

EDC17D006K

BRIEFING NOTE 23 – HOW TO DEAL WITH TRANSGENDER RELATED HATE INCIDENTS AND HATE CRIME

1.0 What is meant by ‘transgender’?

1.1 Legally (under the Equality Act 2010) transgender (known as “gender reassignment” in the Act) is an overarching term which covers individuals who:

“Are proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex.”

1.2 The Equality and Human Rights Commission¹ explains that under the law individuals do not need to have undergone surgery or other treatment to be protected by the Act.

1.3 It is unlawful to harass or victimise any individual about any of these aspects of their being transgender. Everybody identifying as transgender in the UK is protected in this way.

¹ <https://www.equalityhumanrights.com/en/advice-and-guidance/gender-reassignment-discrimination#act>

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2.0 What is unacceptable transgender related behaviour?

2.1 The Crown Prosecution Service² defines such behaviour as a Hate Incident and states “any incident which the victim, or anyone else, thinks is based on someone’s prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender”.

3.0 Definition of Hate Crime

3.1 The Association of Chief Police Officers and the Crown Prosecution Service³ have agreed a definition of hate crime as follows:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender."

4.0 What form do hate incidents take in relation to transgender?

4.1 Hate incidents may take the form of verbal abuse, damage to property, bullying, assault, harassment or graffiti that are based on an individual who is transgender or perceived to be transgender.

5.0 Why it is important to report a hate incident

5.1 UEA has a zero tolerance to any form of harassment, bullying or hate incident. It is important that the University and the Police have a better

² http://www.cps.gov.uk/northeast/victims_and_witnesses/hate_crime/

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understanding of the nature and number of hate incidents on campus being experienced by or witnessed by UEA staff, students, members of the public, service users, suppliers, contractors or other individuals.

5.2 As more individuals make such disclosures, the University will be able to gather more realistic data and make more informed decisions in respect of issues that relate to staff of differing sexual orientation and identify what additional support mechanisms might be needed in the workplace.

5.3 The University will not tolerate any form of hate incident and will take seriously any incidents that are brought to its attention.

6.0 How to report a hate incident or hate crime

6.1 If you believe that you have experienced or witnessed a hate crime or hate incident, whether on the UEA campus/Norwich Research Park or off campus, you can:

6.1.1 Report it to the University {insert link for reporting form}, with or without disclosing your details, so that the University can monitor what is happening at UEA. If you include your details appropriate support mechanism can be put in place for you and the incident investigated.

6.1.2 Report it to the Police in one of the following ways:

- Contact UEA Security on 01603 (59) 2352. UEA is a Reporting Centre and its Security staff have been trained by Norfolk Constabulary to take reports.
- Contact the Police direct by calling 101.
- Contact your local Police Station.
- Report on-line via the True Vision website at http://report-it.org.uk/your_police_force.

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- Download a self-reporting form from the True Vision website at http://www.report-it.org.uk/self_reporting_form .
- Download the Police Hate Crime App
- Contact one of the organisations listed at http://report-it.org.uk/organisations_that_can_help .
- In an emergency always call the Police on 999 or 112

7.0 Where can you seek help and advice in the University

7.1 If you wish to discuss any concerns the following help is available:

- A member of the Human Resources team {insert link to contacts}
- A member of the Equality & Diversity Team {insert link}
- Your line manager
- A UEA Staff Pride Dignity & Respect Champion {insert link}
- Your Campus Trade Union representative (UCU, UNISON, UNITE)

7.2 If you are in an emergency situation dial 999 or 112 for the Police and dial 01603 592222 for Security.

8.0 Where can you seek help and advice outside of the University

6.1 The True Vision website has a list of organisations external to UEA who can provide advice and support. This list can be accessed at http://report-it.org.uk/organisations_that_can_help .

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