



Why Me?

Research into the experiences of those who have experienced hate crime in order to understand the kind of support services that they actually need

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FOREWORD

Hate Crime is a particularly insidious form of violence against the person. Its spectrum runs from deliberately offensive body language through, verbal abuse to physical attack. It targets people, not for anything they have done but for who they are. It can be difficult to substantiate afterwards and sometimes even to elicit sympathy. Public bodies find it hard to give it priority.

Nonetheless, the consequences for an individual victim can be horrendous. The stories contained in this report illustrate graphically the impairment of quality of life that can easily result from hate crime attack and the lack of adequate support to the sufferer. Psychological damage can often be more profound and last longer than material hurt.

The law and policies widely adopted by public bodies and places of work now forbid discrimination on grounds of race, religion, disability and sexual orientation, but more needs to be done. The Scottish Alliance of Regional Equality Councils (SAREC), which brings together Scotland's four Regional Equality Councils (RECs), has welcomed the legislative trend of recent years, has embraced the wider definition of equality and for some years now has focused its attention on how well or otherwise the law is achieving its objectives.

Following a successful conference in May 2014, which brought together a wide range of representative stakeholders, public and voluntary, active in the equalities area, SAREC was successful in obtaining funding to carry out a survey to establish a victims' perspective on Hate Crime, its nature, its consequences for them and, especially, the support they received. All public bodies now have a duty to report on their implementation of Equalities legislation. Victims of Hate Crime, however, are individual; they are not organised and their perspective can easily be missed. SAREC wishes to correct this imbalance.

In this report there is described the methodology we used to identify as the broadest range as possible of those who had experienced Hate Crime, to catalogue their experience of reporting it and to draw conclusions for improving the support they received. We recognise that such improvement will be an evolutionary process, precisely because there is no one agency that holds the key to success. Politicians at all levels need to guard against rhetoric which implies that immigrants are a problem, educators and faith communities need to emphasise that a society's duty of care knows no boundaries, police and judicial investigators should develop a more sympathetic response. Fundamentally though, this report is addressed to all of us. Hate Crime most often occurs in public, in places where we are and where we may be the first line of assistance when abuse takes place. A civilised society is one in which all of us accept a degree of responsibility for what takes place in our neighbourhood. This report is a call to each one of us to live up to that ideal.

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Acknowledgements and contributions

This report including the analysis of the data has been prepared by Dr. Karla Perez Portilla from the West of Scotland Regional Equality Council. The empirical data was gathered by staff from the four Regional Equality Councils: ELREC, Dr. Elisabetta Spano and Cristiana Nicoletti; CSREC, Arun Gopinath, Daniel David Jones; GREC, Dave Black, Piotr Teodorowski; and WSREC, Mohammed Razaq, Monique Campbell and Karla Perez Portilla.

Contents

I. Introduction and objectives.....	05
II. Methodology.....	09
1. The survey	
2. Interviews	
3. Focus groups	
III. Results.....	14
1. Experiences of hate crime/behaviour	
a) Who are the targets of hate crime?	
b) Most common forms of hate crime experienced	
c) Reporting	
d) The experience of victims with the police	
2. Support services	
a) The harm caused by hate crime	
• <i>Harm to physical and mental health</i>	
• <i>Restrictions to the targets' freedom of movement</i>	
• <i>Employment and financial detriments</i>	
• <i>Hate crime has long lasting effects</i>	
• <i>Hate crime has an impact on society as a whole; it inflicts a 'social harm'</i>	
b) The support that those who have experienced hate crime have received	
c) The support and the changes that those who have experienced hate crime require	
1. <i>Awareness of existing support services</i>	
2. <i>Incidents not to happen again</i>	
3. <i>An institutional approach to tackling hate crime (e.g. in workplace, in education establishments and in the NHS)</i>	
4. <i>More awareness and education about hate crime</i>	
5. <i>Changes in social and politicians' attitudes and language</i>	
6. <i>Improvements in the Police</i>	
7. <i>Help with mental health</i>	
8. <i>Continuous support and advocacy</i>	
9. <i>Interpreters and official documents available in different languages</i>	
IV. Conclusions.....	40
V. Recommendations.....	41
VI. References.....	46
VII. Annexes.....	47
Annex 1 The survey questionnaire	
Annex 2 Why Me? – Hate Crime Survey – Summary (20 th September 2016)	
<u>Interviews</u>	
Annexes 3 and 4, ELREC's interviews	
Annexes 5, 6, 7, 8, 9, and 10, GREC's interviews	
Annexes 11 and 12, CSREC's interview proceedings	
<u>Focus Groups</u>	
Annexes 13 and 14, ELREC's focus groups	
Annex 15, GREC's focus group	
Annex 16, CSREC's focus groups	
Annexes 17, 18 and 19, WSREC's focus groups	
Annex 20, police hate crime report form	

I. Introduction and objectives

This research report is derived from a project undertaken by SAREC, the Scottish Alliance of Regional Equality Councils and funded by the Big Lottery, Investing in Ideas. The research was initiated due to SAREC's concern about the increasing levels of hate crime across Scotland and about the ways in which those who have experienced hate behaviour are supported both following an incident and in any subsequent investigation.¹

Official definitions of hate crime:

- *“An offence that is motivated by malice or ill will toward a social group”*. Scottish Government Working Group on Hate Crime.
- *“Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate”*. UK Home Office.
- For the purpose of investigation *“an incident is aggravated by prejudice if it is perceived to be aggravated by prejudice by the victim or any other person”*. Lord advocate's Guidelines on Offences Aggravated by Prejudice.

The fundamental objectives of the research were to consider and report on:

a) people's experiences of hate crime; and b) the range of services that such people believed could be of benefit to them.

As an umbrella organisation bringing together Scotland's four Regional Equality Councils (RECs), SAREC considered it crucial to investigate the scale and diversity of hate crime across Scotland and also, whether and how those who have experienced hate behaviour have or have not been supported both before and after investigations by the police.

¹ Hate crime and hate behaviour have been used interchangeably in this study in order to make reference to a key characteristic of hate crime, which is that it invariably involves behaviour, be it physical or psychological.

In other words, to understand how the victims and others from protected characteristics perceive the support (or lack of) available to them when a hate crime has been reported.

The research was born out of discussions between operational staff from the four RECs - Central Scotland, Edinburgh and Lothians, Grampian and West of Scotland. These discussions included the RECs common experiences, shared concerns and their desire to work together in order to support those who have experienced hate crime more effectively.

Indeed, given the experiences of all four organisations working with victims of hate crime together with the agencies who both investigate these crimes and monitor statistics, it was agreed that there was a sufficient knowledge base drawn from shared intelligence from which meaningful research could be conducted.

This shared intelligence revealed that there is a dearth of support services for people who have experienced hate crime. Where they do exist, the services are generalised and not specialised. As a collective, SAREC concluded that it was necessary to gather and analyse a strong body of evidence that might suggest the need for the establishment of a shared support service for people who have experienced hate crime across Scotland. This support service would be one which could take into account the statistical scale of hate crime and the advisory and emotional support which is needed for people to deal with it, whilst also being able to move on from the experience. Indeed, as highlighted above, SAREC's experience and shared intelligence have already identified a lack of specialised practical and emotional support services for victims of hate crime in Scotland.

Alongside SAREC's organisational intelligence gathered through their four member organisations, it is known from statistics released by the Procurator Fiscal Service in 2015/16 that there were 5600 reported incidents of hate crime. The vast majority

being racially motivated and that the growing numbers reported were motivated by and related to disability. The Scottish Government's Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion report released on 23rd September 2016, reported that *"it was clear to the Advisory Group that much of this experience remains hidden to the general public. Only those acts that are serious enough as to warrant criminal prosecution and with sufficient evidence ever reach the courts"*.

Appointing Lord Bracadale to review Hate Crime legislation Annabelle Ewing, Scottish Parliaments Minister for Community safety said, *"This review will help ensure we have the right legislative protection in place to tackle hate crime wherever and whenever it happens..."*. With crime in these areas consistent with 2014/15 it appears to be the case that hate crime is a persistent issue in Scotland, which may have been exacerbated in the current context of 'Brexit'.

