HMICS

Thematic Inspection of Hate Crime

June 2021

Improving Policing Across Scotland

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HM Inspectorate of Constabulary in Scotland

HM Inspectorate for Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide ranging powers to look into the 'state, effectiveness and efficiency' of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).[1]

We have a statutory duty to inquire into the arrangements made by the Chief Constable and the SPA to meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland.

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions.

- The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions.

- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit.

- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given.

- Where we make recommendations, we will follow them up and report publicly on progress.

- We will identify good practice that can be applied across Scotland.

- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication.

- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

Our approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to local needs.[2]

This inspection will be undertaken by HMICS under section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and a report will be laid before the Scottish Parliament under section 79(3) of the Act.

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[1] Chapter 11, Police and Fire Reform (Scotland) Act 2012.
[2] HMICS, Corporate Strategy 2017-20 (2014).

Contents

Our inspection

In our consultation on priorities for inspection during 2019-2020, hate crime emerged as an issue worthy of attention. At that time, a number of assessments and reviews anticipated that prejudice, division and hatred could increase across the UK due to the changing political and social environment and the increased prevalence of online abuse and intolerance.

In our Scrutiny Plan for 2019-2020,[3] we committed to carrying out a review of the effectiveness and efficiency of Police Scotland's response to hate crime, and the Terms of Reference were published on 29 January 2020.[4]

Our inspection focused on the standard of police investigation, procedures, policies and initiatives in place to engage with communities to ensure victims of hate crime have the confidence to come forward and report their experiences.

During our fieldwork, we looked at three local policing divisions, Highlands and Islands (N division), Forth Valley (C division) and Greater Glasgow (G division), as well as the national Safer Communities function within the Partnerships, Prevention and Community Wellbeing portfolio (now M division).

The inspection was halted in early March 2020 due to the coronavirus (COVID-19) pandemic. Police Scotland officers and staff immediately responded and contributed to the national effort to reduce the threat of infection and ultimately save lives. I suspended routine inspection work and returned any serving police officers on secondment to HMICS to Police Scotland in order to help with the response to the crisis. This included those leading the work on this inspection.

Issues of diversity and equality are important at any time, but have been amplified over the past year by the unequal impact of COVID-19 on different groups, and by an increase in protests around the world about racism in society over the summer of 2020.

Our Phase 2 Training and Development report will concentrate on recruitment, retention, development and promotion of people from under-represented groups.[5]

This inspection into hate crime recommenced in August 2020 and was completed using alternatives to traditional fieldwork activity, such as an online survey, reviews of documents, and telephone interviews. It had been the intention to carry out a review of initial call handling and call assessment processes, however due to the different phases of lockdown restrictions and the limitations placed upon essential work within call centre environments, this work was not undertaken and may be revisited as a part of any follow up review.

On 15 September 2020, we published Phase 1 of our Thematic Inspection of Police Scotland Training and Development[6] which identified a lack of diversity training within Police Scotland and recommended this be addressed as a matter of urgency.

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[3] HMICS, Scrutiny Plan 2019-20, March 2019.
[4] HMICS, Thematic Inspection of Hate Crime - Terms of Reference, January 2020.
[5] HMICS, Thematic Inspection of Police Scotland Training and Development - Phase 2 - Terms of Reference, March 2021.
[6] HMICS, Thematic Inspection of Police Scotland Training and Development - Phase 1, September 2020

On 11 November 2020, the Independent Review of Complaints Handling, Investigations and Misconduct Issues in relation to Policing which was published[7] also recommended that all Police Scotland officers and staff should receive training on unconscious bias, equality legislation and diversity. It also commented on the lack of support for officers who are subjected to racial abuse on duty.

This inspection of Police Scotland's response to hate crime revealed further evidence of issues highlighted in these earlier reports, including a lack of training and shortcomings in data collection and analysis, making it difficult for Police Scotland to understand the nature and extent of hate crime and the impact on different communities. We were also told about concerns about the handling of hate crime directed at police officers on duty.

There was evidence of good practice at national and local levels, with the local policing operational response to reported instances of hate crime being particularly strong, however this activity was not part of a coherent overall strategy to prevent and detect hate crime.

We would like to thank all those who participated in our inspection, particularly those who shared their views and experiences of having been subjected to hate crime.

HMICS would like to commend Police Scotland for carrying out its own self-assessment exercise in advance of our inspection in early 2020, which helped focus our scrutiny on identified areas of improvement. Due to the impact of the pandemic, this inspection has taken longer than normal, which has meant we have already seen Police Scotland implement changes and introduce improvement activity in relation to the issues raised. We look forward to monitoring progress through our processes for assessing recommendations.

Gillian Imery
HM Chief Inspector of Constabulary
June 2021

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[7] Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, The Rt.Hon. Dame Elish Angiolini DBE QC, November 2020.

Key findings

- In 2019-20, Police Scotland recorded 6,448 hate crimes. In addition, over the same period, Police Scotland recorded 6,745 hate incidents.

- HMICS carried out an online public survey on Police Scotland's response to hate crime. Out of the 611 responses to the survey, 267 people stated that they had experienced hate crime/incidents, and of these, 85 reported their experience to the police.

Leadership and Governance

- Hate crime is not identified as one of the top strategic priorities for Police Scotland. There is no dedicated unit established to deal with hate crime.

- Police Scotland has shown commitment to partnerships, prevention and community wellbeing through the introduction of a new division, which brings together the previous national Safer Communities teams with the International Development and Innovation Unit and the Scottish Violence Reduction Unit.

