1.1 Executive summary

- Galop provides a unique and effective holistic anti-violence service for LGBT people facing hate crime.
- Specialist services are best positioned to understand and meet the needs of communities who often feel alienated from mainstream services.
- We are proud to lead the Community Alliance to Combat Hate (CATCH), a ground-breaking partnership of leading anti-hate crime services, which the governmental hate crime action plan commits to working with.
- Galop has seen a general increase in hate crime service users, and a sharp rise since the EU referendum, mirroring that seen by police.
- New Galop research indicates significant barriers to reporting, access to services and poor satisfaction among those who report.
- Voluntary sector advocacy can effectively reduce repeat victimisation.
- Restorative justice could play an important part in tackling hate crime.
- We are not aware of any preventive offender programmes targeted at hate crime across all strands.
- Hate crime laws are fragmented and urgently need to be re-evaluated.
- Current legislation exclude trans and intersex people.
- Prevention does not currently play an important role in sentencing policy.
- The Victims Code and Victims Charter should be backed by law.

2.1 About Galop

2.2 Galop is the UKs’ anti-violence charity working on behalf of lesbian, gay, bisexual and trans (LGBT) communities. We provide specialist advice, support and advocacy to facing hate crime, domestic abuse and sexual violence. Our services include hate crime advocacy, reporting, peer mentoring, trans and young people’s services, the national LGBT domestic violence helpline and a sexual violence service. We also work to improve LGBT people’s experience of the criminal justice system through strategic work, research and training. We were established in 1982. Find out more about our work at www.galop.org.uk

3.1 The type, extent and effectiveness of support available

3.2 Galop’s Anti-violence service:
Galop operates a unique professional service assisting people facing homophobia, biphobia and transphobia. It is independent, confidential and centred on service users needs. It aims to help people make informed choices and empower them. A key part of our work is providing a safe space for our service users to talk in a non-judgemental and supportive space. We help with reporting and where someone decides to pursue a criminal justice route we assist in navigating the police and court system. We also assist in tackling a full range of needs arising from hate crime including emotional, housing, social, health, financial etc.
We are a community led service that is centred on the needs of service users, many of who have complex health and social issues. A key factor in the success of this work is our anti-violence approach, which integrates hate crime, sexual violence and domestic abuse into one organisation to better tackle the intersecting issues between them, while acknowledging the very unique issues and practices that are needed in tackling each.

3.3 Specialist services:
When given a choice, many people facing hate crime opt to access specialist and identity based support services. This is because they are entirely focused on understanding and meeting the needs of a particular community. Hate crime can target a person’s identity in a deep and long lasting way, which the response of services can exacerbate or ease. Specialist organisations are designed to be accessible to and give targeted assistance to particular groups who often feel marginalised by mainstream services. The benefit of this approach is demonstrated by our outcome data. During 2015/16 we helped 82% of our clients feel more able to cope with their situation, 96% of clients to feel more informed about their rights, and 84% to feel less likely to be the target of abuse. A Galop service user said:

"[My advocate] was there to help with my needs. Honest and kind. Never gave up on my case and never gave up on me. She always went the extra mile. She gave me hope and showed me the way to recovery... Without her I would not be here typing these words, so thank you from the bottom of my heart."

4.1 Key initiative tackling hate crime

4.2 Community Alliance to Combat Hate (CATCH):
We are proud to lead a ground-breaking coalition of leading anti-hate crime organisations. It aims to provide in-depth and expert advocacy to those people with high levels of risk and/or need. We are pleased that the new cross-governmental hate crime action plan commits to working with CATCH. It is a unique multi-agency partnership that brings the expertise and trust built by specialist organisations to a cross-strand service. To capitalise on this it employs experienced advocates who specialise in a particular form of hate crime (anti-semitism, disability, homophobia, islamophobia, racism or transphobia). Each advocate is employed by the corresponding service to their strand, meaning they operate in an environment that is entirely geared toward understanding and meeting particular need of their communities. This allows service users to be confident that their needs and perspectives are accounted for in the service they receive.

Bringing together advocates in one partnership means they are well equipped to learn from each other and address intersectional victimisation (i.e. where someone has been targeted because of hostility toward multiple aspects of their perceived or actual identity). The project
partners are the Community Security Trust, Galop, Tell MAMA, The Monitoring Group, Choice in Hackney and Wandsworth & Westminster Mind. We are grateful to MOPAC for commissioning the partnership to deliver a one year pilot scheme to develop a model for high quality hate crime advocacy.

5.1 Recording, measurement and analysis

5.2 Galop data:
We have seen an increase in hate crime service users, echoing that seen by the police. During 2015/16, Galop gave advice and support to 445 individuals facing hate crime. In addition we gave in-depth advocacy to 176 individuals with complex needs in relation to hate crime. We have seen a general increase in clients this year, but following the EU referendum vote we saw a noticeable increase. This is demonstrated by the fact that the number of individuals we provided with casework in Q1 of 2016/17 more than doubled compared with the same period the previous year (a 147% rise).

