

Homophobic Hate Crime

The Gay British
Crime Survey 2013
Scotland Cornerstone
Document



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Police never bothered to chat to neighbouring people
to enquire if they'd seen anything! As if they could not
be arsed!

Paul, 22 — Scotland

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Introduction

In Scotland we often pride ourselves as being a nation built on the principles of tolerance and fairness. Unfortunately our research highlights that the lived experience for many lesbian, gay and bisexual people in Scotland is a very different story.

This report reveals that one in six lesbian, gay and bisexual people in Scotland – equating to tens of thousands of people – have been the victim of a homophobic hate crime or incident over the last three years. The report also shows that LGB people suffer abuse across all areas of their lives – from strangers, neighbours, workmates and even family. The abuse can be verbal, physical, attacks on property, or even sexual assault.

Despite efforts by Police Scotland and Community Safety Partnerships to improve confidence in reporting hate crimes, most victims don't report abuse, and those who do often have low expectations of how the police will react. Many of those who engage with the criminal justice system also come away dissatisfied as so many crimes and incidents are reported but not followed up.

Real progress has been made both in tackling hate crimes in Scotland and in improving public confidence to report abuse but this research demonstrates starkly that there is still lots to do.

Colin Macfarlane

Director
Stonewall Scotland

Contents

Summary and Key Findings	03
Definition	03
Findings for Scotland	04
Recommendations for Scotland	06

Summary and key findings

YouGov, commissioned by Stonewall, surveyed more than 2,500 lesbian, gay and bisexual people across Britain to investigate their experiences of homophobic hate crimes and incidents. This report looks at the extent of homophobic hate crimes and incidents in Scotland, when and where they are committed and how victims respond. It also looks at how well the police and criminal justice system serve victims.

This report shows that homophobic hate crime remains a serious problem in Scotland. One in six lesbian, gay and bisexual people in Scotland have been the victim of a homophobic hate crime or incident in the last three years. The research paints a picture of lesbian, gay and bisexual people suffering a wide range of abuse, from physical assaults and threats of violence through to harassment, verbal insults and damage to their property.

- **One in four victims had their home, vehicle or property damaged**
- **One in eight victims experienced unwanted sexual contact**
- **Three in four victims did not report the hate crime or incident to the police**

Definition

Police Scotland defines a hate crime as a crime motivated by malice or ill will towards a social group by

- **Race**
- **Sexual orientation**
- **Religion/faith**
- **Disability**
- **Transgender/gender identity**

Police Scotland describes hate crimes as being “abhorrent and target marginalised and vulnerable members of our communities with devastating effect on both victims and their families.”

Police Scotland defines a hate incident as any incident that is not a criminal offence, but something which is perceived by the victim or any other person to be motivated by hate or prejudice.

Findings for Scotland

The problem of hate crimes and incidents

One in six (17 per cent) lesbian, gay and bisexual people in Scotland have been the victim of a homophobic hate crime or incident in the last three years, in line with the experiences of LGB people across the UK. Within the last 12 months **one in eleven** (nine per cent) have been a victim of a hate crime or incident.

One in twenty (five per cent) lesbian, gay and bisexual people in Scotland see homophobic harassment or attacks as a 'very' or 'fairly big' problem in their area.



I feel relatively safe in the West End of Glasgow but there are numerous places in Scotland where I feel I couldn't live because my family, friends and I would not be safe.

Moira, 39 – Scotland

The nature of hate crimes and incidents

Hate crimes and incidents take many forms, and this research paints a picture of lesbian, gay and bisexual people experiencing a wide range of attacks, from physical assaults and threats of violence to harassment, verbal insults and damage to their home and property.

Of those lesbian, gay and bisexual people in Scotland who have faced a homophobic hate crime or incident in the last three years, **almost nine in ten**

(87 per cent) were insulted, intimidated or harassed as part of the incident. **One in twenty** (five per cent) were physically assaulted and one in five (21 per cent) were threatened with violence. One in four (25 per cent) had their home, vehicle or property damaged and **one in eight** (12 per cent) received unwanted sexual contact.

Who commits hate crimes and incidents?

