



## **Racial Equality and Tackling Hate Crime and Prejudice: A Briefing from the Coalition for Racial Equality and Rights**

The Coalition for Racial Equality and Rights (CRER) is a Scottish anti-racism organisation which works to eliminate racial discrimination and promote racial justice across Scotland. Our primary interest in relation to hate crime is with racist incidents and racist hate crime.

During the development of the Scottish Government's Race Equality Framework for Scotland 2016-2030, CRER engaged with many minority ethnic communities around issues of community cohesion and safety. Hate crime was a significant issue for many communities and had a direct impact on feelings of belonging to and feeling safe within a community.

### **Racist hate crime**

According to statistics published by the Crown Office and Procurator Fiscal Service (COPFS), racist hate crime is the most commonly reported hate crime in Scotland, with 3,721 charges reported in 2015-2016. For comparison, sexual orientation aggravated crime is the second most common type of hate crime, with 1,020 charges reported.<sup>1</sup>

In some cases, racist hate crime in Scotland has led to loss of life. Between 1993 and 2012, nine people were murdered by perpetrators with a racist motive in Scotland. Analysis from CRER of data published by the Institute for Race Relations<sup>2</sup> suggests that Scotland has a higher per-capita rate of racist murder than England. Between 2000 and 2013, the per capita rate of murders with known or suspected racist elements in Scotland was higher than the rest of the UK, with 1.8 murders per million people compared to 1.3.<sup>3</sup>

While UK law prohibits the incitement to racial hatred both online and offline, current events have sparked a rise in racial and religious hatred, harassment, and attacks. Addressing online hate speech in particular has proved challenging.

### **Issues**

#### *Reporting Hate Crime*

We know from engagement with communities that hate crime is significantly under-reported. A 2015 publication by HM Inspectorate of Constabulary in Scotland also reported a general lack of awareness among minority ethnic participants about what the term 'hate crime' means or how to report it.<sup>4</sup>

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<sup>1</sup> COPFS (2016). [Hate Crime in Scotland 2015-2016](#)

<sup>2</sup> Institute for Race Relations (2012) [96 Murders Since Stephen Lawrence's](#); per-capita calculations based on IRR data on deaths with a known or suspected racial element and data from the 2011 Census.

<sup>3</sup> Coalition for Racial Equality and Rights. [Ten True Things We Need to Say about Racism in Scotland.](#)

<sup>4</sup> HMICS (2015). [Joint Research Paper: Policing Ethnic Minority Communities in Scotland.](#)

Barriers to reporting include:

- *A lack of trust in the police and justice system:* Some communities feel that the police do not take their accounts seriously or refuse to accept that incidents were motivated by racism. Individuals have had experience in reporting a racist hate crime and having nothing come of it or having it dismissed by the police. It is believed that institutional racism within Police Scotland sometimes makes it difficult to report hate crimes with dignity and respect.
- *A lack of minority ethnic police officers:* Communities have also noted that with only 1% of officers within police Scotland having a non-white minority ethnic background, it is rare to report to an officer who has a lived experience of racism.
- *Feeling frightened of experiencing more harassment:* Individuals have reported that after reporting a low level racist incident, they were then the victims of a much more serious crime, especially when the initial report was not taken seriously.
- *Feeling desensitised to harassment:* Some minority ethnic individuals noted that if they reported every racist incident, occurrence of racist hate speech, or racist hate crime to the police, they would nearly always be reporting. Everyday racism has become so entrenched that communities simply do not report because it has become part of their daily lives.
- *Confusion surrounding the process:* Groups have noted that the reporting process can be confusing and emotionally taxing, as they feel the burden is on them to prove that the incident was racist. There is also difficulty in understanding the roles of the police and the Procurator Fiscal and a lack of knowledge as to what will be expected of them once they report. Many individuals felt that the onus was on them to frequently check on the progress of their case.

### *Tackling Hate Crime*

Communities also reported feeling as though not enough is done to challenge the racist attitudes and stereotypes that lead to hate crime and racist incidents. This has a significant impact on feelings of belonging and can lead to social isolation, poor economic outcomes, mental health issues, and the like.

More must be done to challenge the acceptability of these attitudes and to create a culture of zero tolerance surrounding racism and hate crime.

While action is needed, it is also important to be able to measure the effectiveness of this action. Data available on hate crime is limited. For instance, while statistics on hate crimes reported to and recorded by the police are published, information is not available from individuals who experience a hate crime, speak to a community organisation or third party reporting centre, but then choose not to report. There are additional issues surrounding the quality of initial recording and the way information is disaggregated and presented. Without a clear picture, it is impossible to measure outcomes and determine whether change has occurred.

### *Needed Actions*

Communities have asked for:

- More thorough investigations into and appropriate sanctions for low-level racist incidents to deter more violent racist hate crimes from perpetrators in the future.
- Procedures, training, and systems to ensure the police are unbiased when dealing with racist hate crime.
- Easier reporting methods and a dedicated service for reporting and responding to hate crime.
- Better clarity and transparency within the system and specialised assistance for victims who request it.

- Measures to tackle online hate speech and hate crime and improved measures for reporting and responding to these.
- Public education campaigns to challenge the acceptability of racist hate speech and attitudes which lead to racist bullying and racist hate crime.
- Greater prioritisation of community cohesion and tackling prejudice within local community planning structures.

## Support

Calls to eradicate racist hate crime and prejudice are backed by the recently published UN Committee for the Elimination of Racial Discrimination's (CERD) Concluding Observations for the 21<sup>st</sup> to 23<sup>rd</sup> period reports of the United Kingdom, which recommends that State parties (including the Scottish Government):

- *Investigate all reported acts of racist hate crimes, prosecute and punish the perpetrators with sanctions corresponding to the gravity of the offences, and provide effective remedies for victims;*
- *Systematically collect disaggregated data on hate crimes, ensure that measures to combat racist hate crime are developed with the meaningful participation of affected groups, and undertake an impact assessment of measures adopted to ensure their effectiveness.*
- *Adopt concrete measures, in consultation with affected groups, to increase the reporting of racist hate crime by ensuring that the reporting mechanism is transparent and accessible, and that victims have trust the police and justice system.*
- *Adopt comprehensive measures to combat racist hate speech and xenophobic political discourse, including on the Internet, with the application of appropriate sanctions, and ensure that public officials not only refrain from such speech, but also formally reject hate speech and condemn hateful ideas to promote a culture of tolerance and respect.*
- *Take effective measures to combat racist media coverage and ensure such cases are thoroughly investigated and sanctions are imposed where appropriate.*

The Committee also highlighted concerns that despite the recent increase in the reporting of hate crimes, underreporting is persistent and the gap between reported cases and successful prosecution is significant. It also expressed concern regarding the negative portrayal of minority ethnic communities, immigrants, asylum seekers, and refugees by the media, particularly in the aftermath of terrorist attacks, as well as the rise of hate speech on the Internet.

Furthermore, tackling hate crime also aligns with a goal set in the Scottish Government's Race Equality Framework for Scotland 2016-2030, which states:

*Access to justice and safety for minority ethnic individuals is improved and the effectiveness of the justice process in dealing with racism is reviewed.*