

Race 07

Report

At approximately 7pm, the VICTIM was taking her regular walk along a riverside track. As she walked, a woman jumped out from behind a tree and assaulted her.

The OFFENDER hurled dirt at the VICTIM and yelled at her. The OFFENDER kicked the VICTIM in the back for approximately 10 to 15 seconds. The OFFENDER then took off towards the city centre. The VICTIM suffered a concussion, a fractured cheek bone, and a broken nose, and was left bleeding from her eyes, nose, and her face.

The VICTIM is of Chinese descent. The VICTIM states that while assaulting her, the OFFENDER said words to the effect of 'Fuck off' and 'go back to your country.' The VICTIM's partner insists that the attack was random, unprovoked, and motivated by hate.

Recognise

What is the **offence** and **offence code**, if any?

Is this hate motivated? If so, what is the **prejudicial motivation**?

Record

What **flags**, if any, should apply to this event?

What **information** would you record? (Language, symbols, and actions)

Why is it important to record this offence **accurately**?

Respond

What is an appropriate response that will **reduce the harm** caused to the victim?

What aspects of the **victim's life experience** should inform your response?

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The VICTIM is of Chinese descent. The VICTIM states that while assaulting her, the OFFENDER said words to the effect of *'Fuck off'* and *'go back to your country.'* The VICTIM's partner insists that the attack was random, unprovoked, and motivated by hate.

Recognise Questions	Recognise Answers
What is the offence and offence code, if any?	Offence: Injures Intent to Injure/Reckless Disregard (Manually) (1426) and Assaults With Intent To Injure (Manually) (1523)
Is this hate motivated? If so, what is the prejudicial motivation?	Yes, perceived as hate motivated by VICTIM. Motivated by prejudice against victim because he is of Chinese descent.
Record Questions	Record Answers
What flags, if any, should apply to this event?	Perceived Hate as 'Contributing Factor' Hate type: Race/Ethnicity Perceived prejudice: Asian
What information would you record? (Language, symbols, and actions)	Specific Language: <ul style="list-style-type: none"> <i>'Fuck off. Go back to your country'</i> Actions: <ul style="list-style-type: none"> Hurled dirt at the victim Kicked victim in the back resulting in a concussion, fractured cheek bone, a broken nose, and bleeding Yelled at the victim <ul style="list-style-type: none"> We record the detail of language and/or symbols and/or actions of an offender to evidence the hate motivation. Evidence of the hate motivation means this aggravating factor can be taken into consideration by the judge at sentencing - Sentencing Act 2002 s9(1)(h). Evidence of the hate motivation is required to proceed to other alternative resolution pathways.

Why is it important to record this offence accurately?	<p>Accurate and consistent recording can:</p> <ul style="list-style-type: none"> • provide important intel for Police vetting processes such as firearms licencing, when determining if someone is a ‘fit and proper person’. • track any escalation of behaviour or patterns of offending. • provide intel on matters of national security to help prevent offending that is violent and extremist. • develop trust and confidence in communities targeted by hate crime.
Respond Questions	Respond Answers
What is an appropriate response that will reduce the harm caused to the victim?	<p>Your response can reduce or inflame the harm caused to the victim. In responding we need to talk about what we can do, not what we can’t.</p> <p>We can</p> <ol style="list-style-type: none"> 1. verbally acknowledge the harm caused to the victim. 2. let them know additional process for their complaint. 3. let them know that their complaint is taken seriously and that it will be recorded. 4. offer them a referral to a support agency, such as victim support.
What aspects of the victim’s life experience should inform your response?	<ul style="list-style-type: none"> • Experiencing daily prejudice, persecution and micro-aggressions can cause harm to the person, their whānau, and their communities. • Victims of hate crime and hate incidents are not chosen at random; victims are selected because of a protected characteristic they have or are perceived to have. • Victims of hate crime and hate incidents have a greater vulnerability and increased emotional impact than with comparable crimes. • This results in increased levels of fear and anxiety amongst their wider community. • Often victims have international experience that informs their fear, such as violent attacks against members of their community overseas.