

## **HATE CRIMES: Barriers to Reporting and Best Practices**

### ***Introduction:***

There is already a significant amount of reporting and research around the barriers to under-reporting of hate crime and of different strategies being used to combat underreporting. The aim of this report is to draw from existing research and our own academic knowledge and research, which we have obtained through the Applied Human Rights MA/LLM programme at the Centre For Applied Human Rights, University of York.

Although there has been a steady increase in the overall recording of hate crime, it is still a prominent issue which is significantly under-reported. The Crime Survey for England and Wales in 2014 indicates that 43% of personal hate crimes are not reported to the police. The 2014 UK Government report monitoring the progression of the 2012 'Challenge It, Report it, Stop It' action plan, outlined the following areas as emerging challenges in hate crime: Disability hate crime; Hate crime online/cyberbullying (bearing in mind the need to protect freedom of expression); Extremism and hate crime and anti-Muslim hatred. It's also important to highlight that reporting is especially low for groups that feel isolated, in particular: Roma, Gypsy and Traveller communities; new migrants; disabled and transgender people. In North Yorkshire, racial, homophobic and disability related incidents have all increased and levels are at their highest for some years. Religion/Faith incidents are also at their highest and, for the first time, exceed the number of disability reports (24 incidents compared with 22 disability incidents in 2013/14).

This report will outline the practical, structural and social barriers that prevent victims from reporting incidents of hate crime. This will be followed by an outline of best practices and effective strategies used both in the UK and abroad to improve the reporting and understanding of hate crime, as well as looking at the root causes of hate crime. In the process of putting together this report there are two important points which became evident from the research and which are also worth keeping in mind when reading this report: 1. Hate crime is less likely to be tolerated in communities that are united and are willing to challenge it; 2. Strategies need to be locally-led and based on local needs and their effectiveness must be continually evaluated and monitored.

### **Practical Barriers of Hate Crime Reporting**

#### ***Education***

The reporting of hate crime relies on people understanding what hate crime actually is; why hate crime happens; why it needs to be reported; how to report it and what happens once a hate crime is reported. People also need to know and trust that there are support mechanisms in place for them so that they (and their community) will be protected from further abuse. Research carried out by multiple organisations has highlighted that many victims, despite experiencing hate crime, do not recognise what hate crime is or their right to report it.

#### ***Access***

Victims need to be able to access literature about hate crime. Even with education of hate crime, victims may be unable to access hate crime reporting centres or have limited access to internet or a phone.

### ***Articulation***

Victims of hate crime have to be able to articulate the incident and be confident that they will be understood. Police may also not ask the victim if they believe the crime was motivated by hate or there can be discrepancies in what the victims thought was a crime and what was recorded by the police as a crime. Some people will not be proficient in English or will not be able to speak English at all. Those with a disability may not be able to express what has happened to them or have difficulty in understanding what questions they are being asked.

### ***How does the victim benefit from reporting a hate crime?***

Unless victims quickly see justice or positive action taken after they report a hate crime, it often simply causes a lot of hassle and trauma for the victim. This feeds into an already common sense of distrust, disillusionment and disappointment with the effectiveness of the police and the criminal justice system.

### **Social and Structural Barriers**

Before addressing strategies to combat hate crime within the UK, a discussion on the social and structural barriers will need to be addressed. Many of the communities experiencing hate crimes in the UK suffer from historical trauma due to marginalised identities. These communities may feel disempowered and unable to voice their concerns about hate crimes and have a general distrust of authority. These issues are heavy burdens on communities and require deep understanding and commitment from the larger community and from the power structures that potentially perpetuate these issues.

### ***Historical Trauma and Structural Oppression***

Marginalised communities often suffer from trauma that stems from being historically oppressed. These communities may have been intentionally or unintentionally kept away from social resources and tools for justice. Historically this oppression was often very overt in forms such as slavery, voter restrictions, access to suitable housing and employment. Although political and civil rights have been established for many marginalised populations (BME, LGBT, women, religious minorities, disabled etc.) the social, economic and cultural rights have yet to be realised for many of these populations.