- The contribution of the National Independent Strategic Advisory Group (NISAG) and that of Community Advisors, has not been evaluated and it is not known how often the advice is sought, in relation to which sorts of incidents, or what difference the advice made.

- Each local police division has a Safer Communities team with varying remits for partnership working, prevention, education, early intervention, and harm reduction. The role, remit, size, structure and name of local teams differ from division to division.

- There is a disconnect between the national Safer Communities function and the local divisions' Safer Communities teams. This is replicated within divisions, where local Safer Communities teams are separate from frontline police resources, who actually deal with reported hate incidents.

- Despite the context of heightened public concern about racism during 2020, and the provision of relevant reports on Police Scotland's approach, the Scottish Police Authority has not applied robust scrutiny to Police Scotland's response to hate crime.

Partnerships

- Individual officers working in Safer Communities roles at national and local levels have developed effective partnerships and deep knowledge of specific diversity issues.

- There are issues with the availability, quality, and awareness of Third Party Reporting centres, which provide an option for people to report hate crime without having to speak to the police. There is a lack of data on the use of Third Party Reporting centres.

- There is a lack of meaningful evaluation of national hate crime campaigns to establish the impact on communities and the levels of hate crime reporting.

Planning and Process

- Police Scotland's Hate Crime Standard Operating Procedure and Hate Crime Toolkit were found to lack clarity in relation to recording on different police systems and the importance of compliance.

- The different Police Scotland IT systems (the interim Vulnerable Persons Database, Command and Control system, and Crime Management Systems) all operate independently from each other, creating the need for multiple front-end entries by officers responding to an initial call.

- The HMICS survey results contained some feedback that police officers failed to identify repeat reports of hate crime, and tended to deal with each report in isolation from a pattern. This could lead to a lack of understanding of the cumulative impact on victims.

- Local divisions have robust processes in place to manage reports of hate crime, and there is a real drive to detect hate crime when it is reported. This divisional activity is reactive rather than part of an overall strategy for the prevention and detection of hate crime.

- HMICS found no evidence of analysis being used to understand hate crime and an over reliance on police officers manually checking multiple systems with a focus on short-term outcomes.

Outcomes

- The HMICS survey results showed that, of the 85 people who had experienced hate crime and reported it to the police, 46% felt that Police Scotland had not taken their complaint seriously.

- HMICS would describe the quality and extent of hate crime data provided to local scrutiny committees as limited.

- The existing IT systems used by Police Scotland hamper its ability to produce disaggregated data on hate crime. Data broken down by details relating to the incident, including details of the victim and the offender, would allow for effective analysis to identify trends and understand how hate crime affects different communities.

- Due to a lack of comprehensive published data on hate crime, information is sought through Freedom of Information requests. Police Scotland responds to these requests on an individual basis, meaning that information on hate crime is being released into the public domain without being part of a coherent communications strategy.

People

- Training on hate crime consists of one 90 minute classroom input for probationary police constables when they first join Police Scotland.

- Police Scotland introduced the role of Hate Crime Champion to provide a network of officers with enhanced understanding of hate crime. These Hate Crime Champions receive a one day training course.

- Police officers and staff who are subjected to hate crime on duty were routinely dealing with the incident themselves and submitting entries on IT systems relating to their own experiences of hate crime.

- There is little support offered to police officers and staff who are victims of hate crime beyond a standard letter, which is generated locally. Repeat victims are not routinely identified.

- Police Scotland is currently working with diversity staff associations to improve its understanding of the experiences of officers and staff, and to establish a network of support.

- Some diversity staff associations query how seriously Police Scotland takes hate crime generally when there is no dedicated unit, no specific action plan, no dedicated analysis, lack of comprehensive data, and minimal training.

- We heard feedback from diversity staff associations that police officers not subjected to hate crime themselves do not understand the cumulative impact of multiple 'minor' incidents on their colleagues.

Resources

- HMICS found a lack of analyst resources available to the national Equality and Diversity team (part of the new Partnerships, Prevention and Community Wellbeing Division), and the local Safer Communities teams, to help to understand hate crime and its impact on communities.

- Police Scotland has around 500 officers and staff who have attended the one day training course to become Hate Crime Champions, however this role is voluntary and the list of trained officers is not up to date.

- There is no dedicated resource for the investigation of hate crime perpetrated on or offline.

Recommendations

Recommendation 1
Police Scotland should review the profile of hate crime in strategies and plans, given that it is not currently identified as a standalone strategic priority for the force

Recommendation 2
Police Scotland should ensure the national policy direction for hate crime links up with the local delivery and response to hate crime

Recommendation 3
Police Scotland should consider establishing a dedicated unit for hate crime

Recommendation 4
The Scottish Police Authority should consider how to improve its scrutiny of Police Scotland's response to hate crime

Recommendation 5
Police Scotland should ensure that it maximises the benefits of strong partnership relationships, and shares the knowledge of diversity issues developed by police officers and staff working in Safer Communities roles at national and local levels

Recommendation 6
Police Scotland should accelerate its work with partners to improve the Third Party Reporting arrangements, providing people with the option to report hate crime without speaking directly to the police

Recommendation 7
Police Scotland should ensure there is transparency of decision making about the themes chosen for national hate crime campaigns, and that there are processes in place to evaluate the impact of campaigns on communities and reporting levels of hate crime

Recommendation 8
Police Scotland should review hate crime national documents to ensure there is clear accessible guidance for officers and staff responding to and recording hate crime

