

THE SENSITIVE AND RESPECTFUL TREATMENT OF HATE CRIME VICTIMS

SECONDARY VICTIMIZATION

Secondary victimization occurs through inappropriate treatment of victims by those who come into contact with them. In order to prevent secondary victimization of hate crime victims, it is fundamental that anyone coming into contact with a hate crime victim is aware of their own biases and understands the impact of hate crime on victims and communities as well as a victim's vulnerability to repeated victimization.

SENSITIVE & RESPECTFUL TREATMENT IN PRACTICE

A police officer's initial contact with a hate crime victim is one of the most important and critical moments in a victim's interaction with the criminal justice system.

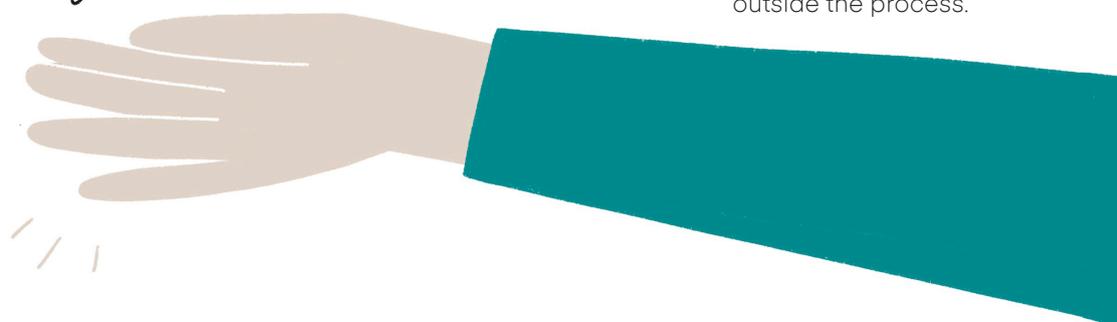
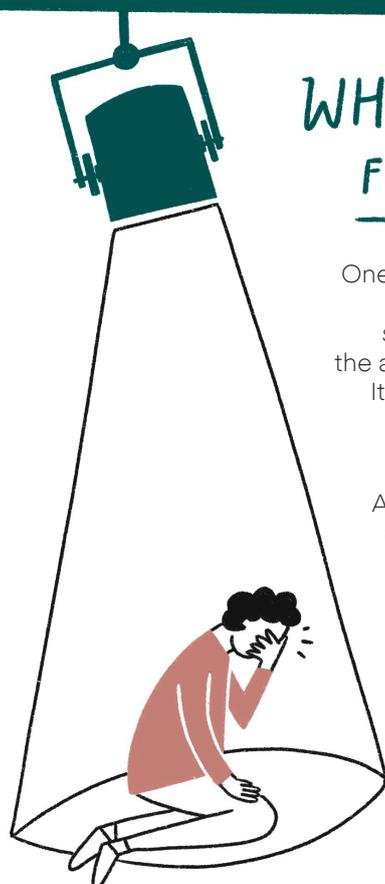
The conclusions a victim draws from that first meeting can affect their perception of the entire justice system and influence their willingness to report their case, to co-operate and to share crucial, sometimes intimate factual details.

WHY IS THIS SO IMPORTANT FOR HATE CRIME VICTIMS

One of the reasons why hate crimes are under-reported is the victim's perception they will not be taken seriously. Many hate crime victims may also fear that the authorities will have the same biases as the offender. It is imperative that criminal justice professionals take positive actions to ensure hate crime victims are treated in a respectful and sensitive manner.

All criminal justice professionals working with victims of hate crime have a responsibility to ensure victims are treated with respect and sensitivity. Therefore, building a culture of sensitive and respectful treatment requires the involvement of all agencies and actors.

Sensitive and respectful treatment can help to increase trust and contribute to a victim's positive overall experience of the criminal justice process, empowering them to give their best evidence and preventing their re-victimization both within and outside the process.

