

Religion 01

Report

The VICTIM reported that his co-worker assaulted him at work. The VICTIM and the OFFENDER are truck drivers and were both at a petrol station when the OFFENDER approached the VICTIM's vehicle. A physical altercation took place, and the OFFENDER ripped off the VICTIM's turban and threatened him with a screwdriver.

The VICTIM called Police, but the OFFENDER left before Police arrived, claiming his behaviour was a joke.

The VICTIM states that the OFFENDER has been harassing him for several months. The VICTIM believes that the harassment is because he is Punjabi and Sikh while the OFFENDER is Indian, but a different (undisclosed) religion. During the argument, the OFFENDER insulted the VICTIM'S religion and his family.

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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Recognise Questions	Recognise Answers
What is the offence and offence code, if any?	Offence: Common Assault (Manually) (1653) and Unlawful Intimidation (Threats other weapon) (1782)
Is this hate motivated? If so, what is the prejudicial motivation?	Yes, perceived as hate motivated by by the VICTIM. Motivated by prejudice against the VICTIM because they are Sikh and Punjabi.
Record Questions	Record Answers
What flags, if any, should apply to this event?	Perceived Hate as 'Contributing Factor' Hate type: Religion/Faith and Race/Ethnicity Perceived prejudice: Sikh and South Asian (Including Indian)
What information would you record? (Language, symbols, and actions)	Specific Language: <ul style="list-style-type: none"> Insults against the victims' family and religion (No specific language recorded in NIA narrative). Actions: <ul style="list-style-type: none"> Threatened victim with a screwdriver Ripped the victim's turban off his head 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.