Recommendation 9
Police Scotland should provide clear guidance to police officers about the importance of submitting intelligence logs relating to hate crime and hate incidents

Recommendation 10
Police Scotland should review its use of the data held on IT systems to build knowledge and understanding of trends in hate crime and the impact on affected communities

Recommendation 11
Police Scotland should consider good practice elsewhere to improve its response to hate crime. The Scottish Police Authority should use information about good practice elsewhere to ask more effective questions of Police Scotland about its response to hate crime

Recommendation 12
Police Scotland should review and revise hate crime training at all levels as a matter of urgency

Recommendation 13
Police Scotland should review its approach to dealing with hate crime experienced by police officers and staff on duty and providing effective support. Data should be collected to identify the volume, nature and extent of hate crime perpetrated against police officers and staff

Recommendation 14
Police Scotland should review the role, remit, training and deployment of Hate Crime Champions and Hate Crime Advisors

Recommendation 15
Police Scotland should ensure that knowledge of hate crime and diversity is included in its consideration of the necessary skillset for planned cybercrime investigators.

Background and Context

1. The Scottish Government is committed to building strong, resilient and supportive communities, and has made tackling prejudice and discrimination a policy priority. Hate crime in all its forms is unacceptable. It has a corrosive effect on individuals, communities, and society in general.

2. Over recent years, various key pieces of work have been carried out to improve the understanding of prejudice in society and to improve the response to hate crime. The Scottish Government commissioned a review of international evidence on prejudice reduction interventions, "What works to reduce prejudice and discrimination? A review of the evidence",[8] which was discussed at a Ministerial summit in October 2015.

3. At that summit, it was announced that an Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion would carry out a wide-ranging review.

4. The Independent Advisory Group published its report in September 2016.[9]

5. The foreword states: "*Prejudice and hate have a huge impact on the quality of life of individuals and the community to which they belong. Trust becomes more difficult, and whole families and groups withdraw into smaller circles of safety with huge consequences for the overall level of trust and social capital across the whole of society.*"

6. The report recognised that tackling prejudice and hate crime is not only a justice issue, but requires the active involvement of a range of agencies, including local government and public services, particularly those related to education.

7. It noted that Police Scotland has operational responsibility for protecting the public from hate crime and investigating hate crime when it occurs. The report made positive comment on the commitment of Police Scotland to tackling hate crime and to working with people in communities to understand their concerns. At that time (2016) there was some anxiety that the quality of local engagement had deteriorated following the formation of the single police service for Scotland.

8. The report highlighted a range of issues, not least the disparate nature of the existing legislation covering hate crime.

9. In January 2017, the Scottish Government announced an independent review of hate crime legislation in Scotland, to be carried out by Lord Bracadale. The remit of the review was to consider whether existing hate crime law represented the most effective approach for the justice system to deal with criminal conduct motivated by hatred, malice, ill-will or prejudice.

10. In June 2017, the Scottish Government published its response to the report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion,[10] which included establishing a national multi-agency delivery group with Ministerial oversight (the Tacking Prejudice and Building Connected Communities Action Group) to take forward the implementation of the Advisory Group's recommendations. This group produced the Tackling Prejudice and Building Connected Communities Action Plan.

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[8] Scottish Government, What works to reduce prejudice and discrimination? A review of the evidence., October 2015.
[9] Scottish Government, Report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion, September 2016.
[10] Scottish Government, Tackling Prejudice and Building Connected Communities, June 2017.

11. The report of the independent review of hate crime legislation in Scotland conducted by Lord Bracadale was published at the end of May 2018.[11]

12. One of the report's recommendations was to consolidate all hate crime law into one piece of legislation. Lord Bracadale identified three clear reasons for having hate crime legislation:

    "The harm which hate crime causes: it has a profound effect on the victim and the community group to which the victim belongs.

    The symbolic function which legislation fulfils: it sends a clear message to the victim, the group of which the victim is a member, and wider society, that criminal behaviour based on bias and inequality will not be tolerated.

    The practical benefits from having a clear set of rules and procedures within the criminal justice system to deal with hate crime. This should provide a structure for consistency in sentencing and rigorous recording, allowing statistics to be kept, and trends to be identified and monitored; the fact that the perpetrator has committed a hate crime should be reflected in his/her criminal record; it will increase awareness of hate crime, encouraging reporting of offences and ensuring that victims of hate crime will be supported throughout the criminal justice process."

13. In April 2020, the Hate Crime and Public Order (Scotland) Bill was introduced to the Scottish Parliament for consideration and made its way through the Parliamentary process before being passed in March 2021.

14. The Hate Crime and Public Order (Scotland) Act 2021 received Royal Assent on 23 April 2021[12] and will come into force on such day as Scottish ministers appoint. The provisions of the Act have not yet been enacted.

What is a hate crime?

15. Currently there is no specific offence of "hate crime" in Scotland.

16. Police Scotland defines hate crime as any crime which is perceived by the victim or any other person as being motivated (wholly or partly) by malice and ill-will towards a social group.

17. Hate crime legislation consists of a series of statutory aggravations in relation to the following protected characteristics:

    ■ Race
    ■ Religion
    ■ Disability
    ■ Sexual Orientation
    ■ Transgender Identity

18. There is a standalone offence of racial harassment under Section 50A of the Criminal Law (Consolidation) (Scotland) Act 1995: racially-aggravated harassment and conduct. There is also an offence of stirring up racial hatred under the Public Order Act 1986.[13]

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[11] Scottish Government, Independent Review of Hate Crime Legislation in Scotland - Final Report, May 2018.
[12] Hate Crime and Public Order (Scotland) Act 2021
[13] Public Order Act 1986, sections 18-22.