Although statistics regarding the rise in hate crime in Scotland are not available, except on a yearly basis, international, regional and local agencies such as the United Nations High Commissioner for Refugees; the European Commission against Racism and Intolerance; and, indeed, the Equality and Human Rights Commission in the UK, have all expressed their concern about the under-reporting and rise in hate crime, as a result of the media coverage of the migrant crises that peaked in 2015 and the language used by some politicians.

For example, in its latest report from October 2016, ECRI, the European Commission against Racism and Intolerance, says that 'certain tabloid newspapers, which are the most widely read national dailies, are responsible for most of the offensive, discriminatory and provocative terminology'. The Sun, for instance, published an article in April 2015 entitled "Rescue boats? I'd use gunships to stop migrants"². Moreover, Chris Ahlund, the ECRI Chair, has said that 'it is not a coincidence that racist behaviour is on the rise in the UK at the same time as we see worrying

² ECRI Report on the United Kingdom (fifth monitoring cycle), ECRI(2016)38, 4th October 2016, p. 18.

examples of intolerance and hate speech in the newspapers, online and even amongst politicians'.³

The Equality and Human Rights Commission (EHRC) has suggested that politicians have legitimised hate after the Brexit vote and that they must avoid polarising language. In fact, its Chair, on behalf of the EHRC, published his letter to the UK political parties asking them to tone down their Brexit rhetoric and stated that 'racist, anti-Semitic and homophobic attacks have taken place in the aftermath of the referendum' and are 'all stains on our society'.⁴

At the international level, the United Nations High Commissioner for Refugees, UNHCR, commissioned the Cardiff University School of Journalism, Media and Cultural Studies to undertake a study which would explore media coverage on the refugee crisis that peaked in 2014. The countries surveyed were the UK, Germany, Sweden, Spain and Italy. Amongst all of them, the study found that Britain's right-wing media was uniquely aggressive in its campaign against refugees and migrants.⁵

According to the evidence presented above, it can be suggested that hate crime is to a large extent, fueled by hostile political environments and has peaked in the last few years. Hate crime has indeed been amongst SAREC's top concerns since May 2014, when it ran a National Conference on Hate Crime in Scotland. Key outcomes of this conference were: a) that there needs to be a greater partnership between support services offering specialist support for victims; and b) that people reporting hate

³ ECRI, Press Release, 'Anti-racism experts highlight increasing hate speech and racist behaviour in the UK, 4th October 2016.

⁴ The letter was published on 25th November 2016. Available at <https://www.equalityhumanrights.com/en/our-work/news/letter-all-political-parties-westminster> (accessed 12.01.17). Moreover, David Isaac (Chair) has expressed his concern with the rise in hate crime in various of his blogs available at the EHRC website. See for example <https://www.equalityhumanrights.com/en/our-work/blogs/standing-against-race-hate> (accessed 12.01.17).

⁵ See Berry, M., Garcia-Blanco, I., and Moore, K. (2016). *Press coverage of the refugee and migrant crisis in the EU: a content analysis of five European countries*. [Project Report]. Geneva: United Nations High Commissioner for Refugees. Available at: <http://www.unhcr.org/56bb369c9.html> (accessed 12.01.17).

crime may also require ongoing support through counselling and practical legal support.

Drawing together both quantitative and qualitative evidence assembled from the Conference, SAREC concluded that it was necessary to gather the actual experiences of people who have been victims of hate crime in order to fully understand their needs. SAREC has now accomplished this goal through the research it has undertaken over the past year analysed and reported in this study.

II. Methodology

This research project includes the analysis of empirical data gathered through both quantitative and qualitative methods. As indicated at the outset, its objectives are to consider and report on: a) people's experiences of hate crime; and b) the range of services that such people believed could be of benefit to them. Three methods of gathering relevant data for the study were utilised: a survey, a series of focus groups and one to one interviews (headings 1, 2 and 3 below). For ethical reasons, the people who took part in the survey, interviews and focus groups were all guaranteed anonymity and confidentiality. The research covered people with experiences of hate crime from across Scotland including: Glasgow, Edinburgh, Falkirk, Stirling, Clackmannanshire, Aberdeen, Kirkcaldy, Motherwell, Paisley, Inverness and Dundee. No names or any other means with which to identify individuals are included in this report.

Over a period of six months, from the 1st of June 2016, SAREC:

- Brought the operational teams of the four RECs together in order to build a survey questionnaire (Annex 1)
- Organised 10 one to one interviews
- Delivered 7 focus groups

The statistics/data reveals that 348 people took part in a survey on 'hate crime'. However, of those 348, only 146 were certain that they had been victims of hate crime in the previous five years. In their experience as Third Party Reporting Centres, the RECs know that hate crime is a difficult concept to grasp and that many people are unaware of what constitutes hate crime. Moreover, whether an incident motivated by prejudice constitutes a hate crime or not, is ultimately for the police to investigate and for the courts to decide. Therefore, many people may, without being aware of it, be the victims of crimes motivated by prejudice. Lack of reporting is a known concern and campaigns, such as 'Hate Crime Awareness Week', take place on a yearly basis in order to encourage people to speak out. However, there are clear barriers to reporting, including: a) lack of awareness; b) lack of evidence or witnesses; c) lack of trust in the police; d) the belief that there is no point in reporting because nothing will change; and e) fear of retributions.

The authors of this study believe, then, that given this context, the number of people with whom we have engaged through the survey, interviews and focus groups is sufficient (more than 350)⁶ and the substantial amount of information gathered builds and justifies a picture of the: a) experiences of hate crime; and b) the support that people actually need. Given the RECs reputation and their known community work for a number of years, it is possible to suggest that the people we have reached through this research were responsive because they trust the RECs and the people that work for them. Speaking about experiences of hate crime is certainly a very personal matter that is often only shared with people one trusts. Indeed, organising interviews and focus groups is a complex and time-consuming endeavour in its own right and even more so when the research questions relate to negative experiences. The survey was advertised widely by the four RECs through their partner organisations and client groups. Participants for the interviews and focus groups were also identified by the different RECs making use of their own resources and

⁶ Given the confidentiality guaranteed to all our respondents, we cannot establish a number with certainty because some of the people who completed the survey also took part in either the one to one interviews or in the focus groups organised by the different RECs; and some people who did not complete the survey, took part in either interviews or focus groups.

networks, which included, to a large extent, inviting existing and former clients who have experienced hate crime.

The data we have gathered through the surveys, interviews and focus groups covers: a) as suggested above, a significant socio-geographical area across Scotland; b) participants from all protected characteristics covered by hate speech legislation, and c) a substantial variety of themes which have helped us to answer our research questions. Our research produced a considerable amount of data. Indeed, the themes we identified in each empirical exercise (our coding) started replicating themselves. In this regard, particularly in relation to focus groups, we agree with the view of Calder (1977), according to whom, 'when the moderator reaches the point that he or she is able to anticipate fairly accurately what the next group is going to say, then, there are probably enough groups already'.⁷ Indeed, as stated above, we found that the views of our participants were replicating and, therefore, themes identified through coding, appeared to fit the data saturation criterion.⁸

1. The survey

SAREC brought together the operational teams of the four RECs in order to build a survey questionnaire (Annex 1). In consultation with the four RECs, SAREC appointed a Working Group for the research, which included both Directors of SAREC and members of the staff of the four RECs. Together, this group with the assistance of CSREC created the survey along with coding analyses on survey monkey and agreed its content. The survey was available online and in paper format. It sought to gather the experience of individuals across all protected characteristics who have experienced hate crime. Crucially, the survey was aimed at gathering: the extent to which participants perceived that they had been victims of hate crime; and

⁷ Bryman, A. (2016), *Social Research Methods*, 5th ed., OUP, p. 505; the work by Calder, B.J. is, 'Focus groups and the nature of qualitative marketing research', *Journal of Marketing Research*, 14, 353-364.

⁸ Saturation does not mean, as is sometimes suggested, that the researcher develops a sense of déjà vu when listening to what people say in interviews but that new data no longer suggest new theoretical insights or no longer suggest new dimensions of theoretical categories, Bryman, A. (2016), *op. cit.*, p. 412.

information about the way they felt about both: the support they were given; and about other kinds of support that would have been beneficial.

The Working Group appreciated that some people would not be able to complete questionnaires online and, therefore, it was decided that they would conduct telephone surveys where necessary for individuals who indicated their wish to participate.

