



DIOCESE OF
LICHFIELD

Policy and Procedure for the Investigation of Racist Incidents

RACIAL JUSTICE AND INCLUSION TASK GROUP
VERSION 1 AUGUST 2023

1. Introduction

In February 2020, the Archbishop of Canterbury Justin Welby made a public apology at the General Synod for racism experienced by black and minority ethnic people in the Church of England since the arrival of the Windrush Generation. The archbishop said that there is 'no doubt' that the Church of England is still "deeply institutionally racist". Subsequently, in June 2020 the Archbishops of Canterbury and York commissioned the Archbishops' Anti Racism Taskforce to scrutinise previous reports and recommendations made to the Church of England over the last 36 years and establish what progress, if any, the Church had made on racial justice. The Taskforce went on to produce the comprehensive report From Lament to Action, which contained forty-seven recommendations for action under the themes of:

- Participation
- Education
- Training and Mentoring
- Young People
- Structures and Governance

Lament to Action also prioritised seven key areas of work for the Archbishops' Commission for Racial Justice (ACRJ). Headed by The Rt Hon Lord Paul Boateng, the ACRJ are commissioned to address the changes needed in the Church of England's structures, systems, and processes to tackle institutional racism. One of the priority areas is the introduction of effective complaints handling. This work stream is particularly important, to make sure that incidents of overt racism within the Church are handled fairly, and in a way that enables reconciliation. Lament to Action also set strict timelines for each diocese within the Church of England to develop a Racial Justice Strategy.

It is partly within this context that the Diocese of Lichfield's Racial Justice and Inclusion Task Group (RJITG) was formed. RJITG first met in December 2020 and provides strategic oversight that supports the Diocese of Lichfield in becoming a 'racially just' diocese at all levels and stages. The Church of England has determined to scrutinise its own structures and practices to eliminate racial injustice. By fully integrating racial justice into operational and decision-making processes we aim to become a critical friend, holding people and structures to account and to build leadership and representation that fully reflects the diversity found in the region and the Church to achieve equality of access, opportunity and outcome undergirded by prayer for justice (Amos 5:24) and fairness (Acts 10:34-35)

This policy and procedure for the investigation of racist incidents supports the aims and objectives of the RJITG. We know it takes courage to report a racist incident within the Church and we want to reassure you that appropriate action will be taken. As a diocese, we take reports of racist incidents very seriously and this policy and procedure has been designed to reassure you that we are committed to supporting all during the process transparently and fairly.

2. The Aims of this Policy

2.1 This policy aims to:

- Establish what constitutes a racial incident and to share this with the whole diocesan community.
- Ensure that every member of our community has the confidence to report any racist incident to the RJITG.
- Ensure that procedures are in place to deal with racist incidents and that the whole diocesan community is aware of these procedures.
- Ensure that all racist incidents are investigated with fairness, compassion, and impartiality.
- Ensure there is a monitoring procedure to record all incidents and subsequent actions.
- Ensure that formal records of all racist incidents are maintained for agreed timescales.
- Ensure that the nature and frequency of any racist incidents are reported to the CEO and Bishop.

3. Definition of a Racist Incident

3.1 The Diocese of Lichfield has adopted the recommendations of the Stephen Lawrence Inquiry to determine the definition of a racist incident:

“A racist incident is any incident which is perceived to be racist by the victim or any other person.” (*Recommendation 12 of the Stephen Lawrence Inquiry*)

A racist incident may be perpetrated against individuals based on their race, colour, nationality, culture, language, or religion.

3.2 Racist Incidents may take many forms and may include (but are not limited to):

- Threatened or actual physical assault.
- Verbal abuse and name-calling.
- Expressions of prejudice calculated to offend others or influence the behaviour of others.
- Posts on social media websites including *Facebook* and *Twitter*.
- Distributing prejudiced literature.
- Wearing of badges or symbols belonging to known prejudiced organisations.
- Teasing in relation to a protected characteristic.
- Inappropriate humour.