19. The statutory aggravations can apply to any baseline offence, but do not themselves create any new offences. These aggravations include:

- Crime and Disorder Act 1998 Section 96: Offences racially aggravated
- Criminal Justice (Scotland) Act 2003 Section 74: Offences aggravated by religious prejudice
- Offences (Aggravation by Prejudice) (Scotland) Act 2009
  Section 1: Prejudice relating to disability
  Section 2: Prejudice relating to sexual orientation or transgender identity

20. Although the statutory aggravations can attach to any offence, the most frequently recorded are:

- Common law breach of the peace
- Common law issuing threats
- Section 38 Criminal Justice and Licensing (Scotland) Act 2010, threatening or abusive behaviour
- Section 39 Criminal Justice and Licensing (Scotland) Act 2010, stalking
- Section 127 Communications Act 2003, abusive calls, emails or texts

What is a hate incident?

21. As with hate crime, hate incidents are those perceived by the victim or any other person to be motivated (wholly or partly) by malice and ill-will towards a social group.

22. The difference is the amount of information available to show that a crime has been committed. Police officers assess the information reported to them and make a decision about whether the circumstances amount to a hate crime or a hate incident.

How common are hate crime and hate incidents?

23. In 2019-2020, Police Scotland recorded 6,448 hate crimes. The number has remained relatively static over the years, fluctuating between 6,300 and 7,000 between 2014-2015 and 2019-2020.[14]

24. Over the same period 2019-20, Police Scotland recorded 6,745 hate incidents.[15]

25. These are the numbers of hate crimes and incidents reported to the police, and do not show the actual prevalence of hate-motivated activity experienced by people in Scotland.

26. Using Police Scotland management information, the 5 year trend for hate crime in Scotland is shown in the table below, with the annual average being 6594[16] crimes.

Crime Aggravator(s)	2015	2016	2017	2018	2019	2020
Race	4814	4525	4431	4142	3938	4242
Religion	547	538	549	435	513	421
Race and Religion	151	143	154	91	78	77
Other Multiple Aggravators (incl. Race or Religion)	123	129	134	108	164	189
Disability	268	236	240	276	263	325
Sexual Orientation	1054	980	1113	1149	1289	1475
Transgender	50	54	59	75	104	85
Other Multiple Aggravators (excl. Race or Religion)	18	30	25	27	44	65
Total	**7025**	**6635**	**6705**	**6303**	**6393**	**6879**

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[14] Scottish Government, A Study into the Characteristics of Police Recorded Hate Crime in Scotland, February 2021.
[15] Figure obtained from Police Scotland Freedom of Information responses.
[16] Figure obtained from internal Police Scotland document.

27.   There are issues with the quality of the available data on hate crime due to the way in which Police Scotland IT systems record crime and incidents. It is possible to show hate crime broken down by protected characteristics, but more difficult to retrieve information about perpetrators and victims in order to identify trends or understand the impact of hate crime on certain groups.

HMICS survey

28.   As part of the HMICS Inspection of hate crime an online survey was developed to seek the views of members of the public as to the effectiveness and efficiency of Police Scotland's response to hate crime. The survey was live between 24th September and 31st October 2020. This was an open, online survey, and was promoted via social media, HMICS website, and Police Scotland's partner organisations. In total the survey received 611 responses.

29.   Of those responding to the survey, 267 stated that they had experienced hate crime/incidents, and of these, 85 had reported it. This is a small sample, however it indicates the level of under- reporting of hate crime (68%). A full analysis of the survey is provided at Appendix 1.

Leadership and Governance

Is hate crime identified as a top priority for Police Scotland?

30.   Police Scotland and the Scottish Police Authority jointly agree the strategic direction for policing, which is described in the Joint Strategy for Policing (2020), 'Policing for a safe, protected and resilient Scotland'.[17]

31.   The joint strategy shows how policing will contribute to the Scottish Government's National Performance Outcomes and reflects the strategic police priorities set by the Scottish Government.[18]

32.   The joint strategy identifies five strategic outcomes:

Outcome 1	Threats to public safety and wellbeing are resolved by a proactive and responsive police service
Outcome 2	The needs of local communities are addressed through effective service delivery
Outcome 3	The public, communities and partners are engaged, involved and have confidence in policing
Outcome 4	Our people are supported through a positive working environment, enabling them to serve the public
Outcome 5	Police Scotland is sustainable, adaptable and prepared for future challenges

33.   Underneath the Joint Strategy, Police Scotland produces an Annual Police Plan, which outlines the various activities that will be carried out under each of the strategic outcomes.[19]

34.   Hate crime is mentioned specifically as part of the activities under Outcomes 1 and 3, where Police Scotland makes the commitment to:

■   Protect people considered vulnerable and prevent all forms of abuse, neglect and exploitation including domestic abuse, child sexual abuse and exploitation, rape and sexual crime, hate crime and human trafficking, including online
■   Improve public and stakeholder confidence to enhance reporting (including third party reporting) of crime, especially domestic abuse, sexual crime, hate crime and human trafficking

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[17] Police Scotland official website, April 2021.
[18] Scottish Government, National Performance Framework.
[19] Police Scotland, Annual Policing Plan 2020/21.