The survey was live over a period of 6 weeks, starting 1st of August 2016 to 16th September. The Survey data analysis was made through coding and thematic analysis.⁹ We understand the disadvantages of data fragmentation, however, for analytical purposes, coding themes allowed us to identify key concepts and ideas, which, in turn, have led us to make substantial recommendations. These things said, however, in order not to lose the narrative flow of the views expressed; and in order to provide the context in which such views were expressed, a full account of the survey responses has been included in Annex 2, Why Me? – Hate Crime Survey – Summary.

2. Interviews

Three of the four RECs organised one to one interviews (10 in total). The Edinburgh and Lothians Regional Equality Council (ELREC) conducted two; the Grampian Regional Equality Council (GREC) conducted six; and the Central Scotland Regional Equality Council (CSREC) conducted 2. In the interest of preserving the narrative value of the views expressed in these interviews, a full account of them, as submitted by SAREC, has been attached to this report (any data that may serve to identify those interviewed has been deleted and/or made anonymous). See Annexes 3 and

⁹ Coding is one of the most central processes in grounded theory. It entails reviewing transcripts and/or field notes, and giving labels (names) to component parts that seem to be of potential theoretical significance and/or that appear to be particularly salient within the social worlds of those being studied. See, Bryman, A, (2016), *op. cit.*, p. 573.

4, for ELREC's interviews; Annexes 5, 6, 7, 8, 9, and 10 for GREC's interviews; and Annexes 11 and 12 for CSREC's interview proceedings.

3. Focus groups

The results of the survey provided a baseline for the focus groups to be conducted. We delivered seven focus groups in total. WSREC conducted three, ELREC conducted two; GREC conducted one; and CSREC conducted one. The focus groups were convened between October and December 2016, at different locations and covering experiences of hate crime across the five protected characteristics: race, religion, sexual orientation, disability and transgender identity.

A focus group format was developed which would serve as guidance for SAREC. The overall purpose of the focus groups, consistent with the second main objective of the study (the range of services that could benefit those who have experienced hate crime), was to: empower the victims of hate crime through translating their negative experiences into a series of proposals for improved service provision - a series of recommendations for progression towards developing a national service for victims of hate crime in Scotland.

At the core of the focus groups was the provision of a safe and empathetic environment facilitated by convenors that possessed knowledge and expertise in dealing with hate crime. Given that all four RECs are Third Party Reporting Centres, the focus group convenors (and interviewers) were able to explain and clarify issues around hate crime, hate incidents, reporting mechanisms and prosecution procedures.

Each REC, then, had enough experience and expertise to allow them the flexibility with which to conduct both interviews and focus groups according to the specific individual needs of their participants and any group needs that arose during the focus

group sessions. Therefore, although a focus group format was suggested, the different RECs made the necessary changes and adjustments they considered appropriate. The format included an exploration of the hopes and worries of the participants in relation to the focus group; and the reading of a short hate crime dramatisation to which participants in the focus groups might relate.¹⁰ This strategy was suggested in order to 'trigger' the conversation allowing participants to talk about their own experiences in their own time. Two crucial questions were asked in all the focus groups: 1. What went right or wrong during and after the hate crime/incident? and 2. What would have helped? These questions addressed issues around the reporting process, liaison with the police, the potential involvement of other agencies, the kind of support that would have been beneficial and ways in which hate crime could be prevented. Confidentiality was guaranteed from the outset and the full objective of the focus groups and overall research was explained to the participants. A summary of the results of each one of the seven focus groups has been attached to this report (Annexes 13 and 14 for ELREC; Annex15 for GREC; Annex 16 for CSREC; and Annexes 17, 18 and 19 for WSREC).

III. Results

This section includes and brings together an analysis and discussion of the empirical data gathered through the survey, interviews and focus groups. The full nature and detail of the data collected cannot, for reasons of space, be replicated here but can be seen in the Annexes. Nevertheless we have tried to faithfully capture the essence and force of everything that was said and reported by all of the respondents in the survey, interviews and focus groups. In order to do this, we conducted a coding exercise that helped us identify the key themes set out in the results and which would allow us to present and comment on our objectives:

¹⁰ The dramatisation 'Harry's story' was taken from, Stop Hate Crime, Learning together training pack, available at <http://arcuk.org.uk/safetynet/files/2012/08/Hate-Crime-Learning-Together-Training-Pack.pdf> (accessed 14.09.16). The focus groups format was developed by Karla Perez Portilla from WSREC.

- Participants' experiences of hate behaviour
- The services that those who have experienced hate crime thought would be beneficial

1. Experiences of hate crime/behaviour

a) Who are the targets of hate crime?

Most of the participants in the survey, 53.5%, said that in their opinion, the motivation behind the hate crime was Race, which includes skin colour, ethnic origin, nationality or national origin. Hate crime in relation to religion or faith represented 26.7%; disability 20.9%; and sexual orientation 12.8%. The survey also showed that 9.23% of the respondents did not know what motivated the crime; 262 people skipped the question and 7 people answered 'other' (Annex 2, p. 3).

In one of the focus groups, when we asked participants about the traits they thought could put people at a higher risk of being the targets of hate crime, one of the participants said that 'anything that makes the person stand out as different, whatever made the person noticeable'. This participant then said, for example, 'Muslim women are an easy target when they use head scarf, people with dark skin colour and so on' (Annex 19). This answer, we believe, reveals a key characteristic of hate crime, which is hatred of the 'Other', of people who 'deviate' from a 'norm' in a general sense; of individuals within groups, which are irrationally feared or despised.

Other participants in our focus groups said that gender, age, and political opinion should also be covered by hate crime legislation. This was because, in relation to the latter in particular, there are situations when people target specific groups, such as during election campaigns – the Scottish Independence Referendum (2014) for example (Annex 18).

Interestingly again, 9.23% of the survey respondents were not sure what the motivation behind the hate crime they experienced was. This is not uncommon. The very definition of hate crime is a difficult one to grasp even amongst lawyers. It is indeed problematic to interpret what the motivation of the perpetrator was. There are, however, indicators such as the insults used during a verbal and/or physical attack, or indeed the targeting of sacred places. Nevertheless, on an everyday basis, offensive gestures and manifestations of hostility may not be overtly racist, transphobic or Islamophobic for example. We may have the feeling that we have been targeted because we are 'obviously' migrants. However, this remains difficult to prove once a case reaches the courts. This is indeed one of the reasons why, official definitions of hate crime make emphasis on the element of 'perception'. For example, according to the UK Home Office, hate crime is 'Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate'. The Lord advocate's Guidelines on Offences Aggravated by Prejudice definition takes a similar approach. For the purposes of investigation 'an incident is aggravated by prejudice if it is *perceived to be aggravated by prejudice by the victim or any other person*'. What matters then, is, whether or not the person or anyone else perceives the motivation of the crime to be (racism, Islamophobia, homophobia, etc). This, however, is useful at the point of reporting but of limited significance afterwards because the element of prejudice will require further investigation by the police and indeed witnesses might be necessary in order to confirm what was said and/or done.

b) Most common forms of hate crime experienced

The experiences of hate behaviour reported by the respondents included, almost invariably, the existence of verbal abuse, followed sometimes by physical attack or harm to property (See Annex 2, p. 4, Q4. Please describe the incident or incidents). Moreover, verbal abuse is one very clear example of hate crime because of the words and insults uttered are unequivocal expressions of prejudice.¹¹

¹¹ Prejudice can be understood as a scale or ladder which can start with insults, followed by avoidance, discrimination, physical attack and escalate to murder. A scale of this sort was first suggested in 1954 by Gordon Allport in his book entitled, *The Nature of Prejudice*, Beacon Press.

Verbal abuse is a discreet harm, the effects of which may last a lifetime and, as such, should be taken very seriously given the psychosomatic nature of the effects.¹² That said, in the experience of our respondents, it becomes apparent that verbal abuse is often the beginning of other attacks, both physical and to property. Crucially, the forms of verbal abuse described by our respondents to the survey, Q4, on no few occasions brought as a consequence restrictions to very basic freedoms such as the freedom of movement of the targets of hate crime. For example, people no longer felt free to leave their homes, walk down the street, go to work, pick up their children from nursery or drive their cars (these experiences are included in Annex 2, p. 9, Q7. Please describe the impact that the incident had on you).