3.3 It is important to recognise that:

- Harassment may be one aspect of a racist incident which also has other dimensions. The legal definition of harassment as set out in discrimination legislation and as

applied to race, religion or belief is: 'unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment'. A single incident can amount to harassment. Additionally, the Protection from Harassment Act 1997 makes it illegal for someone to pursue a course of conduct which amounts to harassment.

- Incidents may involve group as well as individual behaviour.
 - Such incidents are often part of more complex interactions which may take place in churches, offices, church halls and houses used for church meetings.
- 3.4 If you feel you have been the victim of or have witnessed a racist incident, bullying or harassment you should not suffer in silence or feel that you are to blame in some way for inviting bullying behaviour. Rather we would encourage you to report such behaviour and this policy and procedure has been designed to reassure you that any racial incidents will be investigated fairly, impartially, compassionately, and confidentially.
- 3.5 The RJITG are committed to investigate any incident believed to be racist. It should be noted that the definition includes all groups and is not confined to a person's race or skin colour. As such, investigations require effective listening supported by impartial investigation procedures that allow both the victim and the alleged perpetrator to be given a fair hearing.
- 3.6 Racist Incidents will be investigated and recorded when there has been a perception or allegation that there was an incident even if it is found that they were unsubstantiated. The outcome of each investigation will be reported to both the Bishop and CEO. The RJITG will hold racist incident records for seven years, thereafter they will be destroyed.
- 3.7 Racist literature, badges and insignia might be confiscated and photographed by clergy or laity if bought to churches, offices, church halls and houses used for church meetings to be used as evidence prior to the submission of a Report a Racist Incident Form. In all cases, a clear explanation will be given setting out the reasons why the property has been confiscated. The confiscated property might be handed to the police in criminal proceedings or returned to owner immediately after being photographed, as appropriate.

"As a Taskforce, we understand that racism is a sin. In seeking to address the sin of racism in our church we do so seeking to follow a biblical imperative which we share with all followers of Christ. Our work is not a battle in a culture war but rather a call to arms against the evil and pernicious sin of racism. Our mandate flows not from identity politics but from our identity in Christ. This is our primary identity, and it is in the character and being of Christ that we find the reason and motivation to combat racism". (Lament to Action, P7, The Anti Racism Taskforce)

4. Incidents Outside the Scope of this Policy

- 4.1 The following incident types are outside the scope of this policy and will not be investigated by the RJITG:
- 4.2 Any hate incidents or crimes perceived by the victim, or anybody else, to be motivated by hostility or prejudice towards someone's sexual orientation, transgender identity, or disability. Where such incidents include verbal abuse, intimidation, threats, harassment, assault, and damage to property, the police should be notified therefore those representing the Diocese will advise complainants to report such incidents to the police.
- 4.3 Allegations of safeguarding or serious conduct issues regarding those with pastoral responsibilities for the clergy in this diocese such as Area Deans, Archdeacons, Bishops, and the Archbishop, or any such allegations made against clergy and lay members of the Diocese of Lichfield will not be investigated by the RJITG. Rather the RJITG will refer incidents of this nature to the CEO to determine if there is an alternative disciplinary process that should be followed.
- 4.4 Any issues related to clergy liturgical practice will not be investigated by the RJITG.
- 4.5 Any racist incident that occurred twelve months prior to the submission of a Report a Racist Incident Form. In these instances, a letter will be sent to the reporter to advise their reported incident cannot be investigated because it is out of time.

5. Procedure for Reporting a Racist Incident

- 5.1 All racist incidents should be logged using the Report a Racist Incident Form (See Appendix One) and Monitoring Form (See Appendix two). Both forms can also be accessed via our website [here](#).

Once you have completed a racial incident form and monitoring form these should be sent to Jo.Durber@lichfield.anglican.org or via post to:

St Mary's House,
The Close,
Lichfield WS13 7LD.

5.2 Upon receipt all received racist incident reports and monitoring forms will be confidentially forwarded by diocesan admin staff to the co-conveners of the RJITG.