35. Policing priorities, as set out in the Annual Police Plan, are informed by the findings of Police Scotland's National Strategic Assessment. There are four high level cross cutting themes: protecting vulnerable people; tackling crime in the digital age; working with communities, and support for operational policing. The 14 priorities in the strategic assessment are those assessed to pose the greatest threats and risk of harm to people and communities. Hate crime is not specified in the list of 14 priorities, which are:

- Drugs supply and harm
- Child sexual abuse
- Serious violence including homicide
- Human trafficking
- Rape
- Counter terrorism
- Adult protection
- Serious organised crime
- Domestic abuse
- Missing persons
- Public order and safety
- Road casualties
- Fraud

36. Hate crime, specifically how to report hate crime, is prominent on Police Scotland's website, which states:

"Police Scotland takes hate crime very seriously and will do everything we can to bring those responsible to justice.

If you have been targeted because of your disability, race, religion, sexual orientation or transgender identity, or you are aware of someone else being targeted, we want you to report it.

Reporting hate crime is important. If you report it we can deal with it, we can try to prevent the same thing happening to someone else and together we can work to rid Scotland of hate."[20]

37. Despite the prominence on the website, hate crime is not one of the top 14 priorities for Police Scotland. Hate crime is mentioned in the Annual Police Plan, alongside domestic abuse, child sexual abuse and exploitation, rape and sexual crime, and human trafficking, all of which are identified as force priorities in the strategic assessment, apart from hate crime.

> ### Recommendation 1
>
> Police Scotland should consider if hate crime is given a sufficiently high profile in strategies and plans, given that it is not currently identified as a standalone priority for the service.

Local Police Plans

38. Police Scotland produces a Local Police Plan for each of Scotland's 32 Local Authority areas. There are 13 local policing divisions in Police Scotland, 10 of which cover two or more Local Authority areas. These plans describe local priorities, outcomes, performance measures and policing arrangements based on local engagement with partners.

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[20] Police Scotland official website.

39. HMICS reviewed all 32 Local Police Plans to see how much emphasis is placed on hate crime. Most of the plans have overarching priorities such as anti-social behaviour, public protection, and community concerns, under which hate crime features to varying degrees, but is not a standalone priority in any of them other than Dumfries and Galloway.

Partnerships, Prevention and Community Wellbeing – M Division

40. In 2019, Police Scotland introduced an ACC role for Partnership, Prevention and Community Wellbeing, with a wide portfolio that includes hate crime. A new division of Police Scotland was launched on 1 April 2021, which brings together the previous national Safer Communities teams with the International Development and Innovation Unit and the Scottish Violence Reduction Unit.

41. HMICS welcomes the creation of this new division, which further demonstrates Police Scotland's commitment to the important part Partnerships, Prevention and Community Wellbeing play in achieving positive outcomes for communities.

42. M division is led by a Chief Superintendent, supported by three Superintendents with specific responsibilities. One of the three Superintendents is responsible for the Equality and Diversity team, which is led by a Chief Inspector.

43. The HMICS inspection was carried out before the launch of the new division, therefore our comments about the national Safer Communities business area relate to the previous structure. That said, we consider these observations will be relevant to the new division as an amalgam of previous functions.

44. We found that national Safer Communities, specifically the Equality and Diversity team, had a strong network of contacts with national equality groups and the relevant departments in Scottish Government. Safer Communities staff engaged directly with these contacts and had developed effective professional relationships, becoming 'subject experts' in different strands of diversity and hate crime. As such, they provide support and advice to police officers and staff across the organisation on equality and diversity matters, hate crime, community impact assessments and community engagement.

45. The national Safer Communities team provides the secretariat for the National Independent Strategic Advisory Group (NISAG), which was established by Police Scotland and the Scottish Police Authority in 2014. The key function of the NISAG is to provide advice on police policies and processes, specifically their impact across the equality and diversity strands. Divisions and departments can request advice from the NISAG via national Safer Communities. However there is no information on how often this has happened or how helpful this was.

46. The national Safer Communities team also manage a cadre of Community Advisors, who are members of the public with a wide range of experience of diversity issues and can be called on to provide advice as and when required. Police Scotland produced internal guidance on the use of Community Advisors in November 2020.

47. HMICS has not seen any evaluation of the value of Community Advisors or any information on how often their advice is sought or in relation to which types of incident or situation.

48. The contribution of the National Independent Strategic Advisory Group (NISAG) and that of Community Advisors, has not been evaluated.

Local Divisions

49. The national Safer Communities function, now M division, provides Police Scotland's strategic direction on hate crime and engages with partners and stakeholders at a national level. Locally, the command structure in each of the 13 local police divisions includes a Superintendent Partnerships role, with responsibility for engaging with local partners. Each division has a local Safer Communities team with varying remits for partnership working, prevention, education, early intervention, and harm reduction at a local level.

50. We found the role, remit, size, structure, and even name of local Safer Communities teams differed from division to division. Differences in local policing arrangements will inevitably mean that local teams will not look exactly the same, however there is room for improving the consistency of approach.

51. In any case, it would be helpful to improve the connection between the Partnerships, Prevention and Community Wellbeing (PPCW) division, and the divisional teams in relation to hate crime for the purposes of developing longer term understanding of hate crime issues and sharing of good practice. We were made aware of PPCW senior leadership meetings on a two monthly basis with Divisional partnership Superintendents, which would appear to be the appropriate forum to raise issues regarding hate crime. At an operational level, the harm prevention meeting chaired by PPCW is attended by divisional representatives, where Equality and Diversity is an agenda item.

