



How and why hate crime occurs: exploring the accounts of people convicted of hate crime in Scotland

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Definitions

- “A crime motivated by malice or ill will towards a social group” (Police Scotland/Scottish Government)
- 5 Protected Characteristics in Scottish legislation:
 - Race
 - Religion
 - Sexual Orientation
 - Disability
 - Transgender Identity
- Definitional issues – truly motivated by *hate*?
- Review of Scottish hate crime legislation – introduction of new protected characteristic **age** (and possibility of **sex**)

EXAMPLES OF AN UNDERLYING CRIMINAL ACT INCLUDE:

Common law offences:

For example – breach of the peace, assault, theft, murder, vandalism, uttering threats

Threatening or abusive behaviour:

Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010

Sending grossly offensive, indecent, obscene or menacing messages via a public electronic communications network:

Section 127 of the Communications Act 2003

UNDER CURRENT SCOTS LAW A STATUTORY AGGRAVATION MAY BE APPLIED IN RESPECT OF THESE PROTECTED CHARACTERISTICS:

Race

Crime and Disorder Act 1998

Religion

Criminal Justice (Scotland) Act 2003

Sexual orientation or transgender identity

Offences (Aggravation by Prejudice) (Scotland) Act 2009

Disabled people

Offences (Aggravation by Prejudice) (Scotland) Act 2009


PREJUDICE OR HOSTILITY ALSO LIES AT THE HEART OF SOME OTHER OFFENCES WHICH ARE RECOGNISED AS HATE CRIME. THESE ARE SOMETIMES REFERRED TO AS ‘STANDALONE’ OFFENCES BECAUSE A STATUTORY AGGRAVATION DOES NOT NEED TO BE APPLIED:

Stirring up racial hatred

Public Order Act 1986

Racially aggravated harassment

Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995

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- All offence types – ranging from verbal abuse to murder
 - Hate crime legislation allows for an ‘aggravator’ to be added to an offence to reflect it was motivated by, or involved, prejudice
 - Occurs everywhere – homes, streets, pubs, places of worship, schools, online
 - Not always strangers – victims often know perpetrators

Hate crime in Scotland 2020-21

(Crown Office & Procurator Fiscal Service)

Protected characteristic	No. of charges
Race	3,285 (6% increase from 2019-20)
Sexual orientation	1,580 (5% increase from 2019-20)
Religion	573 (14% decrease from 2019-20)
Disability	448 (14% increase from 2019-20)
Transgender identity	46 (decrease of 1 charge compared with 2019-20)
TOTAL	5,525 (4% increase from 2019-20)

Why research hate crime?

- Harms of hate crime – more detrimental to victims/communities than parallel offences (vicarious trauma) (Ilganski & Lagou 2015). Fatal impact at times.
- Awareness increasing ('trigger events' eg Brexit; pandemic). Media, political rhetoric, policies.
- Increased attention from academics, policy-makers, & CJ agencies.
- Review of hate crime legislation in Scotland.
- **Gaps identified in research** – accounts of people responsible. No interrogation of 'old' typology. Disability/transgender/online hate crime under-researched. Women who commit hate crime.
- No national approach to hate crime risk assessment/interventions in social work.

TOP STORIES

TOP STORIES ACROSS SCOTLAND SPORT POLITICS ENTERTAINMENT

'I was kicked, punched and called China Virus'

The number of China-related hate crimes in Scotland has risen by 50% this year.



Wei Saik was the victim of a racial assault by a group of boys in Edinburgh

An Edinburgh mum has told BBC Scotland she was physically assaulted as she walked home with her two young children because of the coronavirus pandemic.

As Wei Saik crossed Rose Street in the capital one night last November as a group of teenage boys came from the opposite side of the road.

As she pushed her pram, with her son riding ahead on his balance bike, they moved around her and the last boy to pass smacked her on the head and shouted "Covid" before they all rode off at speed.

"It was scary because there were about 10 of them," she said.

"It was dark and there were not many people about, so with the kids I thought I had better not risk doing anything or shouting at them."



Reports of increases in Anti-Asian hate crimes during coronavirus crisis

Ministers say a 21% increase in hate crimes against south and east Asian communities have been reported during the pandemic.



Most Read

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**Who commits hate crime, and
why?**



Research says...