In one of the focus groups conducted by WSREC (Annex 18), it was argued that something may be a crime in one country but it may not in another country. Therefore, for migrants, it may be even harder to report because insults and/or verbal abuse may not constitute offences in their home countries. However, even within the UK, hate crime is not known or fully understood by the wider public and many experiences may simply go unreported.

Given the emphasis on verbal abuse as a very common feature in most cases of hate crime, it is striking that the 'police report form' (Annex 20) only asks whether anyone was injured; and whether or not any loss or damage to property resulted from the incident. These two questions do not offer the possibility of establishing the effects of verbal abuse on its targets. Verbal abuse is an assault on people's feelings, self and social-esteem and, therefore, the form should allow the possibility of reporting some form of psychological harm such as emotional distress, anxiety and/or fear as consequence of hate crime. In this regard, we would recommend that

¹² The physical and psychological consequences of hate crime have been explored by, for example, Iganski, P (2016). 'The psychological impact of hate crime', in E. Dunbar (ed), *The Psychology of hate crimes as domestic terrorism: US and Global Issues*, (vol. 2), Santa Barbara, CA: Paegar; and Herek, G. M., Gillis, J. R., & Cogan, J. C. (1999). 'Psychological sequelae of hate crime victimisation among lesbian, gay, and bisexual adults', *Journal of Consulting and Clinical Psychology*, 67, 945-951; and Bisson, J. I., & Shepherd, J. P. (1995), 'Psychological reactions of victims of violent crimes', *British Journal of Psychiatry*, 167, 718-720.

the police report form should expressly include the possibility of reporting verbal abuse, alongside physical injury/attack and damage to property.

c) Reporting

Seventy nine of the respondents answered the question as to whether they had reported the incident they had experienced to the police; 269 people skipped the question, and of those who did answer, 37 said that they had reported the incident to the police (Annex 2, p. 7).

The respondents were also asked whether they had reported the incident to another organisation, 80 people answered this question, 268 skipped the question and 35 reported the incident to another organisation, including: charities, schools where the incidents took place, local government departments, Housing Associations, their employers, HR department, Victim Support, GREC, ELREC, WSREC, CSREC, Nil by mouth, LGBT Health and Wellbeing Edinburgh, Falkirk Council Social Work Department, CORE, Stirling Council Employability and Citizens Advice, Show Racism the Red Card, Glasgow City Council, Unison, Tell Mama, Falkirk Council, Scottish Council of Jewish Communities (SCoJEC), Community Security Trust, and Trec. One survey respondent said that they had also approached an MP, MSP and local councillors and had even tried to reach the most senior police officer (Annex 2, p. 8).

It seems that people still mostly reporting directly to the police and that there is some confusion around who to contact. Indeed, as gathered from the interventions within some of our focus groups, many participants did not know much about Third Party Reporting Centres. This issue confirms the need for more awareness sessions for the wider public. In fact, participants in the focus groups were more likely to report a hate crime once they knew of the existence and rationale behind Third Party Reporting Centres (See, for example, Annexes 17, 18, and 19).

d) The experience of victims with the police

The majority of our respondents have had negative experiences with the police. In fact, one focus group participant (Annex 18) showed clear disappointment and no hope whatsoever about the possibility of change. In this participant's view, the police have a particular ideology and some form of training, which makes them unable to sympathise with the victims.

People often said that they feared that the police wouldn't believe them and that this made them feel worse than they already did after having experienced hate behaviour. One of the respondents to our survey made various clear points about the relationship between the police and those who experience hate crime. According to this respondent,

'I was not only personally experiencing some of the hate crime and sexual harassment but also, as one of the organisers trying to deal with the impact of the hate incidents and sexual harassment on a residential event of over 350 people [a Conference for bi people, their friends, partners, and others with a supportive interest in bisexuality]. We held the event to make a safe 'bi bubble' to get away from discrimination, harassment and hate crime. That space and safety was being repeatedly violated. Some individual officers were very kind. But I had to do on the spot training because they were as stunned as we were that we were being targeted so often and that so many aggravating factors were all involved. We had to explain what biphobia and transphobia are and why they had to use those terms and not homophobia. We had to explain why we were also getting so many disability and race related hate incidents as well. The repeated questioning about 'why are they picking on you' questions from different shifts made me feel like the police thought we were somehow at fault or doing something wrong to attract so much hate. Like by being in such a big gathering of bisexual people we were asking for trouble. This implied biphobia on their part, or at the very least ignorance about our hate crime

issues and how we (intersectional bisexual people) are at a particularly high risk of hate crime and sexual harassment' (Annex 2, p. 9).

A clear picture of intersectional hate crime is also provided in one of the interviews conducted by ELREC, see Annex 4.

This case then, reveals that the police can add to the burden of hate crime and further victimise those who have experienced hate behaviour. Lack of training is therefore evident and there is a pressing need for constant and up to date education for police officers. Moreover, the need for a multi-agency approach in dealing with hate crime becomes apparent. If police officers do not understand the issues at stake around the various protected characteristics, they should at the very least consult with those who have specialised knowledge as opposed to simply questioning the victim expecting clarifications from them. The need for police to take a multi-agency approach was also pointed out in one of the focus groups conducted by WSREC, Annex 17.

2. Support services

a) The harm caused by hate crime

This section offers an analysis of the main types of harm reported by the participants in our survey, interviews and focus groups. The purpose here is to summarise the findings. However, all responses to the survey, interviews and focus groups can be found in the relevant annexes, which provide a complete sense of the effect of hate crime on people's (individuals and their families) physical and psychological integrity, property, relations, life expectations and freedom of movement. The headings that follow are themes that were identified after the review of the survey qualitative data, interviews and focus groups reports. These themes were particularly salient; however, the narrative of the experiences of hate crime reveals that, in reality, there is a combination of various interrelated harms as a result of hate crime. This is to say that, people who have been the targets of hate crime do not only experience a

specific type of harm but a combination of many (to their mind, their person and their property). Labelling discrete harms however, can help us to identify the services that are needed in order to bring redress (a clear example of a series of discreet but interconnected harms affecting the victims of hate crime can be found in ELREC's focus group included as Annex13).

Hate crime can be said to be a form of crime that 'hurts more'. This means that, while any crime causes distress, being targeted due to an aspect of our identity, inflicts more distress and anxiety. Objects, for example, can be replaced. However, knowing or feeling that the crime was committed because of who we are can have long lasting effects. Hate crime also has a collective impact. This means that while the perpetrator may have, for example, physically attacked one single Muslim woman, and pulled off her headscarf, they did so because she is Muslim. Therefore, any other Muslim woman may feel under threat and scared, thinking she might be next.

Harm to physical and mental health

Respondents reported detriment to their mental health through, for example, negative changes in their mood, living in fear of going out or even moving between rooms within their own homes. Loss of confidence was one of the most common effects alongside fear of both being alone and of going out and about (Annex 2, Q7, p. 9). Hate crime in this way, represents a detriment to the overall freedom of individuals - hate crime makes the victims feel insecure.

Hate crime may push victims to be constantly vigilant, which is in itself a harm to their mental health and may be conducive to anxiety, depression and other serious mental health problems. Moreover, being constantly vigilant and fearful also brings detriment to the whole body – hate crime could thus be seen as a potential national health issue. For example, after verbal abuse from colleagues at work over a sustained period of time, a respondent was medically suspended [sic] due to ill health (Annex 2, Q4, p. 4 and Q7, p. 9, para. 2).

The effects of hate crime may also have life or death consequences. Respondents to the survey have confirmed that hate crime is so hurtful that people may self-harm and even consider taking their own lives. This, for example, was the case of a family who said that they were being told to 'go home' after the 'Brexit' referendum on 23/06/2016. Their daughters 'were beaten up at school' and 'called Nazis' (Annex 2, Q4, p. 4, para. 4). This respondent then said that, as a consequence, their 'two daughters became suicidal and [began] self harming'. Their family 'nearly broke down, as none of us could cope anymore, and we felt unwanted, hated, outsiders...' (Annex 2, Q7, p. 9, para. 4).

