



## Working group – reporting back

### WG number and topic: IV – Ensuring effective investigation and prosecution

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#### What suggestions for concrete action were made?

- Adoption of a law that would protect all groups / include all non-discrimination grounds, or even better, that would provide for open-ended grounds (see Article 21 EU Charter). This would also help to harmonize the definition of hate crime across the EU.
- Further promotion of enhanced penalties.
- Police and prosecutors should be obligated to report annually on hate crimes.
- Providing police with an obligatory 'check list'/guidelines (harmonized across the EU) on the information to be collected in order to uncover possible hate crime motives when being approached by victims of crime, and ensuring that this obligation is actually implemented in practice ('tick a box' type of mechanism will not be enough)
- Police forces shall ensure that racial profiling is prohibited.
- Establishment of a dedicated contact person who would have an overview of all hate crime mechanisms, structures and tools within his or her country and would be able to guide public services, civil society organisations, victim support services, national human rights bodies, etc., if needed.
- Establishment of specialist police officers or police units to address hate crime incidents.
- Development of police guidelines, training activities and materials etc.
- Hate crime awareness should be included in police training: both during initial training and repeatedly throughout police officers' careers. Training modules should include examples and role-playing where police officers and other actors (judges, prosecutors) address issues from the other side's perspective and put themselves in "each other's shoes". "Train the trainers" seminars and material shall be developed to ensure that hate crime is addressed within the police training curricula. Trainers of police forces in particular need to understand why it is important for victims and the community in general to report and prosecute hate crime.
- Fighting hate crime requires mobilisation of all actors, in particular of the police hierarchy and supervisors (not only police officers).
- Exchange of good practices shall be developed among EU Member States.
- Facilitate access to national hate crime case law of all EU Member States by police, prosecutors and judges.
- Developing national + European hate crime strategy in Member States.

#### Existing practices

- Vocational guide for police forces that includes examples of questions to assist police officers in identifying hate crimes (France).
- Seminar bringing together representatives of police, judges and prosecutors to raise awareness

and discuss altogether important legal changes following the adoption of three new important laws. Organisation of a seminar on hate crime in police schools during which a speaker from a victims' NGO participated (Finland).

- Website for victims to report online (or via mobile app) on hate crime (for instance - good practice - "[I report](#)" - ENAR (Ireland) in the context of racism)
- Non-judicial bodies can bring hate crime incidents/cases to the attention of police and have powers to follow up on whether police has been investigating these incidents effectively and if not, raise the issue with Parliament (equality body in Portugal).

### **Other key messages**

Examples of special measures that could be adopted to protect hate crime victims:

- Setting up time limits for the maximum length of proceedings in hate crime cases (e.g. maximum 30 days).
- Establishment of counselling services or specialist psychologists in law enforcement services.
- Ensuring that there are relevant IT specialists to help to tackle cyber hate crime.
- Allow reporting of hate crime by a third party (e.g. support services or NGO) on behalf of a victim unwilling to report the hate crime.
- Providing support to victims in the form of translation services, reimbursement of costs, etc.
- Promoting police fieldwork (police officers going to communities to talk to people, raise awareness and gain people's trust).
- It should be investigated how the combination of legislative and soft measures can effectively tackle hate crime, in particular when it comes to police at the local level (e.g. policy guidelines for local police units that can be more easily updated and changed than legislation; these guidelines could also be more practical and detailed than legislation). At the same time, it is important that there is some kind of coordination of these local approaches in order not to undermine overall legal clarity.