finalised and would be “published later this year” (2004).<sup>128</sup> However, the racial equality strategy and action plan for Northern Ireland, originally intended to be published in Autumn 2003,<sup>129</sup> has still not appeared. Publication of the strategic action plan on sexual orientation is now due in Summer 2005,<sup>130</sup> though we were given an indication that earlier publication was planned.<sup>131</sup> The Government’s *A Shared Future* document on improving community relations was issued for consultation in January 2003, but the ‘good relations’ policy and strategy document which emerged from that consultation was published only last month, over two years later.

**76. We are concerned by the failure of OFMDFM to produce strategies which have a direct bearing on hate crime to agreed timetables. While the recent publication in March 2005 of *A Shared Future*, which sets out the Government’s policy and strategic framework for good relations is a first step, there remain other important policy and strategy documents which appear stuck in the pipe-line; for example, the racial equality strategy for Northern Ireland. We have no reason to suppose that this relative failure indicates a lack of determination by the Minister and officials to address head-on the increasing problem of hate crime in Northern Ireland, but these Government strategies are required as a matter of urgency, and some are badly overdue. All outstanding strategies must be published without delay: it is important to the credibility of the Government that, when a deadline is set by it for the publication of such documents, that deadline should be adhered to.**

**77. We recommend that, once in place, the strategies are assessed objectively, and the results published regularly. This will promote transparency, ensure accountability, and inspire confidence in the groups most vulnerable to hate crime.**

**78. There must be no doubt about what we have found: the absence of a strongly promoted, ‘vision’ for community relations in Northern Ireland; an unacceptable slowness in policy development; and little evidence that policies are delivering real, ‘on the ground’, improvements to the lives of vulnerable individuals, all of which is resulting in dissatisfaction amongst these groups and a deteriorating pattern of inter-community relations. We are concerned that, despite officials’ reassuring words, present arrangements between OFMDFM and the NIO may be insufficiently coordinated to act speedily in producing effective strategies to combat hate crime. The Government must consider what improvements are required to correct this unsatisfactory state of affairs.**

---

128 Q715

129 [www.newtsni.uk/race/intro.htn](http://www.newtsni.uk/race/intro.htn)

130 [www.ofmdfmi.gov.uk/equality/sexulaorientation.htm](http://www.ofmdfmi.gov.uk/equality/sexulaorientation.htm)

131 Q273

## Education initiatives

79. The role of education is seen by the Government, rightly, as being central to tackling sectarianism, racism and overcoming prejudice.<sup>132</sup> Specific reference was made by officials to Department of Education initiatives: *Integrated Education*, *Education for Mutual Understanding* (EMU), and the *Schools' Community Relations Programme*; and *Local and Global Citizenship*.

80. Information we were given on *Integrated Education* referred to rather dated research from 1991. This concluded that the initiative could improve inter-community relations in Northern Ireland and that segregated schools added to polarisation, but added that these findings could not be generalised because of the small-scale nature of the research.<sup>133</sup> More recent research from 1998-2000 was used by the Department to illustrate the limited success of *Education for Mutual Understanding* in schools: joint activities tended to be too narrowly focused and good practice tended to be isolated rather than a part of a whole school approach.<sup>134</sup> Research commissioned in 2002 on the *Schools Community Relations Programme* produced mixed results, and the Department of Education has appointed an implementation group to produce a plan by March 2005 to take forward recommendations from the research. These include encouraging a 'whole school' approach, for example, encouraging two and three year programmes, recognition of the unique circumstances of particular schools, and the introduction of monitoring and evaluation and road shows of best practice.<sup>135</sup>

81. A revised statutory curriculum on *Local and Global Citizenship*, incorporating core concepts of diversity and inclusion, equality and social justice, democracy and active participation, and human rights and social responsibility, will replace the current *Education for Mutual Understanding*. The new curriculum is scheduled for implementation by September 2006, and there are currently pilot schemes in seventy seven schools. The initiative aims to "develop the capacity of young people to participate positively and effectively in society, to influence democratic processes, and to make informed and responsible decisions as local and global citizens throughout their lives".<sup>136</sup>

82. We were particularly interested in the potential of integrated education for mitigating the worst excesses of sectarian hate crime. Many parents express a preference for this option,<sup>137</sup> and there is other evidence that this approach is popular:<sup>138</sup>

---

132 Ev 80

133 Ev 80

134 Ev 81

135 Ev 81

136 Ev 81

137 *A Shared Future: Consultation Paper* (2003:1.2), OFMDFM

138 Northern Ireland Life and Times Survey 2003, Queen's University Belfast and University of Ulster, [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt)

### Support for integrated education

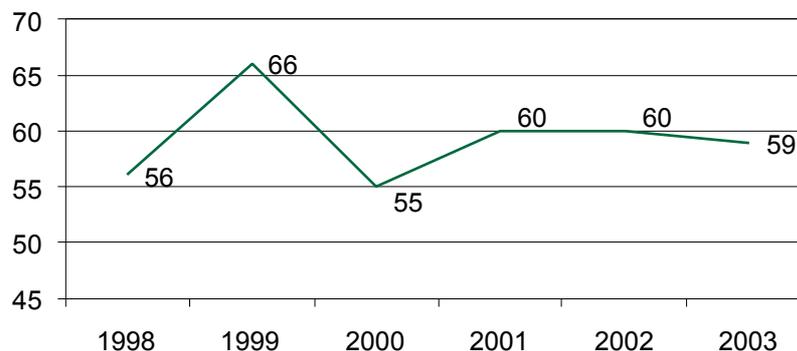


Figure 5

83. The representatives of the Church of Ireland, Methodist Church of Ireland and Presbyterian Church of Ireland,<sup>139</sup> from whom we heard, were supportive of the concept of integrated education. However, the Most Reverend Sean Brady, Roman Catholic Archbishop of Armagh and Primate of All Ireland, was opposed:

“We [Roman Catholics] respect the right of all parents to choose the school that they wish, but the idea that bringing children together in school will solve the complex phenomenon of hatred and intolerance is familiar, it is very easy, but it is unproven... Research has shown that sectarianism is manifest at the age of three years old. They did not get that from the schools, they got it from their parents, their homes and their society... To dismantle these (denominational) schools would provide a new source of resentment and a new source of hatred. It is a facile solution. I do not think it is a valid one.”<sup>140</sup>

84. We were given interesting information about research that suggested sectarian awareness in pre-school children, some as young as 3 years old.<sup>141</sup> It is important that parents of very young children are made fully aware of the vigour with which children of that age learn through imitation, and ensure that the culture in which these children are nurtured is one that encourages tolerance and inclusiveness. Nevertheless, this does not mean that attitudes are ‘set in stone’ by the age at which children start primary school, or that proactive and inspirational teaching cannot inculcate tolerance and respect for others from diverse backgrounds.

**85. Education is a most important area for action in the field of community relations generally and, in particular, a means of combating the underlying causes of hate crime. In its day to day activity, the Department of Education needs to keep firmly in mind the vision set out in the Belfast (Good Friday) Agreement that ‘An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education’.**<sup>142</sup>

139 Q423

140 Qq 418, 419

141 Ev 193, Q436

142 *The Agreement: Agreement reached in multi-party negotiations*, April 1998, p18

86. We are pleased to see important initiatives like the *Local and Global Citizenship* which offers a real opportunity to embed tolerance and understanding in the teaching and learning of young people. But we are under no illusions that initiating such projects equates to a successful outcome. The Department must ensure that this good start is followed through vigorously, and that the project is monitored regularly to assess its contribution to the attitudes and behaviour of young people to hate crime.

87. The issue of integrated education, which should be in the front rank for Departmental activity, appears to be given less priority than it merits. We were struck by the evidence that, while sixty per cent of people in Northern Ireland would prefer to send their children to a mixed religion school, only five per cent can do so currently.<sup>143</sup> There may be many people who would not wish to send their children to an integrated school. We respect their right not to do so. However, the evidence is that very many more wish to than there are currently places in school to accommodate them. There is also evidence that integrated education can help to heal sectarian wounds. We expect the Government to look with renewed urgency at this issue, in particular, at how those who wish take up integrated education for their sons and daughters may do so without undue delay.

88. Underpinning all formal education is the crucial role of parents in demonstrating to their children the great social advantages of tolerance and respect for those with different backgrounds and cultures. Parents should be made aware of research by the education authorities which suggests that attitudes may be formed at a particularly early age, and we look to the Department of Education to take the lead in making this information widely available.

### **Northern Ireland Housing Executive initiatives**

89. The Belfast Agreement also noted the role of ‘mixed housing’ in promoting communal reconciliation.<sup>144</sup> Segregated housing has been cited as another reason for hate crime, particularly sectarianism.<sup>145</sup>

90. In an effort to promote good community relations, the Northern Ireland Housing Executive (NIHE) has adopted a policy of housing-centred community involvement. It has published proposals to address the problems of intimidation, interface violence and sectarian symbols. NIHE also developed initiatives to support mixed communities and promote community relations.<sup>146</sup> The NIHE has established a Community Cohesion Unit, one of whose objectives is to explore, on a pilot basis, the potential for integrated housing estates. This work is at an early stage of development and the location of the sites is yet to be decided upon. They will be determined by the level of housing need in the proposed areas, the make-up of the waiting lists, and the level of segregation in the adjacent areas.<sup>147</sup>

---

143 Q737. Northern Ireland Life and Times Survey 2003, Queen’s University Belfast and University of Ulster, [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt)

144 *The Agreement: Agreement reached in multi-party negotiations*, April 1998, p 18

145 Ev 108

146 Ev 80

147 Qq 213, 214

91. While accepting that individuals make personal choices to live in segregated housing based largely “on the personal safety that they believed existed within communities”, the NIHE was at pains to point out that there is also clear evidence from within our communities of a desire to live in mixed or more integrated estates and indeed our waiting lists would demonstrate that there is a rising number of applicants who would seek to live in integrated housing.”<sup>148</sup>

92. The Housing Executive has a number of initiatives to tackle prejudice and support the victims of hate crime, for example:

- Persons made homeless as a result of terrorist, sectarian or racist intimidation are awarded the highest priority for re-housing. The Department for Social Development, the NIHE’s parent department, has ‘recently invited the Housing Executive to amend its Housing Selection scheme so that persons who are intimidated because of their sexual orientation or disabilities can also be awarded top priority for re-housing’<sup>149</sup>
- It pays emergency grants to public and private sector tenants who have been forced to leave their homes as a result of intimidation. It also provides information on housing and homelessness to advice and welfare centres catering for members of ethnic minorities<sup>150</sup>
- Where a homeowner has been forced to move as a result of intimidation, the Housing Executive is empowered under the Scheme for the Purchase of Evacuated Dwellings (SPED) to purchase the individual’s home. This enables victims of intimidation to move quickly and receive full market value for their homes<sup>151</sup>
- The Housing Executive and registered Housing Associations have power to seek injunctions against persons involved in the harassment of tenants, and power to evict tenants whose behaviour is likely to cause nuisance or annoyance to neighbours or persons visiting the area. The Department for Social Development has issued guidance to the NIHE which suggests that any racial or sectarian harassment, or harassment on the grounds of sexual orientation, should be treated as ‘nuisance or annoyance’ for these purposes.<sup>152</sup>

**93. We welcome the evidence provided by the Northern Ireland Housing Executive of a desire on the part of many people to live in non segregated communities and trust that the Executive will do everything possible to encourage this development while respecting reasonable personal choice. We are impressed by the way in which the Housing Executive and the Department for Social Development is adapting its long experience of dealing with sectarian hate crime in housing to other forms of hate crime. We commend this work, and would like to see these measures accelerated and extended, particularly their pilot projects for integrated estates.**

---

148 Q211

149 Ev 79

150 Ev 80

151 Ev 80

152 Ev 80

## Legislation

94. The Government has responded to hate crime by passing new legislation, the Criminal Justice (No. 2) (Northern Ireland) Order 2004, which came into force on 28th September 2004. This followed a consultation document, ‘Race Crime and Sectarian Crime Legislation in Northern Ireland’, issued in November 2002 which highlighted the growing problem of sectarian and racist attacks. Respondents to the consultation also raised concerns about similar attacks based on intolerance of against lesbians, gays, bisexuals and transgendered people. Draft proposals for legislation were issued for public consultation in February 2004.