6. Management of Racial Incidents

6.1 Upon receipt of a racist incident form and monitoring form the co-conveners must send an acknowledgment letter to the person reporting the incident within 14 days either via post or email.

6.2 The Co-conveners will be responsible for ensuring that the incident is investigated thoroughly in an impartial and confidential manner. Furthermore, the co-conveners will determine who from the RJITG needs to be involved in the investigation of the report. The RJITG is made up of laity and clergy.

6.3 The Racial Just 'Core Group' will usually be called to investigate allegations, the make-up is the two co-conveners and at least one of the following:

- An independent advisor
- The CEO; or
- The Diocese Safeguarding Advisor

6.4 Those assigned to investigate the incident from the RJITG will determine who is interviewed if anyone. Interviewees might include the person who the complaint is made against, the complainant, and any other direct witnesses if there is not sufficient information on the racial incident form.

6.5 Those investigating the incident must ensure there is appropriate and sensitive support for the victim and alleged perpetrator; this might include an offer of pastoral support and/or counselling.

6.6 Any found racist behaviour will be challenged immediately and the perpetrator should be told that his/her behaviour is unacceptable and that any actions suggested or taken by the RJITG will be with a view to reinforcing the Diocese commitment to tackling racist incidents.

6.7 During the investigation those assigned from the RJITG must keep the situation under regular review to ensure that any harassment, abuse, or victimisation has stopped, and that the victim and/or complainant feels safe.

6.8 Those investigating will have 28 days to complete their investigations. This might be extended dependent upon the nature of the complaint and if additional interviews are required. All complainants and alleged perpetrators will be advised if the investigation time needs to be extended and will be offered further support if required.

6.9 When determining whether a report constitutes a racist incident, investigators must consider:

- The perception of the individual making the complaint
- Other circumstances of the case
- Whether it is reasonable for the conduct of the alleged perpetrator to have that affect

6.10 During an investigation, investigators might consider seeking advice from relevant authorities and agencies such as the police or victim support.

6.11 Although safeguarding issues will not be investigated by the RJITG, if during an investigation it is considered there might be a child protection or vulnerable adult safeguarding issue, these matters will be reported to the Diocese Safeguarding Advisor.

6.12 Upon receipt of a report of racist graffiti or slogans on any church property or premises, the co-conveners of the RJITG will ensure this is removed immediately or within 24 hours.

6.13 Those investigating complaints will be required to decide if any confiscated racist property should be handed to the police in criminal proceedings, or returned to the owner at the earliest opportunity, as appropriate.

6.14 No person acting under this policy and procedure should deliberately destroy a confiscated item, these must be returned to their owner unless handed to the police for use in criminal proceedings.

6.15 If any incident has caused damage or is seen as a threat of damage to a person or property, it may be appropriate to call a special meeting with all members of the RJITG. Support and advice may also need to be sought from the Police, the local Racial Equality Council, a Victim Support group, or another appropriate agency.

7. The Outcomes of the investigation of Racial Incidents

7.1 Upon the completion of the investigation of a racist incident a co-convenor or other member of the RJITG will send a letter to the complainant, victim, and alleged perpetrator as appropriate within 14 days.

7.2 Where cases have not been referred to the police for criminal proceedings to be undertaken, whilst investigators can suggest actions for the perpetrator as part of our suggested outcomes, all our outcomes are advisory and the RJITG have no rights to compel an individual to take the recommended action. However, where a perpetrator

refuses to take the recommendation action this will be reported to the Bishop and CEO.

7.3 All outcomes will aim to ensure appropriate action is taken to support, educate and monitor the behaviour of perpetrators to ensure that the racist behaviour will not be repeated.

7.4 All outcomes will be determined as follows:

- Complaint not upheld as during the investigation it was found there was no case to answer.
- Complaint upheld and the victim will be supported to report the incident to the police as the incident is believed to have included violent conduct or targeted ongoing harassment.
- Complaint upheld and we have suggested cultural awareness training for the perpetrator.
- Complaint upheld and we have suggested cultural awareness training and counselling for the perpetrator.
- Complaint upheld and we have suggested cultural awareness training, counselling, and offered mediation assistance between the victim and/or complainant and perpetrator.