Lesbian, gay and bisexual people in Scotland who have suffered hate crimes and incidents report a wide variety of people who victimise them. Whilst perpetrators can be neighbours, work colleagues, family or friends, the majority are strangers.

Almost two in three (63 per cent) reported their perpetrators as being male strangers. Half (50 per cent) said the perpetrator was a stranger aged under 25.

More than one in five (22 per cent) were victims of neighbours or someone living in the local area and **one in eight** (13 per cent) said the perpetrator was a work colleague.

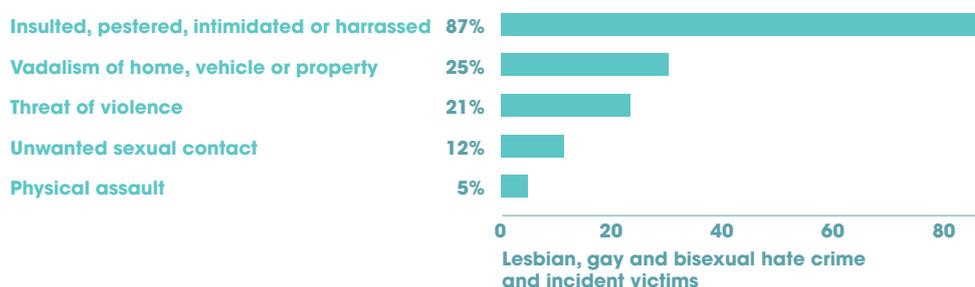
The triggers of hate crimes and incidents

Victims often felt they were targeted for a variety of reasons, including because of who they were with, where they were or the way they were dressed.

One in four (25 per cent) believe the incident was motivated by who they were with or where they were at the time of the incident, for example outside a gay bar.

More than two in five (44 per cent) were with a partner at the time of the incident and one in three (34 per cent) were on their own.

What did the hate crime or incident involve?



Reporting hate crimes and incidents



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Paul, 22 — Scotland

The majority of those suffering a hate crime or incident do not report it at all, either to the police or any other official or support organisation that may be able to help. The reasons for not reporting vary from anticipating it would not be taken seriously, to a fear of negative outcomes or a belief that there is little that the police can do.

According to figures released by the Crown Office and Procurator Fiscal Services, 2012-13, sexual orientation aggravated crime was the second most common type of hate crime after racial crime, with 729 charges reported, an increase of 12% compared to 2011-12. The number of charges reported with an aggravation of transgender identity in 2012-13 was 14.

Despite this increase in reported homophobic hate crime, **more than two thirds** (69 per cent) of lesbian, gay and bisexual people in Scotland who experienced a homophobic hate crime or incident did not report it to anyone.

Three in four (75 per cent) did not report it to the police.

The impact of hate crimes and incidents



Police spoke to the parents of young people aged 12 or so who had been homophobic, abusing me and my partner and vandalising our allotment. This seemed to deal with the problem. But I never felt quite at ease in the area thereafter.

Maureen, 53 — Scotland

Lesbian, gay and bisexual people have widespread fear about being the victim of general crime alongside their specific worries about being harassed or assaulted due to their sexual orientation.

More than two thirds (71 per cent) of lesbian, gay and bisexual people in Scotland feel they are at greater risk of being insulted, intimidated or harassed than a heterosexual person.

More than four in ten (45 per cent) think they are at greater risk of being physically assaulted and **three in ten** (30 per cent) feel at greater risk of sexual assault than heterosexual people.

More than one in four (27 per cent) alter their behaviour so they're not perceived as gay to avoid being the victim of crime.

Recommendations for Scotland

Police Scotland

Train all police officers and control room staff to identify and record homophobic hate crimes and incidents and deal with victims sensitively. Victims must be able to report homophobic crimes and incidents to all police officers, not just Safer Communities leads.

Continue to provide different ways for people to report incidents so that victims feel comfortable reporting 'less serious' crimes and incidents. Third-party reporting is a good short-term solution but it doesn't address the main causes of under-reporting.

Use your data more effectively on the number of recorded homophobic hate crimes and incidents by analysing the data to identify particular problems in divisional areas and take action to address any issues identified by your findings. Work with Community Safety Partnerships to share knowledge of local issues and develop positive relationships with local LGBT communities.