95. We scrutinised the proposed new legislation as part of this inquiry and recommended the inclusion of disability.<sup>153</sup> While the Government accepted this recommendation, officials initially took the line that “violence against people with disabilities can more often be motivated by opportunism occasioned by the individual’s vulnerability than by hate as such.”<sup>154</sup> However, the evidence provided to us contradicted this. As noted earlier, the Government accepted the recommendation made in our interim report.<sup>155</sup>

96. We agree with the Minister’s assessment that “this new legislation brings much needed changes to the law, substantially strengthening the measures available to tackle crime motivated by such hatred.”<sup>156</sup> Key features of the Order are:

- Where an offence involves hostility based on religion, race, disability or sexual orientation, on conviction the Court must take this into account when sentencing
- The Court’s sentencing powers – mainly in relation to specified crimes of violence which are often connected to hate crime will increase
- For example, offences of ‘grievous bodily harm’, ‘assault occasioning actual bodily harm’ and ‘putting someone in fear of violence’ will increase from 5 to 7 years imprisonment; and criminal damage will increase from 10 to 14 years imprisonment. Common assault will have a maximum penalty of two years imprisonment, a fine, or both
- Hostility based on race, religion, sexual orientation or disability, can be based on hatred of a group or of an individual. The legislation covers attacks on both people and property<sup>157</sup>

97. Reaction to the introduction of the new legislation has been generally positive. For example, witnesses from the LGBT community, often the forgotten or silent victims of hate crime, told us:

“It is certainly a welcome thing for sexual orientation to be included in it [the legislation] and it is definitely something that has been lacking for a number of years

153 Northern Ireland Affairs Committee Fifth Report of Session 2003-04, ‘Hate Crime’: the Draft Criminal Justice (Northern Ireland) Order 2004, HC 615

154 Q166

155 Explanatory Memorandum to Criminal Justice (No.2) (Northern Ireland) Order 2004 pp2, 3

156 Northern Ireland Office Media Centre, *New laws to combat hate crime and joy-riding come into force*, 28<sup>th</sup> September 2004

157 Explanatory Memorandum to Criminal Justice (No.2) (Northern Ireland) Order 2004 p 4

for all categories involved. It has changed mindsets already... We think that certainly a couple of years down the line people will feel more confident in coming forward to report the crimes.”<sup>158</sup>

98. We are pleased that the Government has extended the protection of the law to these vulnerable groups.

99. However, we were reminded that legislation alone is an insufficient response to hate crime. For example, the Northern Ireland Council for Voluntary Action (NICVA) supported the introduction of stronger legislation but argued that this should support “the building of community cohesion – protecting those who are vulnerable and reflecting the value of inclusiveness and tolerance.”<sup>159</sup> The Committee on the Administration of Justice (CAJ) pointed out that “there is little value in amending or complementing current legislation with additional protections, if these provisions are then left un-used or under-used in the statute book.”<sup>160</sup> The CAJ cited non-enforcement of laws such as the Protection of the Person and Property Act (NI) 1969, and the Public Order (Northern Ireland) Order 1987 which could be used to tackle aspects of hate crime, yet the number of people charged, and found guilty, under these laws was very small.

**100. In Scotland, the Crown Office and the Procurator Fiscal Service have produced an analysis of charges brought in the first six months under Section 74 of the Criminal Justice (Scotland) Act 2003.<sup>161</sup> We believe that a similar system of monitoring the use of the Criminal Justice (No. 2) (Northern Ireland) Order 2004 would be beneficial.**

**101. We welcome the introduction of the Criminal Justice (No. 2) (Northern Ireland) Order 2004 and the inclusion of crimes against the disabled as a category of hate crime. We recommend that the PSNI, the Policing Board and the NIO closely monitor the effectiveness of this new legislation. Importantly, prosecutions need to attract widespread media attention to act as a deterrent to others that hate crime will be robustly tackled by the criminal justice system.**

102. Although the PSNI felt it was too early to assess the impact on hate crime of the new Criminal Justice (No. 2)(Northern Ireland) Order 2004, they claimed that it “sent out a very clear message that crime is unacceptable, but crime that is motivated by prejudice is particularly unacceptable”. The PSNI were “optimistic that it will have a positive impact in terms of the enhanced sentencing powers of the courts when the crime is proven to be motivated by prejudice.”<sup>162</sup> **But much more than “messages” are required. The law will be another ‘dead letter’ unless the enforcement authorities, primarily the PSNI, use it vigorously. We expect them to do so. As we have pointed out earlier, the authorities have considerable ground to make up in persuading vulnerable groups that their concerns are being addressed seriously. This legislation is an opportunity to demonstrate that such legitimate concerns will be addressed. Those involved in the criminal justice system must not fail this test. When our successor committee looks**

---

158 Q532

159 Ev 113

160 Ev 38

161 The report is available at <http://www.crownoffice.gov.uk/publications/invrepofsect.doc>

162 Q698

**next at this subject we hope that there will be a sound record of action as a result of this Order.**

## 5 Local Government activities

---

103. The Government believes that while “actions to promote good relations between and within communities in Northern Ireland will be driven forward by Government”, it is action at local level that will transform local communities. To achieve that goal, the Minister told us that :

“The Government should develop an enhanced, permanent programme for the promotion of good relations through district councils. I have it in mind that each council should be required to prepare, as part of its community planning process, a good relations action plan that should be submitted to the Government. There are attractions in the model of a good relations fund and committee, developed by Belfast City Council... Good community relations policy, and its outworking, is the search for the practical foundations of trust between all people in Northern Ireland who have been divided on the basis of perceived political, cultural, religious or other ethnic background.”<sup>163</sup>

**104. We thoroughly endorse the Government’s emphasis on the important role which local authorities have in the promotion of community harmony and driving out hate crime. Without the collaboration of local authorities it is difficult to see how any measures promoted by the central Government can succeed.**

105. We heard evidence about three district council areas: Strabane, Down, and Belfast in which each council has adopted a pragmatic approach to using community relations (or ‘good relations’) programmes. The recent establishment of community safety partnerships with common boundaries to the 26 district councils also provide a local focus for this work. The main emphasis to date has been on tackling sectarianism. The Good Relations Manager of Belfast City Council pointed to the twenty seven so-called peace walls, or peace lines<sup>164</sup>, as the physical symbol of the challenge of sectarianism.

106. The councils provided us with several examples of good practice:

- Strabane District Council’s “Us and Them Too” training programmes aimed at developing an understanding of race, disability and sexual orientation to community organisations <sup>165</sup>
- Down District Council’s annual cross-community St Patrick’s Day parade which includes invited groups from ethnic backgrounds. This allows minority ethnic communities to showcase and celebrate their culture to a wide audience <sup>166</sup>
- Belfast City Council’s innovative model of a Good Relations Unit which co-ordinates and integrates work on the promotion of equality of opportunity with its development work on good relations; and the Council’s public condemnation at

---

163 Northern Ireland Grand Committee, 17<sup>th</sup> June 2004: Column 023

164 Q327

165 Ev 137

166 Ev 136

every opportunity of all manifestations of racism, in whatever form and wherever occurring in Belfast.<sup>167</sup>

- Two specific projects supported by Belfast City Council’s Good Relations Fund are: Interaction Belfast which builds cultural awareness and, through a cross-community forum, tackles contentious issues such as flags, murals and bonfires; and Roden Street Development Group which has developed a project involving the Filipino community, Northern Ireland Council for Ethnic Minorities and a Turkish Group.<sup>168</sup>
- Ballymena Borough Council’s pilot scheme to facilitate ‘safe space’ discussions which addresses extremely contentious issues in two key areas of the town (Harryville and Fisherwick).

107. Despite the success of individual projects, evidence of increasing patterns of community polarisation, and a rising level of hate crime means that efforts will need to be redoubled if positive results are to be drawn from the Government’s community relations policy. It was disheartening to be told by community relations officers that the policy “has not been terribly successful.”<sup>169</sup> It is clear from evidence we received that, despite recently awakening to the dangers of race and homophobic hate crime, the authorities need to continue to combat the sectarian attacks which remain a blight on the communities of Northern Ireland.<sup>170</sup>

**108. The Committee welcomes the work of local authorities to promote the quality of community life through community relations programmes directed against sectarianism. Many of these programmes are small scale but have a disproportionately large and positive impact. We commend those local authority officers who are responsible for putting them into practice and call on their councils to do all in their power to support and further their efforts. It is vital that these programmes continue, and that funding for them is secure. We look to the Government to ensure that this is the case.**

---

167 Ev 133

168 Ev 110

169 Q 342

170 Ev 275

## 6 Response by community organisations, employers, trade unions, and Churches

---

### Response by support and community organisations

109. We were heartened to note that many support and community organisations were actively encouraging members of their communities to report hate crime attacks, and in some cases had set up their own systems to enable people to report hate crimes. Ms Mairéad McCafferty, Lesbian Line, told us that her organisation had recently established a system of third party recording of incidents. Mr Dónal McKinney explained that the Falls Community Council had been encouraging third party reporting with Travellers, while Mr Patrick Yu of NICEM, Mr Jim Auld of Community Restorative Justice, and Ms Roisin McGlone of Interaction Belfast, each told us that their organisations gathered data on hate crime.<sup>171</sup>

110. Many of the respondents welcomed the information from Mr Tony Clarke MP, a member of this Committee, about the system for self-reporting of hate crimes established in Northamptonshire and believed this could serve as a useful example.<sup>172</sup>

111. Representatives of the Chinese, Filipino, Indian, Jewish, Muslim and Traveller communities and from Cara Friend, CoSO, Lesbian Line, and the Northern Ireland Gay Rights Association, told us that they were involved in a wide range of activities related to countering hate crimes. This included raising awareness of the issues, supporting victims of hate crimes, training police officers, work in the education system and responding to consultations, as well as advising and liaising with statutory bodies.<sup>173</sup> The groups recognised that these were all important and necessary activities.

112. Groups from both sectors noted the limited range of resources that they had to draw upon. Mr P.A. MagLochlainn, President of the Northern Ireland Gay Rights Association, told us that most LGBT groups received no funding, while the funding provided from public funds largely comes through the Department of Health and is not designed to respond to hate crimes.<sup>174</sup> Mr Iweida, Belfast Islamic Centre, told us that until three years ago, the Muslim community had not received funding from the Government, and that its present funding had been renewed for only one year.<sup>175</sup> The view of Frances McCandless was that resources were being spent in a way that underpinned separation and embedded intolerance.<sup>176</sup>

113. The Department provided us with information on the funding that it had allocated to minority ethnic and LGBT organisations.<sup>177</sup> This indicated that no funding had been

---

171 Qq 85,382, 402, 511, 540

172 Qq 521, 522

173 Qq 512, 527, 536, 551, 560, 574

174 Qq 538, 539, 540

175 Q560

176 Q283

177 Ev 97

awarded to groups specifically to respond to hate crime (although dealing with hate crime might be funded as part of other projects). However, OFMDFM provided £200 and the NIO £600 towards the first anti-homophobia week organised by the CoSO in December 2004.

**114. If the Government's determination to root out hate crime is to succeed, then action by the minority support organisations is essential. We heard welcome evidence that some are willing to encourage members to report attacks and other incidents, and we hope that this approach will develop. That support will be inadequate unless proper funding is made available. We therefore welcome the Government's decision to make additional funding available to minority support organisations. We hope this will allow organisations to develop significant programmes of work over a sustained period of time, and to respond more effectively to the problem of hate crime.**

### Employers and trade unions

115. We were pleased to hear from representatives of trade unions, and the Confederation of British Industry (CBI) about work to reduce sectarian harassment and intimidation in the workplace. Mr Tom Gillen of ICTU told us that “the workplace is a much safer environment to work in and it is much more accommodating place where people from different traditions can work together.”<sup>178</sup> Both the unions and the CBI cited the importance of legislation in underpinning such changes, while the proactive role of both the trade unions and employers was also acknowledged as an important factor. Mr Nigel Smyth of the CBI considered that “most companies out there, particularly the medium and large, would have a zero tolerance policy towards intimidation and harassment”.<sup>179</sup> Dr Duncan Morrow of the Community Relations Council commented upon the success of reducing segregation and sectarianism in the workplace, but felt that a large part of this success was that the workplace was a “protected place”, where behaviour could be more readily controlled, and thus this success would not necessarily be replicable elsewhere.<sup>180</sup>

116. Ms Patricia McKeown of Unison raised a note of caution, however, and stressed that there should be no complacency about hate crime in the workplace. She told us that there had been an increase in sectarian threats in recent years, particularly towards workers in the health service, and a growing number of racist and homophobic incidents and harassment of the disabled.<sup>181</sup> Her view was that the trade unions had been active in developing education programmes to challenge sectarianism, but that they had “dragged their heels a bit” in developing an effective response towards racism, homophobia and disability issues.<sup>182</sup> This was something that “the trade union movement, the employers and other pressure groups and NGOs” should work on together.<sup>183</sup>

---

178 Q298

179 Q 298

180 Q 282

181 Qq 302, 305

182 Q 316

183 Q 316

117. Mr Tom Gillen of ICTU, Mr Peter Maguire of Duncrun Cultural Initiative, and Mr Tom Winston of Greater Shankill Alternatives, among others, commented that high levels of residential and social segregation were factors that contributed to the lack of familiarity of, and tolerance towards, people from different backgrounds.<sup>184</sup> Redevelopment and a growing demand for housing from migrant workers, led some people to feel their culture was threatened and this in turn fed racism, support for neo-Nazi groups, and more intolerance and violence.<sup>185</sup> Local leaders should do more to challenge such attitudes and actions, and political leaders, in particular, were criticised for being slow to condemn racism and homophobia.<sup>186</sup>

**118. We welcome the work undertaken by the trade union movement and employers to reduce sectarianism in the work place. However, the evidence we had of increasing numbers of incidents of hatred at work makes it imperative that they continue working jointly with employers and others to develop sound strategies to address racism, homophobia, and discrimination against people with disabilities.**

## Churches

119. The Most Reverend Lord Eames, Church of Ireland, Archbishop of Armagh and Primate of All Ireland, explained the important role played by community leaders and the importance of building trust as a key element of establishing better relations between all communities in Northern Ireland.<sup>187</sup> He told us that this was one of the key activities that the churches had been working on for many years. He also believed that the churches were now reaching out more readily to other faiths, to minority communities and to refugees and asylum seekers, and that this would be an important element of strengthening social relationships and building trust across and between communities.<sup>188</sup>

