Written evidence submitted by
Bournemouth University and Bournemouth Borough Council

Several individuals contributed to this submission (names listed at the end of the document), the submission was led by Professor Barry Richards and Andrew Williams.

Barry Richards is Professor of Political Psychology at Bournemouth University. His research interests are in extremism, fundamentalism and political violence, and the challenges currently posed to social cohesion and democratic culture. He takes an interdisciplinary 'psychosocial' approach to understanding social and political issues, as in his study of political leadership in his book 'Emotional Governance'. He is currently researching the psychological appeal of Islamist ideology. His forthcoming book 'What Holds Us Together' examines the place of nationalism in contemporary democratic politics.

Andy Williams is the Community Safety Manager for Bournemouth Borough Council. He is the lead for the Council in tackling hate crime and promoting community cohesion. He also chairs the Pan-Dorset Prevent Partnership Board and local Channel Panels. He has previously worked in community safety and community development in Dorset and the West Midlands.

Executive summary

- There is a degree of confusion concerning the definition of ‘hate crime’ which is exacerbated by local variations.
- Trust and confidence in authorities is a significant factor when considering why individuals do not reporting hate crime.
- There is work to do with social media companies regarding how they tackle hate incidents.
- Social and psychological factors interact together to determine when and how some people become perpetrators of hate crime.

We have structured our submission around the issues listed in the Inquiry’s Terms of Reference, with an additional section on the societal context in which we outline an approach to understanding the fundamental drivers of hate crime.

Responses to Terms of Reference

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

There are different categories of hate crime in legislation; these have emerged piecemeal over the years.

1. Offences consisting of incitement to hatred on the grounds of race, religion or sexual orientation (Public Order Act 1986 Parts III and IIIA as amended by the Criminal Justice & Immigration Act 2008 S.74).

2. Specific categories of offence (assault, criminal damage, public order offences, harassment etc.) which in some cases can be deemed to be racially or religiously ‘aggravated’ (Crime & Disorder Act 1998 S.28-32.). Aggravation is defined as the offence in whole or in part being motivated by, or being accompanied by, hostility towards the victim purely because the victim is perceived to be a member of a particular racial or religious group.
3. Provisions for enhancing sentences where offences in other categories are motivated by hostility because of an actual or perceived protected characteristic whether linked to race, religion, disability or sexual orientation (Criminal Justice Act 2003 S.145-146).

This seems to have created a confusing landscape in which the terms ‘hatred’ and ‘hostility’ are conflated, ‘aggravation’ can but does not necessarily mean motive, and the protected characteristics are not always uniformly treated. Also the definitions rest on self-reported or imputed perceptions of both victims and perpetrators, which from a psychological viewpoint is problematic data. Further, some offences are intrinsically classified as hate crimes, while for others, the categorisation as hate crime relies on the CPS asking for a sentence uplift when prosecuting.

Moreover, although there is a national definition of hate crime, this is confused by local additions introduced by individual police forces, e.g. Manchester have added in ‘subcultures’ such as goths following a high profile murder (College of Policing Hate Crime Operational Guidance: Similarly other forces define violence against people working in prostitution as hate crimes, while Nottinghamshire Police recently classified misogyny (meaning, in this context, harassment of women) as a hate crime These are significant expansions of the category.

Finally, overlaid on such differences and expansions in definition, there is great variation in the ways in which different police forces organise and report data on hate crime, both in the level of detail and in the ad hoc categories used to break down overall figures into more useful profiles. Of course, hate crime is a complex problem, and one which varies locally, therefore some flexibility is needed in reporting its incidence. Nonetheless, we suggest that the effectiveness of current legislation and its enforcement could be strengthened by greater clarity and consistency in the definitions of hate crime and its subtypes.

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

We suggest there are probably somewhat different barriers for different characteristics. Some are unspoken, akin to those that were also evidenced in earlier times in respect of domestic abuse when it was conceptualised as a ‘private family’ matter. Overall, however, trust and confidence in the relevant authorities is a major issue. To some extent this is part of a very broad and much discussed trend of growing distrust in authority generally. In this area, there are also some specific factors at work, some relating to certain government policies and police procedures. Within BME communities, ‘stop & search’ is still a big issue affecting trust. Community relations and the readiness to approach authorities have also been damaged by perceptions that the Prevent agenda targets Muslim communities. This is a difficult issue given that at the present time those individuals planning terrorist attacks are more likely to be from or in Muslim communities. However, not enough has been done to promote how Prevent can tackle right wing extremism - indeed, perhaps Prevent is not being used enough to that end.

Greater public trust in Prevent would enhance hate crime reporting rates.
And while hate crime and radicalisation are different phenomena, we ask whether strategy on hate crime should be more closely aligned to Prevent, despite the difference in focus. For
example, how many perpetrators of racist or religiously motivated hate crimes and incidents could be helped by the Channel programme, or something like it?

Responsible journalism can also contribute to an atmosphere in which fuller reporting could occur, by stressing the seriousness of hate-driven events (and the attention they are now given by the relevant authorities), while not fuelling panic or backlash by exaggerating their occurrence.

Lastly, barriers deriving from an individual’s social context include the risks of reprisal against those who report. Trust in protection would require effective communication of the measures available.

- 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.

Social media have allowed extremist groups to develop an online presence in a way in which they previously did not have the skills or expertise to do so. As such groups are able to extend their reach nationally and internationally. Social media platforms have also enabled individuals to establish anonymous accounts specifically for the purpose of spreading abuse or targeting individuals for harassment.

