

CPS Yorkshire and Humberside:

Hate crime sentence uplift examples



Cases finalised between October to December 2021

Under the hate crime legislation, Courts must treat offences more seriously where there is evidence that the offender demonstrated hostility on the basis of the victim's actual or presumed race, religion, disability, transgender identity or sexual orientation, or the offence was motivated on the basis of hostility towards one of these characteristics. Below are some examples of hate crime cases prosecuted by CPS Yorkshire and Humberside between October and December 2021 which resulted in a conviction and an uplifted sentence.

Racially and religiously aggravated cases:

1. The defendant (a youth) entered a home as a trespasser and stole items, including car keys. The homeowner challenged the defendant, who stole the car and caused damage to other cars on the road. The victim and his neighbours chased and apprehended the defendant, he assaulted the victim and subjected him to racially aggravated abuse. The defendant pleaded guilty at the Magistrates' Court to racially aggravated common assault and driving a vehicle otherwise than in accordance with a licence. He was sentenced to a 24 month Youth Rehabilitation Order with Intensive Supervision and Surveillance, uplifted from 18 months (Humberside case.)
2. The defendant and the victim were neighbours and the victim was subjected to racially aggravated abuse and threatened with a knife. The defendant appeared at the Crown Court and pleaded guilty, prior to the trial, to racially aggravated harassment. He was sentenced to 24 months' imprisonment, uplifted from 18 months. He was also placed under a Restraining Order not to communicate with the victim for an indefinite period (North Yorkshire case.)
3. The defendant damaged a doorway to gain entrance to a hotel. She caused damage in the hotel and stole items. She returned to the hotel and was challenged by the staff. She used racially aggravated language towards the staff and threw stones at them. She pleaded guilty at the first hearing in the Magistrates' Court 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, racially aggravated common assault and burglary. She was sentenced to a six month Referral Order, uplifted from four months and ordered to pay £142 compensation to the hotel, £50 compensation to the victim of the racial offence and a £22 victim surcharge (North Yorkshire case.)
4. The defendant was a passenger in the rear of a taxi and used racially aggravated language to the driver before assaulting him. The defendant pleaded guilty at the first hearing in the Magistrates' Court to racially aggravated disorderly behaviour with intent to cause harassment, alarm or distress and common assault. He was sentenced to 16 weeks' imprisonment, uplifted from 12 weeks and suspended for 12 months. He was also given a 20 day Rehabilitative Activity Requirement, placed under a curfew from 7pm-5am for eight weeks and ordered to pay £85 Court costs, £128 victim surcharge and £500 compensation to the victim (North Yorkshire case.)
5. The defendant entered a takeaway and was racially abusive towards the staff and assaulted a staff member. The defendant pleaded guilty on the day of trial at the Magistrates' Court to racially aggravated common assault. He was sentenced to a six month Community Order with a 10 day Rehabilitative Activity

Requirement, uplifted from a four month order with an eight day Rehabilitative Activity Requirement. He was also ordered to pay £100 costs and £200 compensation to the victim (South Yorkshire case.)

6. The victim brushed past a male on a mobility scooter and as a result he shouted racially offensive language towards her and her daughter. The defendant pleaded guilty at the first hearing in the Magistrates' Court to racially aggravated disorderly behaviour with intent to cause harassment, alarm or distress. He was sentenced to a Community Order with a curfew from 8.30pm-6am, uplifted from a fine. He was also ordered to pay £150 compensation to each of the victims (South Yorkshire case.)
7. The defendant approached a store and was racially abusive to one of the security guards on the door. He charged towards them and spat at the guards. A tussle ensued and an off duty officer stopped to help restrain the defendant. When he was at the police station, he used homophobic abuse towards one of the officers and kicked another officer. He pleaded guilty at the Magistrates' Court 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 and assaulting an emergency worker. He was sentenced to 16 weeks' imprisonment, uplifted from 12 weeks for the racial offence and a concurrent sentence of 16 weeks' imprisonment, uplifted from 12 weeks to reflect the homophobic abuse, for the assault on emergency worker. He also appeared on other charges and will serve a total of 22 weeks' imprisonment. He was also ordered to pay £128 victim surcharge (West Yorkshire case.)
8. The defendant made a 999 call as he had taken an overdose. Two officers attended to assist and were subjected to racial abuse. The defendant refused to go in the ambulance, so the officers transported him to hospital, but the defendant caused damage to the police van by spitting all over the inside. At the hospital the defendant was also racially abusive to the doctor. He pleaded guilty at the Magistrates' Court and was sentenced to a total of 24 weeks' imprisonment, uplifted from 12 weeks. He was also ordered to pay £100 compensation to each of the three victims and £100 compensation for the damage caused (West Yorkshire case.)
9. The victim was working in the city centre when he was approached by the defendant and racially abused. The victim left the area, but the defendant continued to follow him, constantly subjecting him to racial abuse. The defendant pleaded guilty at the first hearing in the Magistrates' Court 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 16 weeks' imprisonment, uplifted from 12 weeks and ordered to pay £128 victim surcharge (West Yorkshire case.)
10. The defendant was in a store and was asked to leave by two security guards. He became aggressive towards both guards and began racially abusing them. The defendant pleaded guilty at the Magistrates' Court 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 18 weeks' imprisonment, uplifted from 12 weeks and ordered to pay a £156 victim surcharge. He was given an Exclusion Order not to attend the store for a period of 12 months. The defendant was subject to a Community Order for a previous racially aggravated offence and this was revoked. He was re-sentenced to a period of nine weeks' imprisonment, uplifted from six weeks and will serve a total of 27 weeks' imprisonment (West Yorkshire Case.)