120. Archbishop Brady, Lord Eames, Reverend Winston Graham and Reverend Dr Ken Newell also stressed the importance of the work they had undertaken at a local level and, in particular, the work that was being done to welcome people moving into an area and offer a network of support if problems start to arise. For example, the Reverend Dr Ken Newell said that the Presbyterian Church tried to “offer to the ethnic minorities centres of hospitality, support and welcome”,<sup>189</sup> a sentiment that was echoed by the other church leaders.<sup>190</sup> Reverend Winston Graham thought that the churches needed to place more emphasis on the positive work that was already being done, and that they should become more proactive in developing a good relations programme.<sup>191</sup>

121. The church leaders also highlighted the importance of educational activities, both at a community level, and through the education system, to challenge prejudice and

---

184 Qq 299, 300, 375

185 Qq 379, 402 404, 415

186 Qq 433, 557

187 Qq 432, 434

188 Q 434

189 Q 428

190 Q 435

191 Q 429

intolerance. Archbishop Sean Brady told us that he was deeply concerned by the Department of Education's decision in April 2004 to cut funding to the Churches' Peace Education Project, a cross church education programme with two full time staff working in primary and secondary schools across Northern Ireland in the areas of mutual understanding, diversity and conflict resolution.<sup>192</sup> He told us that the project had carried out "pioneering work" over 26 years, but that the funding cut meant that it could only have one part-time member of staff and its cross-community and cross-border initiative would end. When we asked the Department about this, we were told that the project's application for funding for 2004-2007 had been unsuccessful, but that it had advised the project of its right to appeal but that it had chosen not to do so.<sup>193</sup>

**122. We urge the Churches to continue to build on the work they have initiated and to develop a broadly based good relations programme. The Churches' Peace Education Project is a cross church education programme involving young people across Northern Ireland. We were concerned that Government funding for the project had not been granted for 2004-2007 and, as a consequence, the project had been scaled back. We hope that what appears to be a project with great potential can be funded fully in future, and that other, similar projects can be encouraged.**

**123. The Churches have a great responsibility for assisting in the development of a culture of tolerance and peace in Northern Ireland. Unless this potential is used to its utmost the drive for social normalisation in Northern Ireland is likely to falter, or even fail. We call on churchmen, and members of Church communities, to ensure that their influence and efforts are placed firmly behind the Government's hate crime policy.**

### **Building bridges with young people**

124. We heard heartening evidence about the work of the Tim Parry and Jonathan Ball Trust and the Glenree Centre for Reconciliation in developing a variety of educational programmes, particularly with young people. A number of witnesses, including Dr Paul Connolly, Queens University, Mr Gareth Lee, Queer Space and Ms Eva Mc Kelvey, Northern Ireland Filipino Association, drew attention to the prominent role of young people as perpetrators of much low level hate crime.<sup>194</sup>

125. Ms Clare White, Director of the Tim Parry and Jonathan Ball Trust, pointed out that educational work needed to be undertaken within a "holistic approach", which included a wider range of social and demographic factors and employment prospects and opportunities. Mr Hugh Doyle, Glenree Centre for Reconciliation, acknowledged that some previous work with young people had had limited success because it was impossible to insulate the young people from the impact of a highly segregated society.<sup>195</sup> However, he told the Committee that if more resources were made available, it would allow

---

192 Ev 161, Q422

193 Ev 96

194 Qq 436, 437, 513, 548, 553, 580, 595-624

195 Qq 459, 460

organisations like Glencree “to work in a more sustained way in supporting local communities and promoting a cross-community culture”.<sup>196</sup>

126. We also heard evidence that, while the scale of the task of challenging prejudice and hatred might appear monumental, this work should nevertheless be sustained and developed. Ms Frances McCandless, NICVA, spoke of the need to remove visible manifestations of sectarianism and racism by cleaning up public spaces, while Dr Duncan Morrow, CRC, told us that it was important for communities to be aware of the impact which their visual displays and festivals can have on other communities and emphasised the difference between “cultural celebration and cultural aggression”, that is, between events and celebrations that are inclusive rather than threatening.<sup>197</sup> Dr Paul Connolly argued that the current limited scale of integrated education should not be an excuse for inaction, but that there remained considerable scope for challenging prejudice within the segregated schooling system.<sup>198</sup>

**127. The evidence we received indicates that the community and voluntary sector, churches, trade unions, employers, peace groups and those working with young people have undertaken positive work and projects to address all forms of hate crimes. We welcome this and urge them to redouble their efforts. The Government’s work to establish a robust long-term strategy to tackle the prejudice and fear that lie at the roots of much hate crime requires the support of these bodies and individuals. Such a strategy will fail unless all sections of society provide it with their wholehearted support.**

---

196 Q456

197 Qq 283

198 Q465

## 7 Conclusion

---

128. Our inquiry has shown that hate crime is a growing problem in Northern Ireland. We are convinced that the growth in these appalling crimes can be arrested if the Government, the PSNI, and other criminal justice agencies increase their efforts to eradicate it. However, if a real impact on this problem is to be made the pace of policy and strategy development on the part of the Government, and enforcement on the part of the PSNI, will need to speed up. Policies need to be ‘smart’: transparent, timely, and capable of having an immediate impact ‘on the ground’. Strategy is not a substitute for rigorous practical action. Enforcement needs to be carried out with rigour.

129. More generally, addressing the problem of hate crime requires the commitment and dedication of many participants, the Government, the PSNI, the victims of hate crime, the churches and many more. In addition, each individual in Northern Ireland has a personal responsibility to treat everyone with respect and tolerance. This is the general standard we expect to see underpinning the policy work of the Government and enforcement by the police to combat hate crime. We believe that, with the full commitment of everyone, real progress can be made in eradicating these despicable crimes from society in Northern Ireland. We expect immediate action to be taken by the Government and the PSNI to provide the required leadership and vision to halt the growth of hate crime and further a peaceful society for the minority communities of Northern Ireland.

## Conclusions and recommendations

---

1. We have no illusions that hate crime will be dispelled overnight. However, if Northern Ireland is to establish a fully normal society these despicable and brutal attacks must cease. It is up to the Government, the churches, the institutions of civil society, and every single individual in their daily lives, to take collective responsibility for ensuring that these appalling activities are eradicated by all means possible. (Paragraph 6)
2. We are pleased to note a clear intention on the part of the PSNI and the Northern Ireland Policing Board to take account of increasing racial and homophobic attacks. We welcome the continuing targets contained in the Northern Ireland Policing Board and the Police Service of Northern Ireland Policing Plan 2005-2008 to monitor the number of racist and homophobic crimes and incidents. (Paragraph 11)
3. Nothing could illustrate the dysfunction of Northern Ireland society better than the absence, until recently, of an agreed, official definition of sectarian hate crime. The process of social normalisation, marked by the Belfast (Good Friday) Agreement in 1998, has enabled society to begin slowly to get to grips with a number of problems which were set aside over the past decades by the overwhelming concentration on the armed conflict. In many respects Northern Ireland's institutions are now having to relearn their basic functions as society returns, slowly and painfully, to normal. It is good news that, at long last, the PSNI has established a definition for sectarian hate crime as an essential basis for the proactive policing of these unacceptable **activities**. (Paragraph 14)
4. It is high time that the police and criminal justice system in Northern Ireland took with the utmost seriousness crimes against the most vulnerable in our society. Many attacks on people with disabilities appear to be rooted in the perception of the attacker that the victim's disability indicates some essential difference which provides a licence to discriminate. This is an utterly false perception which must be challenged head-on. We are pleased that the Government has accepted our advice to take legislative steps to label such actions for what they are, hate crimes, and to make available to the courts appropriate sentencing powers. (Paragraph 19)
5. The fundamental responsibility for creating a decent society rests not only with the Government and the courts but also, and crucially, with individuals in their day to day lives. We hope that the normalisation of society in Northern Ireland which is taking place gradually will manifest itself at individual level in the reduction and disappearance of actions by misguided individuals which make the already challenging lives of those with disabilities infinitely more trying and stressful. (Paragraph 20)
6. There appears to be general agreement that hate crime in Northern Ireland is on the increase, and is subject to significant under-reporting. (Paragraph 22)
7. The Government consider that "enforcement action by the Police Service of Northern Ireland will continue to be the key to tackling hate crime". We agree that,

while by no means the sole response called for, police activity will be a crucial factor in bearing down on hate crime offences. It is essential that the PSNI gives this form of crime a high priority and its success will be judged ultimately by the number of successful prosecutions. (Paragraph 23)

8. The figures supplied by the PSNI indicate a disturbingly low clearance rate for racial and homophobic incidents relative to other similar crimes. In both categories, less than 7% of incidents recorded as crimes by the police resulted in a charge or summons, including complainants who declined to prosecute. It is good that the PSNI and the Policing Board have set targets in the recent policing plan (2005-2008) to increase the clearance rate for racist and homophobic crimes and to establish a baseline clearance rate for crimes motivated by sectarianism and crimes against persons with a disability. However, putting these measures in place is only a start, and the PSNI must now do everything possible to demonstrate a commitment to improve the clearance rate for homophobic and racist crimes. The Policing Board must monitor the PSNI's performance closely. (Paragraph 30)
9. We are greatly concerned about the very low level of confidence which members of the LGBT and most minority ethnic communities have in the PSNI. While we recognise the steps taken by the police to develop more effective relationships with them, both communities expressed deep concerns about the extent to which the PSNI are taking hate crime attacks seriously. Much more needs to be done by the PSNI to increase the confidence of the communities and to build more effective relationships with them. This will require great patience and commitment, and progress is likely to be gradual, but we expect the PSNI to take the lead decisively to effect discernable, positive changes. The Government must ensure that adequate resources are made available to the PSNI for this purpose. (Paragraph 38)
10. We welcome the steps taken by the PSNI to improve its training strategy to take account of the growing problem of hate crime in Northern Ireland. However, in order to ensure it has a fully responsive strategy, the PSNI must take advice from key representative organisations which provide support to the victims of hate crime. The police need to ensure that their existing training programmes are implemented throughout the organisation, and that representatives of the minority ethnic and LGBT populations are actively involved in providing that training. It must ensure that the revised hate crime policy is comprehensive and takes into account the increase in the scale and diversity of the minority ethnic and the LGBT population across all parts of Northern Ireland. (Paragraph 42)
11. As we have said, the responsibility for combating these crimes is the equal responsibility of each police officer in Northern Ireland. It is vital that the policing of minorities is not itself 'ghettoised' by being seen within the police service as the exclusive preserve of Minority Liaison Officers. Rather, the MLOs must be trained as the leaders of police locally in combating these crimes. (Paragraph 43)
12. It is crucial that the PSNI is more representative of all communities in Northern Ireland. We believe that this will help increase the confidence which the communities have in the PSNI and will increase the effectiveness of the PSNI in dealing with hate crime. We recommend that the PSNI and the Northern Ireland

Policing Board take the necessary steps to secure higher levels of recruitment from the minority ethnic communities to the PSNI as a matter of priority. (Paragraph 46)

13. We welcome the steps taken to establish support associations within the PSNI for ethnic minority officers and members of the LGBT community, and expect the PSNI to demonstrate full support for them. (Paragraph 47)
14. It is deeply worrying that many minority communities do not have full confidence in the police, particularly against the background of increased incidence of hate crime. This situation must be changed rapidly. Better reporting systems, the police hate crime policy, and the introduction of performance targets in the Policing Plan, offer a good opportunity to measure the extent of hate crime and to monitor the performance of the police, but these measures are only a beginning. The PSNI must set itself to work closely with other statutory agencies and victim support groups to improve general confidence in the reporting system, address reasons for under-reporting and unwillingness to prosecute, to demonstrate the commitment of every police officer to protect vulnerable groups. (Paragraph 48)
15. We welcome acceptance by the Policing Board that hate crime is a growing problem. We expect the Board's hate crime research projects on policing and the minority ethnic and LGBT population to make recommendations to the Chief Constable that will improve the reporting of all types of hate crime and increase the confidence which minority communities have in the policing authorities overall. (Paragraph 51)
16. While we were disappointed by the initial lack of response by some criminal justice agencies in Northern Ireland to our inquiry, our probing has demonstrated that the agencies appear to be aware of the problem and are taking some action to make their staff aware of it and to provide training. These are initial steps only and the agencies need to sustain a robust and coordinated approach in order to keep awareness of their staff high. We recommend that the NIO takes the lead in ensuring that all the training provided is founded on common principles; that there is collaboration between the agencies in delivering training; and, in particular, that this is developed in conjunction with the representative bodies of the **minority communities**. (Paragraph 55)
17. Using 'restorative justice' as a means of dealing with the perpetrators of hate crime offers a number of potential benefits. We were told that it helps to educate perpetrators, repair relationships with victims, and offers a more constructive approach to dealing with hate crime. The PSNI employ 'restorative cautioning' for youth offending, and we recommend that the PSNI and other criminal justice agencies explore the full potential for developing a programme of 'restorative cautioning' for use in dealing with the perpetrators of hate crimes. (Paragraph 57)
18. Minority groups, and particularly victims, must play their part: they must be encouraged to come forward and report crimes against them. We appreciate fully how difficult it can be report such attacks. Victims may be fearful of the authorities and 'authority' in general, as a result of experiences in their country of origin. They may not speak English (and we heard from victims in this category), or may have language skills they feel are inadequate. They may consider that, on the basis of past

experience, no action will be taken however much they press for attention. They may be fearful that they do not have the sympathy of neighbours. They may be in the UK without official permission. (Paragraph 58)

