



# Policing hatred

Photography: Lisa Ryszkowska

## Does hate crime impact on victims more than those of other crimes? Criminologist Nathan Hall writes

At a time when the focus is often on 'political correctness gone mad', it is worth reminding ourselves why the police, despite concerns raised, should respond effectively to hate crime.

The strongest trigger for the large-scale tackling of hate crime was the Stephen Lawrence Inquiry in 1999. ACPO guidance on hate crime was first published in 2000 and subsequently revisited and revised in 2005 in response to Recommendation 18 of the Inquiry.

An effective and appropriate police response to hate crime is crucial for a number of reasons. First, there is a growing body of evidence to suggest that hate crimes have disproportionate physical and psychological impacts upon both the victim and the wider community as compared to equivalent 'non-hate' crimes.

Research conducted in Britain by Chahal & Julienne in 1999 found that racist victimisation often disproportionately impacts upon:

- Partner/spouse relationships
- Children
- The carrying out of routine activities (e.g. shopping, putting the rubbish out, socialising etc.)
- The victim's use of public space
- Feelings of security
- Health and well-being

The latter point is particularly significant and is not exclusive to racist victimisation. In 2002, research conducted by Herek, Cogan and Gillis into homophobically motivated crimes found that victims of hate crime often display symptoms of post-traumatic stress disorder that have been proven to last up to five years. In contrast, for comparable crimes without the hate element, the same research found that victims usually experience a decrease in crime-related psychological problems within two years. The hate element makes a great deal of difference; in fact, it makes this crime unique.

### Tensions

Furthermore, research in America by Jack Levin, published in 1999, suggests that hate crimes are socially divisive and can heighten tensions between communities; that they are more likely than other crimes to involve repeated victimisation; and that they can

increase the risk of civil disorder through retaliatory attacks along intergroup lines. Such reasons are precisely why all victims should not be treated the same. But, contrary to popular belief, this is not about some victims getting a better service from the police than others. Crucially, it is about victims getting a service from the police that is appropriate to their needs. This reflects the view of the Lawrence Inquiry that ‘colour-blind’ policing has no place in a police service that must now ‘deliver a service which recognises the different experiences, perceptions and needs of a diverse society’.

Second, because of the factors mentioned above, there is a very real possibility that hate crimes will be, or will become, ‘critical incidents’. Critical incidents are defined as ‘any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or the community’. This is a crucial consideration given the ministerial priority for all police services to increase trust and confidence in policing among minority communities, as advocated by the Stephen Lawrence Inquiry. Regardless of how trivial an incident may seem, the actions or inactions of the police in response to that incident can have a significant impact upon the way that the organisation is viewed by the community they police.

Third, as the 2005 ACPO guidance suggests, how well the police service protects vulnerable members of society and provides an effective and appropriate service to an increasingly diverse community ‘is a mark of sophistication in the thinking and action of a contemporary police service’. Furthermore, in a modern democratic and diverse society, protecting all the composite groups of that society in accordance with their needs is crucial if the service is to continue to police by consent.

### Effective response

However, with a definition of hate crime that allows anyone to be a victim if they perceive themselves to be so, and a requirement for the police to record and investigate any report of hate crime at face value, then there will always be dubious claims of victimisation. These will always be a waste of police time and resources, and will always be a source of frustration for officers who may not be able to use as much discretion as they would like. Whilst these issues need to be addressed, we should not forget the reason why the discretion of the police in hate crime cases has been largely removed. The Stephen Lawrence Inquiry expressed concern over the original ACPO definition of racially motivated crime. The concern centred on evidence suggesting that the ACPO definition was not universally understood nor accepted by the police at street level, and that widely differing interpretations by officers often resulted in problems in its application. In the case of Stephen Lawrence, the Inquiry concluded that

a lack of appreciation or willingness to accept that racism was a motivating factor in the murder had obscured and impeded the approach to the investigation. Failure to identify the hate element in crimes not only affects the ability of the police to respond effectively but also impacts upon victims’ confidence in the organisation.

**“Above all, victims and communities need to have trust and confidence in the service to respond appropriately and effectively to their needs. Clearly then, the perceived attitude and response of the police has huge implications.”**

We should also remember our reasons for focusing on hate crime in the first place. One of the most important reasons is that there are many genuine victims whose lives are blighted by the prejudice, bigotry and hatred of others, and who, quite simply, need the police. The police occupy a unique position in protecting victims of hate crime, and have a valuable role to play in doing so. Above all, victims and communities need to have trust and confidence in the service to respond appropriately and effectively to their needs.

### Implications

Clearly then, the perceived attitude and response of the police has huge implications. Essentially, following the physical and psychological trauma of any hate attack, hostile, ineffective or insensitive policing is tantamount to secondary victimisation. This may leave the victim and the wider community feeling unprotected by those who are supposed to protect them and therefore they feel increasingly vulnerable and isolated. If this is the case, and trust and confidence in the police is lost, then hate crime victims will stop turning to the police for assistance, even when they are subjected to ongoing violence and harassment.

Finally, ACPO guidance, rather than being a trigger for the large-scale response to hate crime, is in fact just a part of that response. The guidance contains many examples of excellent and innovative police work being developed and delivered across the country. Let us be clear, the policing of hate crime has improved significantly since the Stephen Lawrence Inquiry. This is testament to the dedication of many police officers of all ranks across the country, but there is still no room for complacency, and we mustn’t take our eye off the ball.

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