

CPS Yorkshire and Humberside: Hate crime sentence uplift examples



Cases finalised between
January and March 2018

Religiously aggravated cases:

1. The defendant religiously abused his neighbour during an argument over parking. He pleaded guilty at the first hearing to religiously aggravated harassment, alarm or distress by words or writing. He was sentenced to a £247 fine uplifted from £123. He was also ordered to pay £620 costs and a £30 victim surcharge (West Yorkshire case.)
2. The defendant assaulted his neighbour and made offensive comments about his religion. He was found guilty after trial of religiously aggravated common assault by beating. He was sentenced to a 12 month Community Order and 120 hours' unpaid work uplifted from 80 hours. He was also ordered to pay £620 costs, £400 compensation and an £85 victim surcharge. A 12 month Restraining Order was also imposed (South Yorkshire case.)
3. As part of an ongoing neighbour dispute, the defendant banged on the victim's door shouting religious abuse at her and making threats. He then damaged her car. He pleaded guilty at the first hearing to religiously aggravated harassment, alarm or distress by words or writing and religiously aggravated criminal damage. He was sentenced to a £300 fine uplifted from a Band B fine to a Band C fine. He was also ordered to pay £250 compensation (West Yorkshire case.)

Racially aggravated cases:

1. The defendant racially abused the victim immediately before throwing a brick through her window. She later assaulted the victim. She was arrested nearby and urinated in the police van and racially abused a police officer. She pleaded guilty at the first hearing to racially aggravated harassment by words and was also found guilty after trial of assault by beating and racially aggravated criminal damage. She was sentenced to 12 weeks' imprisonment uplifted from 8 weeks suspended for 12 months, a 6 month alcohol treatment requirement and a 20 day rehabilitation activity requirement. She was also ordered to pay £60 in compensation (West Yorkshire case.)
2. The defendant acted in a racially abusive and threatening manner towards the victim on three occasions. He was found guilty after trial of racially aggravated intentional harassment, alarm or distress by words or writing and using threatening, abusive or insulting words or behaviour to cause harassment, alarm or distress. He was sentenced to a 12 month Community Order, 240 hours' unpaid work uplifted from 150 hours and a 15 day rehabilitation activity requirement. He was also ordered to pay £85 costs and a £620 victim surcharge (South Yorkshire case.)
3. The defendant racially abused the victim and her young son. She was found guilty after trial of racially aggravated intentional harassment, alarm or distress by words or writing. She was sentenced to a 12 month Community Order and a 10 day rehabilitation activity requirement uplifted from a Conditional Discharge. She was also ordered to pay £100 compensation, an £85 victim surcharge and £75 costs (North Yorkshire case.)

4. The defendant walked past the victim's garden and racially abused her on two occasions on the same day. He pleaded guilty on the day of trial to racially aggravated intentional harassment, alarm or distress by words or writing. He was sentenced to a 6 month Referral Order uplifted from 3 months. A Restraining Order was also imposed (West Yorkshire case.)
5. The defendant racially abused a taxi driver, kicked his taxi causing no damage and threw his mobile phone into a nearby garden, causing it to break. She pleaded guilty at the first hearing to criminal damage and racially aggravated intentional harassment, alarm or distress by words or writing. She was sentenced to a 12 month Community Order and a 15 day rehabilitation activity requirement uplifted from a Level C fine. She was also ordered to pay £150 compensation, an £85 victim surcharge and £85 costs (West Yorkshire case.)
6. The defendant assaulted two police officers whilst resisting arrest and racially abused one of them. He pleaded guilty at the first hearing to racially aggravated intentional harassment, alarm or distress by words or writing and two counts of assaulting a constable in the execution of his duty. He was sentenced to a 12 month Community Order and 100 hours' unpaid work uplifted from just a Community Order. He was also ordered to pay £200 in compensation, £85 costs and an £85 victim surcharge (West Yorkshire case.)
7. The defendant racially abused and threatened a fellow resident in the same shared accommodation and also made racist comments later in the presence of police officers. He pleaded guilty at the first hearing to racially aggravated fear or provocation of violence by words or writing and racially aggravated harassment, alarm or distress by words or writing. He was sentenced to a 28 day suspended sentence uplifted from 21 days. He was also ordered to pay £85 costs and a £115 victim surcharge (West Yorkshire case.)
8. The defendant racially abused and assaulted a young victim in an unprovoked attack. He pleaded guilty during the course of the trial to the charge of racially aggravated common assault. He was sentenced to 20 weeks custody uplifted from 16 weeks. He was also ordered to pay £500 compensation (South Yorkshire.)
9. The defendant racially abused and threatened a member of town security staff after being asked to leave a shop. The defendant continued to make racist comments and threats towards the member of staff once escorted out of the shop, and in the presence of the police upon their arrival. The defendant pleaded guilty to racially aggravated intentional harassment, alarm or distress by words or writing. He was sentenced to 12 weeks in custody, uplifted from 8 and ordered to pay a £115 victim surcharge (Humberside.)

Homophobic cases:

1. The defendant homophobically abused a PCSO after being asked to move on for anti-social behaviour in a bus station. She pleaded guilty on the day of trial to using threatening, abusive or insulting words or behaviour to cause harassment, alarm or distress. She was sentenced to a 6 month Youth Referral Order uplifted from 4 months. She was also ordered to pay a £20 victim surcharge (West Yorkshire case.)
2. The defendant homophobically abused a Special Constable who was on patrol with a Council Warden tackling anti-social driving and parking. He pleaded guilty at the first hearing to using threatening, abusive or insulting words or behaviour to cause harassment, alarm or distress. He was sentenced to a £185 fine, which was uplifted from a Level B to a Level C fine. He was also ordered to pay £100 compensation, £85 costs and a £30 victim surcharge (West Yorkshire case.)

3. The defendant sexually assaulted the victim before homophobically abusing her. He pleaded guilty on the day of trial to sexual assault. He was sentenced to 5 months' imprisonment uplifted from 4 months, which included a 2 month reduction for the guilty plea (Humberside case.)
4. The defendant homophobically abused the bartender of a public house after being told to leave the premises as he was barred. He pleaded guilty at the first hearing to using threatening, abusive or insulting words or behaviour with intent to cause harassment, alarm, or distress. The defendant was also charged with two offences of assault by beating which he also pleaded guilty to. He was sentenced to a 6 month Community Order with 15 days Rehabilitation Activity Requirement uplifted to include an additional 8 week curfew (West Yorkshire case.)
5. The defendant homophobically abused a member of staff of a bus station after being asked to leave the premises as he was banned. The defendant pleaded guilty prior to the trial date to using threatening, abusive or insulting words or behaviour with intent to cause harassment, alarm, or distress. He was sentenced to 16 weeks imprisonment, uplifted from 14 weeks. He was also ordered to pay £75 compensation (South Yorkshire case.)
6. The defendant harassed his neighbour by shouting homophobic abuse towards him on several separate occasions during the course of a month. The defendant pleaded guilty on the day of trial to causing harassment without violence. He was sentenced to a 12 month Community Order with a 20 day rehabilitation activity requirement, and an 8 week curfew uplifted from 4 weeks. The defendant was also ordered to pay £200 compensation, and the court issued a 6 month Restraining Order (South Yorkshire case.)
7. The defendant homophobically abused a police officer who was searching him in custody following his arrest. The defendant pleaded guilty to using threatening, abusive or insulting words or behaviour, causing harassment, alarm, or distress. He was sentenced to 4 weeks imprisonment uplifted from 2 weeks, and ordered to pay a £115 victim surcharge (West Yorkshire case.)

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