19. It remains the case, however, that without victims' reports, the police and the authorities can do little or nothing. Worse still, the impression may persist that there is simply no problem to address, or the problem is a minor one. This plays into the hands of the perpetrators, encourages them in the belief that they can commit these crimes with impunity, and stokes the flames of prejudice and intra-community frustration. We expect the minority communities to record and report attacks on them and their members and instances of abuse as a matter of priority. We had evidence that some groups were taking action on reporting, and this is heartening. All groups must follow this lead. They must use the law proactively, and take every opportunity to hold the police and authorities generally, and their own elected representatives, to account in investigating incidents, tracking down the perpetrators, and obliterating this crime from Northern Ireland society. (Paragraph 59)
20. Responsibility in Government for tackling hate crime currently straddles the NIO and the OFMDFM. It is of vital importance that this split between departments does not impair the Government's ability to respond to the challenges presented by hate crime in a unified and focussed way. The involvement of many voluntary groups such as the Northern Ireland Victim Support, an organisation which receives core funding from the NIO to deliver services to victims of crime, adds to the complexity of the position, and increases the potential for a disjointed policy response. We look to the Government to demonstrate that these dangers are being avoided, and that the administration is working as one in tackling this problem. (Paragraph 64)
21. We are concerned by the failure of OFMDFM to produce strategies which have a direct bearing on hate crime to agreed timetables. While the recent publication in March 2005 of A Shared Future, which sets out the Government's policy and strategic framework for good relations is a first step, there remain other important policy and strategy documents which appear stuck in the pipe-line; for example, the racial equality strategy for Northern Ireland. We have no reason to suppose that this relative failure indicates a lack of determination by the Minister and officials to address head-on the increasing problem of hate crime in Northern Ireland, but these Government strategies are required as a matter of urgency, and some are badly overdue. All outstanding strategies must be published without delay: it is important to the credibility of the Government that, when a deadline is set by it for the publication of such documents, that deadline should be adhered to. (Paragraph 76)
22. We recommend that, once in place, the strategies are assessed objectively, and the results published regularly. This will promote transparency, ensure accountability, and inspire confidence in the groups most vulnerable to hate crime. (Paragraph 77)
23. There must be no doubt about what we have found: the absence of a strongly promoted, 'vision' for community relations in Northern Ireland; an unacceptable slowness in policy development; and little evidence that policies are delivering real, 'on the ground', improvements to the lives of vulnerable individuals, all of which is

resulting in dissatisfaction amongst these groups and a deteriorating pattern of inter-community relations. We are concerned that, despite officials' reassuring words, present arrangements between OFMDFM and the NIO may be insufficiently coordinated to act speedily in producing effective strategies to combat hate crime. The Government must consider what improvements are required to correct this unsatisfactory state of affairs. (Paragraph 78)

24. Education is a most important area for action in the field of community relations generally and, in particular, a means of combating the underlying causes of hate crime. In its day to day activity, the Department of Education needs to keep firmly in mind the vision set out in the Belfast (Good Friday) Agreement that 'An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education'. (Paragraph 85)
25. We are pleased to see important initiatives like the Local and Global Citizenship which offers a real opportunity to embed tolerance and understanding in the teaching and learning of young people. But we are under no illusions that initiating such projects equates to a successful outcome. The Department must ensure that this good start is followed through vigorously, and that the project is monitored regularly to assess its contribution to the attitudes and behaviour of young people to hate crime. (Paragraph 86)
26. The issue of integrated education, which should be in the front rank for Departmental activity, appears to be given less priority than it merits. We were struck by the evidence that, while sixty per cent of people in Northern Ireland would prefer to send their children to a mixed religion school, only five per cent can do so currently. There may be many people who would not wish to send their children to an integrated school. We respect their right not to do so. However, the evidence is that very many more wish to than there are currently places in school to accommodate them. There is also evidence that integrated education can help to heal sectarian wounds. We expect the Government to look with renewed urgency at this issue, in particular, at how those who wish take up integrated education for their sons and daughters may do so without undue delay. (Paragraph 87)
27. Underpinning all formal education is the crucial role of parents in demonstrating to their children the great social advantages of tolerance and respect for those with different backgrounds and cultures. Parents should be made aware of research by the education authorities which suggests that attitudes may be formed at a particularly early age, and we look to the Department of Education to take the lead in making this information widely available. (Paragraph 88)
28. We welcome the evidence provided by the Northern Ireland Housing Executive of a desire on the part of many people to live in non segregated communities and trust that the Executive will do everything possible to encourage this development while respecting reasonable personal choice. We are impressed by the way in which the Housing Executive and the Department for Social Development is adapting its long experience of dealing with sectarian hate crime in housing to other forms of hate

crime. We commend this work, and would like to see these measures accelerated and extended, particularly their pilot projects for integrated estates. (Paragraph 93)

29. In Scotland, the Crown Office and the Procurator Fiscal Service have produced an analysis of charges brought in the first six months under Section 74 of the Criminal Justice (Scotland) Act 2003. We believe that a similar system of monitoring the use of the Criminal Justice (No. 2) (Northern Ireland) Order 2004 would be beneficial. (Paragraph 100)
30. We welcome the introduction of the Criminal Justice (No. 2) (Northern Ireland) Order 2004 and the inclusion of crimes against the disabled as a category of hate crime. We recommend that the PSNI, the Policing Board and the NIO closely monitor the effectiveness of this new legislation. Importantly, prosecutions need to attract widespread media attention to act as a deterrent to others that hate crime will be robustly tackled by the criminal justice system. (Paragraph 101)
31. But much more than “messages” are required. The law will be another ‘dead letter’ unless the enforcement authorities, primarily the PSNI, use it vigorously. We expect them to do so. As we have pointed out earlier, the authorities have considerable ground to make up in persuading vulnerable groups that their concerns are being addressed seriously. This legislation is an opportunity to demonstrate that such legitimate concerns will be addressed. Those involved in the criminal justice system must not fail this test. When our successor committee looks next at this subject we hope that there will be a sound record of action as a result of this Order. (Paragraph 102)
32. We thoroughly endorse the Government’s emphasis on the important role which local authorities have in the promotion of community harmony and driving out hate crime. Without the collaboration of local authorities it is difficult to see how any measures promoted by the central Government can succeed. (Paragraph 104)
33. The Committee welcomes the work of local authorities to promote the quality of community life through community relations programmes directed against sectarianism. Many of these programmes are small scale but have a disproportionately large and positive impact. We commend those local authority officers who are responsible for putting them into practice and call on their councils to do all in their power to support and further their efforts. It is vital that these programmes continue, and that funding for them is secure. We look to the Government to ensure that this is the case. (Paragraph 108)
34. If the Government’s determination to root out hate crime is to succeed, then action by the minority support organisations is essential. We heard welcome evidence that some are willing to encourage members to report attacks and other incidents, and we hope that this approach will develop. That support will be inadequate unless proper funding is made available. We therefore welcome the Government’s decision to make additional funding available to minority support organisations. We hope this will allow organisations to develop significant programmes of work over a sustained period of time, and to respond more effectively to the problem of hate crime. (Paragraph 114)

35. We welcome the work undertaken by the trade union movement and employers to reduce sectarianism in the work place. However, the evidence we had of increasing numbers of incidents of hatred at work makes it imperative that they continue working jointly with employers and others to develop sound strategies to address racism, homophobia, and discrimination against people with disabilities. (Paragraph 118)
36. We urge the Churches to continue to build on the work they have initiated and to develop a broadly based good relations programme. The Churches' Peace Education Project is a cross church education programme involving young people across Northern Ireland. We were concerned that Government funding for the project had not been granted for 2004-2007 and, as a consequence, the project had been scaled back. We hope that what appears to be a project with great potential can be funded fully in future, and that other, similar projects can be encouraged. (Paragraph 122)
37. The Churches have a great responsibility for assisting in the development of a culture of tolerance and peace in Northern Ireland. Unless this potential is used to its utmost the drive for social normalisation in Northern Ireland is likely to falter, or even fail. We call on churchmen, and members of Church communities, to ensure that their influence and efforts are placed firmly behind the Government's hate crime policy. (Paragraph 123)
38. The evidence we received indicates that the community and voluntary sector, churches, trade unions, employers, peace groups and those working with young people have undertaken positive work and projects to address all forms of hate crimes. We welcome this and urge them to redouble their efforts. The Government's work to establish a robust long-term strategy to tackle the prejudice and fear that lie at the roots of much hate crime requires the support of these bodies and individuals. Such a strategy will fail unless all sections of society provide it with their wholehearted support. (Paragraph 127)
39. Our inquiry has shown that hate crime is a growing problem in Northern Ireland. We are convinced that the growth in these appalling crimes can be arrested if the Government, the PSNI, and other criminal justice agencies increase their efforts to eradicate it. However, if a real impact on this problem is to be made the pace of policy and strategy development on the part of the Government, and enforcement on the part of the PSNI, will need to speed up. Policies need to be 'smart': transparent, timely, and capable of having an immediate impact 'on the ground'. Strategy is not a substitute for rigorous practical action. Enforcement needs to be carried out with rigour. (Paragraph 128)
40. More generally, addressing the problem of hate crime requires the commitment and dedication of many participants, the Government, the PSNI, the victims of hate crime, the churches and many more. In addition, each individual in Northern Ireland has a personal responsibility to treat everyone with respect and tolerance. This is the general standard we expect to see underpinning the policy work of the Government and enforcement by the police to combat hate crime. We believe that, with the full commitment of everyone, real progress can be made in eradicating these despicable crimes from society in Northern Ireland. We expect immediate action to

be taken by the Government and the PSNI to provide the required leadership and vision to halt the growth of hate crime and further a peaceful society for the minority communities of Northern Ireland. (Paragraph 129)

# Annex A: Hansard Society Online Consultation on Hate Crime in Northern Ireland

---

The Hansard Society e-Democracy Programme is piloting innovative consultation methods aimed at increasing public involvement and engagement with parliamentary decision-making through the use of new media tools. We are interested in ways of informing representation and facilitating the broadest democratic participation.

## Background

The Northern Ireland Affairs Committee launched an inquiry into hate crime in Northern Ireland on 12 February 2004. The Committee approached the Hansard Society with an interest in running an online consultation in connection with this inquiry. The aim of the online forum was to help the Committee to gather evidence beyond official statistics, and to widen the pool of people involved in the consultation process. The consultation ran from 1 September 2004 for eight weeks until 22 October 2004.

The Committee Secretariat provided background information about the inquiry, a list of the main questions for the online forum with a brief introduction for each of them. The consultation has covered topics based on the inquiry's formal terms of reference:

- The law on hate crime
- Incidence of racist, sectarian and homophobic crime
- Responses to hate crime

There was also a section for **General Comments** for participants to raise any additional points and to comment about the site itself.

Due to the highly sensitive topic, all submissions to the site were pre-moderated (i.e. all submissions were read by moderators before they were put up on the site). On several occasions the Hansard Society moderators deemed some of the messages submitted to be inappropriate. Authors were emailed with an explanation of the moderators' actions, and were asked to change the content of their messages before resubmitting. These messages generally included racist or derogatory terminology which was explicitly not permitted in the Legal Disclaimer and Web Discussion Rules which the registered participants accepted upon registration.

## Publicity and recruitment

The Hansard Society established partnerships with NICVA, NICEM, the Equality Commission and the e-consultation study group at Queens University Belfast to widen the net of participants in the online consultation, as well as to get advice when dealing with any messages carrying nuances not readily detectable outside the local context in Northern Ireland.

In order to make this consultation as wide-reaching and successful as possible, the Hansard Society e-Democracy Programme also held two public seminars hosted by NICVA and Queens University in Belfast on 7 June 2004. To overcome problems of the digital divide in some parts of NI, the Hansard Society also accepted written submissions to the forum and made step-by-step instructions available in English, Urdu, Chinese and Arabic, explaining how to participate in the online consultation.

[www.tellparliament.net/hatecrime](http://www.tellparliament.net/hatecrime) was publicised through direct mailings, local media coverage, viral emails, web links and word of mouth. The online consultation has generated some press interest and was featured in various media channels in Northern Ireland. It had radio publicity interview on *Good Morning Ulster* (Sept 9, 2004), and was featured in six local newspapers: *Irish News* (September 7, 2004), *Mid-Ulster Echo* (September 15, 2004), *Carrick Times* (September 16, 2004), *Newry Reporter* (September 30, 2004), *Ulster Herald* (September 16, 2004), *Northern Ireland Newsletter* (October 9, 2004). The consultation was also a talking point on several occasions on *Sluggie O'Toole*, a popular weblog on Northern Ireland politics and culture.