Restrictions to the targets' freedom of movement

Many of the respondents to the survey reported various ways in which hate crime had a negative impact in their freedom to move and go to places, including using public transport. When driving too, people reported being scared of using certain roads. For example, a respondent said:

'The experience affected me in a way that I never wanted to go and collect my children after this experience. I was so scared of the idea of using the same road again. Each time I had to collect my children up from nursery, I would use a taxi or ask a friend to collect them for me' (Annex 2, Q7, p. 10, para. 21).

Hate crime, then, appears to have a clear effect on people's freedom of movement and transit. Another respondent, for example, said that after the attack, their children 'could not go outside alone' and were 'scared to play outside' (Annex 2, Q7, p. 9, para. 3). Other participants have pointed out examples that go even further; for example, one respondent indicated that her freedom of movement was restricted even within her own house. The participant said '[I] had no confidence, lived upstairs in my house, was only downstairs to cook. Constantly scared of getting window smashed' (Annex 2, Q7, p.9, para. 7).

Hate crime may also have an impact on where people can or cannot live, which is, again, a clear detriment to an individual's freedom. A respondent to the survey said that he had to move house as a result of hate crime. It is well known that moving house is a traumatic experience in itself but it also has a series of financial costs; it takes time and requires energy. It also affects the whole family, which may have to re-arrange their lives. All of these 'consequences' as a result of the prejudice and malice of the perpetrators of hate crime. The respondent said:

'I had to move house even though I moved to be closer to family and friends who I relied on for support' (Annex 2, Q7, p. 11, para. 56). This was as a consequence of 'Mostly verbal [abuse, we] had a letter through the post box telling us to f-off back home, continuous harassment, intimidation. They have trashed our garden twice when drunk. They block my driveway. Damage to my car. Comments made to [me] or about me while sitting outside. They point and laugh at me when they see me at shops etc. I did get a text message asking if I was ready to move' (Annex 2, Q4, para. 57).

Another clear example of restrictions to the freedom of movement of people and a limitation to the places where people can or cannot live because they are known not to be 'foreigner-friendly' can be seen in one of the focus groups organised by ELREC (see Annex 14). See also the interview conducted by GREC (Annex 9). The person interviewed reported being verbally abused by her neighbours with expressions such as 'You f**** migrant! Go back to Poland' (see Annex 9).

Isolation as a result of hate crime is another common consequence given the impossibility of going out and about. It can also imply that people are 'othered' and even permitted to use different doors in order to avoid the aggressors as opposed to hateful behaviours being challenged. For example, a person interviewed by GREC (Annex 8) reported that:

'Her daughter was attacked and beaten [because of her ethnicity]. The headmaster offered her daughter to use back door after classes for her safety'.

Isolation also happens because other people may not want to be associated with or close to people who have been the targets of hate crime. A respondent, for example, mentioned that none of their childrens' friends wants to come to play with their children because of fear of a man who harasses the children. The respondent said:

'We both very much disturb with this situation and my kids were harassed [racist abuse] could not go outside alone and scared to play outside. He always sitting outside in his car and harassed my kids. None of my kids friends want come to play with my kids because of him. I am hypersensitive patient and after these incident my BP could not control. My GP were applying all combination on me. All time we feel what we did wrong. I left my job in which I did night shift to stay with family in night' (Annex 2, Q7, p. 9, para. 3)'.

This case, then, not only reveals another dimension of hate crime, which is isolation but also what we stated at the outset, that hate crime brings as a consequence a series of interconnected harms to people's and families minds, bodies and property.

Employment and financial detriments

As noted earlier, moving house is a financial cost associated with hate crime. There are, however, many other examples of ways in which hate crime affects people economically. Many respondents to the survey, as indeed in the focus groups, reported problems at work which had as a consequence, a detriment in their performance and, indeed, in some cases they had to give up their jobs altogether. Moreover, when people experienced hate behaviour within the workplace, reporting was an added burden given that the act of speaking out itself could leave to them losing their jobs. See in this regard one of the interviews conducted by GREC, the

person interviewed was told that if she was not happy she could 'leave anytime as there are plenty of people who would like to work there' (Annex 6).

On another level, a respondent to the survey mentioned a financial detriment because they had to pay for a solicitor. This is an added cost that victims of hate crime may need to cover when a case reaches court. A respondent to the survey said 'My family life is destroyed, I lost 7 figure sum and had to hire a solicitor and paid lots lots in fees. I won in the Court of Session case but police is still the same, they are with the other peoples for help...' (Annex 2, Q7, p. 9, para. 6).

As explored above, hate crime has an impact on freedom of movement and it can be anticipated that changing routes in order to arrive at places by avoiding 'dangerous areas' can also have a financial detriment.

Hate crime has long lasting effects

From the answers given by our respondents, we gathered that the effects of hate crime can last a long time. An incident may take place on a given date and at a certain time; however, the fear, the state of constant vigilance and the loss of confidence can have more permanent effects. The following are examples taken from Annex 2, Q7, pp. 9-11:

'I'm scared all the times' (para. 22; however the feeling of being scared at all times can be seen in many more answers to this question);

'The experience affected me in a way that I never wanted to go and collect my children after this experience' (para. 21);

'I was so scared of the idea of using the same road again' (para. 21);

'I feel I should not be here however I contribute to society and pay my means. I have never received a handout from the government so I feel down that people can say things to me and get away with it' (para. 25);

'Both myself and my son were physically shaken. My confidence plummeted, and I did not leave the house for a full week after the incident. I'm still terrified of parking in a disabled bay, in fear of meeting the man again' (para. 26);

'My grand-daughter was traumatised and has been really frightened to go out since then. I feel lost at seeing this. I am trying to console her but I know that this incident will leave a big mark on how she sees people around her' (para. 27);

'It makes me feel that Scotland and Glasgow in particular isn't a place where I can be myself. I am constantly vigilant on the street, as is my partner. We just quietly, without even talking about it, modify our behaviour. If we are somewhere unfamiliar in Glasgow, or if it's at night and there are groups of drunk men on the street, or on the subway or the train, we stop holding hands, we tense up. It becomes part of everyday life. It impacts on my sense of safety, it makes me feel like I can't just be myself in public spaces, it knocks my confidence. It worsens my depression and anxiety' (para. 12);

'It made me never want to speak again in case people noticed I was different' (para. 37);

'Affected my confidence, ability to feel safe within my neighbourhood, afraid for my child, didn't want to socialise, had to really remind myself that not all white people share those views'(para. 41);

'I was unable to work for 4 years, as I could not leave the house' (para. 47);

'Made me want to avoid public transport' (para. 48);

'I stopped collecting my own prescription and became dependant on others. My son was left shaken and upset with a lot of questions I struggled to find answers to. I lost all my confidence and started to think maybe he had a point. I stopped leaving the house for a while and became isolated and stopped taking care of my health needs' (para. 57);

'I was left shaken and felt unwelcome in this country' (para. 61);

Hate crime can also push people to hide who they are: 'It certainly made me hesitant to wear clothing that identified me with my faith when outdoors' (para. 30);

'We have stopped holding hands and being affectionate in public' (para. 12).

Following these experiences, it can be suggested that if hate crime has long lasting effects, support services may also need to be offered on a long term basis and/or with a view to assist the person in an holistic manner and, possibly, for a long period of time. This is the case of support services such as counselling, medical services and advocacy. Moreover, as is increasingly common in local authority provisions, there should be a planned multi-agency support system, for example between, social work, education, health, law centres, police and housing associations.

Hate crime has an impact on society as a whole; it inflicts a ‘social harm’

As reported by some of our respondents, when ‘things go wrong’, people can lose trust in the police, in institutions and in society as a whole. This is another harm associated to hate crime - its potential to break communities and social relations.

Some respondents reported that they had learned to live with the ill-treatment associated with hate crime and, therefore, did not allow incidents to affect them. For example, a respondent said: ‘as a 40 year old gay man I have experienced prejudice since school. I don’t allow this to affect me’ (Annex 2, Q.7, p. 9, para. 14). Although some people may develop strategies to cope at personal level, the injustice is still there and the harm is clear because people have internalised this oppression and prejudice as a permanent part of their lives. Another respondent said: ‘unfortunately we’re used to it, but its still unsettling’ (Annex 2, Q.7, p. 11, para. 66).

