

CPS Yorkshire and Humberside:

Hate crime sentence uplift examples



Cases finalised between April to June 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 April and June 2021 which resulted in a conviction and an uplifted sentence.

Racially and religiously aggravated cases:

1. The victim was travelling on a bus when the defendant made derogatory comments towards her regarding her religion. When the victim left the bus, the defendant followed her and assaulted her. She pleaded guilty at the first hearing to religiously aggravated common assault. She was sentenced to 18 months' imprisonment which was suspended for 12 months, uplifted from five months. She was also ordered to pay £500 compensation (South Yorkshire case.)
2. The defendant had been asked to leave a block of flats and used abuse towards the tenant. She became racially abusive and she spat in the victim's face. She pleaded guilty at the first hearing to racially aggravated common assault and was sentenced to eight weeks' imprisonment uplifted from six weeks. She was also ordered to pay a £128 victim surcharge (Humberside case.)
3. The defendant rang the police and racially abused the call handler. He pleaded guilty at the first hearing to sending by public communication network an offensive message. He was sentenced to a 12 month Community Order with a six month Alcohol Treatment Requirement, a 25 day Rehabilitation Activity Requirement and 40 hours' unpaid work, the uplift being the unpaid work. He was also ordered to pay £85 costs and a £95 victim surcharge (North Yorkshire case.)
4. The defendant was removed from hospital due to his behaviour. He was racially abusive towards the security guard and a police officer. He 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. He was sentenced to 18 weeks' imprisonment, uplifted from 12 weeks and ordered to pay a £122 victim surcharge (West Yorkshire case.)
5. The defendant had stolen items from a shop and was challenged by the shop owner. The defendant was racially abusive towards the owner and assaulted her and her husband. The defendant left the shop and assaulted a male walking down the street. She also assaulted two police officers. She pleaded guilty to racially aggravated common assault, theft, two common assaults and two charges of assaulting an emergency worker. She was sentenced to ten weeks' imprisonment uplifted from eight weeks. She was also sentenced to ten weeks' consecutive imprisonment for each of the assaults on an emergency worker and so received a total of 30 weeks' imprisonment. She was also ordered to pay £75 compensation to each of the five victims (West Yorkshire case.)
6. The defendant was racially abusive towards a fellow pupil in school. He pleaded guilty on the day of trial 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 four month Youth Referral Order, uplifted from three months and ordered to pay a £21 victim surcharge (West Yorkshire case.)

7. The defendant refused to pay a taxi fare and was racially abusive towards the driver and caused damage to his vehicle. He pleaded guilty on the day of trial to racially aggravated criminal damage and was sentenced to four weeks' imprisonment, uplifted from a Community Order. He was also ordered to pay nearly £600 in compensation and £185 costs (West Yorkshire case.)
8. The defendant was aggressive and racially abusive to the victim. The abuse continued towards an officer when he was arrested, and the defendant caused damage to the police van. He pleaded guilty at the first hearing to criminal damage and two counts 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 eight weeks' imprisonment, uplifted from a Community Order, and ordered to pay a £128 victim surcharge (West Yorkshire case.)
9. The defendant was asked to leave a supermarket and was racially abusive towards two members of staff who asked him to leave. He 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 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 18 weeks' imprisonment, uplifted from 12 weeks. He will serve a total of 27 weeks' imprisonment for other offences and was also ordered to pay a £156 victim surcharge and an Exclusion Order was imposed preventing him from entering the supermarket for 12 months (West Yorkshire case.)
10. The defendant attended the victim's home, threatened him and caused criminal damage and was racially abusive towards a second victim. He 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, witness intimidation, criminal damage and common assault. He was sentenced to 12 months' imprisonment for the witness intimidation and three months' imprisonment for the racially aggravated offence. This was uplifted from a concurrent sentence to a consecutive sentence giving a total sentence of 15 months (Humberside case.)
11. The defendant was racially abusive towards members of staff in a takeaway and assaulted a police officer when she was arrested. 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 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 assault on an emergency worker. She was sentenced to a 12 month Community Order with a 20 day Rehabilitation Activity Requirement, uplifted from a fine. She was also ordered to pay £100 compensation to each of the three victims, £85 costs and a £95 victim surcharge (Humberside case.)
12. The defendant entered a shop and subjected the member of staff to homophobic and racial insults. He 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 14 months' imprisonment, uplifted from 10 months (North Yorkshire case.)

13. The defendant was racially abusive towards a security guard in hospital. He 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 with a 30 day Rehabilitation Activity Requirement, uplifted from 20 days. He was also ordered to pay £150 compensation, uplifted from £100 (North Yorkshire case.)
14. The defendant was racially abusive towards the victim. He 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 with a 25 day Rehabilitation Activity Requirement, uplifted from a fine. He was also placed under an eight week curfew and ordered to pay £75 compensation (South Yorkshire case.)
15. The defendant assaulted a takeaway driver and pleaded guilty to racially aggravated assault occasioning actual bodily harm. He was sentenced to three years' imprisonment, uplifted from two and a half years (West Yorkshire case.)
16. The defendant was racially abusive towards a neighbour. He 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 26 weeks' imprisonment, uplifted from 20 weeks (West Yorkshire case.)
17. The defendant was refused entry to a pub and was racially abusive to the doorman. He pleaded guilty at the first hearing 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 90 hours' unpaid work, uplifted from 60 hours. He was also ordered to pay £150 compensation (West Yorkshire case.)
18. The defendant shouted racial abuse at his neighbour and went into his garden and assaulted him. He pleaded guilty on the day of the trial to two charges of common assault and 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 total of ten weeks' imprisonment uplifted from eight weeks. He was also ordered to pay £100 compensation and placed under a Restraining Order not to contact the victim or attend his property for 12 months (Humberside case.)
19. The defendant attended hospital and subjected a nurse to racial abuse. He assaulted another nurse and he assaulted a police officer while being arrested. He pleaded guilty at first hearing to behaving in public in a way that someone present may be caused harassment, alarm or distress by that behaviour, which was racially aggravated. He also pleaded guilty to common assault of an emergency worker and common assault. He was sentenced to a 12 month Community Order with a 20 Rehabilitation Activity Requirement and placed on an Alcohol Abstinence Monitoring Programme for 90 days uplifted from 60 days. He was ordered to pay £200 compensation to the police officer, £85 costs and a £95 victim surcharge (Humberside case.)