Covert racism, sexism, heterosexism and other forms of oppression are still a reality in 2015. Structural oppression (otherwise known as institutional or systemic oppression) is the reality that systems and frames exist that intentionally or unintentionally create barriers for certain identity groups. This can be as simple as someone with an 'ethnic' sounding name not given a job interview (sometimes due to unconscious bias). This has become a normalised state of crisis for many marginalized communities, and this creates a cycle of disempowerment and lack of trust in privileged groups that represent systems of power.

### ***Disempowerment and Lack of Trust***

Marginalised communities often feel a large sense of distrust in power structures, in particular police. As discussed above this stems from historical trauma and current structural oppression. This constant state of crisis in these communities also cultivates a sense of disempowerment and disbelief that change can occur. These factors play into the lack of reporting hate crimes to police. Creating relationships between these communities and the police is vital in creating trust that can lead to a supportive atmosphere and belief that change is possible.

### ***Cultural Barriers***

Barriers also exist due to cultural differences within communities. These cultural factors could determine how communities interact with power dynamics, and they may influence what gets reported and what stays behind closed doors. They may also contribute how communities communicate with each other and how it may appear to those outside these communities. It should be noted that these specific factors do not always apply to all members of the same community and each person should be treated as an individual with cultural factors considered.

## **STRATEGIES TO IMPROVE HATE CRIME REPORTING**

### **Example of Best Practice**

#### ***Thinking beyond the five categories***

Hate crimes are any crimes that are targeted because of hostility or prejudice in relation to: disability; race or ethnicity; religion or belief; sexual orientation and transgender identity. These five categories are nationally agreed. However, following the murder of goth Sophie Lancaster and brutal attack of her boyfriend in Manchester in 2007, Greater Manchester Police (GMP) added an extra category in April 2013. GMP now also records Alternative Sub-culture related hate crime in order better understand how some people are suffering from crimes because of their appearance, and better respond to the needs of victims of crime.

#### ***Mayor of London Hate crime reduction strategy.***

The Mayor's office for Policing and Crime has recently developed a Hate crime Reduction strategy working together with key partners including the Metropolitan Police, the crown prosecution service, Ministry of Justice and voluntary and community organisations. The strategy sets out plans to boost confidence across all communities in reporting hate crime, develop ways to prevent offences and reduce repeat victimisation and outlines how agencies can work together to ensure swift and sure justice for victims. The Strategy sets itself 3 keys objectives;

1. Boost the confidence and increase the reporting of Hate crime
2. Prevent hate crime and reduce repeat victimisation
3. Ensure swift and sure justice for Hate crime victims

With the main aim of increasing the people's confidence in the process of reporting hate crime and targeting the main causes, it is already seen as an effective strategy which requires the participation of all organisations involved. The simple idea being that if the public are involved in pointing out hate crime and involved in the process of preventing it then the chance of someone reporting it when it occurs is higher.

#### ***Education***

The lack of knowledge of what constitutes a hate crime is of great concern. The London Mayor's office have in their Hate crime reduction strategy report addressed this issue by working together with voluntary and statutory partners, including Safer Schools Officers, to disseminate hate crime resources for educational establishments, raising awareness of the impact of hate crime on individuals and the wider community. This in turn will increase the confidence of people in reporting hate crime.

Working with young people in schools and community centres to address the heart of the problem is also a key practice which needs to be further looked at. The Crime Prosecution Service, the National Union of Teachers and a number of community groups have produced a range of resources that, taken together, provide a 'Hate Crime Pack' available to all schools. Creating awareness may counter the belief that there is no point in reporting hate crimes as "nothing will be done".

## **Legal Empowerment**

Legal aid is limited in that it upholds “status quo” and does little to create actual social change. If we empowered marginalised communities with the tools necessary and the knowledge needed for success, it becomes more than legal aid. Legal empowerment could have the potential to work with clients, not just for clients, bringing them into the decision making process and this is vital when so many already have a deep resentment for power structures and status quo. Legal empowerment is community agencies empowering communities with the knowledge of their rights.