5.3 Research gaps:
The Crime Survey for England & Wales only includes a small number of responses from LGBT people each year. This is compounded by the census not including LGBT data. This means there are huge gaps in understanding shifts in the scale of hate crime and community confidence which is not the case for other communities. Without that evidence it is impossible to determine the true meaning of homophobia and transphobia reporting figures. We recommend supporting the creation of a regular survey of LGBT experiences, needs and perceptions in relation to hate crime.

6.1 Online hate crime

6.2 An increasing proportion of our caseload involves online hate crime. We are pleased to be working with MOPAC on their Home Office funded ‘online hate crime hub’ and were pleased to lead a coalition of charities commissioned by the Government Equalities Office to build www.stoponlineabuse.org.uk. We are aware that achieving criminal justice results on this issue is difficult and that social media companies tend to respond more proactively to community based removal requests than those of the police. Despite being well placed to tackle this issue, we struggle to find capacity to identify, report and challenge instances of online hate.

7.1 Barriers to reporting

7.2 Forthcoming Galop research found significant barriers to reporting. The study analyses responses from 467 LGBT people and numerous qualitative interviews. Results related to reporting are presented below,
ahead of full publication of 'The Galop Hate Crime Report: Homophobia, Biphobia and Transphobia in the UK'.

7.3 Difficulties in reporting:
4 in 5 respondents had experienced hate crime related to being LGBT (79%). The study found high levels of non-reporting, with 75% of respondents not reporting their most recent experience of hate crime. Reasons given include not feeling the reporting would produce a result (24%), being unsure if it was a crime (22%), feeling it would not be treated seriously (12%), fear it would make the situation worse (7%), and fear of negative reaction from police to LGBT issues (5%). In contrast to the significant barriers above, it found high levels of literacy about reporting mechanisms, with just 2% saying they did not report because they were unsure how or where to do it. These findings seem to indicate the need to improve the response of those who do report, including building the capacity of voluntary sector organisations to accompany individuals through the process.

7.4 Experiences of reporting:
Of the 1 in 4 who reported the most recent hate crime, 40% indicated they did not find the process easy. Reasons given include the perception that justice professionals had not received training on LGBT issues (68%), having to repeat what happened several times, (47%), feeling there were too many steps to go through (44%), and being unhappy about having to disclose their sexual orientation and/or gender identity to several people (27%). One interviewee said:

“The processes are clunky. They’re slow. They’re incredibly inaccessible to the victim. And without support you just give up halfway through“.

7.5 Satisfaction:
Roughly half of those who reported a hate crime were satisfied with the outcome it produced. Of the 51% who were not satisfied, the most common reason given for dissatisfaction was the perception that their report did not produce any outcome (57%). This was followed by feeling that the hate motivation had been ignored by the investigation (33%), the perpetrator received no sanction (33%), feeling there was no appropriate legal framework for the case (11%), or feeling that the criminal justice outcome secured had been too light (7%). This gap in satisfaction is supported by the Crime Survey for England & Wales, which found that half of people who report hate crime are satisfied with how it is handled by police (52%), compared three quarters who report others types of crime (73%). One interviewee in the Galop study said:

“There’s a failure to understand [hate crime] at quite a deep level. There are individual officers who are very good but what it comes to responding to a victim in a way that’s appropriate and being willing to push it through the criminal justice system it’s not so great.”
8.1 Preventative work

8.2 Advocacy as prevention:
The voluntary sector has an important role not just in helping with recovery from hate crime, but also in preventing those individuals facing repeat victimisation. Good quality advocacy plays a vital preventive role through safety planning, confidence building, reducing isolation, enabling civil remedies, assisting with moving, evidence building to support enforcement and restorative/mediation measures. This is underlined by the fact that 84% of our clients felt they were less likely to be the target of abuse as a result of our service during 2015/16. This preventive role of specialist voluntary sector services is especially important in light of the fact that the vast majority of hate crimes committed do not result in criminal justice outcomes.

8.3 Restorative justice:
We believe restorative measures have the potential to play an important preventive role in anti-hate crime strategies. Well risk-assessed and high quality interventions that aim to foster understanding and accountability between perpetrators and victims are to be welcomed. One the other hand, police-led and systematised schemes have the potential to cause more damage than reparation. We believe restorative solutions could usefully become a mainstream tool in responding to hate crime, but only after developing well considered models and putting in place well resourced and high quality non-police led hate crime specific services.

8.4 Probation services:
At present there are only a small number of anti-hate crime educational programmes run by Probation services and they only challenge the views driving their racially motivated offending. We are not aware of any area in the UK that has such a programme that addresses anti-LGBT views. It is vital that those convicted of hate crime should be the focus of work to undermine the stigma underlying their behaviours and support to meet any deficits driving their offending, instead of administering generic punishments as currently happens.