20. The defendant attended a corner shop and was racially abusive to the shop owner. He continued this behaviour on numerous occasions and also caused damage in the shop. He pleaded guilty to racially aggravated harassment, criminal damage and theft. He was sentenced to six months' imprisonment, uplifted from four months and with the sentence he received for other charges he received a total of 24 months' imprisonment. He was also given a Restraining Order until further notice (North Yorkshire case.)
21. The defendant attempted to enter a hotel but was prevented from doing so by the victim. He subjected the victim to racial abuse. The defendant pleaded guilty at first hearing to racially aggravated behaving in public in a way that someone present may be caused harassment, alarm or distress by that behaviour. He was sentenced to a six month Referral Order, uplifted from four months and ordered to pay £85 cost and £50 compensation (North Yorkshire case.)
22. The victim was walking through the street when she was racially abused by the defendant. The defendant was found guilty after trial 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. She was sentenced to 12 weeks' imprisonment, uplifted from six weeks. A two year Restraining Order was also imposed. She was ordered to pay a £128 victim surcharge (South Yorkshire case.)
23. The defendant was racially abusive towards a taxi driver and assaulted two women who intervened and told him to stop. He pleaded guilty to racially aggravated common assault and common assault. He was sentenced to two months' imprisonment, uplifted from one month and suspended for 12 months. He was also ordered to complete 80 hours' unpaid work and pay £200 costs (West Yorkshire case.)
24. The defendant was refused entry into a shop and racially abused the victim. He pleaded guilty at the first hearing 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 12 weeks' imprisonment uplifted from eight weeks and ordered to pay a £128 victim surcharge (West Yorkshire case.)
25. The defendant was racially abusive towards the victim and he assaulted her by pushing a door into her. He pleaded guilty to racially aggravated common assault and 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 20 weeks' imprisonment, uplifted from a Community Order, and ordered to pay a £128 victim surcharge (West Yorkshire case.)

Disability hate crime cases:

1. The defendant entered a shop and was abusive towards a member of staff, making offensive comments about his disability. He also made racially abusive comments to another member of staff. He pleaded guilty at the first hearing to 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. He was sentenced to 18 weeks' imprisonment, uplifted from 12 weeks, suspended for 12 months. He was also given an Alcohol Treatment Order, a Rehabilitation Activity Requirement and ordered to pay £70 compensation (South Yorkshire case.)

Homophobic hate crime cases:

1. The defendant approached two men on a night out. He made offensive comments towards them based upon their sexuality and assaulted them both. He pleaded guilty at the first hearing to two offences of common assault. He was sentenced to four months' imprisonment for each assault, uplifted from two months and suspended for 12 months. He was ordered to complete 120 hours' unpaid work, uplifted from 60 hours and a three day Rehabilitation Activity Requirement. He was ordered to pay compensation of £100 and £350 and pay £85 court costs (Humberside case.)
2. The defendant assaulted his friend in her home and was asked to leave by his friend's son. Later, the son walked past the defendant's house and was subjected to homophobic verbal abuse. The defendant was found guilty after trial 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 assault occasioning actual bodily harm. He was sentenced to 14 days' imprisonment, uplifted from a Community Order and a further four months imprisonment for the assault, suspended for 12 months. He was placed under a three month curfew and ordered to pay £150 compensation for the assault and £50 compensation for the public order offence. He was also ordered to pay costs of £100 (South Yorkshire case.)
3. The defendant banged on a neighbour's door and shouted homophobic abuse towards him. He pleaded guilty to threatening to cause criminal damage and 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 three months' imprisonment, uplifted from two months. A five year Restraining Order was also imposed (West Yorkshire case.)

Transphobic hate crime cases:

1. The defendant sent the victim a number of abusive messages relating to her gender identity and made threats to damage her home. She pleaded guilty to sending a message conveying a threatening message and was sentenced to an 18 month Community Order, uplifted from 12 months with a 25 day Rehabilitation Activity Requirement, uplifted from 15 days. A 12 month Restraining Order was also imposed (South Yorkshire case.)
2. The defendant caused damage to a bus stop and was arrested by two police officers. During the arrest the defendant used transphobic abuse towards one officer and homophobic abuse towards a second officer. He pleaded guilty at the first hearing to two offences 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 also pleaded guilty to possession of class C drugs and criminal damage. He was sentenced to a 12 month Community Order with a 35 day Rehabilitation Activity Requirement. He was also ordered to complete 200 hours' unpaid work, uplifted from 150 hours. A forfeiture and destruction order was made for the drugs. He was ordered to pay £150 compensation for the damage and £75 compensation to each of the police officers (West Yorkshire case).

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