## ***Victimization Survey***

Annual victimization surveys are used in many different countries, including the US, Canada and Sweden. Victimization surveys aim to measure unreported hate crime, as they do not come with the weight and pressure of consequences. They are useful for determining patterns of abuse which will aid police, civil society and the community in how they tackle hate crime.

## ***Citizen Report Cards***

Creating communities that hold each other accountable is vital to building trust and relationships. Communities create alliances with police, government and top community leaders to improve safety, schools and public spaces. Citizen report cards are a tool that is given to these members of a community and used to keep track of public service records and social change strategies.

## ***Ease of Reporting Hate crime***

The opportunity to report hate crime must be made easier and more accessible. Many Police forces throughout the country have adopted an online application form which asks targeted questions in order to establish whether a hate crime has been committed or not. This tool is extremely effective as it provided detailed information to people as to what a hate crime is and can be done from the safety of the victim’s home. Further, a Mobile app which has been implemented by The Metropolitan Police service gives victims more ways of reporting hate crimes.

## ***Scrutiny Panel***

Throughout many Police forces, police officers and members of the community run a scrutiny Panel every 6 weeks which scrutinise how the police have dealt with/ responded to hate crime/ incident reports. With one of the main barriers being a distrust of the police, a scrutiny panel which brings together both the police and the community to look at how their hate crime reports are dealt with can be seen as restoring some trust with the Police. It would mean the community play a vital part in raising the issues and can offer knowledge that the police may otherwise not possess about the main issues/challenges in regards to hate crime.

### ***Hate crime week***

Research done pointed to a lack of knowledge by the public as to what is meant by a hate crime. This points to an obvious gap in knowledge which needs to be addressed. Yearly, a week long campaign is done to tackle Hate crime. Police forces as well as communities and councils come together to raise awareness of the issue and encourage people to report hate crimes. As well as raising awareness of hate crime this National Hate crime awareness week encourages reporting and promotes local support services and resources. This week encourages communities and organisations to work together with a common aim or eradicating hate crime.

### ***Hate incident reporting centres***

An example of building links with the community and making the reporting of hate crime more accessible can be seen through a Hate incident Reporting centre. The scheme currently being implemented by Essex Police follows successful pilot schemes in various parts of the country such as Southend, Basildon and Chelmsford, which have been running since July 2014. The aim of these is to make it easier for members of the public to report hate incidents, by providing safe and accessible places for them to go with information. A prominent barrier present in reporting hate crime is the lack of trust in the police and the difficulty in approaching them, however such a scheme would mean that those wanting to report hate crime can do so in a more comfortable environment which is familiar to them rather than going to the police station. This scheme is an excellent way of establishing a good relationship with communities and would allow communities and the police to work closely together in raising awareness of hate crime and tackling the issue head first.

**Summary**

<b>Barrier</b>	<b>Solution</b>	<b>Best Practices mentioned</b>
<i>Lack of knowledge and understanding of hate crime and processes</i>	<i>Education</i>	<i>Hate crime week; teaching in schools; workshops; accessible literature/videos online</i>
<i>Access</i>	<i>online reporting mechanisms; phone lines; translators</i>	<i>hate crime reporting centres; phone app; citizen report cards; legal empowerment</i>
<i>Articulation</i>	<i>online reporting mechanisms; phone lines; translators; community support</i>	<i>phone app; citizen report cards; legal empowerment</i>
<i>How does the victim benefit?</i>	<i>Police training and interaction with community support networks that can refer victim onto. Police need to show interest in gaining a wider picture of hate crime incidents not just opportunities to prosecute</i>	<i>Victimization surveys; Hate Crime Week; citizen report cards; legal empowerment</i>
<i>Structural Oppression and Historical Trauma</i>	<i>Education on systems of oppression, training on historical factors affecting communities for officers</i>	<i>London Mayor's Hate Crime Strategy specifically works in schools; Hate Crime Week</i>
<i>Cultural Barriers</i>	<i>Intercultural Competency Training for officers and community agencies / Hate Crime reporting mechanisms in multiple languages</i>	
<i>Disempowered Communities, Distrust of Police</i>	<i>Grassroots Community organizing, targeting community leaders to establish networks of support</i>	<i>Legal Empowerment, Reporting centres, Scrutiny Panel, Citizen Report Cards</i>