Again, different police forces and the social media companies themselves, seem to take different approaches to tackling online hate crimes and incidents. Some seem to tackle only “credible threats” of violence or crime, whereas others have lower thresholds for dealing with ongoing abuse and harassment.

Overall, while social media companies are very quick to tackle content which breaches copyright, they seem less willing to tackle hate incidents. Action at national and international levels is necessary to address this, as has been noted in relation to radicalisation by the Home Affairs Committee in its just-published report.

Whilst the European Commission Code of Conduct on tackling online hate speech goes some way to tackling some of these problems with social media companies, there are still issues with content which may be seen as offensive by the victim, but which might not constitute a criminal offence.

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

There is a difficulty in that many voluntary sector organisations, Race Equality Councils, advocacy groups, etc., have had their funding cut as local authorities are forced to make savings. Their potential for effective influence is thereby reduced. Similarly, in some instances there is only very shallow engagement from police and local authorities with newly established communities (ethnic/national, BME, transgender, etc.), where resource constraints have limited the scope for sustained and meaningful interactions to build trust and confidence. And where there are efforts to counteract radicalisation within such communities, local agencies must be willing and able to support those involved in them, especially in view of the risks faced by some individuals who stand up to oppose extremism.
Statistical trends in hate crime and how the recording, measurement and analysis of hate crime can be improved.

As we noted above, there is great variation in the ways in which different police forces organise, define and report data on hate crime. Moreover, there are large discrepancies between police data and the Crime Survey for England and Wales (CSEW). While the point of the CSEW is to provide a more inclusive and realistic picture of the prevalence of crime than the necessarily limited data on recorded crime, and so differences between the two should be expected, it is not easy to draw sound conclusions from either dataset in isolation, nor from a simple comparison between the two. In particular, the general public is not well-placed to understand fully the limitations of either dataset (e.g. the dependence of the CSEW on victim perception), nor to analyse what the differences between them might mean. That analysis involves a lot of criminological expertise and at times some controversy.

If it were possible in the short-term for greater coordination between forces in the collection of data, that would facilitate better understanding of how hate crime is developing nationally. Public understanding of and engagement with the problem could also be improved by the use of a more transparent and consistent conceptual framework in discussion and debate about it. In the longer term, some reworking of the legislation may be required to provide a more robust and integrated framework. Ideally this would need to reflect an understanding of how hate crime is related to the wider picture of social cohesion – to social inequalities, community tensions, marginalisation, and radicalisation (see section on ‘Societal context’ below).

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

There are some good support mechanisms in place for victims of hate crime and hate incidents. The difficulty is in getting individuals through the ‘front-door’ to report in the first place.

Societal context

We have pointed to the importance of building trust amongst local communities, and this point is central to our observations on reporting. Regarding prevention, we think that hate crime is an expression of wider societal conditions which are difficult to address from within a particular operational brief. However, on the principle that deeper understanding is always a contribution to more effective intervention, we will briefly present some considerations on the fundamental drivers of hate crime.

We see it as a psychosocial phenomenon, meaning that it has roots in both the psychologies of individual perpetrators and the social contexts in which they live.

1. Psychological drivers
While many people may at times experience anger, fear or resentment in relation to some group or groups seen as ‘other’, very few people will give potentially criminal expression to those feelings in overtly hateful behaviour. There will be particular factors at work in those people who do, whether those factors are transient stressors or long-term features of the personality or mental state. In the same way as the mental health factors in terrorist violence are now increasingly acknowledged, so do the individual psychology dimensions of hate crime need to be considered. This would require research into the characteristics and backgrounds of perpetrators, and the social contexts from which individual recognition is derived. This would in turn point to potential preventive interventions, albeit resource-intensive ones.

2. **Societal drivers**

A number of factors could be involved here, as there is a wider ecological context in which the individual, community and societal environments intersect. The following are the major drivers, though not in order of importance as this will vary between cases:

a) national political discourse where tacit legitimations of, or collusions with, hate crime find expression in mainstream debate and in the national media. The responsibilities of the media to deal with issues such as immigration, terrorism, etc. in ways which comply with the government’s list of British values (including that of ‘Mutual respect and tolerance of different faiths and beliefs’) are not always fully met.

b) online spaces, communities and discourses, where hatred of ‘outgroups’ is frequently expressed, accepted and expected.

c) face-to-face networks and spaces of family, peer and neighbourhood associates in which hatred of ‘outgroups’ is frequently expressed, accepted and expected.

d) neighbourhood, suburb or town environments in which there is either very little diversity, or a high degree of diversity accompanied by intergroup tensions. In the latter, a spiralling exchange of insults, provocations, threats, etc. may be in play, often online, into which new perpetrators can be drawn. In this process of ‘interactive extremism’, hate crime and radicalisation can trigger each other.

e) socio-economic factors, e.g. relative deprivation or stress, where social aspirations are curtailed and people resort in anger to ‘scapegoating’ practices which contribute to cultures of hate as in a) to c).

The key element throughout is in the ‘permission’ (explicit or implicit) which an individual feels (consciously or not) that they have been given to abuse or attack certain others, and/or the respect and social recognition they feel they might earn by doing so. Therefore social influences interact with psychological ones to determine when and how some people become perpetrators of hate crime.

This process is similar in important ways to that involved in radicalisation and violent extremism. We have already suggested closer links with Prevent, and more broadly see action on hate crime to be part of a wider strategy for dealing with socio-political violence and social cohesion, and for building commitment to a national culture of liberal democracy and civility.
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