52. Our observation is that, in spite of the aforementioned forums, there continues to be a disconnect between the national Safer Communities function and the local divisions' Safer Communities resources. This disconnect is replicated within divisions themselves, where the local Safer Communities teams are separate from frontline police resources who actually deal with hate crime in terms of attending incidents, taking reports, and carrying out investigations, such as operational officers, either on response or community teams, or detective officers in the most serious of cases.

Recommendation 2

Police Scotland should ensure the national policy direction for hate crime links up with the local delivery and response to hate crime

53. Hate crime is mentioned in the Annual Police Plan along with domestic abuse, child sexual abuse and exploitation, rape and sexual crime, and human trafficking, all of which are identified as force priorities in the strategic assessment, apart from hate crime. All of these areas have dedicated units, apart from hate crime.

Recommendation 3

Police Scotland consider establishing a dedicated unit for hate crime

Governance

54. The Scottish Police Authority (SPA) has a statutory duty to scrutinise Police Scotland and to hold the Chief Constable to account for the policing of Scotland. The SPA asserts its scrutiny role at regular meetings of the SPA Board and Committees. Our inspection found that the SPA receives updates on hate crime through performance reporting documents to the Policing Performance Committee and reporting on Equality Outcomes to the SPA's Resources Committee.

55. Performance reporting in 2019-20 made no specific reference to hate crime. In 2020-21, performance reports did include statistics on hate crime and hate incidents, with some narrative describing trends.

56. The agenda for Board meetings has also included items and papers on wider issues of equality, diversity and inclusion, but has not specifically discussed Police Scotland's response to hate crime.

57. In August 2020, Police Scotland presented a paper on Workforce Diversity, Inclusion and Equality in Policing to the SPA Board meeting.[21]

58. Hate crime features towards the end of the report, largely to describe the difficulties Police Scotland has in producing data to inform its understanding of trends and how hate crime affects different communities. The paper does not include information on the police response to hate crime, nor any reference to police officers and staff being subjected to hate crime.

59. The discussion following the presentation did not include questions from Board members about hate crime.[22]

60. On 15 September 2020, HMICS published its thematic inspection on Police Scotland's Training and Development, with a focus on leadership and development.[23]

61. This report included the finding that Police Scotland had not provided leadership training in any meaningful way since the national service was established in 2013.

62. Diversity training was previously provided as part of leadership courses at all levels. The discontinuation of most leadership courses had created a gap in relation to diversity training provided to senior members of the organisation. The report recommended that Police Scotland should ensure that diversity training is provided and mainstreamed into leadership courses at all levels as a matter of urgency.

63. At a meeting of the SPA Board on 30 September 2020, the HMICS report was mentioned in the interim Chief Executive's report.

64. The report of the Independent Review of Complaints Handling was published on 11 November 2020.[24] This report was wide-ranging and included a section on policing culture, and on complaints in the context of inclusion, diversity and discrimination. The report made 81 recommendations, including the need for Police Scotland to provide diversity training, to improve its collection of diversity data, and to understand the experiences of its own staff.

65. At the next meeting of the SPA Board, on 25 November 2020, the Chief Constable presented his written report, which included a strong statement condemning racism and discrimination of any kind. Both Police Scotland and the SPA welcomed the Independent Review of Complaints report and made a public commitment to consider its recommendations in detail.

66. The SPA asked for regular updates from Police Scotland on the work to review the approach to equality and diversity issues. These updates have been provided to the Board each month, and reflect an impressive range of work being progressed by Police Scotland.[25]

67. Hate crime is not mentioned specifically in these updates, however there is a clear commitment to understanding the experience of police officers and staff from minority groups and to creating an inclusive working environment.

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[21] Police Scotland, Workforce Diversity, Inclusion and Equality in Policing, August 2020.
[22] SPA, Board Meeting Minute, 19 August 2020.
[23] HMICS, Thematic Inspection of Police Scotland Training and Development - Phase 1, September 2020.
[24] Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, The Rt.Hon. Dame Elish Angiolini DBE QC, November 2020.
[25] Police Scotland, Workforce Diversity, Inclusion and Equality in Policing, February 2021.

68. HMICS is looking at diversity in policing, specifically the recruitment, retention, development and promotion of under-represented groups in our Phase 2 inspection of Training and Development.[26]

69. It is difficult to separate wider issues of diversity from the Police Scotland response to hate crime externally and internally.

70. Despite the context of heightened public concern about racism and inequality in society and in policing during 2020, and the provision of two relevant reports on Police Scotland's approach, the SPA did not apply robust scrutiny to Police Scotland's response to hate crime.

71. Questions have not been asked about Police Scotland's efforts to tackle under reporting of hate crime, the quality of Third Party Reporting centre arrangements, or the effectiveness of the Police Scotland response to hate in local communities or as experienced by its own staff.

> ### Recommendation 4
>
> The Scottish Police Authority should consider how to improve its scrutiny of Police Scotland's response to hate crime

Police Scot l and' s governance arrangements

72. During our inspection, we noted that Police Scotland had established the Equality, Diversity and Human Rights Strategy Group. Underneath this group were the Equality, Diversity and Inclusion Employment Group (chaired by the DCC People and Professionalism), and the Equality and Diversity External Service Delivery Group (chaired by the DCC Local Policing). We could see that Police Scotland had introduced an internal equality and diversity governance structure and reporting structure. There was a commitment to building an evidence-based understanding of Police Scotland's service delivery to diverse communities.

