

CPS Yorkshire and Humberside:

Hate crime sentence uplift examples



Cases finalised between January to March 2021

Under hate crime legislation the courts must pass increased sentences where prosecutors evidence that offences have been motivated by hostility towards a person's race, religion, disability, transgender identity or sexual orientation. We are now seeing more cases concluding in the Crown and Magistrates' Courts after a dip caused by the COVID-19 pandemic, and a high number of successful outcomes in hate crime prosecutions. Below are some examples of hate crime cases prosecuted by CPS Yorkshire and Humberside between January and March 2021 which resulted in a conviction and an uplifted sentence.

Racially aggravated cases:

1. The defendant, who was a hospital patient, racially abused a nurse when she explained she could not give him any medication. The defendant pleaded guilty to a charge of using threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence, that was racially aggravated. He was sentenced to a 12-month Community Order with a 30 day Rehabilitative Activity Requirement, uplifted from 20 days. He was also ordered to pay £150 compensation to the victim, a £90 victim surcharge, and £85 towards prosecution costs (West Yorkshire case.)
2. The defendant racially abused a taxi driver and assaulted a police officer who had to remove her from the taxi. She pleaded guilty to using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence and assaulting an emergency worker. She was sentenced to a 12 month Community Order and a 15 day Rehabilitative Activity Requirement, uplifted from a fine. She was also ordered to pay £100 compensation to the the taxi driver and the police officer (West Yorkshire case.)
3. Whilst having an argument with his neighbours, the defendant shouted racial abuse towards them, which they recorded on their phones. The defendant pleaded guilty to using racially aggravated threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced to a 12 month Community Order with 180 hours' unpaid work, uplifted to 120 hours (West Yorkshire case.)
4. The defendant attempted to leave a shop without paying for items. He became racially abusive when he was stopped by a member of staff. The defendant pleaded guilty to using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence and theft. He was sentenced to a four week curfew, uplifted from a fine (West Yorkshire case.)
5. The defendant went into a local shop despite having been banned. He became racially abusive and threatening towards staff who asked him to leave. He left the shop but stayed outside shouting abusive comments and racially abused the shop owner when he left. He pleaded guilty to causing racially aggravated harassment, alarm or distress, and using threatening, abusive or insulting words or behaviour to cause alarm or distress. He was sentenced to 15 weeks' imprisonment uplifted from 12 weeks. He was also ordered to

pay £75 compensation to one victim and £50 to the other victim. The court also issued a 12 month Restraining Order preventing the defendant from entering the shop (Humberside case.)

6. The defendant, whilst drunk, refused to get off a bus and made threats towards the driver, swore at and spat at him. The bus driver's supervisor intervened, and the abuse and aggression continued. He was arrested, and whilst in custody was racially abusive towards the Detention Officer. The defendant pleaded guilty to common assault, racially aggravated harassment, alarm or distress, and using threatening, abusive or insulting words or behaviour to cause alarm or distress. He was sentenced to a total of 12 weeks' imprisonment, which included six weeks for the racially aggravated offence, uplifted from two weeks. He was also ordered to pay £150 compensation (North Yorkshire case.)
7. The defendant attempted to leave a shop without paying. He threatened to stab a member of staff with a needle and was racially abusive. The defendant pleaded guilty to racially aggravated assault, three charges of theft and two charges of possession of a bladed article. He was sentenced to a total of 30 months' imprisonment which included four months for the racially aggravated offence, uplifted from three months (West Yorkshire case.)
8. The defendant entered a supermarket, placed items into her bag and made no attempt to pay for them before leaving. When challenged by staff, she waved a pair of scissors about and made threats to stab them, shouting racially abusive comments. The defendant pleaded guilty to making threats with a blade and two charges of using racially threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. The defendant was sentenced to nine months' imprisonment, uplifted from a Community Order. She was also ordered to pay a £156 victim surcharge (West Yorkshire case.)
9. Over a period of three weeks, the defendant attended a bus station three times and racially abused a member of staff. The defendant pleaded guilty to two charges of using racially threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence, and one charge of using threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. He was sentenced to a nine month Referral Order, uplifted from six months. He was also ordered to pay £50 compensation to the victim (West Yorkshire case.)
10. A supermarket worker was subjected to a torrent of racial abuse after he asked the defendant to stop approaching store customers asking them for money. The defendant was charged with using racially aggravated threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced to 12 weeks' imprisonment uplifted from eight weeks. He was also made the subject of a restraining order preventing him from approaching the store or the staff member until further notice (West Yorkshire case.)
11. The defendant entered a private building and the building manager asked him to leave. He was verbally abusive and aggressive towards her and made racial comments. He left the building and threw objects at an ambulance and was aggressive to the ambulance staff inside. He pleaded guilty to one charge of using racially aggravated threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence, criminal damage and two charges of using

threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced to 14 weeks' imprisonment uplifted from ten weeks. He was also ordered to pay a £128 victim surcharge (West Yorkshire case.)

12. The defendant refused to pay a taxi driver and racially abused a taxi driver. He also caused damage to the victim's phone by knocking it out of his hand as he tried to call 999. The defendant resisted arrest and kicked and spat at two police officers. He was charged with racially aggravated criminal damage, racially aggravated common assault and two charges of assaulting an emergency worker. He was found guilty in his absence at the Magistrates Court and was sentenced to an 18 month Community Order with 300 hours' unpaid work and a 20 day Rehabilitative Activity Requirement, uplifted from ten days. He was ordered to pay £100 compensation to the victim and £75 to each of the police officers. He was also ordered to pay £620 towards prosecution costs and a £85 victim surcharge (West Yorkshire case.)
13. Whilst in a public house the defendant approached a South Asian male and showed him his far-right tattoo. Police were called and the defendant left the pub. As he walked down the road, he approached another South Asian male and made racial comments towards him. This second incident was captured partly on CCTV and witnessed by another member of the public. The defendant pleaded guilty to two charges of using threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence that was racially aggravated. He was sentenced to a 12 month Community Order with 200 hours' unpaid work, uplifted from 80 hours. He was also ordered to pay £200 compensation to the first victim, and £300 to the second victim (West Yorkshire case.)
14. The defendant approached the victim in the street in an aggressive manner. She was racially abusive and spat at her. She pleaded guilty to racially aggravated common assault and possession of a controlled drug. She was sentenced to 20 weeks imprisonment uplifted from 12 weeks and was ordered to pay a £128 victim surcharge (West Yorkshire case.)
15. The defendant was racially abusive to the victim following a disagreement. The defendant pleaded guilty to two charges of using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. She was sentenced to a 12 month Community Order with a six month Alcohol Treatment Requirement uplifted from a fine. She was also sentenced to a ten day Rehabilitative Activity Requirement, uplifted from five days. She was also ordered to pay £85 towards prosecution costs and a £95 victim surcharge (West Yorkshire case.)
16. The defendant bought food from a stall and was racially abusive towards the vendor. He was charged with using racially aggravated threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence. He was sentenced to a 12 month Community Order with 40 hours' of unpaid work uplifted from a fine. He was also ordered to pay £150 costs and a £90 victim surcharge (Humberside Case.)
17. The victim went out for a walk and the defendant approached him and was abusive towards him. When he returned the defendant was aggressive towards him, waved a knife and made racially abusive threats to kill him. The defendant pleaded guilty to using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence and making threats to kill. He was sentenced to a 12 month Community Order with a 25 day Rehabilitative

Activity Requirement and 150 hours' unpaid work, uplifted from 120 hours. He was also ordered to pay £85 costs and a £95 victim surcharge (West Yorkshire case.)

