

**“Increasing the capacity of law enforcement authorities to tackle racist crime, hate crime and homophobic crime through experiential learning (Experience Crime)” JUST/2013/FRAC/AG/6185**

## Training program for legal practitioners

‘Understanding and addressing racist crime, hate crime and homophobic crime’

### Brief Introduction - background:

The present training is part of the EC project *“Increasing the capacity of law enforcement authorities to tackle racist crime, hate crime and homophobia through experiential learning (Experience Crime)”*. The project aims to transfer to judges, police officers and legal practitioners knowledge and skills on racist crime, hate and homophobic crime; to promote anti-racist ethos in law enforcement bodies; to promote networking and exchange of good practice, good practice manuals and model protocols for handling such crimes. The project is implemented by the Centre for European Constitutional Law (CECL) (GR), the Hungarian Helsinki Committee (HU), Art.1 (NL), COSPE (IT), Antigone (GR) and the Greek Council for Refugees (GRC).

The present training programme is addressed to legal practitioners and aims to improve their understanding and responses to hate crime by making use of experiential learning techniques. The training program was designed on the basis of Training Needs Assessments conducted in Greece, Italy and Hungary. The programme consists of three modules and has a duration of 1,5 days.

### Objective of the programme

The main objectives of the program are:

- a) to raise awareness among legal practitioners in Greece, Hungary and Italy on the features of hate crimes and relevant legislative instruments
- b) to transfer knowledge on existing provisions and case law
- c) to transfer practical skills on how to recognize and adjudicate hate crimes and formulate effective defense strategies

## Agenda

MODULE 1: Understanding hate crimes					
Session	Time	Content	Exercises	Material	Trainer
<b>Introduction – facts and data</b>	60 min	<p>Welcome - presentation of the project and the structure of the training</p> <p>History of hate crimes and data concerning hate crimes and on bias indicators</p>	<p>Tour de table – Ice-breaking exercise</p> <p>Examples of hate crimes</p>	<p>Fra surveys and visualization tools eg <a href="http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-results-2011-roma-survey">http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-results-2011-roma-survey</a></p> <p>FRA thematic reports on Greece and Hungary (<a href="http://fra.europa.eu/sites/default/files/fra-2013-thematic-situation-report-3_en_1.pdf">http://fra.europa.eu/sites/default/files/fra-2013-thematic-situation-report-3_en_1.pdf</a>)</p> <p>FRA EU LGBT survey (<a href="http://fra.europa.eu/sites/default/files/fra-eu-lgbt-survey-main-results_tk3113640enc_1.pdf">http://fra.europa.eu/sites/default/files/fra-eu-lgbt-survey-main-results_tk3113640enc_1.pdf</a>)</p> <p>FRA brief (<a href="http://fra.europa.eu/sites/default/files/fra-brief_hatecrime_en.pdf">http://fra.europa.eu/sites/default/files/fra-brief_hatecrime_en.pdf</a>)</p> <p>Cases, documentaries, news clippings</p>	
<b>Main elements of hate crimes: acts, bias indicators, protected groups</b>	90 min	<p>Short introduction by facilitator</p> <p>Work in groups based on neutralized case studies</p> <p>Debriefing and discussion</p> <p><i>Expected outcome:</i> Definition of hate crime, definition of bias indicators, list of main</p>	<p>Case studies (immigration, Roma, LGBT, Islamophobia)</p>	<p>Chapters 1 and 2 of OSCE guide (<a href="http://www.osce.org/odihr/39821?download=true">http://www.osce.org/odihr/39821?download=true</a>)</p> <p>Part I OSCE ODIHR Guide (<a href="http://www.osce.org/odihr/36426?download=true">http://www.osce.org/odihr/36426?download=true</a>)</p>	

**Working with victims – dealing with hate crime outside the courts**

90 min

features of hate crime

Short introduction by facilitator

Work in groups based on the case studies of the previous session

Groups report on a) list of questions to detect hate crimes

b) list of things to do and things to avoid

c) list of institutions that can be addressed

Case studies (immigration, Roma, LGBT, Islamophobia)

FRA paper on people with disabilities ([http://fra.europa.eu/sites/default/files/fra-2015-focus-03-hate-crime-disability\\_en\\_0.pdf](http://fra.europa.eu/sites/default/files/fra-2015-focus-03-hate-crime-disability_en_0.pdf))



## MODULE 2: European and international legal tools for addressing hate crime

Session	Time	Content	Exercises	Material	Trainer
<b>European and International Law on Hate crime</b>	60 min	Presentation of international and European law on hate crimes - Q&A		International and European legal texts (HHC training material)	
<b>From law to practice – identifying ECHR standards and using them in litigation</b>	120 min	<p>Understanding how the specific provisions are applied</p> <p>Identification of ECHR standards through the judgments</p> <p>Debriefing by facilitator on actual judgments to the cases</p> <p>Work in groups – each group identifies: a) standards; b) ways of using them in complaint procedures</p> <p>Q&amp;A, observations, open discussion</p>	Work in groups based on facts of ECtHR Cases Milanović v. Serbia and Šečić v. Croatia	<p>ECtHR Cases Milanović v. Serbia and Šečić v. Croatia</p> <p>Judgments</p>	
<b>Discussion</b>	30 min				

## MODULE 3: Addressing hate crimes in a national context

Session	Time	Content	Exercises	Material	Trainer
<b>National Legislation on Hate Crime</b>	60 min	<p>Presentation of national legal framework on hate crimes and important cases.</p> <p>Emphasis on:</p> <p>Types of offenses that qualify as hate crimes</p> <p>Categorizing offenses and establishing motivation – proof</p> <p>Procedural guarantees for victims</p>	Brief presentation of relevant cases by participants	Legal texts and National case law	
<b>From law to practice</b>	90 min	Understanding how to apply law against hate crimes in practice	Role playing exercises based on the facts of Cases Milanović v. Serbia and Šečić v. Croatia or based on the facts of the case studies		
<b>Open session</b>	60 min	Discussion on key elements for representing victims of hate crime	Open discussion		

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