73. Since our inspection, Police Scotland has introduced a new Equality, Diversity, Inclusion and Human Rights Strategic Oversight Board, which replaces the Equality, Diversity and Human Rights Strategy Group. The inaugural meeting of the Strategic Oversight Board was in March 2021. Its stated purpose is to mainstream equality, diversity and inclusion throughout the organisation in all aspects of planning and delivery while ensuring statutory obligations of the Equality Act 2010 are fulfilled.

74. At the SPA Board meeting on 24 March 2021, Police Scotland and the SPA agreed a joint approach to setting equality outcomes for policing in 2021. This aims to ensure that both organisations are working towards the same equality, diversity and inclusion priorities and outcomes across policing in Scotland. We were pleased to see the first jointly proposed equality outcome relates specifically to hate crime, namely:

Equality Outcome 1: Reporting Hate Incidents – Confidence and Support:
The paper to the SPA board identifies that hate crime remains under-reported and the COVID- 19 pandemic has exacerbated existing inequalities and misperceptions in relation to some groups. Victims, witnesses and partner agencies need to feel confident to report hate incidents and receive a consistent level of response and support.

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[26] HMICS, Thematic Inspection of Police Scotland Training and Development - Phase 2 - Terms of Reference, March 2021.

75. The paper further states that policing is on a continuous improvement journey in relation to equality outcomes and is working towards:

- embedding equality outcome development into the existing three year strategic planning cycle;
- improved approach to measurements that direct prioritisation and action based on evidence;
- measures that are incorporate mainstreamed into the wider corporate performance reporting approach (sic).[27]

HMICS welcomes the direction of travel described in the paper to the March meeting of the Authority.

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[27] Police Scotland, Equalities Outcomes, March 2021.

Partnerships

76. During our inspection, we found evidence of strong partnerships at a national level. Equality and Diversity officers, working as part of Police Scotland's Safer Communities team (now Partnerships, Prevention and Community Wellbeing division), were committed to engaging with key partners, minority groups and community members with a view to building community confidence, breaking down barriers and improving quality of service.

77. Locally, there are also significant efforts to build and maintain professional networks. Some local divisions, for example Greater Glasgow, Fife, and Forth Valley, have dedicated Equality and Diversity units with a remit for hate crime, while others (Edinburgh and Tayside) cover hate crime as part of a wider Preventions, Interventions and Partnerships (PIP) remit. Other divisions rely on the Local Authority Liaison Officer and local Safer Communities team to build these partnerships in relation to tackling hate crime.

78. Individual officers working at national and local levels have developed effective partnerships and deep knowledge of specific diversity issues. Often, this was down to an individual's personal motivation and endeavour for a particular topic, rather than as a direct result of an overall force or divisional plan.

> **Recommendation 5**
>
> Police Scotland should ensure that it maximises the benefits of strong partnership relationships, and shares the knowledge of diversity issues developed by police officers and staff working in Safer Communities roles at national and local levels

Third Party Reporting

79. Third Party Reporting provides the opportunity for victims or witnesses of hate crime to report their experience at places other than police stations, and without having to speak directly to the police. This option for reporting was recommended as long ago as 1999 by the Stephen Lawrence inquiry.[28] Legacy police forces had entered into partnerships with a wide variety of agencies to provide Third Party Reporting facilities. These arrangements were inherited by the national police service when it was established in 2013.

80. Police Scotland's national Safer Communities business area took over responsibility for supporting and maintaining the Scottish network of Third Party Reporting centres across the country, and have conducted a number of internal reviews. These reviews found police officers were often unaware of the scheme, many of the Third Party Reporting centres did not know they were meant to be offering the facility, and the public were largely unaware of their existence. Reporting levels via Third Party Reporting centres were low.

81. Inconsistencies in the operation of Third Party Reporting centres across Scotland were identified during the review carried out by the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion.[29]

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[28] The Stephen Lawrence Inquiry, February 1999.
[29] Scottish Government Report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion, September 2016.

82. One of the recommendations of the Independent Advisory Group's report, published in September 2016, was that Police Scotland and its partners should review the effectiveness of the Third Party Reporting centre network and develop action steps to improve this. Further, the Scottish Government should work with Police Scotland and key partners to identify barriers to reporting, with a view to ensuring that third party reporting is widely available and publicised and that identified barriers are removed.

83. Part of the Scottish Government's response to the work of the Independent Advisory Group was to establish a multi-agency group, the Tackling Prejudice and Building Connected Communities Action Group. This group identified barriers to reporting hate crime and wanted to prioritise actions to address under reporting. The Tackling Prejudice and Building Connected Communities Action Plan, which includes actions relating to Third Party Reporting, continues to be work in progress.

84. In 2019 Police Scotland participated in a short life working group to discuss the barriers and challenges of the Third Party Reporting process. A Police Scotland led group identified a variety of issues including:

- Sporadic communication between Police Scotland and Third Party Reporting centres
- Some sites only open during office hours
- Rebranding and marketing of the service urgently required
- Current training inadequate
- Insufficient numbers of staff trained
- Challenges with online reporting form

85. HMICS found that 242 Third Party Reporting centres are listed on Police Scotland's website. The list did not inspire confidence in the service's commitment to providing people with the means to report hate crime without direct contact with the police. Some addresses were incomplete, some email addresses were scored out, details were out of date, and the order of the centres on the list did not make it easy for users to identify the most appropriate facility to meet their needs.

86. In early 2020, prior to the COVID-19 restrictions, HMICS visited a number of Third Party Reporting centres, and found they had either closed, had moved, or staff did not know they were meant to be providing this function. There was no evidence of signs or other branding to let the public know Third Party Reporting was available.