### Public response

Although the site was designed with a view to encouraging people from all walks of life to take part in the online forum and was extended for two further weeks than initially envisaged, the sensitive subject of the inquiry failed to attract a very large audience. There were 81 registered users on the site who posted a total of 42 messages. However, the majority of participants were individuals and organisations in Northern Ireland who have experience in this area, of which 75% have never given evidence to Parliament before. A list of organisations and academic institutions whose members registered for the site and took part in this online consultation is available in Appendix 1. There was an even split between genders which is unusual for a political forum. When analysing the ethnic background of participants, the forum was dominated by 43% of people with white Irish origin and minimal ethnic minority representation. Although the traffic on the site was relatively low, the quality of submissions was very high.

The online forum was closed on 22 October 2004. This report aims to summarise the responses to the online consultation; it does not aim to interpret or evaluate the views given, or to suggest recommendations. **The extracts in *italics* have been taken directly from the messages posted in the consultation and give an indication of the variety of the contributions posted.**

### General Comments

The General Comments forum followed the established model of internet forum posting which allows for online discussions to evolve organically along and according to the lines of interest of the participants. It was not heavily used as participants chose to direct their comments towards the questions put before them. Summaries of the main points raised in this section are laid out below and grouped thematically. However, the main points raised in this section focused on the issues of diversity, role of education and understanding of multiculturalism in post-conflict era of Northern Ireland.

This poster welcomes the diversity and cultural understanding that comes with the variety of different ethnic minority groups choosing to bring up their families in Northern Ireland.

*“There appears to be an agenda to clear the inner city of the so-called underclass to make room for the business community and the professional classes and naturally there has been a lot of resentment at local level. This can never justify attacks on people from a different ethnic background and culture. However when resentment builds up without any support it generally spills over into socially harmful behaviour and provides the ideological racists with the tools for whipping up prejudice and inciting locals to do their dirty work.*

*Some of my colleagues have sought to encourage local people in the Sandy Row-Donagall Pass area to look at the positive aspects of, for instance, the local Chinese community. The Chinese community has enriched and enhanced the area in terms of physical and economic regeneration and provides local people with opportunities for social, cultural and economic development. Local people should have more in common with their new neighbours than they have with those of their 'own people' who live in the leafy suburbs.*

*Those of us from the loyalist community who attended the Asian festival in Botanic Gardens recently see nothing but good emerging from the settlement in our communities by people from other cultures. Surely our own culture will be enriched as we share with others. We have found on the ground that the issue of prejudice is best addressed through community and cultural interaction and the sharing of activities. You cannot legislate prejudice out of the mind, but you can change the mindset through constructive project participation and action learning”*

This opinion is shared by several other participants who believe that the underlying reasons for hate crime can't be solved by education alone. The communities of Northern Ireland must adopt a culture of humanity and respect for all:

*“I live in south Belfast, an area that has had much media coverage re: racist incidents. I have noticed an increase in the number of people from 'visible minorities' in the area and indeed in my childrens' school. It is easy to condemn the people who find this threatening or objectionable. Of-course I live in a valuable house, have a well-paid, stable job and am pleased to see this increased diversity - it doesn't feel threatening to me. But I cannot speak for people who feel they get nothing but the crumbs off the table of this society.*

*If we are going to do something about the hearts and minds of people in this society then we have to stop 'lecturing' about how to behave towards people who are different and examine how they are treated themselves. This society is shockingly short of empathy, respect and self-assurance and it is the people at the top of the heap who set the standards.*

*It is a very tired old cliché that people from working class communities are to blame - for sectarianism, for racism, for their own disadvantages. The extraordinary benefits that are accrued in this society by the middle class come at a price - a price paid by everyone else.*

*People must accept responsibility for their own actions (and - not least - the justice system must act accordingly)... We are very practiced at scapegoating. Yes - education may help, but*

*until this society 'models' respect and humanity at all levels and towards all sectors rather than scapegoating, education will fall on fallow fields”*

Another poster speaks candidly from first hand experience about racism but welcomes multiculturalism in the province and believes that it is a positive change. Although they stressed that the new legislation is only as effective as its implementation:

*“It's interesting to read some of the comments posted. I appreciate some of the concerns raised with reference to Minority Ethnic Communities and individuals. Northern Ireland is becoming a multicultural society and a lot of people are afraid and uncertain of the implications. Being a migrant myself, I can understand the feelings that a few people may have.*

*My experience in Northern Ireland is a positive one. (Having experienced the 'not so positive one'). The majority of people are friendly, welcoming and hospitable. There are a few that find it hard to understand, embrace or accept change. Through my work with Minority Ethnic communities and individuals - I can not deny the existence and reality of discrimination and racism, it is simply impossible.*

*We all have responsibilities and a part to play; Minority communities and individuals must and should promote integration, and should make proactive effort not to isolate themselves. We are an integral part of social, educational and economic life, therefore, there should be more positive profiling of Minority Ethnic Individuals and not just as victims of racist incidences.*

*People from the Minority Ethnic sector are indeed making vital contributions to the social, economic and cultural life of Northern Ireland; this is the reality that should be made more visible. Multiculturalism is a positive development in any society, when embraced - it enriches Nations and adds holistic flavour to life. I have always said - My Race and Colour is beyond my control, my skin is a painting, 'a divine painting', people need to see beyond colour, our true colour is the red blood that flows when you have a cut. What colour is your blood? The recent hate crime legislation is a positive development, however the legislation is only as good as its implementation.”*

The hugely complex problem is one of a national identity crisis in a post-conflict era for the country, according to this poster:

*“I think the problem with Northern Ireland is that it is experiencing a kind of identity crisis that has come about from the reduction in political violence. No longer defined by conflict, the national character is floundering with a new peaceful but mediocre status. The blandness that pervades the country has been disguised and exoticised by 35 years of 'the troubles'. Post-conflict, the country looks a sorry place with all the problems enjoyed by the rest of the globe - drug addiction, obesity, pollution, lack of conservation, lack of culture, rampant consumerism, racism and intolerance”*

### **The Law on Hate Crime**

- The Government has announced proposals to strengthen the law on hate crime. As legislation, does this go far enough?

This question was posed to all participants as one of the main themes under discussion. In the same thread they were also asked the following:

- How does one deal with the problem of proving hate is an aggravating factor?
- If the attempt to prove hate fails, does one lose the chance to prosecute for the non-aggravated offence?
- How can people be encouraged to use the law as a means to tackle the problem?

Comments on this proposal were split. The initial reaction was simply yes or no - either in support of or against the new legislation. Overall there were a wide range of views on the legislation from it being important only if people's complaints were taken more seriously to a view that the recent legislation proposals might incite racial tensions:

*"I would say that there is a danger that Hate Crimes legislation could actually incite resentment towards minority ethnic individuals and groups. The riots in Oldham in 2001 were sparked off by plans for the far-right British National Party to hold a rally in the town. The BNP wanted to take advantage of publicised Police figures which showed that there had been more attacks on whites by Asians than on Asians by whites. The figures are likely to reflect better relations between the police and 'whites' than there are better Asians and the police (the collection of figures on racial harassment is fraught with difficulties such as these - as Neil Jarman and Rachel Monaghan's work on Police figures in Northern Ireland shows). The collection of figures on racial harassment helps to give some indication of the extent of the problem, it also, however, helps to highlight the issue of racial difference and can provide ammunition for organised racists. The treatment of racial harassment as a special type of crime will only serve to highlight racial differences. If we are to have real equality surely it is better that attacks on ethnic minorities are treated the same as attacks on any other member of society. This is an issue of enforcement, not a matter for legislation."*

This poster felt that a clear message needs to be sent out from government when addressing the different areas of car and hate crime:

*"The proposed law on hate crime is welcome but the minister, John Spellar, muddied the waters when he laid before Parliament in June combined proposals to address hate and car crime, as if they could be lumped together in a generic 'law and order' rhetoric. Hate crime - and this explains why the victim can be someone who is perceived to be different in terms of religion or 'race' or sexual orientation, almost apparently at random - is the product of a culture of intolerance which is deeply embedded in Northern Ireland. Car crime is more to do with how a minority of poorly socialised and disadvantaged young men fulfil at the expense of others the aspirations of a society which only values material acquisitions. Engendering a culture of tolerance is partly a matter of the law, but the weak deterrent effect of longer sentencing is far less important than the educative effect of making clear that hate crimes are utterly unacceptable in a civilised society. The legislation should apply to this subject only, so that a clear message is sent out from government"*

The poster tentatively welcomes the legislation but feels that a certain amount of conciliatory work needs to be done before the victims of hate crime trust the law enforcement bodies:

*"Convince us that we will be listened to sympathetically and that our complaints will not be dismissed or given low priority. Many gay people do not report 'low level' homophobic attacks (from a stone through your window to being verbally or physically harassed in the street) because they think nothing will be done, for fear of incurring more prejudice from the police and authorities, and for fear of attracting more attention to themselves from the community around them. Many adopt a low profile, in the hope that people harassing them will get bored and eventually leave them alone.*

*If we can afford it, we just move on to another area, where we will be more anonymous, or which is perceived as less aggressive (more middle class?), but this leaves the problem intact for other people to come and take our place as the next targets. Most of us feel that the police pay lip service to the need to protect our community but that this doesn't translate to on-the-ground support, and our experience is that homophobia (and racism) is not that rare among police officers.*

*Serious confidence building measures need to be taken: more training of police officers and of staff in all statutory agencies on issues of race and sexuality, more public demonstrations of support (advertising campaigns etc) ... Also 'word of mouth' is important in all minority communities: if we heard more positive experiences from other people, we may have greater confidence in the authorities.*

*The Housing Executive needs to treat people who have been made homeless through all forms of hate crime as high priority for re-housing. This should also involve help with moving furniture and possessions as a matter of urgency.*

*At the same time, encouraging people to move does not solve problems: communities need to be educated (working in collaboration with local community groups, schools, youth clubs etc), perpetrators must be tackled by the Housing Executive as well as the police. A strong message needs to be given that hate crime is not tolerated. For the gay community, the extension of anti-discrimination laws to the delivery of goods and services would also be helpful. Any move towards equality and recognition of the legitimacy of gay people, their lives and their relationships would help combat prejudice in the long run. For ethnic minorities, the current negative attitude from government and media towards asylum seekers is very destructive, as it sends a message to the community that racism is OK. Particular attention should be given to the effects of racism and homophobia on children and young people; and on measures to tackle this."*

This participant added their own thoughts that the law would be more effective if prosecutions were successful, again highlighting the need for more work to done:

*Hate Crimes legislation would allow for stiffer sentences for those convicted of crimes based on prejudice, such as an attack on someone where a racist motive can be shown. This might be difficult to prove beyond reasonable doubt in court, but the proposed new laws would also send out a signal that society here does not tolerate racism. It is now four years since the Government was asked to extend Hate Crime laws to Northern Ireland. We are now the only part of the UK without equivalent legislation. Given the amount of consultation that has*

*already occurred, this internet consultation is coming very late in the day, and a cynic might see it as just another delaying mechanism.*

*However, Hate Crime laws will be of no use whatsoever unless there are convictions, and sadly, there have been very few in Belfast - if any. There were 149 racial incidents reported to the police between April and July 23 this year, yet only one prosecution that I am aware of. I can't think of one successful prosecution for a racist attack in the recent past. If this continues to be the case, we will never even learn whether the new legislation is effective or not.*

*I sincerely hope it will be used to good effect, but unless racist criminals are caught in the first place, there is a real danger that this legislation will be left to gather dust. Unfortunately, so many attacks in such a small area of South Belfast over such a long period of time has left the ethnic minorities wondering if anyone will ever serve a jail sentence for a race-related crime.*

*I also hope that when the PSNI talk about a strategy for dealing with Hate Crimes, that they are serious. When a BBC reporter can walk into a South Belfast police station to ask for the Minority Liaison officer, only to be met with blank stares, it raises questions about police commitment to dealing with race issues. The statements from the PSNI have been encouraging, but everyone wants that matched by action on the ground. We are all on a learning curve regarding race-related issues in Northern Ireland, but enough time has been wasted already brushing problems under the carpet."*

Conversely another poster seems to oppose the legislation by saying that there are already too many laws. They do however concur that the problem is partly due to a lack of enforcement:

*"There are no hate-crimes whose consequences are not covered by existing legislation, and drafting specific laws against crimes with a racial/prejudicial motive will only lead to spurious cases that discredit the entire concept - as already happens with 'human rights' protection.*

*There is no shortage of legislation available already with which to prosecute people for assault, intimidation, arson, vandalism, offensive behaviour, disturbing the peace etc. etc. etc. What we are lacking are not laws but a willingness to enforce the law. It is transparently obvious, for example, that the PSNI will not take racism in South Belfast seriously enough to risk compromising loyalist informers until a family has been burnt alive in their own home - if even then. Meanwhile pointless and alarming warnings continue to be issued to ethnic/religious minority communities by the police as a final insulting reminder that they are fully aware of the membership and inner workings of the UVF/UDA etc. However this is simply a special case of a general reluctance to tackle any manifestation of violence that has the slightest suggestion of organisation or political motive. Setting 'hate-crime' apart from 'crime' will further underscore this dangerous notion by placing such acts in a category of their own. It could also be seen as an act of racism itself to treat minority victims of crime differently from any victim of crime. The UK has more laws on the statute books than it knows what to do with. Imaginative and assertive policing, rather than predictable and reactionary legislating, is what is required to restore confidence in the rule of law in Northern Ireland. "*