11. The defendant was barred from entering a store, but he continued to attend, causing a nuisance and using racially abusive language towards the store's owners. He pleaded guilty on the day of the trial at the Magistrates' Court to two charges of behaving in a racially aggravated way that someone present may be caused harassment, alarm or distress by that behaviour and harassment without violence. He was sentenced to 24 weeks' imprisonment, uplifted from 12 weeks, for both racially aggravated offences, to be served concurrently. He will serve a total of 24 weeks' imprisonment. He was also given a Restraining Order for five years not to contact the victims or enter the store (Humberside case.)
12. The defendant entered a store and was racially abusive and aggressive towards the owners. During the altercation, a victim was assaulted. The defendant pleaded guilty at the Magistrates' Court on the day of the trial to racially aggravated common assault 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. He was sentenced to eight weeks' imprisonment, suspended for 12 months, uplifted from a Community Order. He was also ordered to pay £100 compensation to each of the victims and £85 Court costs (Humberside case.)
13. The defendant was banned from entering a shopping centre but went in and was challenged by the security guards. He was aggressive towards the guards and used racially offensive language. He left the centre but returned and punched one of the guards. He pleaded guilty at the Magistrates' Court on the day of the trial 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, common assault and theft. He was sentenced to 24 weeks' imprisonment, uplifted from 12 weeks and suspended for 24 months and a 20 day Rehabilitative Activity Requirement. He was also ordered to pay a £128 victim surcharge (Humberside case.)
14. A group of people were talking outside a club, when one of them began making racist comments towards the female victim. The abuse turned into violence and another female tried to stop him and was thrown to the ground. The defendant then picked up chairs and threw them around and damaged a window. The defendant pleaded guilty at the first hearing in the Magistrates' Court to racially aggravated common assault, two charges of common assault and criminal damage. He was sentenced to 18 weeks' imprisonment, uplifted from 12 weeks and ordered to pay £200 compensation to the victim of the racially aggravated charge, uplifted from £150. He was also ordered to pay £100 compensation to the other victim and was excluded from the club for a period of two years (North Yorkshire case.)
15. The defendant entered a takeaway and used racially abusive language towards the staff. He was arrested and found to be in possession of drugs. He pleaded guilty at the first hearing in the Magistrates' Court to 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, 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 and possession of a Class C drug. He was sentenced to 16 weeks' imprisonment, uplifted from 12 weeks and ordered to pay £100 compensation (North Yorkshire case.)
16. The defendant subjected his partner to a domestic assault and used racist language towards her during the assault. He appeared at the Crown Court and was found guilty after trial of racially aggravated assault occasioning actual bodily harm, two charges of causing grievous bodily harm and controlling and coercive behaviour. He was sentenced to five years and eight months' imprisonment, uplifted from five years and six months (South Yorkshire case.)