18. The victim was outside her home when the defendant, her neighbour, waved a brick in a threatening manner and shouted racist comments towards her. The defendant was charged with using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. She was found guilty after a trial and was sentenced to an 18 month Community Order with an eight day Rehabilitative Activity Requirement and a 12 week curfew, uplifted from six weeks. She was also ordered to pay £600 compensation (South Yorkshire case.)
19. The defendant was arguing with a female when he came into a hairdressers and asked for a haircut. He was bare chested and had suffered an injury. The victim refused him an appointment and the defendant was abusive. He went outside and punched the window causing it to break. He shouted racial abuse through the broken window and the police were called. He pleaded guilty to racially aggravated criminal damage and was sentenced to 28 days' imprisonment uplifted from a Community Order. He was also ordered to pay £200 compensation (South Yorkshire case.)
20. The defendant had been out drinking and in the early hours of the morning he was unable to get into his home address. He disturbed his neighbour by banging on the door and shouting. When his neighbour asked him to be quiet, the defendant immediately became threatening and racially abusive towards him and his wife. The defendant pleaded guilty to using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. He was sentenced to a 12 month Community Order uplifted from a fine. He was also ordered to pay £100 compensation to each of the victims (West Yorkshire case.)
21. The defendant put a racially offensive post on Facebook which was reported by a number of people. He was charged with sending by means of a public electronic communications network matter, namely Facebook, posts that were grossly offensive or of an indecent, obscene or menacing character. He pleaded guilty and was sentenced to six weeks imprisonment, uplifted from four weeks. He was also ordered to pay a £128 victim surcharge (West Yorkshire case.)
22. The defendant walked through the grounds of a hospital and was questioned by a member of staff. He was racially abusive towards the staff member and assaulted him. He pleaded guilty to racially aggravated common assault and was sentenced to 24 weeks' imprisonment, uplifted from 12 weeks. He was also ordered to pay the victim £200 compensation (Humberside case.)
23. The defendant caused damage to her neighbour's home and was racially abusive after she was asked to keep the noise down. She continued with the racial abuse when officers arrived and she assaulted three officers. She was charged with criminal damage, three charges of assaulting an emergency worker and using racially aggravated threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. She was found guilty after trial and was sentenced to a total of 28 weeks' imprisonment which included four weeks for the racially aggravated offence, uplifted from three weeks. She was also ordered to pay £850 compensation for the criminal damage, £75 compensation to one police officer and £50 compensation to the other two officers (West Yorkshire case.)

Homophobic hate crime cases:

1. The defendant visited a friend and was abusive to two of the neighbours. She made abusive comments to one victim and homophobic comments to the second victim. Police were called and the defendant was aggressive and abusive when arrested. The defendant pleaded guilty to two charges of using threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence and one charge of obstructing a police constable. She was sentenced to a 12 month Community Order, a 20 day Rehabilitative Activity Requirement and a 16 week curfew uplifted from 12 weeks. A restraining order was issued preventing her from contacting either of the neighbours for 12 months. She was also ordered to pay the victims £100 compensation each, a £95 victim surcharge and £85 costs (West Yorkshire case.)
2. The defendant argued with her husband and police were called. She was aggressive and verbally abusive towards police officers as they were removing her from the house. This abuse escalated in the police station and became homophobic in nature. She pleaded guilty to assaulting an emergency worker and using threatening, abusive or insulting words or behaviour in public with the intent to cause someone present to fear the use of immediate unlawful violence. She was sentenced to an 18 month Community Order uplifted from a fine. This included a ten day Rehabilitative Activity Requirement and 40 hours' unpaid work. She was also ordered to pay a £95 victim surcharge, £85 towards prosecution costs and £60 compensation (Humberside Case.)
3. The defendant was standing on a street corner, shouting, swearing and swinging his arms. Police officers attended and asked him to leave the area. The defendant was aggressive towards the officers and refused to leave. He was arrested and made homophobic comments and kicked and spat at the officers. He pleaded guilty to using threatening, abusive or insulting words or behaviour in public which may result in someone present fearing the use of immediate unlawful violence, possession of a weapon in a public place and assault on an emergency worker. He was sentenced to 12 weeks' imprisonment, suspended for 12 months, a ten day Rehabilitative Activity Requirement and an uplift of 40 hours' unpaid work. He was also ordered to pay £100 compensation (South Yorkshire case.)

Click [here](#) for more information on how the CPS prosecutes hate crimes.