## **Conclusion**

Research conducted illustrated that under-reporting of hate crime is of great concern, this report has highlighted some of the reasons why hate crime goes unreported. Essentially it can be put down to two main points. Firstly, it seems that people generally do not understand what constitutes a hate crime, resulting in under-reporting. This issue requires attention, The Mayor of London's Hate crime reduction strategy highlights this issue and states it will offer conferences/ workshops and work together with schools, community centres and other organisations to educate and empower people about the issue of hate crime. Partner organisations would need to tackle this issue in a similar way, reaching out to a wider community to inform them of what exactly is a hate crime. Secondly, the lack of trust in the police is of similar concern. Many people don't report a hate crime with the simple idea that 'Nothing will happen', The idea that the police will do nothing about what they consider a 'small issue' is in one of the main reasons for under-reporting, therefore working together with the community to ensure they feel as though their problems are being addressed is key. Lessons can be drawn from other Police forces around the country who invite members of the public to scrutinize the police's way of dealing with hate crime and offer suggestions on how it can be done better. It is agreed that under-reporting is an issue, however, this issue is best addressed by working together with the community and other organisations which empower people, making them more willing to take action.

## **Resources**

Johnson, Allan	Power, Privilege and Difference	Addresses Structural Barrier
Tatum, Beverly	Why are all the black kids sitting together in the cafeteria?	Racial Identity development theory
McIntosh, Peggy	Invisible knapsack of privilege	White Privilege
Haro, Bobbie	The Cycle of Socialization	Addresses structural barriers and our personal connections to these
<a href="http://www.independent.co.uk/news/uk/crime/exclusive-race-hate--a-crime-the-police-will-not-solve-9054695.html">http://www.independent.co.uk/news/uk/crime/exclusive-race-hate--a-crime-the-police-will-not-solve-9054695.html</a>		Addresses Distrust in police and historical issues
Tim Wise	White Like Me	White Privilege



<a href="http://www.report-it.org.uk/what_is_hate_crime">http://www.report-it.org.uk/what is hate crime</a>		
<b>Bennet, Milton</b>	Development Model of Intercultural Sensitivity	Intercultural conflict and communication
<b>Maru, Vivek</b>		Legal Empowerment and Citizen Report Cards
<b>Adams, Maurianne (Ed.)</b>	Readings for Diversity and Social Justice	Series of readings divided by various marginalised identities
<b>Adam, Maurianne (Ed.)</b>	Teaching for Diversity and Social Justice	Series of activities, trainings to address barriers
<b>Kivel, Paul</b>	Uprooting Racism	
<b>David, Lennard J.</b>	Disability Studies Reader	Disability related history and advocacy
<a href="https://www.london.gov.uk/priorities/policing-crime/our-work/supporting-victims/hate-crime">https://www.london.gov.uk/priorities/policing-crime/our-work/supporting-victims/hate-crime</a>		Addresses the issue of under-reporting of hate crime
<a href="http://www.westyorkshire.police.uk/hatecrime">http://www.westyorkshire.police.uk/hatecrime</a>		
<a href="http://www.cps.gov.uk/northwest/working_with_you/hate_crime_schools_project/">http://www.cps.gov.uk/northwest/working with you/hate crime schools project/</a>		Provides activities for schools to educate people on hate crime
<a href="https://www.essex.police.uk/news_features/other_stories/launch_of_stop_the_hate_init.aspx">https://www.essex.police.uk/news features/other stories/launch of stop the hate init.aspx</a>		Gives details of the success of hate crime reporting centres across the country

Ally Swadling, Imran Khan, Sarah Napoli Rangel