Executive Summary

1. Stop Hate UK believes that at the heart of Hate Crime legislation should be the promotion of equality. An adequate response to hostility-based offences would incorporate both an extension of the aggravated offences to the strands of disability, gender identity and sexual orientation and improvements to the application of sections 145 and 146 to cases.

2. Stop Hate UK believes that Hate Crime still struggles to be heard. It is well documented that Hate Crime is underreported.

3. Stop Hate UK provides third party reporting services and receives reports from victims, witnesses and third parties on a daily basis on our helplines and electronic reporting facilities. We fully fulfil recommendation 16 of the Macpherson Report. Across the country there has been an inconsistent interpretation and patchy response to this finding.

4. The contribution that our third party reporting mechanisms can make and the different communities these reach is vital and an important way to overcome some of the barriers that individuals face when reporting Hate Crime.

5. Social Media companies play a key role in being able to identify and remove material online. A strengthened partnership with civil society organisations is of the upmost importance.

6. It is impossible for the Police to be able to reach all community groups and it is essential therefore to develop trusted community links.

7. Statistical analysis can only show us trends in incidents that have been reported and we are aware most Hate Crime that occurs is not reported. Measurement and analysis will be improved when more incidents are reported. As such a focus on improving the reporting and capturing of incidents is required.

8. Statistical information can never give the full picture of Hate Crime. Figures can show you how many people were affected by a particular strand or how many were the victims of a particular type of incident, but they cannot tell you how this made the victim feel.

9. The Police can work in supportive ways but they are not a support organisation. Hate Crime is bringing out new challenges and partnership between the Police and voluntary sector organisations is going to be even more important and the need for a professional and consistent service across the country is crucial.

10. Stop Hate UK strives to raise the bar and fully meet recommendation 16 of the Macpherson Report in a consistent, accessible and sustainable way.
Introduction

11. Stop Hate UK is one of the leading national organisations working to challenge all forms of Hate Crime. We have experience of providing independent, confidential and accessible reporting and support for victims, witnesses and third parties. This is through running 24hr helpline services and providing nine different ways for people affected by Hate Crime to report incidents and get immediate support.

12. We have experience in developing accessible and targeted publicity and awareness raising items designed for different community groups. This includes information in; Braille, British Sign Language, Audio recordings, in more than 45 languages.

13. Stop Hate UK contributes to local Hate Crime Multi Agency Risk Assessment Conferences (MARACs) and runs and co-ordinates Police scrutiny panels. Our core activities include awareness raising, training to a wide range of audiences, education and consultancy. We have a number of programmes which include challenging online hate and supporting those affected by it.

14. Our knowledge and experience in the field stems from our work with individuals and communities who are affected by Hate Crime. We therefore consider that we represent the interests of individuals and communities and, through advocating for them and working to further their rights, we provide them with a voice. It is with this in mind that we respond to this inquiry.

The effectiveness of current legislation and law enforcement policies for preventing and prosecuting hate crime and its associated violence

15. Stop Hate UK believes that at the heart of Hate Crime legislation should be the promotion of equality.

16. Stop Hate UK made a significant contribution to the Law Commissions 2013 consultation, Hate Crime: The Case for Extending the Existing Offences. Here we outlined our opinion that an adequate response to hostility-based offences would incorporate both an extension of the aggravated offences to the strands of disability, gender identity and sexual orientation and improvements to the application of sections 145 and 146 to cases.

17. There is a perception that there is a hierarchy of Hate Crime created by our current legislation, with Hate Crime motivated by race and religion perceived to be considered more important in legal terms by virtue of the potential for an offence to be charged in its aggravated form, while only section 146 exists for disability, gender identity and sexual orientation hostility offences, according them lower legal status.

18. The existence of aggravated offences for disability, gender identity and sexual orientation hostility-motivated offences would have the effect of sending a message to
the courts and the general public that crimes committed on such bases are treated as seriously as offences of hostility based on race and religion.

19. We believe that prosecutors should be required to flag at an early stage in proceedings that they intend to present a case as one which falls within the ambit of section 145 or 146. We consider it necessary to introduce a sentencing guideline. We also believe prosecutors should have the case of Sheard in their minds when a Newton hearing arises in a section 145 or 146 case.

20. Stop Hate UK supported the Law Commission’s recommendation that further review of the aggravated offences ought to take place. Stop Hate UK hopes that the Government implements the full-scale review of the operation of aggravated offences and of the enhanced sentencing system that has been called for by the Law Commission.

21. Stop Hate UK welcomed the Law Commission’s recommendation that the Sentencing Council issue guidance on the approach to sentencing in offences involving hostility.

22. In our view hostility can be motivated by any aspect of a person’s identity. We are aware of Hate Crimes based on aspects of identity such as age, alternative subculture, misogyny, sectarian and sex work being recorded by some Police forces in England, Wales and Northern Ireland. It is necessary, therefore, to point out that in the future additional strands of Hate Crime may become subject to national monitoring in the same way as the existing five monitored strands and the effectiveness of legislation would need to be further reviewed.

