



**Chief Crown Prosecutor Janine Smith**

CPS East Midlands  
2 King Edward Court  
King Edward Street  
Nottingham  
NG1 1EL

**Joe Orson JP CC**

Parsonage House, Paradise Lane  
Old Dalby, Melton Mowbray  
Leicestershire  
LE14 3NH

12 October 2018

Dear Mrs Smith,

**RE: Hate Crime**

I am writing to you in my capacity as Chairman of the Leicester, Leicestershire and Rutland Police and Crime Panel.

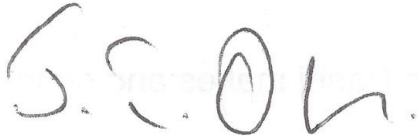
At our Panel meeting on 3 October 2018, at which the Leicestershire Police and Crime Commissioner Lord Bach was present, we had an agenda item regarding hate crime, which is a priority for Lord Bach in his Police and Crime Plan. During our discussions concerns were raised regarding a lack of successful prosecutions and the approach of the Crown Prosecution Service (CPS) towards prosecuting hate crime. We were informed that there has been a drop in the number of hate crimes being referred for charging decisions. However, we were also informed that the Director of Public Prosecutions Charging Standards state that the CPS must charge any offence that is classed as a hate crime. The Panel therefore seeks reassurance from the Crown Prosecution Service that the guidance from the Director of Public Prosecutions relating to hate crime is being followed in Leicester, Leicestershire and Rutland and that prosecutions of hate crime offences are being pursued as far as is possible. We would also appreciate some explanation of the criteria that the CPS use when making prosecution decisions on hate crime.

The Police and Crime Panel also wishes to raise an additional issue with the CPS. The report the Panel received on hate crime stated that when a defendant is convicted of a hate crime the CPS can apply for a sentence uplift and have set a target that at least 55% of successful hate crime prosecutions receive an uplift. The most recent data available shows that Leicestershire officers are evidencing the hostility in prosecution files, however there are

concerns that the uplifts are not being applied for or recorded correctly by the prosecutor. Please could you provide some explanation regarding this issue.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Orson'.

**Joe Orson JP CC**

Chairman of the Leicester, Leicestershire and Rutland Police and Crime Panel