The participant is an Alliance Party member and therefore supports the new legislation. They go on to discuss the Parades Commission and responsibility of the Housing Executive to take action against the perpetrators:

*"I am a member of the Alliance Party which campaigned for Hate crime legislation for N. I. I want to see a pluralist society where everyone is valued whatever their religious, racial or sexual orientation background. We should have a desegregated society where people do not have to be put in boxes according to their perceived religion - Catholic/Protestant and then presumed to be nationalist/unionist.*

*I would like Westminster to produce figures for the cost of running our segregated society - separate schools, separate leisure facilities, separate health clinics, transport routes, housing areas, social security offices etc. etc. - the money saved would improve health, education etc.*

*I am a supporter of integrated education where children of all or no religion, of every race are educated together and learn the enrichment that comes from different cultures and backgrounds coming together.*

*The Parades Commission does a difficult job well; even if the actual Orangemen on parade behave reasonably, they attract followers who deliberately taunt those "on the other side" The flaunting of paramilitary flags and of Union Jacks not to show "loyalty" but to annoy others is responsible for a lot of violence. The same can be said of the deliberate flaunting of tricolours.*

*The Housing Executive should take action against those who intimidate others out of their houses, rather than rushing to remove the intimidated; the HE should have a pro-active policy to develop integrated housing areas and give encouragement to those who live peaceably with their neighbours of different races or religions. Flying of flags, painting of kerbs etc to mark out territory should be illegal. I support the Glasgow "Nil by Mouth" campaign and their targeting of pre-school children for anti-sectarian campaigns. It is disturbing that paramilitaries who now have less excuse to attack those of a different religion now use their energies to attack those of different races."*

One participant felt very strongly that attacks on all vulnerable people, in particular those on disabled people, should be incorporated into the new hate crime legislation:

*"I would like to see disabilism included alongside racism, sectarianism and homophobia as a factor which can fuel attacks on vulnerable people. There is an assumption that we get 'free' cars through motability. (I know there is abuse of that system) When these are stolen, it's the government that's being robbed and they will be replaced anyway. DLA is perceived as money that puts you on 'easy street' and Parking places are a privilege not a need. All these assumptions impact on the perception of disabled people and help to invoke feelings of anger and resentment, thus making them easy targets."*

### **Incidence of racist, sectarian and homophobic crime**

- Recent press reports have suggested that hate crime has been increasing in Northern Ireland. Is this the case, or do increased reports simply represent increased awareness, and increased confidence in the judicial system?
- What is the nature of such crime? Is it organised, or the work of individuals?

- When does an incident become a crime? Does it target particular groups and, if so, why?

This series of questions were posed by the Northern Ireland Affairs Select Committee to the participants in the next main thread of the consultation. The comments received were very diverse ranging from an anti-immigration stance to the treatment of gay men:

*"Ever since I was a child growing up in Northern Ireland I have known it wasn't going to be easy but nothing has ever prepared me for the prejudice and hate I have had to face for being gay. Many heterosexual men feel that they have a right to punish you verbally or physically, the women sometimes speak to you like you are mentally retarded and think you find it hard to understand the English language and everyone feels that they can freely come up to you even though you have never met them before in your life and say what they think about your lifestyle, clothes, mannerisms etc. What is wrong with people in this country? As an intelligent Gay man holding down a job why can heterosexual people never have a normal conversation without it turning into a patronizing speech? One woman approached me in a gay bar and began telling me how it would "hurt her heart" if her son said he was Gay and she would rather he told her he was a murderer. This is one of the main reasons for segregation and why Gay bars exist. When will it go away? "*

One poster in particular followed a strictly anti-immigration argument and posted several messages along the same theme to reinforce their views, perhaps intending to dominate the discussion:

*"I am against immigration, but it is not a matter of race, more a matter of space... My sister is a care assistant and works with many Filipino nurses. Her and many of her colleagues would love to become nurses, but they are not given the opportunity to train. If entry to this profession was made slightly easier, many of our local people would be glad of the opportunity to become nurses and thus not deprive the people of the Philippines of much needed nursing care... I am not a violent person, but I am not the only one who sees what is happening and the government seems to be encouraging immigration. I can realise why some people want to defend their homeland as we have to look to our children's future."*

Another poster seemed to support this anti-immigration stance to some extent and also disclosed that they were attacked recently:

*"What I see here, in N.Ireland, and everywhere else is overreaction. This is a perfect example of racial double standards, ethnics move into N.Ireland, and must be treated differently than that of the people who already live here."*

*Racial attacks? Forget about it, attacks are attacks, I myself have been attacked in the past 12 months, and I am obviously a white nationalist, I sustained a fractured cheekbone, bruised ribs and 5 fractured teeth, there was no particular reasoning for my attack, other than the people who carried it out were drunken thugs. The PSNI have never caught my attackers, and never will. However had I been of ethnic origin, the case would have been given total media attention."*

*The apparent "hate crime" is being surveyed more closely now than it ever was, attacks on ethnics are being monitored more closely than ever, but the question has to be asked, are you*

*aware of the fact that ethnics can be, and are also criminals too? Or is it being ignored on the ground that they are of different nationality/race? Isn't this in turn racism?"*

This poster adds their voice to the argument stating that work needs to be done to convince victims to have confidence in the justice system and also believe that racist/homophobic crime is an easy target:

*"It is a sad fact that NI is a fairly narrow minded and intolerant place to live. Even the silent majority who have barely been touched by the troubles harbour resentment towards those obviously different from them....some of that is genuine ignorance...some of it an innate fear/mistrust of anyone who is different. This is especially so if morals are involved...something that the 'Christian teachings' so prevalent in NI culture conflict with it...i.e. different cultures, religions...lifestyles. Beyond this we have generations of working class... u/e folk....living in areas afflicted by paramilitaries and that culture ....now they turn against others different from them selves because the old enemy is less politically correct to challenge. Racist crime is an easy target for them.....colour is obvious to them.....and since the gay community is more obvious (out) now too....with clubs....and a growing gay community in Belfast and L'derry/Derry they are easy targets too."*

### **Responses to hate crime**

- The experience of hate crime can lead to physical or psychological trauma, forcing individuals and families to move house, and leave or change jobs or schools. What more needs to be done, by Government and other agencies (such as the PSNI, the Housing Executive) to support the victims of such crime?
- What practical help could they be given?
- What needs to be done to tackle the wider problem of prejudice, in all its manifestations?

This final thread of discussion seemed to stimulate some heated debate amongst several participants. As moderators, we felt the need to interject at this point to politely remind all participants of the consultation rules:

*"Important Moderators Comment - This is a serious forum given that it's been set up by the Northern Ireland Affairs Committee. We acknowledge that there will be passionate views and occasional disagreements, after all that's the substance of debate - It's certainly acceptable to disagree with one another. We want to keep moderation of posts to an absolute minimum but all posts are scrutinised for their content and although this scrutiny will not amount to censorship, strict rules still exist about what can and cannot be posted on the site. These rules are available online for your perusal at:*

*[http://www.tellparliament.net/hatecrime/forum/discussion\\_rules](http://www.tellparliament.net/hatecrime/forum/discussion_rules) "*

The poster believes that the new legislation is unnecessary and that a more stringent PSNI strategy would be a good starting point:

*"... the insistence by everyone in Northern Ireland that they are 'the real victims' - even extending, as in this instance, to claiming victimhood over their own tendency to victimise*

*others. Attempting to draft legislation that will address all these issues without opening up more cans of worms seems like a self-indulgent intellectual exercise when the PSNI could simply flick through some recent CCTV footage, bring 100 people in for questioning, file 20 charges and nip the problem of racist violence firmly in the bud. "*

This participant talks about their friendship with foreign nationals and belief in anti-racist policies for Northern Ireland:

*"My concern for the exploitation of migrant workers stems from my personal friendship with a number of these workers and from my involvement with others in trying to have these issues resolved. It also stems from very close family ties with foreign nationals. I had assumed that this consultation was meant to be serious and both of my posts to this site were made on that assumption, and on my personal commitment to anti-racism."*

The debate returned to the issue of immigration with opinion largely split on the best course of action. The first poster believes that Northern Ireland is too small to sustain immigration, but in contrast the message directly under that one, emphasizes the high racial intolerance:

*"This province is far too small and overcrowded to sustain immigration at the present level. Many of our own people are unemployed and it is irritating for them to see immigrants taking their jobs. Since the peace process, economic migrants have been flooding in here at an alarming rate and communities are fearful of being over-run. Local people see what is happening in other parts of the UK where migrants have become the majority with anti-white racism, drugs and gang warfare. No wonder they want to hit back before it is too late. The government don't help by making draconian anti-white laws. The indigenous population see themselves becoming second class citizens in their own country. "*

*"I know the moderators want things to be civil here but I am sorry but a posting cannot go unchallenged. The comments I refer to might expect to have been heard in the 60's such fears and anxiety about people loosing their jobs to whom, hard working immigrants. ... These are not anti-white laws, we have Black/Asian. whatever members of the community who have lived here for generations now, its about equality for all. protection by the law, a right to live a peaceful life with out being hounded for who you are and the law not being able to deal with the diverse community. All my friends work, they studied hard at school some went to college some hold down two jobs, all are white there is plenty of opportunity for everyone. I'm not saying that there isn't a need for rigorous immigration regulations, I want to see that for sure. BUT nothing can defend our in action to deal with violent malicious intolerance in whatever form that appears. "*

The next couple of posters have differing views on the reasons behind hate crime, with the first message stating that the dislike of people different to yourself is easier when you don't think of them as people like you. The comment directly after this one highlights that a crime is a crime and does not have colour or status:

*"It seems that hatred of people who are different to yourself is easier when you do not think of them as people like you, with similar problems, dealing with the usual crises in daily life. If the stories you hear of Africa are all about either warfare or famine, how can you relate those stories to your own family life?"*

Now, rush to a bookshop and get a copy of "The Number 1 Ladies Detective Agency", or one of the other books of Alexander McCall Smith's series set in Botswana. His stories are human, down-to-earth, ones, of a widow coping with ordinary life in Gaborone. As a private eye, she doesn't rush around shooting people: instead she quietly listens and talks to people as a friend, until they inadvertently reveal themselves. Botswana doesn't come across as a strange exotic place, but as an ordinary place to live, where people have ordinary problems. So here's a suggestion. Arrange to put one copy of one of these books through the letter box of every house where there has been racist violence. Alternatively, get Alexander McCall Smith to write a short story for the Belfast Telegraph."

"Again individuals concept of crime may vary. Depend of individuals own cultural background. Depend the country they live in (country's policies, what the law says and of course the awareness social justice and education/training of it is all citizens about their rights and responsibilities. ... From my point of view all have right to get anxious with the changes. We need to support each other to understand our differences and similarities, better communication, interpretations, using technology and creativity to educate ourselves our families our communities to rebuild our society (every ones opinion count) Again, from history and from our past experiences, we know that no one is perfect."

The discussion then expanded to focus on the changing society in Northern Ireland and important role schools have to play. The following poster is more critical of the current situation but believes that the situation will gradually improve:

" Northern Ireland society and politics is caught in some inward looking time warp unable to focus on anything beyond the narrow confines of the old traditional battle lines. Sure training is very important...and agencies such as the PSNI have been actively providing a range of courses relating to disability/sectarian culture/racism/homophobia etc...since 1994! Large organisations can be slow to respond and their employees appear to adhere to the latest politically correct 'fad'...say the right thing and we think they have got the message. Whilst our politicians continue to focus on sectarian historical matters...the real issues affecting the very diverse community in NI today will be ignored or at best only given limited lip service.....they do not see them as vote catching.....and the principle of the matter goes unrecognized.

We need a human rights body with teeth/powers....what exists currently and the leadership is something of an academic club...which picks and chooses it's targets demonstrating personal priorities of the those chosen to speak for the diversity...rather than an appreciation of the real needs of the growing community....a more and more visible community of black... Asian....gay....different people. Until the Commission gets it's act together...really engages with the community and challenges politicians and policy makers... and yes paramilitaries/crime gangs, well it will be a long up hill ride.