23. If an incident is an offence offline then it should be an offence online. Greater understanding of online hate needs to take place. Through a range of programmes and partnership work we would expect best practice and learning to take place and the law needs to be able to respond and develop alongside this. Stop Hate UK are pleased to see the recent announcement of the Metropolitan Police Online Hate Crime hub and believe this model should be extended nationwide.

The barriers that prevent individuals from reporting hate crime, and measures to improve reporting rates

24. Hate Crime still struggles to be heard. It is well documented that Hate Crime is underreported. The level at which this underreporting takes place varies depending on the strand of Hate Crime and community group for which those affected belong. Similarly, the barriers that prevent those affected reporting Hate Crime will vary for different individuals and communities.

25. Stop Hate UK provides third party reporting services and receives reports from victims, witnesses and third parties on a daily basis on our helplines and electronic reporting facilities. Through a conversational style to recording Hate Crime we are able to have a holistic approach which enables us to understand a person’s needs, wider issues, challenges and oppressions they may be facing.
From our experience it is not uncommon for those affected to ‘normalise’ the Hate Crime they are experiencing. We often hear individuals state they do not feel incidents they are experiencing are ‘serious’ enough to be reported to the Police. Incidents such as verbal abuse come to be considered as part of daily life and something for which the Police will take no action over.

Neil Chakrabati (2015) captured this when he stated, “Hate Crime victim’s experience their victimisation as a routine reality of being different opposed to an incident in need of reporting.”

A lack of confidence in the Police response is felt amongst community groups who have historically felt let down, targeted or discriminated against by statutory organisations. This has to now be seen within the context of the Welfare Reform agenda, cuts to services that vulnerable communities access and political messages that undermine, at least superficially, the basic principles of respect; tolerance; and freedom from abuse. Practical examples of this include a disabled person having their benefits investigated or a person seeking asylum in the UK feeling unable to go to the Police following an incident.

Stop Hate UK have also had contact with individuals who have felt they have received an unsatisfactory or unsupportive response from the Police. An example of this is the misgendering of a victim and repeated use of an incorrect pronoun when referring to them which resulted in them no longer reporting incidents to the Police. The training of frontline officers to be able to meet the needs and understand the experience of discriminated against community groups is essential.

Stop Hate UK’s statistical reports have continually shown disability has either been the most commonly reported motivation type to our third party reporting helplines and electronic services or closely second to racially motivated. This is in contrast to the number of reported incidents to the Police where racially motivated incidents remain the most commonly reported by a significant number. This demonstrates the accessibility of our service and success of our targeted campaigns.

Stop Hate UK provides accessible, consistent and supportive ways to report 24hrs a day, 365 days a year. Our electronic reporting methods include; SMS, webchat, online form, e-mail and mobile app. We are also experienced in developing accessible and targeted publicity and awareness raising items designed for different community groups which include; BSL, Braille, Easy Read and information in over 45 community languages.

Our annual statistical report 2014-15 shows that 50% of reports received were outside of ‘normal office hours’ which demonstrates a need for individuals to be able to report to a third party 24hrs a day.

We fully fulfil recommendation 16 of the Macpherson Report. Across the country there has been an inconsistent interpretation and patchy response to this finding. Stop Hate UK are proud to have Baroness Doreen Lawrence as our patron and we recognise our service as the only clear response to recommendation 16.
34. The contribution that our third party reporting mechanisms can make and the different communities these reach is vital and an important way to overcome some of the barriers that individuals face when reporting Hate Crime. Research conducted by Wong & Christmann (2015) has found that traditional third party reporting centres are limited in their accessibility and vary in the quality and level of support they are able to offer. The future funding of accessible, consistent and sustainable third party reporting systems is strongly recommended.

The role of social media companies and other online platforms in helping to identify online sources of hate crime and to prevent online hate incidents from escalating

35. Social Media companies play a key role in being able to identify and remove material online. We often hear from individuals who are frustrated at the apparent lack of response from social media companies in removing online hate incidents from their sites. Being more responsive when reports are received and putting more resources into monitoring activity to prevent escalation should be encouraged.

36. Stop Hate UK applauds the recent partnership work with Get The Trolls out to produce a guide, Stopping Hate: How to Counter Hate Speech on Twitter. This is an excellent example of encouraging people to address the creeping normalisation of hate speech online. This is a first step to more effective education and partnership working to challenge abuse to stop perpetrators from gaining confidence and letting those targeted know there is support available and that they are not alone.

37. Stop Hate UK welcomed the European Commission and IT Companies announcement of a code of conduct on illegal online hate speech. We are pleased the reviewing and removing of illegal hate speech in less than 24 hours was stipulated as well as the continued need to promote independent counter-narratives against hateful rhetoric. These series of commitments should be upheld.

38. We believe the code of conducts recommendation to strengthen partnerships with civil society organisations is of the upmost importance. We would welcome more dialogue, support and resources to be able to fast-track concerns that arise from reports received with a named contact and support which would aide current counter hate speech initiatives which work to prevent Hate Incidents from escalating.