- **Gender** – twice as likely to be male than female
- **Age** – younger age range (under 25)
- **Ethnicity** – (in UK) - white.
- **Substance use** – alcohol use often a feature
- **Socio-economic background** – often unemployed/low-income, & previous offending (caution)

Causes of hate crime

- Prejudice, stereotypes, authoritarian personality, fundamental attribution error, 'just world fallacy'
- Shame and anger
- Masculinity and 'toxic masculinity'
- Loss
- 'Threat' and socio-economic factors
- Family/peer group
- Community
- Education
- Structural hierarchies
- Institutional discrimination

Causes of hate crime: individual level

- **The role of prejudice** – hate crime is at the “extreme end” (McBride 2016).
- **Authoritarian personality** – certain people may hold prejudices against a range of minority groups (Walters et al 2016^a; Zick et al 2009).
- **Social-psychological** – influence of mass media; political rhetoric (‘spikes’ in hate crime); yearning for group acceptance (Roberts et al 2013).

Causes of hate crime: social-psychological

- **Shame** – study in Manchester (Ray et al 2004 in Roberts et al 2013).
 - Perpetrators viewed themselves as “weak, disregarded, unfairly treated, and made to feel small” by victims (of Asian origin). Projection of negative feelings on to others – rendered ‘scapegoats’.
 - Unemployed perpetrator – perception of ‘workshy’; attacks immigrants or disabled people for ‘stealing our benefits’.
 - Can be dependent on emotional/mental health; higher propensity to ‘explode’ in crisis situations, & offence often in the context of other conflict situations.
- **Perceptions of ‘loss’** – social/economic – loss of jobs, ways of life, respect (deindustrialising towns/cities), but also personal loss (grief, mental health). Personal & cultural can merge.

Causes of hate crime: structural

Socio-economic factors and perceptions of 'threat' (Walters et al 2016^a):

- **'Realistic' threats** – perceived competition over housing, employment, benefits etc between 'ingroup' and 'outgroup'.
- **'Symbolic threats'** – threat to 'way of life' e.g. immigrants or other groups settling in communities and importing "alien customs and values". Resistant to change.

Structural perspective – social hierarchies. Dominant identity traits – those with most power; in UK "white, male, heterosexual, Christian, middle class"?

'Community profiles' that produce race-related offending (Hewitt 1996 in Dixon & Court 2015) – entrenched local racism; social and economic deprivation; passive engagement in leisure activities; few affordable youth facilities; high levels of criminality linked with wider criminal networks; violent youth subculture. Consider the communities in which we live/work?

Gendered violence and masculine identities

Motivations – a ‘typology’

‘A Typology of Hate Crime Offenders’ – McDevitt & Levin (1993; 2002)

- **Thrill Seeker** – 66%. Groups of bored young males seeking ‘excitement’.
- **Defensive** – 25%. Motivated by perceived threat from ‘outsiders’; aim to send a message that victim or group are unwelcome. Changing demographics.
- **Retaliatory** – 8%. Response to situations where ‘ingroup’ has been attacked by ‘outgroup’ (spikes after trigger events e.g. 9/11; Manchester 2017).
- **Mission** – 1 out of 169. Totally committed to bigotry & ideology of hate - primary focus of life. More likely to perpetrate serious or fatal violence (e.g. Anders Breivik in Norway 2011).
- Do all types ‘fit’? – disability hate crime: thrill-seeking but also *exploitation*. US research – what of Scottish/UK population?

Typologies of Online Hate Perpetrators (Jacks & Adler 2015; Awan 2014)

Type	Description
Browser	Views hate material online, but does not interact with online community. May view it accidentally, or make deliberate searches. If already prejudiced, can encourage further involvement with hate both online and offline.
Comment ator	Views hate material online but also posts comments and engages with the online community. Unlikely to be engaged with organised hate groups offline, and unlikely to commit actual hate offences. Motivated by the 'buzz' of causing controversy, or perhaps retaliating.
Activist	Adds overt hate content online and is more likely to be engaged with organised hate groups offline. More entrenched in their extremist prejudices than the first two. May plan real-world hate activities or offences.
Leader	Most serious/engaged internet hate user. Most likely to break the law through incitement. Will use the internet to support, organise, and promote extremist ideology. At the forefront of developing websites, storing large amounts of extremist materials, and organising hate-related activities on and offline.