17. The defendant was being conveyed to hospital and sexually assaulted the paramedic. Police attended and the defendant assaulted one of the officers, he was taken to the police station and he used racially offensive language towards one of the officers on duty. The defendant pleaded guilty at the first hearing in the Magistrates' Court to sexual assault of a female, 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 common assault of an emergency worker. He was sentenced to 16 weeks' imprisonment for the sexual assault, eight weeks' imprisonment uplifted from two weeks for the racially aggravated charge and eight weeks' imprisonment for the assault, to be served consecutively. He was also given a further 12 weeks' imprisonment for a suspended sentence order and will serve a total of 44 weeks' imprisonment. He was also ordered to pay a total of £400 compensation to the victims (South Yorkshire case.)
18. The defendant entered a store and was racially abusive and aggressive to the owner. Customers intervened so the defendant left the store, returning a short time later with a metal bat. He used further racial abuse and then assaulted the owner and another customer before being chased out of the store. He pleaded guilty at the first hearing in the Crown Court to two charges of racially aggravated common assault, having an offensive weapon and behaving in such a way that someone present at the scene might fear for their personal safety. He was sentenced to nine months' imprisonment, uplifted from three months (West Yorkshire case.)
19. The defendant and the victim had an altercation over a driving incident and the defendant used racial abuse towards the victim and assaulted him. The defendant pleaded guilty at the first hearing in the Magistrates' Court to racially aggravated common assault. He was sentenced to 12 weeks' imprisonment suspended for 12 months, uplifted from six weeks, 100 hours' unpaid work, uplifted from 50 hours and a five day Rehabilitative Activity Requirement. He was also ordered to pay £200 compensation and £85 Court costs (Humberside case.)
20. The defendant entered a shop and was asked to leave as he had previously been banned. He used racially abusive language towards the staff member. He left and tried to enter a second shop which he was also banned from. When asked to leave he used racially abusive language and hand gestures towards the staff member. He pleaded guilty at the first hearing in the Magistrates' Court 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. He was sentenced to six weeks' imprisonment for each charge suspended for 12 months, uplifted from a Community Order. He was also given a 12 day Rehabilitative Activity Requirement and ordered to pay both victims £100 compensation (Humberside case.)
21. The defendant approached the victim in the street and was racially abusive towards her and spat on her. On another occasion he was racially abusive towards a security guard working in a local store. He pleaded guilty at the first hearing in the Magistrates' Court to racially aggravated common assault and behaving in public in a racially aggravated way that someone present may be caused harassment, alarm or distress. He was sentenced to 18 weeks' imprisonment suspended for 18 months, uplifted from 12 weeks and given a six month Drug Testing and Rehabilitation Requirement Order with a 25 day Rehabilitative Activity Requirement. He was also ordered to pay a £128 victim surcharge (South Yorkshire case.)

22. The defendant assaulted his carers and used racially abusive language towards them. He pleaded guilty at the first hearing in the Magistrates' Court to three 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 and two charges of common assault. He was sentenced to a 12 month Youth Referral Order, uplifted from 9 months, with 12 months' supervision (West Yorkshire case.)
23. The defendant was stopped by a security guard from taking items out of a store. She assaulted the guard and used racially abusive language towards him. When other staff members attended to help the guard, the defendant coughed on them and told them she had Covid. She pleaded guilty at the Magistrates' Court to racially aggravated common assault, two charges of common assault and three charges of theft. She was sentenced to 12 weeks' imprisonment, uplifted from 10 weeks for the racially aggravated charge, and was sentenced to a total of 30 weeks' imprisonment. She was also ordered to pay a £128 victim surcharge (West Yorkshire case.)
24. The defendant was arguing with his former partner and a neighbour came round to assist her. The defendant assaulted the neighbour and used racially offensive language towards him. Police attended and arrested the defendant and they were also assaulted, and racial and homophobic language was used towards them. The defendant pleaded guilty at the first hearing in the Magistrates' Court to racially aggravated common assault, three charges of assaulting an emergency worker, 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 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 12 weeks' imprisonment, uplifted from eight weeks for the racially aggravated common assault. For the racially aggravated and homophobic abuse of the police officers he was sentenced to 6 weeks' imprisonment, uplifted from four weeks for each offence. The defendant will serve a total of 32 weeks' imprisonment and was ordered to pay a £128 victim surcharge (West Yorkshire case.)
25. The victim was standing at a bus stop when the defendant made racist and homophobic comments to him. The defendant pleaded guilty at the first hearing at the Magistrates' Court 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 24 weeks' imprisonment, uplifted from 18 weeks and suspended for 18 months. He was also ordered to pay a £128 victim surcharge and £85 Court costs (North Yorkshire case.)

Homophobic hate crime cases:

1. The defendant was caught shoplifting and when challenged by staff she made homophobic comments towards the store manager and racially abusive comments towards the security guard. She pleaded guilty at the first hearing in the Magistrates' Court to theft, 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 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. The defendant was sentenced to eight weeks' imprisonment, uplifted from six weeks, for the homophobic offence and eight weeks' imprisonment, uplifted from six weeks for the racial offence. She was sentenced for further offences and will serve a total of 11 weeks' imprisonment and was ordered to pay a £128 victim surcharge (South Yorkshire case.)

2. The defendant and the victim are ex partners and the defendant sent several abusive messages to the victim, one of these had homophobic abuse directed towards him. The defendant pleaded guilty at the first hearing in the Magistrates' Court to 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 26 weeks' imprisonment, uplifted from 20 weeks and suspended for 12 months. He was also given a Restraining Order not to contact the victim for five years and was ordered to pay a £128 victim surcharge and £85 Court costs (West Yorkshire case.)
3. The defendant assaulted the victim in a bar and used homophobic language towards him. The defendant pleaded guilty on the day of the trial at the Crown Court to an offence of malicious wounding contrary to section 20 of the Offences Against the Persons Act. He was sentenced to 27 months' imprisonment, uplifted from 24 months. He was given some credit for the guilty plea and will serve a total of 24 months' imprisonment (West Yorkshire case.)

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