Again schools try to address issues but there is not the will or money....certainly not the policy to make it a priority. The civil service talk the talk....have done for years....the policies ARE there but they have used incompetence ..and the current political situation to miss the boat every time. The minorities can see what the problem is....and have some good ideas.....but that is for nought if the policy makers don't realize how quickly the diverse community in NI is growing...becoming more open/out....and the expectations they have for the future.....simple

*equality.....backed up by legislation.....and enforcement...sure enhanced by training...campaigns....seminars....conferences and engagement. I have worked within the police service for nearly 20 years and know the hurdles and mountains to be scaled there. The Gay Police Assoc have experienced the institutional barriers to change and progress across the UK. I have no doubt that NI will have to be dragged kicking and screaming into the light."*

Several participants agreed that education was very important in helping to eradicate the problem of hate crime and a lack of respect for cultural diversity. One poster came up with the excellent idea of education workshops which were greeted with enthusiasm by fellow participants:

*"I agree that the education system is perfectly placed to address the gaps in knowledge that lead to a lack of understanding with regard to cultural diversity.*

*Whilst I would also advocate the widespread introduction of the Citizenship programme, I feel that in terms of addressing this lack of understanding such a programme may be a case of too little too late, given that it is offered over a limited period to secondary level pupils only. What is required is a more mainstream approach that can be delivered at all levels and built upon incrementally as a child progresses through their school years. This could be achieved without piling additional burdens onto teachers if some kind of outreach facility could be developed. In the 70s and 80s road safety workshops visited schools to spread the message of the green cross code - could something similar be developed to introduce other cultural identities to children and help end the cycle of ignorance. "*

*"I believe education workshops would be a good idea. A place to start might be to facilitate an understanding of the intrinsic value of a human being, as this appears to have been diluted in an environment of hate and prejudice. From that starting block it might then be possible to gain respect for the rich diversity of life. "*

*"I agree completely. So many people hate blindly without understanding why. Only that they have always been taught to hate. Maybe what they need is to learn how not to hate. It might help if they were taught where the hatred began and how long ago it started, so that they could understand where it does or most likely does not fit in to their modern lives. "*

Another collection of participants added weight to the importance of education, but some went on to suggest that the province must learn to value its own "cultural richness":

*"I agree that our education system has some responsibility with regards to the narrow mindedness of views so prevalent here. The way religion is taught is based on the assumption that our 'Christian' ethos is the true religion and anything else is some kind of heresy or deviation. It can so easily lead on to attitudes of superiority and to incomprehension of difference. When my children went to school in England they loved religion classes because they got to know about everything, from Rastafarianism to Buddhism etc. All religious festivals were celebrated. I learned a great deal from them. Here, I have heard the head of religion in their school, during an interview on radio Ulster, say that they could only talk about 'other religions' to their 6th form pupils, because they would have the maturity to put them in context. To teach other religions throughout the school would be to imply that they were in some sense equal to christianity he said. We have to get rid of that attitude before we can make true progress to a rich and diverse society, based not on 'tolerance', but on valuing that cultural richness. We can't leave 'world religions' to a 6th form elite. We owe all our*

children the opportunity to learn about the citizens of the world. That new citizenship curriculum, so long promised for our schools, is urgently needed."

*"It sometimes baffles me that the education system in the north of Ireland is so well acclaimed yet our population of so-called educated people display such limited vision as regards diversity. Perhaps it is more a case of arrogance that we presume we are better than one race or another? I'm not really sure what could lead us to that assumption considering the background on which we have developed (or rather hindered) our own society. I would have thought that the opportunities which are presented to us today in relation to travel, communication and the good old Internet would inspire people to learn from other cultures, religions and races. Apparently not though. It seems to have made us more afraid of what we don't know or understand and rather than simply accept that we don't know something or indeed do something to learn about this new idea, we suppress it as inferior and hurl abuse at it. I definitely agree that more needs to be done to educate people as to the benefits and opportunities of a diverse society. People need to be made aware that a respect for diversity does not mean forcing people what to think or believe but rather encouraging them to accept and most importantly respect what is different."*

*"Just to comment on a remark made by one observer regarding cultural diversity training for children. While schools have an important role in educating young people to respect difference and to understand the effects of oppressive behaviour it is important not just to focus anti-racism training on young people. Young people are not born racist as such it is essential that anti-racism training is delivered to all sections of our society, including all the key agencies, such as PSNI, those in the criminal justice system, the civil service, teachers etc...."*

Another poster from the office of the Northern Ireland Commissioner for Children and Young People, wanted to add their views on young people being the target for hate crime:

*"Northern Ireland has experienced a number of high profile incidents of Hate Crime in recent months. All such crimes are deplorable, but the Northern Ireland Commissioner for Children and Young People is especially appalled that children and young people have become targets for such crime. We must also remember that away from the headlines incidents of Hate Crime blight the lives of families through low-level intimidation and pervading sense of threat."*

*The Northern Ireland Commissioner for Children and Young People is particularly concerned to note that there are Hate Crimes being carried out by young people. We believe that a wider strategy needs to be considered to tackle an issue that has set young people against young people; a strategy that encourages respect, understanding and friendship."*

The naming and shaming of the perpetrators of hate crime might help the victims overcome their ordeal, according to this participant:

*"I am very disillusioned at what is happening in Northern Ireland today. The media is as much to be blamed by highlighting the negative issues on race. The government should put out ads on TV just as they do about drink driving, tax dodgers etc - promoting good relations and educating people on the advantages of encouraging diverse people to live or study in*

*Northern Ireland. Revenue for Universities here will suffer and the tourism industry will be affected if hate crimes against people from different countries continue. More education for young people and the wider community needed. Naming and shaming of people who commit hate crimes might also help a little bit for victims of crimes."*

Further interesting developments came from some participants who wanted to highlight the good anti-racist work being done on the ground, in an attempt to encourage further discussion:

*"There are a number of good examples of anti-racist initiatives taking place within working class loyalist communities. I am personally aware of three separate initiatives in North Belfast. Indeed the first anti-racist conference in recent years was held in Ballymena where Progressive Unionist spokespersons exposed and condemned the activities of a locally-based 'white nationalist' group. A further conference is planned for November. Key influencers are working to support vulnerable members of the community. Even in South Belfast I have personal knowledge of loyalists opposing the racists in their midst and of being verbally and physically abused for it - something that the media and others refuse to acknowledge. The exploitation of foreign nationals by unscrupulous employers who use them as cheap labour and pack them ten to fifteen in two and three bedroom houses is a form of racism that seems politically correct as far as the media and some self-professed anti-racist activists are concerned. When was the last anti-racist rally held outside some of these factories? "*

This particular poster is critical of the Civil Service:

*"Staff at all levels within the Northern Ireland Civil Service routinely use racist language to describe ethnic minorities. This may explain why there are so few members of ethnic minorities in the civil service. Those foolish enough to join face an appalling culture of bigotry. When incidents are reported to senior management they couldn't care less. Senior management sit insulated in box offices producing documents on equal opportunities that are distributed to staff in the knowledge that they will be dumped in bins unread. It is easier for senior management to do this than get their hands dirty supervising middle management. How can policies to tackle bigotry be implemented when the government agencies responsible just play lip service to the task of rooting out racist staff? "*

Finally, the discussion progressed onto the issue of sectarianism. One participant in particular felt that a new form of sectarianism is emerging which attacks those non-Christians:

*"In recent years we have seen a great increase in racially motivated attacks in Northern Ireland. I am concerned that we are going to see much more violence of this nature but I am also concerned that we are going to see a new type of sectarianism emerging – a sectarianism that is attacking people because they are not Christians. Currently there is a church that has advertised in the Belfast Telegraph a series of "Bible Studies" on the subject of "Strongholds of Satan – A Biblical critique of false faiths and confusing cults". There is a list of religions that they think fit into this category, including: Buddhism, Bahá'í Faith and Islam. I am keen to welcome people exploring the validity of other faiths however this advert appears to suggest that selected religions are strongholds of Satan but, by implication, Christianity is free from such influence. I know some Buddhists, Bahá'ís, Muslims and Christians in Northern Ireland who I think are inspiring spiritual beings. Their choice of faith (which most often is an*

*accident of birth) does not appear to me to be the determining factor in relation to their spirituality. I cite this example because I fear that we are likely to see a great increase in sectarianism of this nature. At the moment such discrimination tends to fall between racism and sectarianism and is not effectively addressed. "*

Some participants felt that denial was at the heart of the problem regarding sectarianism and others wanted to highlight that racism wasn't always found amongst the loyalist community:

*"This reminds me of the denial prevalent in the West of Scotland about sectarianism. 20 years ago, when I lived there the same applied to racism, but things have progressed on that front. Now we have the paradox of denial about racism here, and denial about sectarianism there. Can we learn from each other? Are we all in denial about 'difference', perhaps?"*

*"I would like to add that racism is not exclusively found among loyalists. I have often heard some nationalists use nauseating language to describe ethnic minorities. "*

The Parades Commission was criticised by one poster for being a "one-sided body" but another wanted to stress that racism affects ethnic communities across the Province, and not just in the loyalist community of Belfast:

*"The Parades Commission, is the embodiment of a body which promotes through its decisions a culture of antagonism towards the Unionist Community. The recent decisions have promoted a climate of fear in areas like North Belfast, where over the course of the troubles, many have died as a result of violence, if the Government and parliament are serious about building peace, they must abolish this one sided parades body. otherwise expand it to place restrictions on the rights of protestors who go out of their way to provoke violence and trouble at unionist cultural events."*

*"In addition, it should be said that the practice of the media and political & civic leaders to focus only on South Belfast to the exclusion of racist attacks in other areas and to the exclusion of those responsible for the exploitation of migrant workers by elements of the 'respectable' business community, appears to me to be based on the same kind of prejudice that motivates racist groups.*

*The constant focus on South Belfast tends to conceal the fact that racism affects foreign nationals and migrant workers across the Province, and not just in the working class loyalist community of South Belfast. It also suggests, and falsely so, that working class loyalists are inherently racist. To stigmatise a whole community because of the racist activities of a minority simply mirrors the prejudice displayed by the racists themselves. By all means lets highlight the problem of racism, but let it be highlighted right across the Province, and let us do it in a strictly non-sectarian manner. "*

The extracts included in this report reflect the depth and range of contributions to this consultation; they are, however, just a glimpse of the topics discussed. This report is not given as a representative view of the population but as a method of representing the experience and expertise of a balanced number of members of the public.

## Appendix 1

### Organisations whose members registered in the online consultation

1. Advice NI
2. Alliance Party, NI
3. Anti Racism Network
4. Ballynafeigh Community Development Association
5. BBC
6. BCDA
7. BIC
8. Black Youth Network (BYN)
9. BPW NORTHERN IRELAND
10. Bridge Community Association
11. Chinese Welfare Association
12. Democratic Dialogue
13. Democratic Unionist Party
14. Derry news
15. Disability Action
16. European Movement & BPW
17. Falls Community Council
18. Gay Police Association
19. Groundwork NI
20. Help the Aged
21. ICR
22. Irish News
23. Law Centre (NI)
24. Lesbian Line
25. LINC Resource Centre
26. Lisburn Disability Community Partnership
27. LPIS
28. Men of the North
29. Mencap
30. National Assembly for Wales
31. National Union of Students
32. NI Assembly
33. NICHS
34. NICVA
35. Northern Ireland Alternatives
36. Northern Ireland Council for Ethnic Minorities (NICEM)
37. NUS-USI
38. Opportunity youth
39. Oxford University
40. QUB
41. Slugger O'Toole
42. Stratagem
43. The Rainbow Project
44. Ulster People's College
45. Ulster Political Research Group
46. University of Ulster
47. University of Ulster Students' Union
48. Women into Politics

## Formal minutes

---

**Wednesday 6 April 2005**

Members present:

Mr Michael Mates, in the Chair

Mr Roy Beggs

Mr Tony Clarke

Mr Stephen Hepburn

Reverend Martin Smyth

Mr Hugo Swire

Mr Mark Tami

Mr Bill Tynan

The Committee deliberated.

Draft Report (The Challenge of Diversity: Hate Crime in Northern Ireland), proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 129 read and agreed to.

*Resolved*, That the Report be the Ninth Report of the Committee to the House.

*Ordered*, That the Chairman do make the Report to the House.

*Ordered*, That the provisions of Standing Order No. 134 (Select Committees (reports)) be applied to the Report.—(*The Chairman.*)

*Ordered*, That the Appendices to the Report be reported to the House.—(*The Chairman.*)

[Adjourned till a date and time to be announced by the Chairman.]