Examples of the ways in which hate crime affects society as a whole are as follows:

‘[Hate crime] affected my confidence, ability to feel safe within my neighbourhood, afraid for my child, [I] didn’t want to socialise, had to really remind myself that not all white people share those views’(Annex 2, Q7., p. 10, para. 41);

‘Because of the incident, I feel scared always to interact with people from white background. I don’t move freely in certain part of the city and locally. I always feel down with the bad memory’ (Annex 2, Q7., p. 11, para. 73);

‘It [the incident] made me want to leave the UK’ (Annex 2, Q7., p. 11, para. 71).

A whole country, then, can be said to lose, when its population is viewed with fear, suspicion and resentment. Moreover, it is possible to anticipate that people who may otherwise make valuable contributions to society and to the country will prefer to leave and will do so if they have the opportunity.

Some of our respondents, while expressing the impact of hate crime in their lives, also told us what helped them to cope. Two strong means of coping that emerged were: the support of a community; and of self-help groups where people can discuss their experiences and realise that they are not to blame and that what happened was wrong and illegal. For example, a respondent said 'we look out for each other, we are a family and community sticks together' (Annex 2, Q.7, p. 10, para. 39).

b) The support that those who have experienced hate crime have received

Survey question number 8 asked whether respondents had received support or advice from any organisation. 79 people answered the question; 63 said no and only 16 said yes. Interestingly 269 skipped the question. The support they received came from organisations such as: Unison, ELREC, GREC, CSREC, Stirling Council Employability, LGBT youth Scotland, Victim Support, Show Racism the Red Card, Citizens Advice, Falkirk's mental Health Association (FDAMH), Police, Community Security Trust and Scottish Council of Jewish Communities.

Respondents were also asked to what extent the support that they had received was helpful. Fourteen people answered the question out of which only three found the support very helpful. At the other end of the spectrum, two people found the support they received very unhelpful.

The fact that so few people answered these questions does not allow us to identify significant themes or trends but, it could be said that, lack of response conveys a message in itself. It would seem that people did not feel they had something to say in

relation to services and it also reveals that there aren't that many services available for victims of hate behaviour; or if there are, people do not seem to know about them. These are plausible conclusions considering that all other questions are answered in comparatively larger numbers.

Respondents were also asked to describe the support that was provided by the organisations (Survey Q.10). Only sixteen people answered the question. From the answers that we obtained, it becomes apparent that there is a need for a clear structure for the support that victims need. Some respondents found some support in the shape of counselling, 'advice on how I want to deal with the issue'; 'find a different place to live', given information on 'how report hate crimes and the types of hate'; 'listening ear', 'provided a personal alarm'. In some, reassurance, advice, and, in some cases, counselling and practical support such as finding a different place to live and help with telephone calls.

As we noted from the different forms of harm experienced by our respondents, a series of services should be in place but they are not. Organisations that assist those who have experienced hate behaviour are doing what they can with the resources that they have at a given time. However, this is not reassuring for people and neither is there evidence about the existence of a coherent system of support in place.

It is possible to suggest, then, that in order to know the sort of services that those who have experienced hate crime need, it is necessary to first understand the harm experienced and whether the mind, the property or the physical integrity of an individual has been affected so that corresponding support services are in place. Moreover, as we know from the experiences of our respondents, hate behaviour creates a series of interrelated harms, which extend beyond the individual onto their families, community and society.

c) The support and the changes that those who have experienced hate crime require

Respondents to the survey were asked to look back at the incident(s) and to the impact it had had on them (and those around them) and then to describe the kind of support that would have been most helpful at the time (Annex 2, p. 15). More people answered this question than the previous one - Q.10. Please describe the support that was provided by the organisation (answered by 16 people). Sixty seven people had something they wanted to say about services. Not surprisingly, given the lack of services available, many more people answered this question (67) compared to the previous one about the kind of support actually received (16).

This question is crucial to our study. First, as mentioned earlier, people are asked to help fight hate crime; to help police officers to see where hate crime is happening; where they can focus their resources and so on. However, people are also told that they will receive some support as victims but this support is often hit or miss; and if at all, people seem to be receiving it randomly.

Secondly, at the core of our study are the opinions and feelings of those who have been the targets of hate behaviour. We believe that any actions taken for the redress of the harm caused by hate crime needs to follow the views and needs of the people who have experienced hate behaviour.

Thirdly, we also recognise that the harm of hate crime is little understood, or there are mixed understandings at an institutional level, in schools, housing/places of dwelling, the workplace, the NHS and indeed by the police. Therefore, we understand that it is not always easy to specifically point to services that may help redress these harms. Nevertheless, from the responses of our participants, we have gathered that the following, are some of the most pressing support services and changes that those who have experienced hate crime/behaviour require.

Awareness of existing support

In the view of one of our respondents, people may be in shock after an attack and may not even imagine the kind of support they need at the time an incident occurs. Providing information about the support services available should be the responsibility of public authorities. Another respondent quite simply suggested that people need 'More awareness of what support exists' (Annex 2, p. 16, para. 34). Another respondent said: 'The effect of the incident was such that I don't think any kind of support could have made me feel better' (Annex 2, p. 17, para. 58).

The lack of awareness about what the victims of hate crime may need and indeed the lack of support services available can, to some extent, be improved by strengthening a multi-agency approach as already suggested. This approach is needed in so far as the police may not necessarily be appropriately equipped to understand the issues around different protected characteristics and, therefore, should seek the support from agencies with more understanding, sensitivity and expertise around hate behaviour (one of the interviews conducted by GREC, for example, addressed the issue of lack of understanding of anti-Semitism, see Annex 7). However, as we noted earlier, from our shared intelligence we know that, in any case, support services do not specifically exist.

Incidents not to happen again

Many of our respondents appeared rather selfless in the sense that they did not seek, exclusively or mostly, individual redress but, instead, they seemed to be concerned about the future and would prefer incidents not to happen again. This is clear, for example, when people respond by suggesting that it would help if police officers had training. A respondent said 'Everything would have been so much easier if the police had training on biphobic hate crime and how multiple aggravating factors combine. I really missed having an LGBT liaison officer available' (Annex 2, p. 15, para. 1). Another respondent simply said 'I want to know that such incidents will not repeat' (Annex 2, p. 16, para. 54).

An institutional approach to tackling hate crime (e.g. in workplace, in education establishments and in the NHS)

Various respondents made reference to the need for an institutional approach in responding to and assisting those who have experienced hate behaviour. Institutions such as schools, housing, the workplace and the NHS should be knowledgeable about hate crime and be ready to report and understand the victims' perspective). For example a respondent said 'management needed to take the incidents seriously but because I'm male and the perpetrators are female it was classed as office banter' (Annex 2, p. 15, para. 2). Another respondent said: 'I would like my employer to be legally obligated to report hate crime to the police and a victim support organisation to be informed and get in touch with me afterwards' (Annex 2, p. 15, para. 26). Participants in one of the focus groups convened by WSREC reported a number of incidents where the NHS staff made discriminatory, racist and abusive comments in relation to: the likelihood of Asian women having lots of children, Muslim people being responsible for the terrorist attacks in London (this was a comment made by a nurse to a new mother in the maternity ward), and speaking as if the person from a minority ethnic background were not present or were a child (see Annex 19).

More awareness and education about hate crime

More future planning, awareness promotion and education about the existence of hate crime was suggested by some respondents. One of them said it would help: 'Knowing it was a crime – knowing that it would have been taken seriously by the police. (I didn't trust that police officer would not be homophobic, that they would take my experience seriously)'. The same person said 'More education of what hate crime is (I don't even think those men thought they were committing crimes) -Greater awareness of diversity and respect in school and other public spaces' (Annex 2, p. 15, para. 11).

Another person said that it would have helped 'Knowing what to do or where to go if such incidents occur again. Clear simple information should be visible at bus stops' (Annex 2, p. 15, para. 20). Another respondent said that, it would have helped 'At

least to have known I could report such things and they would be taken seriously. I simply did not know I could report' (Annex 2, p. 17, para. 60). Similarly, others have said, it would help 'Knowing how to report a hate crime' (Annex 2, p. 16 para. 53). From the respondents' answers we gather, then, that awareness can also empower people. This is to say that if people knew that what happened to them was wrong and illegal, they would feel less 'abandoned' by society. For example, a respondent put their experience this way:

'At the time I wished an onlooker would intervene. This man didn't know me, my son or my circumstances I felt reporting it would be fruitless and cause extra stress but with hindsight no one should ever feel like I did - I for a while started to think he [the perpetrator] was "right"' (Annex 2, p. 16, para. 51).