7.5 Mediation assistance will only be suggested if the victim and/or complainant agrees to this course of action.

7.6 Co-conveners will report back to the Bishop and CEO once all outcomes have been communicated. Where cases do not involve police referrals the Bishop and CEO will be notified of the case outcome once the perpetrator has indicated whether they agree to the proposed actions.

7.7 All cases files and recorded outcomes will be held on record for a period of seven years from the date at which the outcome was communicated to the victim and/or complainant and perpetrator.

7.8 All victims of racist incidents will be helped to access counselling but will not be expected to do so if this is against their wishes.

8. Reporting to the Police

8.1 Violent, criminal, or other serious racial incidents may be reported to West Midlands Police. This applies to all racial incidents brought to the attention of the RJITG for the purposes of this policy and procedure regardless of the relationship of the parties to the Diocese. West Midlands Police have the discretion to decide to pursue action based on incidents.

9. Roles and Responsibilities

- 9.1 The RJITG is responsible for monitoring the policy and communicating any amendments or revised versions to all members of the diocesan community.
- 9.2 The RJITG should make provision for this policy and procedure to be made available in community languages where appropriate.
- 9.3 The Co-Conveners of the RJITG are responsible for implementing the policy and procedures and managing racial incidents including the recording of incidents, assigning investigators from racial justice core group, outcomes reporting to the Bishop and CEO, and the destruction of records after seven years.
- 9.4 All members of the diocesan community are responsible for following the procedures and managing their behaviour and conduct.
- 9.5 All with pastoral responsibilities for clergy, clergy and laity commit themselves to strive to build a culture of mutual respect where individuals, whether lay or ordained, feel respected and safe, and treat one another with dignity. They recognise the importance of setting a good example in this work and undertake to participate in training in support of this policy.

10. Arrangements for Reviewing this Policy and Procedure

- 10.1 This policy will be reviewed annually by the RJITG on or shortly after Stephen Lawrence Day beginning 22nd April 2024.

11. Appendices

11.1 Appendix one: Reporting Form – Racist Incidents



Reporting form - Racist Incidents

About the Incident

It takes courage to report a racist incident within the Church and we want to encourage you to give as much detail as possible, so appropriate action can be taken. As a diocese, we take this matter very seriously and are committed to supporting you during the process. Please answer the questions below giving as much information where required.

Tell us if you are the victim or witness?

Tell us about the incident in your own words, giving as much detail as possible.

Why do you think the incident happened?

When did the incident take place? Please give the time, day and date.

Where did it take place (*e.g., was it in your home, at a church, online via Facebook etc*)?

Were there any injuries (*e.g., physical, emotional, spiritual etc*)? If yes, please describe them.

Did any damage to, or defacing of property result from the incident? If yes, please give details.

About the victim, please describe yourself or the person that the incident concerns (e.g., *how do you know them?*).

Having reported the incident, what would be the best outcome for you, or the person concerned?

Details

Your Name:

Your Address:

Post code:

Telephone Number:

Email:

Please tell us how you would like to be contacted: post / phone / email

(Please circle or underline your preference)

**Please return this completed incident form and the monitoring form to Jo Durber,
Officer for Governance and HR** email: jo.durber@lichfield.anglican.org or the postal address:
St Mary's House, The Close, Lichfield, WS13 7LD.

**Once this form has been received, we undertake to respond to you within
28 days.**

Monitoring form - Racist incidents

1 What is your ethnic group?

A. White

British

Irish

Other

B. Mixed

White/ Black Caribbean

White/Asian

White/Black African

Other

C. Asian or Asian British

Asian British

Pakistani

Bangladeshi

Indian

Chinese

Other

D. Black or African or Caribbean or Black British

African

Caribbean African

Black British

Other

E. Other group

Arab

Other

F Prefer not to say