Engage more meaningfully with local lesbian, gay and bisexual people to address the attitude among many victims that homophobic hate crimes are not serious enough to report.

Work with schools to challenge homophobic attitudes among young people and to encourage young people to stay safe. Send police officers into schools and youth groups to talk about hate crime and challenge the use of casual homophobia.

Police Scotland should maximise the benefits of Stonewall Scotland's Diversity Champions programme by actively communicating the work being undertaken to support LGBT police staff and officers across Scotland. Police Scotland should annually enter the Workplace Equality Index to identify progress year on year.

Community Safety Partnerships

Make a public commitment to tackle homophobic hate crime and to lesbian, gay and bisexual equality. This will give confidence to gay people in the local area that their needs and concerns are understood by their elected representatives.

Hold the local police division to account on how well it is meeting its legal duty to address the needs of lesbian, gay and bisexual victims of crime. Make use of data on satisfaction with the police amongst gay victims of crime.

Protect and support the existing work of local police to tackle homophobic hate crime and support lesbian, gay and bisexual victims of crime. Make sure your Division and Command Area priorities underpin this work.

Work in partnership with lesbian, gay and bisexual people in the local area to find out what their needs are and how well they think the police service is supporting them, in order to inform your strategic priorities. Actively involve lesbian, gay and bisexual people in consultation exercises.

Hold victim services to account on supporting lesbian, gay and bisexual victims of crime. Throughout the commissioning process through to delivery make sure support services are able to provide specialist support to victims of homophobic hate crime.

Scottish Police Authority

Develop national standards on training of police officers and police staff on homophobic hate crime and lesbian, gay and bisexual equality. This should ensure that all police officers and frontline police staff are able to recognise and record a homophobic hate crime or incident and provide appropriate support to victims.

Make sure police officers have access to practical resources while on duty to help them handle homophobic hate crimes and incidents appropriately and better support lesbian, gay and bisexual victims of crime.

Share best practice amongst police divisions on how to increase reporting of homophobic hate crimes and incidents and better support victims.

Commission and publish further research to evaluate what measures are effective in encouraging victims to report homophobic hate crimes and incidents to the police.

Crown Office and Procurator Fiscal Service and Scottish Court Service

Improve the process for keeping victims of homophobic hate crime informed about the progress of their case and the options available to them when testifying. When a decision is made not to prosecute, or to drop the aggravated element of the offence, make sure victims fully understand the reasons for this decision.

Refer victims of homophobic hate crime to appropriate support services including specific services for lesbian, gay and bisexual victims where available.

Track the satisfaction of victims throughout the prosecution process and disaggregate the data by sexual orientation in order to identify those areas where lesbian, gay and bisexual victims are not being adequately signposted.

Record and monitor the use of enhanced sentencing, including when it hasn't been used and the reasons for this. Ensure the data records where the Crown Office and Procurator Fiscal Service has sought enhancements which were not handed down by judges.

Monitor online incidents of homophobic hate and resulting cases to develop best practice about successful prosecutions. Be clear with technology providers about the standards expected of them in moderating homophobic content online.

Scottish Prison Service and criminal justice social work services

Identify and work with the perpetrators of hate crime to challenge homophobic attitudes and reduce the risk of reoffending. Offenders should be helped to understand the impact of their behaviour on victims and the wider community.

Educate young hate crime offenders in particular about the impact of homophobic language and behaviour on victims. Train staff working with young offenders to recognise and challenge homophobic language whenever they encounter it.

Evaluate the impact of rehabilitation work with hate crime offenders, including by analysing data on reoffending rates amongst those convicted of homophobic hate crimes. Share examples of good practice between prisons and social services.