A respondent felt education about hate crime should start from school 'to have lessons in school about hate crime and what to do if you're a victim' (Annex 2, p. 16, para. 30).

Awareness and education in the view of the respondents and the participants in the focus groups should also be for employers and business owners. For example, a respondent said 'business owners (e.g. fast food) could be more educated in this matter [hate crime] and help to provide CCTV records, also an emergency hate crime number should be in place to speed up the involvement of the police' (Annex 2, p. 16, para. 29).

Awareness is also necessary about the various identity traits protected against hate crime. A respondent put it this way:

'There seems to be little focus on awareness of discrimination against people with disabilities in comparison to some other hate crimes –possibly because

under-reporting or the inability of the person to report any hate crimes perhaps gives the impression that it is not a significant issue. More public awareness campaigns to create understanding of autism and learning disability, as well as highlighting that discrimination against those with such conditions is unacceptable, would be helpful' (Annex 2, p. 16, para. 41).

It is also important to notice that not many participants in the focus group knew about the existence of Third Party Reporting Centres, what they are and why they exist. Nevertheless, the need for this type of support (third party intervening/mediating) was pointed out. For example, a respondent said, it would have helped to have 'someone calling the police. Even if someone from the general public came to speak to us, that would have been quite nice' (Annex 2, p. 17 para. 63).

Changes in social and politicians' attitudes and language

Respondents believe that it would help if prejudiced people revised their attitudes. A respondent said it would help if 'politicians stop playing games and stirring up hatred in order to win votes [this] would give confidence that this type of abuse is not supported by them and therefore would end' (Annex 2, p. 15, para. 17). Another respondent put it this way:

'[the incident] was caused by ongoing anti-immigration policies and statements by politicians being repeated and not challenged sufficiently in the media. At the time, nothing was going to stop me feeling unwelcome in this country (where I was born). However, there needs to be more done to challenge the dominant RACIST [sic] narrative that immigration is bad' (Annex 2, p. 16 para. 47).

Participants in the focus groups and respondents to the survey have also mentioned the role that bystanders could play; both challenging the perpetrators and/or assisting

the victim. They also pointed out the feelings of isolation that occur when nobody does anything when someone is being attacked. They said this makes the victim feel that bystanders agree with the perpetrator. A respondent simply put it this way: 'At the time I wished an onlooker would intervene' (Annex 2, p. 16, para. 51). See also Annex 3, an interview undertaken by ELREC, where the potential role of bystanders is pointed out: 'It would have helped P1[sic] if someone reacted to the assaulter, took a video, wrote down some details, guided and invited her to report the incident'. Participants in one of the WSREC's focus groups pointed out the need for 'bystanders intervention in order to: a) stop a hate crime/incident; b) comfort the person who has experienced the crime/incident; c) take notes of the details such as time, date, and things that were said and anything that may help in reporting the incident' (see Annex 18).¹³

Improvements in the Police

Respondents expressed dissatisfaction about the way in which the police deal with hate crime generally. Respondents said that they wanted to be updated about the course of investigations after they have reported hate crime and incidents. This is indeed a right people have and a right that should be respected. Respondents said: It would have helped 'if the officer I originally reported the incident to called me back with an update when he said he was going to' (Annex 2, p. 15, para. 23). Other respondents would like 'police to be more sympathetic to my faith group' (Annex 2, p.16, para. 27). Another respondent felt it would have helped if 'the Police [had] taken action quickly and officers were friendly and professional' (Annex 2, p. 16, para. 45). Similarly, another respondent quite simply said 'More and better support from the Police!!!!' (Annex 2, p. 15, para. 4).

Besides these specific instances (more in Annex 2, pp. 15-17), where people identified what the police should be doing better, there is, however, also a great deal

¹³ The issue of bystanders witnessing hate crime and intervening is nevertheless fraught with difficulties; for example, around moral and safety considerations. However, it is an issue that many people who have experienced hate crime have identified and which requires in depth consideration. There has been research carried out in relation to bystander intervention in the context of sexual and domestic behaviour and this may serve as a baseline for research about bystander intervention in the context of hate crime. See for example, Fenton, R. A., Mott, H. L., McCartan, K., and Rumney, P. N. S (2016), *A review of evidence for bystander intervention to prevent sexual and domestic behaviour in universities*, London, Public Health England.

of cynicism and a total lack of hope about the possibility of the police changing for the better. One of the participants in the focus groups was clear in that she saw no possibility of change because in her view 'police were trained not to have empathy' and she thought that victim support happened too late (Annex 18). A respondent to the survey was sarcastic when asked what would have helped, the respondent said it would have helped if 'these people [the perpetrators of hate crime were] given other places to live or [if] we could afford to put our flat up for sale after living here for 15 years and spending savings of £18000.00 on a loft conversion!! Would have been helpful to win the lottery' (Annex 2, p.15, para. 18). This person pointed out a constant, which is that crime often also represents a financial detriment if one has to move and to the injustice in having to move when it is others who perpetrate the crime. However it is often the case that it is the victims who have to make changes.

Although exceptional, there are some positive experiences with the police. See for example, one of the interviews conducted by CSREC in relation to an incident of hate within an online edition of a newspaper (Annex 12):

'I had a very positively surprising experience of reporting hate crime. It was very easy to do through Police Scotland's website, and then was followed up immediately by Police Scotland. I had expected that my complaint may have been dismissed as being frivolous or that I might not have been taken as seriously as I might have expected it to. However, contrary to my expectations, it was treated extremely seriously and I was left with a wholly positive impression of the hate crime reporting process'.

Help with mental health

It is intriguing that although hate crime almost invariably involves verbal abuse, there are no clear provisions to redress the harm that such psychological attack creates for an individuals' mental health. Respondents to our focus groups, interviews and the survey made the case, in a variety of ways, for the need to address this issue. For

example, respondents have said: 'I think not only taking a note of the incident however providing me with some counselling and rebuilding my confidence [would help]' (Annex 2, p. 15, para. 10); 'Moral support, any support, workplace protection' (Annex 2, p. 16, para. 38). This latter view makes clear the case that psychological help cannot wait for an investigation to be completed. The state in which hate crime leaves its targets requires speedy attention. For example, counselling (which is a very common service that victims have said they require) should be somehow immediate. People who report soon after the crime has been committed, may be shaken and in need of immediate attention. It is appreciated that the police may not be the most appropriate institution to offer counselling, which further reveals the need for a multi-agency approach. As one of the respondents put it: 'public places should have a list of organisations and support agencies at hand' (Annex 2, p. 15, para. 20). Another respondent said it would have helped to have 'someone to talk to. Someone who called me a few weeks after to see how I was getting on' (Annex 2, p. 16, para. 43). Respondents suggested support groups and group counselling which seems appropriate given that hate crime is a 'group harm' in so far as it targets people given their possession of a particular identity trait. A respondent put it this way: it would have helped 'to be able to speak with a support group and have some counselling' (Annex 2, p. 17, para. 55). See also the focus group conducted by CSREC, Annex 16. Another respondent said 'It would be good to speak with a support group who would have made me feel part of Scottish society' (Annex 2, p. 17, para. 65). Another respondent mentioned the need for a specialised helpline which crucially, in the view of the respondent, should be 'well publicised' (Annex 2, p. 17, para 56.). In the same way that people feel isolated and 'twice harmed' when bystanders do not intervene, there is, from our respondents, information about the healing effects of support from communities and society generally. Being afraid of everyone can dramatically change when strangers offer support, they counterbalance the state of permanent vigilance that those who experience hate crime often live with. A respondent put it this way: 'Kind words and offers of help from other members of the public are invaluable, even if in practical terms they can do very little' (Annex 2, p. 16, para. 41).