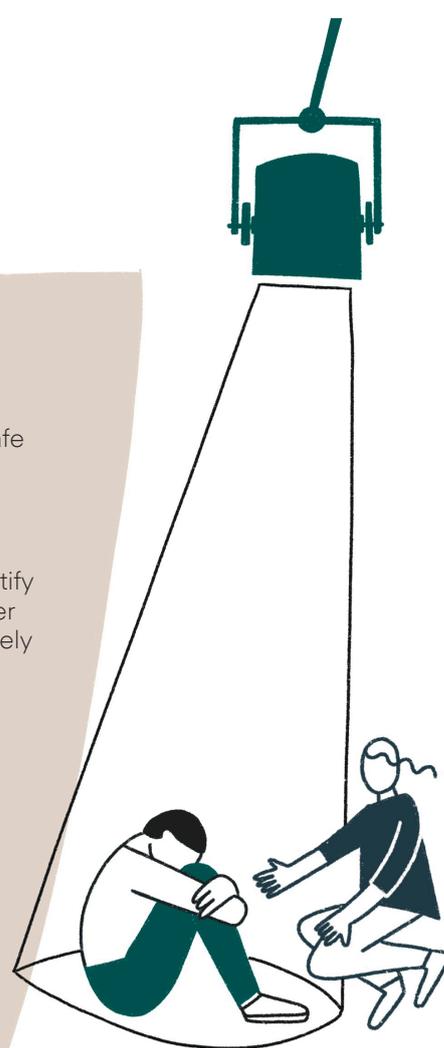


When dealing with a potential hate crime case, law enforcement officers at all times should:

- ✓ Be aware of protected characteristics and how multiple characteristics often intersect, to ensure the proper identification of hate crime victims.
- ✓ Apply a victim-centred approach when responding to hate crime incidents.
- ✓ Respect the victim's perception of having been targeted by a bias motivated offender.
- ✓ Presume higher protection needs on the basis of the victim's perception.

The essentials of sensitive and respectful treatment for law enforcement upon first contact with a hate crime victim:

- ✓ Ensure the victim is separated from the offender and is in a safe and private environment.
- ✓ Inform the victim of their rights and the support available to them as a victim of hate crime.
- ✓ Initiate the individual needs assessment (INA) process to identify immediate security and safety needs, identify the risk of further victimization, intimidation or retaliation and refer to appropriately trained professionals to provide support.
- ✓ Identify any communication needs. Ensure respect for the victim's right to have an interpreter, lawyer and/or other person of the victim's choice present during the interview and at all stages of the criminal justice process.
- ✓ Obtain an exact record of the victim's account, including any perception of the offender's bias motivation. Encourage the victim to tell their story in their own words.
- ✓ Inform the victim about probable next steps in the investigation.



The following communication practices should be adopted in an effort to mitigate potential re-victimization:

- ✓ Law enforcement officers must remain mindful at all times of their tone of voice, body language and the type of language they are using, and how this may be perceived.
- ✓ Choose your words carefully at all times and do not use any discriminatory or abusive language, including inappropriate "slang" terms or "jokes".
- ✓ Refrain from making assumptions about an individual's marital, socio-economic or residency status, and be careful not to make assumptions about their behaviour based on perceived notions of their religion, belief or culture.
- ✓ Ask the person how they wish to be addressed, instead of assuming a person's gender identity, and use inclusive language.
- ✓ Communicate with the victim in accessible language and answer any questions the victim may have.
- ✓ Employ active listening and demonstrate interest in the situation of the victim, such as by not interrupting but, rather, facilitating a victim's free narrative.



To learn more please refer to EStAR's [**Model Guidance on Sensitive and Respectful Treatment of Hate Crime Victims in the Criminal Justice System**](#) and [**the Sensitive and the Respectful Treatment of Hate Crime Victims: Training Course for Criminal Justice Professionals**](#).



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