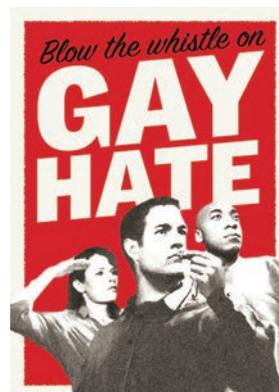
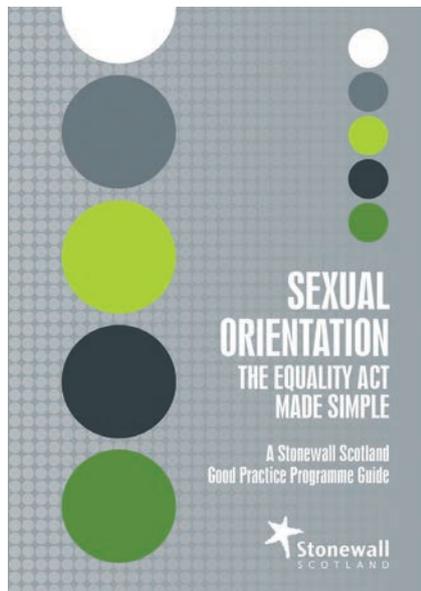
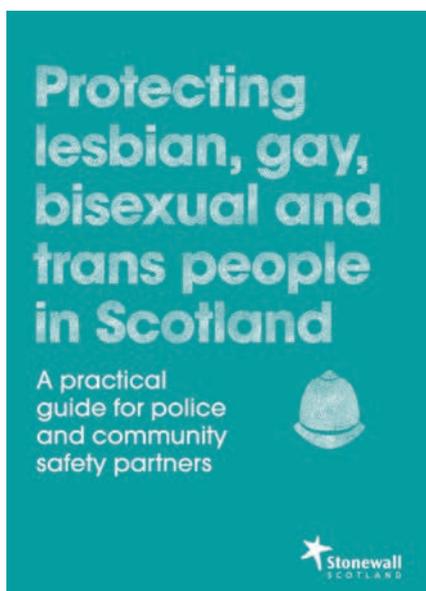
Provide training to social workers to use restorative justice when working with offenders and victims of homophobic hate crime and to identify cases where this may be appropriate for the victim. Involving victims in the rehabilitation process may help to lessen their fear of being a victim of homophobic hate crime in the future.

Resources and Support

Protecting lesbian, gay, bisexual and trans people in Scotland is Stonewall Scotland's practical guide for police and community safety partners, providing tips and recommendations on how to tackle homophobic and transphobic hate crime and service LGBT people effectively.

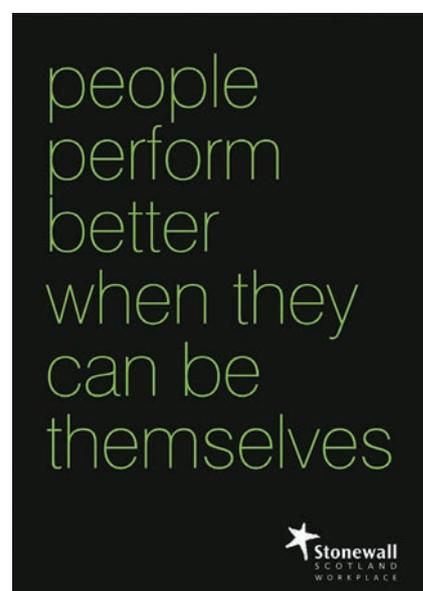
Sexual Orientation: the Equality Act made simple provides information and guidance on the Equality Act 2010 and sample equality outcomes for public authorities in Scotland.

Blow the Whistle on Gay Hate is Stonewall's plain-English pocket-sized guide for lesbian, gay and bisexual people on what to do if you've experienced a homophobic hate crime or incident.



For more information or to order any of these resources visit stonewallscotland.org.uk/hatecrime or contact crime@stonewallscotland.org.uk

Stonewall's Diversity Champions programme is Britain's good practice employers' forum on sexual orientation. With over 600 members who employ 5.5 million staff, our programme is the largest non-governmental intervention of its kind in the world. Major employers, including police forces and other criminal justice agencies across Britain, work with Stonewall and each other to make their workplaces the best they can be. For more information visit stonewallscotland.org.uk/dcs or call **0131 474 8019**.



Methodology

All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 2,544 lesbian, gay and bisexual adults from across Britain. The findings of the 321 respondents from Scotland are presented here. The survey was conducted using an online interview administered to members of the YouGov Plc GB panel of 350,000+ individuals who have agreed to take part in surveys. Fieldwork was undertaken between 28th February and 19th March 2013.

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