The role of voluntary sector, community representatives, and other frontline organisations in challenging attitudes that underpin hate crime

39. It is impossible for the Police to be able to reach all community groups and it is essential therefore to develop trusted community links. Through our targeted campaign work we have been able to reach, understand and advocate for marginalised and often discriminated groups in our society.

40. Stop Hate UK deliver a range of programmes which includes challenging online hate and linking those affected to support. The internet is a public space and people should be able to move about as freely and safely online as they do offline. Voluntary sector organisations can play a key role in providing a counter narrative to online hate and ensuring those affected know where they are able to access appropriate support.
41. Educational initiatives and work undertaken in schools by Stop Hate UK and other organisations such as The Sophie Lancaster Foundation plays an important role in opening up dialogue and exploring attitudes that underpin opinions and actions.

42. A community development approach needs to be adopted to understand what is happening and the process of community dialogue can play an important part in this. These need to sit within a number of creative approaches and see a cascading of trust amongst community groups.

43. Hate Crime is wide-ranging and complex. The voluntary sector is broad and consists of much specialist knowledge and skills which can address these broad issues. Stop Hate UK have links with the Suzy Lamplugh Trust in recognising the connection with Hate Crime and personal safety and considering Hate Crime appropriate safety standards.

44. The voluntary sector needs to be as aware of Hate Crime as it is safeguarding and a common understanding of what this is and the needs of people and communities affected by it should be developed.

45. Providing consistent third party reporting systems which are accessible to sections of society that the Police are not able to reach is vital in any steps to tackle Hate Crime.

**Statistical trends in hate crime and how the recording measurement and analysis of hate crime can be improved**

46. Statistical analysis can only show us trends in incidents that have been reported and we are aware most Hate Crime that occurs is not reported. Measurement and analysis will be improved when more incidents are reported. As such a focus on improving the reporting and capturing of incidents is required.

47. Stop Hate UK supports an extension of the aggravated offences to the strands of disability, gender identity and sexual orientation. This would enhance a crime due to a Hate Crime element, place more emphasis on criminalising and see an increase in its being recorded and provide us with more information to identify trends.

48. An extension would also send the message that the law takes disability, gender identity and sexual orientation Hate Crime seriously; just as seriously as race and religion Hate Crime. This would be likely to lead to an increased confidence in our criminal justice system and in Hate Crime reporting processes and lead to an increase in reports.

49. Statistical information can never give the full picture of Hate Crime. Figures can show you how many people were affected by a particular strand or how many were the victims of a particular type of incident, but they cannot tell you how this made the victim feel. Stop Hate UK has a conversational approach to recording Hate Crime. As well as taking details for the Police and other agencies to investigate, we also listen to the victim, so they can tell us how incidents are affecting them and their family. We are all aware of the Fiona Pilkington case and this tragic and traumatic outcome. If we can learn anything
from this, it is the importance of capturing and understanding how incidents are making someone feel and the impact this experience is having on them.

50. In addition to the increase of incident reports the recording of what we may consider ‘softer’ data should also be considered. Capturing individuals and communities experiences of Hate Crime and how these have affected them are important in being able to understand how procedures need to be changed to meet their needs. Stop Hate UK believe it is important for victim satisfaction surveys to be carried out by Police forces across all strands of Hate Crime.

51. Stop Hate UK produces statistical reports and analysis of incidents reported and experiences of individuals who contact us. Other organisations produce reports outlining the number and types of incidents that have been reported. It can be difficult to compare findings across organisations when different definitions and different data sets and ways of recording are used. Mapping trends becomes problematic and this can lead to statistics losing their value. Stop Hate UK would welcome a move toward more standardised data to enable meaningful comparisons and better analysis to take place.

The type, extent and effectiveness of the support that is available to victims and their families and how it might be improved

52. The Police can work in supportive ways but they are not a support organisation. Hate Crime is bringing out new challenges and partnership between the Police and voluntary sector organisations is going to be even more important and the need for a professional and consistent service across the country is crucial.

53. The Police need to be able to overcome the prejudice against them and accept that they will not be able to reach and meet the needs of communities alone.

54. At present we seem to be satisfied with an inconsistent service for those affected. There is no consistent service and the quality and level of support received varies.

55. A holistic and creative approach is needed as current solutions continue to be based on the criminal justice system. Hostility based on perception opens up and reaches people with more complex and multiple needs. A Police response is not always appropriate and a conversational approach is required as people with complicated and multiple issues will need to be understood and will seek different sorts of outcomes.

56. Stop Hate UK have a highly skilled and varied workforce from backgrounds such as; the Police, housing, social work, victim care and prison service. When a person contacts our helpline or electronic reporting services we not only ask what has happened but consider; how they are feeling, what has led them to contact us at this time and what it is that they are looking for and need. We often ask what they will do once the contact has finished and if required support and plan with them next suitable steps and ways to cope with what is happening for them.
57. The needs of those affected by Hate Crime still struggle to be heard. Stop Hate UK strives to raise the bar and fully meet recommendation 16 of the Macpherson Report in a consistent, accessible and sustainable way.