Type	Characteristics
The trawler	Someone who has gone through other people's Twitter accounts to specifically target people with eg a Muslim connection
The apprentice	A person who is fairly new to Twitter but nonetheless has begun to target people with the help of more experienced online abusers
The disseminator	Someone who has tweeted about and retweeted messages, pictures and documents of online hate that are specifically targeting eg Muslims
The impersonator	A person who is using a fake profile, account and images to target individuals
The accessory	A person who is joining in with other people's conversations via Twitter to target vulnerable people
The reactive	A person who following a major incident, such as the Manchester bombings, or issues on immigration, will begin an online campaign targeting that specific group or individual
The mover	Someone who regularly changes their Twitter account in order to continue targeting someone from a different profile
The professional	A person who has a huge following on Twitter and regardless of consequences has and will launch a major campaign of hate against an individual or group of people because they are eg Muslim. This person will also have multiple Twitter accounts all aimed at targeting Muslim communities.

“Exploring Hate Crime Amongst a Cohort Of Scottish Prisoners: An Exploratory Study” (Penrice et al 2019)

- 9 interviews across 4 Scottish establishments; adult males with race offence aggravator – 4 incidents in community/5 within custody
- Six themes – participants’ life at the time of offence; treatment received by prisoner; feelings at time of incident; personal instability leading up to incident; perception of unequal treatment; perception of what constitutes racism
- Implications of prison environment on hate-related behaviours – over-stimulated; reactive
- Importance of staff training

Research aim & questions

- **Aim:** to explore the causes and motivations of hate crime through narrative accounts → implications for policy and practice.
- **Research questions:**
 - **1)** What are the **micro-level** factors contributing to hate crime? e.g. 'thrill-seeking'; the authoritarian personality; shame and loss.
 - **2)** What are the **meso-level** factors? e.g. perceptions of threat; defending 'in-groups'; community 'profiles' producing contexts for prejudice-related offending.
 - **3)** What are the **macro-level** factors? e.g. political climates; the media and the internet; 'toxic masculinity'; socio-economic disadvantage.

Research so far...

- **Semi-structured interviews with people convicted of hate offences in prison** – gaining perspectives/first-hand accounts/reflections.
- Can we ever truly find out why they did what they did?
- Four interviews undertaken to date – pandemic hit

Emerging findings

- Totally not generalisable!
- Trauma & childhood adversity
- Substance use and disinhibition
- Long history of criminal justice system involvement
- 'Would've said anything'
- 'Would never hit a woman' (hurtful words instead)
- Anger
- Feeling slighted
- Sectarianism 'acceptable' but other forms of hate not
- Remorse

Anticipated impact

- Understanding why people commit hate crimes, gained directly from individual accounts.
- Development of national risk assessment?
- Design and delivery of hate crime training & interventions, including any learning for RJ.
- Knowledge exchange with other agencies eg police - working with victims, people who commit hate crime, & communities.
- Potentially reducing re-victimisation and harm, & contributing to social cohesion.
- Global nature of hate crime – contribution to academia; national/international discourses on perpetration of/responses to hate crime.

Effective interventions for hate crime

- Flexible; tailored to individual – no ‘one size fits all’
- Non-labelling & non-judgemental
- Holistic; seeks to address wider issues e.g. use of violence, substance use, poverty
- ‘Educational’ component re: prejudice/bias/diversity
- Victim empathy
- Managing conflict
- 1:1 approach
- Acceptance, understanding, trust
- Restorative justice element ideal, where appropriate

Skills, knowledge, & values

- Facilitate **process** in which the person confronts their attitudes, and leads to change
- Develop theoretical perspective – understand what causes hate crime
- Local knowledge (demographics, tensions, ‘communities of prejudice’)
- Specific training
- Use of supervision/reflect on own attitudes and diversity
- Potentially co-work (high risk or particularly challenging individuals)
- **USE OF RELATIONSHIP....**

Working with people convicted of hate offences / displaying prejudice

- Awareness of own attitudes/prejudices
- Non-labelling/non-judgemental – avoid use of labelling language e.g. ‘racist’.
- Acceptance – “it is first necessary to accept oneself before one can accept other people” – especially if shame/identity issues.
- Appropriate challenging without ‘confrontation’ or criticism.
- Pro-social modelling.
- Curious, interested, open and authentic stance – interest in lifeworld experiences.
- Avoid preaching or ‘educating people out of prejudice’.

Hate crime interventions in Scotland

- Anti-Discriminatory Awareness Practice Training (ADAPT) – launched in Scottish Parliament in 2006 but no widespread adoption
- SACRO's STOP (SACRO Tackling Offending Prejudices) programme – covers 4 local authorities in the west of Scotland
- No national social work policy on addressing hate crime or accredited/approved intervention
- New hate crime law suggests: "...the training of the community justice workforce and building capacity to undertake preventative work to ensure the success of the legislation."

THANK YOU

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