9.1 Effectiveness of current legislation

9.2 Fragmented legislative approach:
Hate crime laws across the UK are relatively strong and effective. However, the incremental creation of laws to cover different groups has led to a fragmented and illogical legislature with significant deficits for LGBT and disabled people. These approaches include the following:

9.3 Recording:
Where someone is found guilty of a homophobic or transphobic hate crime, the hate element is not normally recorded on and individuals criminal record. This is because there are no specific hate crime offences
that can be named on their Police National Computer record. That means future trials and Probation services cannot see if someone is a serial hate crime offender and no preventive or risk management work with them can take place. Meanwhile, where specific race or faith offences exist they can be recorded in a way that makes their hate motive clear.

9.4 Lower maximum sentence:
Homophobic, transphobic and disability hate crime offences carry a lower maximum sentence than race and faith crime in England & Wales. For instance, racially or religiously aggravated common assault can attract up to 14 year sentence, while for LGBT or disability the maximum is 10 years. Meanwhile, in Scotland a conviction for racial harassment carries a 7 year maxim sentence, while LGBTI, faith or disability harassment has a maximum of 5.

9.5 Sentencing policy:
We believe that alternative approaches should be explored to administering criminal penalties in dealing with hate crime offending. Hate crime is rightly marked out for extra measures to acknowledge the increased level of harm it causes to individuals and society. Though prison sentences are the right response for some high risk offenders, we believe that the norm for hate crime sentencing should involve smarter targeting of sentencing that is more closely targeted toward challenging the prejudice driving an individuals actions. This should not be seen as a means of cutting costs, but we believe a cost-neutral shift could be made by diverting resource from expensive long sentences toward developing evidenced-led hate crime offender programmes. These mandatory programmes would aim to challenge the prejudices and negative assumptions that drove an individual’s abuse toward marginalised communities and provide targeted support to address the social and emotional deficits that drive this particular type of offending behaviour.

9.6 Trans and intersex inclusion:
There is still no legislative provision for dealing with transphobic hate crime in Northern Irish law. Though Scottish hate crime laws explicitly cover hate crime against intersex people, no such provision exists in England, Wales or Northern Ireland. The above gaps were listed as factors decreasing the UK’s score in the LGBT ranking of European countries prepared by ILGA, causing the UK to slip from first place. Many countries have made great progress around intersex inclusion, where and it is concerning that UK legislation risks us being left behind.

9.7 Victim rights:
People who experience hate crime are entitled to a numerous things from authorities in relation to assessment, information, referral to services etc. In England & Wales these are set out in the Victims Code and the Northern Ireland’s Victim Charter. At Galop we see many of our service users have not received these entitlements, yet the only way to enforce these rights is through the internal complaints mechanism of the relevant
organisation (such as the police or CPS) which can be a frustrating experience for individuals. We believe these entitlements for victims should be a legal right instead of good practice and recommend they be backed by law, such as exist in Scotland’s Victims’ Rights Regulations 2015.

9.8 Incitement:
There are no laws preventing stirring up hatred against trans people in England, Wales and Northern Ireland. A law preventing stirring up hatred based on sexual orientation exists in England & Wales but it is weaker than similar laws covering race and faith. In practice all laws in this category are set at a high threshold of seriousness and are infrequently used, but allowing the disparity to remain sends an unhelpful message.

10.1 Recommendations

10.2 We recommend that the government take the following steps:

10.3 Continue to work alongside Galop in our specialist role tackling hate crime, domestic abuse and sexual violence against LGBT people.

10.4 Improve the resources available to specialist hate crime services to enable them to continue achieving good results for victims, amid rising levels of service usage.

10.5 Work alongside the Community Alliance to Combat Hate (CATCH) in building a model for professional and high quality specialist advocacy to people who experience hate crime.

10.6 Reporting work should be targeted at providing accompaniment through the process and ensuring those who report can expect a good quality of service.

10.7 Acknowledge the important role voluntary sector advocacy can play in recovery, reducing repeat victimisation and improving outcomes.

10.8 Urgently re-evaluate the fragmented and illogical different approaches across hate crime strands.

10.9 Act on the Law Commission recommendations to hold a full review of hate crime laws or failing that to simply equalise them across the five strands.3

10.10 Explore alternative sentencing policy for low risk hate crime offenders in conjunction with building mandatory anti-hate crime programmes to help prevent hate crime re-offending.

10.11 Support the creation of good practice guidance on anti-hate crime restorative justice practices.
10.12 Make the Victims Code and Victims Charter into enforceable rights by backing them with law.

10.13 Build the capacity of specialist charities to identify, report and challenge online hate crime.

10.14 Support the creation of a regular survey of LGBT experiences, needs and perceptions in relation to hate crime.


2 Rainbow Europe Map, ILGA, (2016)
www.ilga-europe.org/resources/rainbow-europe/2016

3 Hate Crime: Should the Current Offences be Extended?, Law commission, (2014)