Continuous support and advocacy

From our survey responses, focus groups and interviews, we gather that support is a continuum that starts with education and awareness at all levels, schools and public authorities included. Then, it moves to support in the event of being a victim of hate crime; this is needed through counselling or an empathetic ear. It is also necessary to have well trained police officers who know how to respond and have clear policy guidelines and protocols on how to deal with hate crime. Respondents have been specific in that it would be beneficial to have: ‘a named person who I could trust and rely [on] throughout’ (Annex 2, p. 16, para. 50). Support for Victim’s is needed throughout a case; more so is this the case in the event of a case reaching the courts. A respondent said it would help to have ‘support nearer the time of [a] court case in explaining and helping prepare for that experience would have been useful. If offered then, and possibly post court de-brief, could have been useful (Court experience of having to repeat in full, in front of defendant with her family glaring from public benches was actually worse than the incident)’ (Annex 2, p. 16, para. 37) . Legal support was also mentioned. A participant suggested that what those who have experienced hate crime need is: ‘advice, counselling and advocacy’ (Annex 2, p. 17, para. 66).

Interpreters and reporting forms available in different languages

We gather from our interviews (see in particular GREC, Annex 5) that third sector organisations have a significant role to play in order to assist people whose first language is not English. Moreover, the police should have the hate crime reporting form translated into different languages so that victims are able to fill in the form by themselves if they so wish. As one of the people interviewed put it ‘victims can express themselves better because only victims know how they really felt’ (GREC interview, Annex 5). Regarding the need for interpreters see also an interview conducted by GREC, Annex 10; and the focus group also by GREC, Annex 15.

IV. Conclusions

The current trend in work against hate crime expects a great deal from those who have experienced hate behaviour and gives comparatively little in return. Victims are asked to report and come forward because, in the words of the literature produced by Community Safety Glasgow and Police Scotland, 'All reports help build a picture of Hate Crime in your community and in Glasgow. They tell us if there's a problem in a particular neighbourhood or if a community is being targeted, then we can tackle the problem'; and reporting can 'help raise awareness of the issue and lead to a change in attitudes'.¹⁴ The information literature on hate crime also states that if you are a victim, 'you can receive support and advice to make you safer'. However, there is no clear evidence of the existence of such appropriate support and advice: this is the crucial issue that we have addressed in this report.

Given the lack of awareness about hate crime in general, and the lack of knowledge about its effects by both authorities and the public at large, it cannot be expected that a clear understanding of the services needed is exhaustive and complete.

Hate and crime are strong words which make it even more daunting for people to identify hate crimes and to report them. Probably, speaking about specific offences such as harassment, verbal abuse and/or speaking about physical or psychological attacks motivated by prejudice would make it clearer for the wider public. Similarly, it seems clearer for many people to speak of specific forms of prejudice such as racism, Islamophobia, homophobia and so on. People seem to be more familiar with these descriptions of prejudice and, indeed, they are more likely to identify a hate crime with these words and ideas in mind.

Reporting to the police and indeed to Third Party Reporting Centres is somehow the last step of a ladder of many rungs. It seems unlikely that people will report more to the police unless a) they are aware of the existence of a problem; b) they trust the authorities; and c) there is certainty that they will receive the support they need.

¹⁴ Hate Crime leaflet – June (2015), available at: <http://www.hatecrimescotland.org/wp/wp-content/uploads/2015/07/Hate-Crime-leaflet-English-June-2015.pdf> (accessed 25.01.17).

V. Recommendations

Recommendations in relation to support services

- Support services need to be specific to the needs of those who have experienced hate crime on different grounds (race, religion, sexual orientation, transgender identity, disability) because different grounds represent different challenges.
- Support services need to address and redress the harm/combination of harms that hate crime inflicts: physical, psychological and/or financial and to property.
- Those affected by hate behaviour often need urgent support to deal with the immediate consequences (e.g. medical including psychological and counselling treatment and support, repairs to damaged property, financial assistance, refuge away from the site of the attack and possibly temporary housing).
- Hate crime can be said to be a national health issue for the negative effects it produces for people's minds and bodies. Therefore, psychological and medical services (at an institutional and staff level) should be knowledgeable and ready to support those who have experienced hate behaviour.
- Support should follow a multi-agency approach. The police and indeed some Third Party Reporting Centres may not have the knowledge and expertise to assist people who have experienced hate crime based on a particular ground (e.g. transgender identity or disability). They should therefore have information about and from those who do have expertise. Moreover, a multi-agency approach also means that in order to tackle hate crime and assist the victims, it is also necessary to be in touch and work together with, for example, social services, housing associations, Victim Support, money claims (criminal

injuries compensations) and all the different agencies that can provide help specifically addressed to the harm that the individuals and their families have experienced.

- Public sector authorities generally; schools and employers need to be knowledgeable about hate crime. They should be able to: a) record incidents occurring inside their premises; and b) support employees and service users. Moreover, they should have a more 'humble' approach and seek help when they do not have the knowledge to deal with incidents of hate and prejudice.
- Hate crime can be said to inflict 'group harm' and, therefore, the possibility of group healing should be considered through counselling; for example for people who have experienced hate behaviour based on their religion or sexual orientation. Moreover, self-help groups can also be helpful, not only to share experiences and heal as a group but also to identify needs and specific support services.
- Support should be a continuum which may start, for example, with a listening ear, followed by help with correspondence and dealing with the police, providing information about the court system and so on. This is to say that support services are not always and desirably not only a one off piece of advice.
- Third sector organisations, such as the RECs are in a good position to assist those who have experienced hate behaviour; particularly when they have staff that speak different languages and understand the way in which hate crime affects its victims. Their participation in tackling hate crime is also paramount in providing awareness sessions in which to explain in a clear and simple way what hate crime is and what can be done about it.

- Whatever support is in place needs to be well publicised.
- It would be beneficial to have a well-promoted national helpline and an electronic help service for victims of hate crime.

Other general recommendations

- The hate crime reporting form should be available in many languages, at least in those spoken by large numbers of people in the Scotland.
- The police report form should expressly include the possibility of reporting verbal abuse, alongside physical injury/attack and damage to property.
- Gathering evidence that will help prosecute hate crime is paramount. Awareness sessions need to include some advice in this regard and make clear, with examples, what constitutes evidence of the element of prejudice in hate crimes. Moreover, the wider public need to be aware of the important role that bystanders and witnesses can play in order to a) reassure the victim; b) if safe to do so, stop/challenge the perpetrator; c) take notes which will help reporting the incident (and indeed they can, as witnesses, report the incident); and d) in the event of prosecution, act as witness.
- The structural causes of hate crime have to be addressed. This means addressing not only faults in legislation but crucially in education. Moreover, if prejudice and hostility remain widely spread by politicians and mainstream media, it is expected that large parts of the population may feel that they have a blank cheque to psychologically and physically attack vulnerable groups. In the context of refugees, for example, it is important to educate and be vigilant about their new lives in the communities to which they are sent. Anti-racist

education for the communities where new migrants arrive is a crucial part of a safe and successful 'integration'.

- The police need on-going training, not only sporadic sessions for some members within the force. The police need to have clear protocols and guidelines specific to hate crime which are made available to the public. Moreover, the wider public needs to know that they can complain against the police and how to do so.
- Victims have to be believed. Many people have felt they have been treated as if they were liars. This is particularly problematic in relation to hate crime given the difficulties in proving prejudice and in finding witnesses. Victims should always be believed at the point of reporting.
- Public transport is a common environment where hate crime and incidents occur. Therefore, drivers need to be knowledgeable and well equipped to deal with these instances. Public transport should carry the message that verbal abuse and prejudiced behaviour are offences that can and should be reported.
- Politicians and public figures should be challenged by people in similar positions of power when they are disseminating and fuelling hate and prejudice.
- Tackling hate crime needs to take a multilayered approach which includes, reporting, prosecuting, supporting victims; and parallel strategies such as: for example, documenting instances of prejudice on platforms where those who have experienced hate crime feel comfortable (online, community groups, through art, storytelling, etc). Documenting these instances of hate behaviour

(that may never be reported to the police) can then help build a picture of the type of crimes that are being committed thereby unveiling hidden instances of prejudice and help authorities and the police determine where to focus their resources.

Survey

Ultimately gathering data for a study in this complex, sensitive and often controversial area relies on those willing to participate and share what are often deeply personal, hurtful and often confidential experiences. We are therefore grateful to all of those people who put their trust in us, and shared their experiences. We believe that the question that gave title to our survey, Why me?, not only makes reference to the injustice of being targeted because of an aspect of their identity that they do not and should not need to control but, also, to the unease and unfairness of having to play a major role in the solution to a problem that they did not create.

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VII. Annexes