## Witnesses

---

### Wednesday 21 April 2004

	<i>Page</i>
Dame Joan Harbison, Ms Antoinette McKeown and Ms Judith Cross, <b>Equality Commission</b>	Ev 6

### Wednesday 5 May 2004

Mr Patrick Yu and Ms Tansy Hutchinson, <b>Northern Ireland Council for Ethnic Minorities</b>	Ev 18
--	-------

### Wednesday 12 May 2004

Mr Nicholas Russell, <b>Royal National Institute for the Blind</b> , and Ms Maureen Piggot, <b>Mencap</b>	Ev 32
Ms Maggie Beirne, <b>Committee on the Administration of Justice</b> , and <b>Professor Tom Hadden</b>	Ev 40
Inspector Robin Dempsey, <b>Police Service of Northern Ireland</b>	Ev 53
Mr Adrian Arbuthnot and Mr Jim Strain, <b>Northern Ireland Office</b> , and Mr Ken Fraser, <b>Office of the First Minister and Deputy First Minister</b>	Ev 69

### Monday 13 September 2004

Mr Conal Devitt and Mr Adrian Arbuthnot, <b>Northern Ireland Office</b> , Ms Mary Bunting, Mr Billy Gamble and Mr Gerry Mulligan, <b>Office of the First Minister and Deputy First Minister</b> , and Mr Stephen Sandford and Mr James Cuthbert, <b>Department of Education</b> , and Mr Maurice Rooney, <b>Northern Ireland Housing Executive</b>	Ev 83
Dr Duncan Morrow, <b>Community Relations Council</b> , Ms Frances McCandless, <b>Northern Ireland Council for Voluntary Action</b> , and Mr Pat Conway, <b>Northern Ireland Association for the Care and Resettlement of Offenders</b>	Ev 114
Mr Brian Campfield, <b>Northern Ireland Public Service Alliance</b> , Ms Patricia McKeown, <b>Unison</b> , Mr Tom Gillen, <b>Irish Congress of Trade Unions</b> , and Mr Nigel Smyth, <b>Confederation of British Industry Northern Ireland</b>	Ev 122
Ms Hazel Francey, <b>Belfast City Council</b> , Mr Gerry McBride, <b>Down District Council</b> , and Ms Clare Mullen, <b>Strabane District Council</b>	Ev 138
Mr Dónal McKinney, <b>Falls Community Council</b> , Mr Peter McGuire, <b>Duncrun Cultural Initiative</b> , Ms Mina Wardle, <b>Shankhill Stress and Trauma Group</b> , Mr Tom Winston, <b>Greater Shankhill Alternatives</b> , and Mr Jim Auld, <b>Community Restorative Justice</b>	Ev 145
Ms Roisin McGlone and Mr Billy McQuiston, <b>Interaction Belfast</b>	Ev 152

## Tuesday 14 September 2004

The Most Reverend Rt Hon Lord Eames, **Church of Ireland, Archbishop of Armagh, Primate of All Ireland**, Archbishop Seán Brady, **Roman Catholic Church, Archbishop of Armagh, Primate of All Ireland**, The Reverend Winston Graham, **Methodist Church of Ireland**, and The Reverend Dr Ken Newell, **Presbyterian Church of Ireland** Ev 168

Dr Paul Connolly, **Queen's University Belfast**, Ms Claire White, **Tim Parry Johnathan Ball Trust**, Mr Hugh Doyle, **Glencree Centre for Reconciliation**, and Mr Barney McNeaney, **Acting Northern Ireland Commissioner for Children and Young People** Ev 195

**Ms Norman Rea, Mr Michael Black and Mr David Bell** Ev 201

## Monday 25 October 2004

Mr James Knox, **Coalition on Sexual Orientation**, Mr Duane Farrell, **Rainbow Project**, Mr P A MagLochlainn, **Northern Ireland Gay Rights Association**, Mr Gareth Lee, **Queerspace**, Ms Mairéad McCafferty, **Lesbian Line**, and Ms Theresa Cullen, **Cara-Friend** Ev 212

Mr Jamal Iweida, **Muslim Community**, Ms Anna Lo, **Chinese Community Welfare Association**, Ms Eva McKelvey, **Northern Ireland Filipino Association**, Dr Katy Radford, **Belfast Jewish Community**, Ms Vivian Harvey, **Traveller Movement Northern Ireland**, and Ms Nisha Tandon, **Indian Community Centre** Ev 230

**Jewish Community Victim, Chinese Community Victim, Muslim Community Victim, and Filipina Community Victim** Ev 238

## Wednesday 3 November 2004

Assistant Chief Constable Judith Gillespie and Inspector Robin Dempsey, **Police Service of Northern Ireland**, Mr David Wilson and Mr Brian Dougherty, **Northern Ireland Policing Board**, Mr Ivor Paisley and Mr Philip Moffett, **Cookstown District Policing Partnership** Ev 244

Rt Hon. John Spellar MP, **Minister of State, Northern Ireland Office**, Mr Billy Gamble, **Office of the First Minister and Deputy First Minister**, Mr Conal Devitt and Mr Tom Haire, **Northern Ireland Office** Ev 257

## List of written evidence

---

	<i>Page</i>
1 Equality Commission for Northern Ireland	Ev 1
2 Equality Commission for Northern Ireland, supplementary memorandum	Ev 4
3 Northern Ireland Council for Ethnic Minorities	Ev 14
4 Royal National Institute for the Blind and the Guide Dogs for the Blind Association	Ev 28
5 Mencap in Northern Ireland	Ev 31
6 Royal National Institute for the Blind and Mencap in Northern Ireland, supplementary memorandum	Ev 35
7 Committee on the Administration of Justice	Ev 36
8 Committee on the Administration of Justice, supplementary memorandum	Ev 39
9 Committee on the Administration of Justice, supplementary memorandum	Ev 44
10 Police Service of Northern Ireland	Ev 45
11 J K Gillespie, Assistant Chief Constable, Police Service of Northern Ireland	Ev 56
12 J K Gillespie, Assistant Chief Constable, Police Service of Northern Ireland, supplementary memorandum	Ev 61
13 Her Majesty's Government	Ev 61
14 Her Majesty's Government, supplementary memorandum	Ev 75
15 Rt Hon John Spellar MP, Minister of State, Northern Ireland Office	Ev 94
16 Northern Ireland Office, supplementary memorandum	Ev 96
17 Northern Ireland Office, supplementary memorandum	Ev 96
18 Community Relations Council	Ev 106
19 Northern Ireland Council for Voluntary Action	Ev 110
20 Northern Ireland Public Service Alliance	Ev 120
21 Confederation of British Industry Northern Ireland	Ev 121
22 Belfast City Council	Ev 131
23 Down District Council	Ev 135
24 Strabane District Council	Ev 137
25 Falls Community Council	Ev 144
26 Anglican Church of Ireland	Ev 157
27 Catholic Church of Ireland	Ev 160
28 Presbyterian Church in Ireland	Ev 163
29 Methodist Church in Ireland	Ev 166
30 The Tim Parry Johnathan Ball Trust	Ev 177
31 Glenree Centre for Reconciliation	Ev 182
32 Commissioner for Children and Young People in Northern Ireland	Ev 190
33 Dr Paul Connolly, Queen's University Belfast	Ev 192
34 Coalition on Sexual Orientation	Ev 206
35 Queerspace	Ev 210
36 Chinese Welfare Association	Ev 221
37 Belfast Jewish Community	Ev 222

38	Save the Children	Ev 223
39	Traveller Movement Northern Ireland	Ev 225
40	Police Service of Northern Ireland, supplementary memorandum	Ev 243
41	Northern Ireland Policing Board, supplementary memorandum	Ev 243
42	Northern Ireland Court Service	Ev 262
43	Probation Board for Northern Ireland	Ev 263
44	Probation Board for Northern Ireland, supplementary memorandum	Ev 264
45	Belfast District Policing Board	Ev 265
46	NUS-USI	Ev 265
47	Raman Kapur, Threshold	Ev 267
48	Department of the Director of Public Prosecutions for Northern Ireland	Ev 268
49	Department of the Director of Public Prosecutions for Northern Ireland, supplementary memorandum	Ev 269
50	Alliance Party of Northern Ireland	Ev 269
51	Radha Madhava Temple, International Society for Krishna Consciousness	Ev 272
52	Commission for Racial Equality in Scotland	Ev 273
53	Lisburn City Council	Ev 275
54	Banbridge District Council	Ev 275
55	Commission for Racial Equality	Ev 276
56	Irish Congress of Trade Unions	Ev 281
57	Northern Ireland Association for the Care and Resettlement of Offenders	Ev 282
58	Community Foundation for Northern Ireland	Ev 283
59	Social Democratic Labour Party	Ev 287
60	National Consultative Committee on Racism and Interculturalism	Ev 288
61	J K Gillespie, Assistant Chief Constable, Police Service of Northern Ireland, supplementary memorandum	Ev 288

## List of unprinted written evidence

---

Additional papers have been received from the following and have been reported to the House but to save printing costs they have not been printed. Copies are in the Record Office, House of Lords and are available to the public for inspection. Requests for inspection should be addressed to the Record Office, House of Lords, London SW1. (Tel 020 7219 3074). Hours of inspection are from 9:30am to 5:00pm on Mondays to Fridays.

Institute for Conflict Research: Report on Racist Harassment in Northern Ireland

Northern Ireland Council for Ethnic Minorities: Submission to the Independent Commission on Policing for Northern Ireland

POBAL: Press cuttings and correspondence

Irish Congress of Trade Unions: Response to 'A Shared Future' consultation

SDLP: Response to 'A Shared Future' consultation

Lagan Valley Sinn Féin: Paper on Sectarianism within Lagan Valley

Mr John M Higgins: Letter

# Reports from the Northern Ireland Affairs Committee since 2001

---

The following reports have been produced by the Committee since the start of the 2001 Parliament.

## Session 2004–05

First Report	Electoral Registration in Northern Ireland	HC 131
Second Report	The Parades Commission and Public Processions (Northern Ireland) Act 1998	HC 172-I
Third Report	Northern Ireland Departments' 2002-03 Resource Accounts	HC 173
Fourth Report	The work of the Committee in 2004	HC 262
Fifth Report	The Functions of the Office of the Police Ombudsman for Northern Ireland	HC 344
Sixth Report	Waste Management Strategy in Northern Ireland	HC 349-I
Seventh Report	The Functions of the Northern Ireland Policing Board	HC 108
Eighth Report	Air Transport in Northern Ireland	HC 53-I
Ninth Report	The Challenge of Diversity: Hate Crime in Northern Ireland	HC 548-I
First Special Report	Social Housing Provision in Northern Ireland: Government Response to the Committee's Sixth Report of Session 2003-04	HC 225
Second Special Report	Electoral Registration in Northern Ireland: Government Reponse to the Committee's First Report of Session 2004-05	HC 448

## Session 2003–04

First Report	The Committee's work in 2003	HC 146
Second Report	The separation of paramilitary prisoners at HMP Maghaberry	HC 302
Third Report	Introduction of the Aggregates Levy in Northern Ireland: one year on	HC 395
Fourth Report	The Compensation Agency	HC 271
Fifth Report	'Hate Crime': The Draft Criminal Justice Northern Ireland Order 2004	HC 615
Sixth Report	Social Housing Provision in Northern Ireland	HC 493-I
First Special Report	Government Response to the Committee's Eighth Report on The Illegal Drugs Trade and Drug Culture in Northern Ireland, Session 2002–2003	HC 180
Second Special Report	Government Response to the Committee's First Report on the Work of the Committee in 2003	HC 510
Third Special Report	The Separation of Paramilitary Prisoners at HMP Maghaberry: Government's Response to the Committee's Second Report of Session 2003–04	HC 583

Fourth Special Report	Introduction of the Aggregates Levy in Northern Ireland: one year on The Government's Response	HC 666
Fifth Special Report	'Hate Crime' the Draft Criminal Justice Northern Ireland Order 2004 Government Response	HC 954
Sixth Special Report	The Compensation Agency Government Response	HC 955

### Session 2002–03

First Report	The Impact in Northern Ireland of Cross–Border Road Fuel Price Differentials: Three years on	HC 105–I
Second Report	Annual Report 2002	HC 271
Third Report	The Police (Northern Ireland) Bill	HC 233
Fourth Report	The Control of Firearms in Northern Ireland and the draft Firearms (Northern Ireland) Order 2002	HC 67–I
Fifth Report	Forensic Science Northern Ireland	HC 204
Sixth Report	The Illegal Drugs Trade and Drug Culture in Northern Ireland: Interim Report on Cannabis	HC 353–I
Seventh Report	Peace II	HC 653–I
Eighth Report	The Illegal Drugs Trade and Drug Culture in Northern Ireland	HC 1217–I
First Special Report	Government Response to the Committee's First Report: The Impact in Northern Ireland of Cross–Border Road Fuel Price Differentials: Three Years On	HC 412
Second Special Report	Government Response to the Committee's Third Report: The Police (Northern Ireland) Bill	HC 555
Third Special Report	Government Response to the Committee's Second Report: Annual Report 2002	HC 583
Fourth Special Report	Government Response to the Committee's Fourth Report on the Control of Firearms in Northern Ireland and the Proposed Draft Firearms (Northern Ireland) Order 2002, HC 67–I, Session 2002–03	HC 677
Fifth Special Report	Government Response to the Committee's Fifth Report on Forensic Science Northern Ireland	HC 722
Sixth Special Report	Government Response to the Committee's Sixth Report on the Illegal Drugs Trade and Drug Culture in Northern Ireland: Interim Report on Cannabis	HC 935
Seventh Special Report	Government Response to the Committee's Seventh Report on Peace II	HC 1077

### Session 2001–02

First Report	Introduction of the Aggregates Levy in Northern Ireland	HC 333
Second Report	The Financing of Terrorism in Northern Ireland: Interim Report on the Proceeds of Crime Bill	HC 628
Third Report	Introduction of the Aggregates Levy in Northern Ireland: The Government's Response	HC 713
Fourth Report	The Financing of Terrorism in Northern Ireland. Volume II of this Report (HC 987–II) includes the Government Response to the Second Report, Session	HC 978–I

	2001–02, The Financing of Terrorism in Northern Ireland: Interim Report on the Proceeds of Crime Bill, HC 628	
First Special Report	Government Response to the Committee's Fifth Report, Miscellaneous Financial Matters, Session 2000–01, and the Government Response to the Committee's Third Report, The Northern Ireland Office 2000 Departmental Report, Session 1999–2000	HC 332
Second Special Report	Government Response to the Committee's Fourth Report, Legal Aid In Northern Ireland, Session 2000–01	HC 400
Third Special Report	Government Response to the Committee's Second Report, The Parades Commission, Session 2000–01	HC 401
Fourth Special Report	Government Response to the Committee's Third Report, Relocation Following Paramilitary Intimidation, Session 2000–01	HC 461
Fifth Special Report	Government Response to the Committee's Third Report, Introduction of the Aggregates Levy in Northern Ireland, Session 2001–02	HC 1118