87. In our HMICS survey, some respondents made specific suggestions in relation to Third Party Reports:

"More publicity of Third Party Reporting, rebranding this scheme to Support to Report and better resourcing and support of Third Party Reporting centres."

"Making people more aware of the process of reporting, in a format that is easy to understand and access. This should also involve the highlighting of pathways that do not require the person to interact with the police directly if they do not wish to, as direct police interaction can deter people from reporting."

88. Safer Communities developed a quarterly Third Party Reporting activity monitoring form in an effort to monitor the effectiveness and efficiency of Third Party Reporting centres, and recognise the support provided to victims of, and witnesses to, hate crime. We were told this form has never been used due to the lack of any information sharing agreement or memorandum of understanding between Police Scotland and Third Party Reporting centres.

89.   During our inspection, we were made aware of successful efforts to overcome restrictions in partnership engagement as a result of the pandemic. This was specifically in G division, where a local Third Party Reporting training programme was adapted and delivered via Microsoft Teams. Initial feedback from those in attendance was positive, and full evaluation was being further developed.

90.   Through the work of various external reviews and indeed from its own reports, Police Scotland knows there are issues with the availability and quality of Third Party Reporting centres, as well as low levels of awareness of the facility. There is a lack of data on the use of Third Party Reporting centres, and no way of knowing how many referrals are being made via these centres, nor how many result in hate crime or hate incident reports being recorded.

91.   Whilst the pandemic will have had an impact on the plans to improve the Third Party Reporting arrangements during 2020, HMICS would still have expected more progress to have been made in preceding the pandemic. The recommendation in the 2016 report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion that Police Scotland should have led to a prioritisation of this work.

92.   The Independent Review of Police Complaints Handling, Investigations and Misconduct Issues in relation to Policing in Scotland recognised the benefit of Third Party Reporting for people who wish to make a complaint about the police.

93.   Dame Elish Angiolini observed that some people from minority communities may not trust the police due to their experiences in their country of origin, and may not wish to engage directly with the police. She recommended that Police Scotland extend the use of Third Party Reporting centres to include complaints about the police.[30]

94.   There are multiple sources of evidence to show that Third Party Reporting in Scotland is not working well. There is an outstanding recommendation from 2016 asking for shortcomings to be addressed. The Dame Elish Angiolini Review recommendation makes the need for improvement all the more urgent.

Recommendation 6

Police Scotland should accelerate its work with partners to improve the Third Party Reporting arrangements, providing people with the option to report hate crime without speaking directly to the police

National Hate Crime Campaigns

95.   Police Scotland has carried out a number of national campaigns aimed at improving the public's understanding of hate crime, and encouraging people to report it.

96.   The Partnership, Prevention and Community Wellbeing division, previously Safer Communities, lead on Police Scotland's hate crime campaigns designed to focus on areas identified as requiring increased awareness.

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[30] Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, The Rt.Hon. Dame Elish Angiolini DBE QC, November 2020.

97. In October 2019, Police Scotland won the Public Sector Racial Equality award for the #DontTolerateHate campaign, which was aimed at raising awareness of hate crime against workers in the night time economy, such as taxi and private hire car drivers, and to increase reporting from those working in pubs, clubs, take away restaurants and licensed grocers. The key messages of that campaign were:

- Regardless of your occupation, no matter the circumstances, the where or when, hate crime is never acceptable and should be reported
- If you are reporting hate crime, you will be taken very seriously, it will be fully investigated and you will be treated with respect
- It is only through reporting hate crime that Police Scotland can form a more complete picture of the issue and address it in the most robust manner possible.

98. The campaign was delivered across a range of platforms including outdoor posters, radio adverts and social media.

99. In March 2020, Police Scotland introduced another #DontTolerateHate campaign, this time relating to Disability hate crime. It includes 'Mate' Crime, which Police Scotland explains is when someone "says they are a friend, but they use this friendship to take advantage of people with disabilities."

100. Other than statistics to show the number of times these campaigns were viewed or accessed via social media and the internet, there was no meaningful evaluation of the impact national campaigns had on communities or levels of reporting of hate crime.

101. HMICS heard there is a lack of transparency about how themes are chosen for national hate crime campaigns. National Safer Communities consult national partners on potential themes, however do not involve local divisions in the decision making or discussions about development and delivery of national campaigns. Local divisions felt they did not receive sufficient notice of the timing of national campaigns, and some topics were less relevant to some areas of Scotland depending on the local context. Some local divisions felt their feedback to National Safer Communities was not acknowledged or acted on.

> ### Recommendation 7
>
> Police Scotland should ensure there is transparency of decision making about the themes chosen for national hate crime campaigns, and that there are processes in place to evaluate the impact of campaigns on communities and reporting levels of hate crime

Planning and Process

Policy

102. Police Scotland published the Hate Crime Standard Operating Procedure(SOP)[31] and the internally available Hate Crime Toolkit to provide national consistent standards in the police approach to hate crime. Both documents support the Scottish Police Authority and Police Scotland's Equality, Diversity and Dignity Policy.[32]

103. The purpose of the Hate Crime SOP is to instruct all police officers and police staff in the recognition, response, recording and investigation of hate crimes and hate incidents, and to outline specific responsibilities. The SOP is comprehensive in defining hate crime and legal provision to recognise and respond accordingly. There are links to numerous associated SOPs ranging from Appropriate Adults to Complaints about the Police.

104. The Hate Crime Toolkit was developed in support of the SOP and defines a working framework to enhance officers decision making and provide a tailored step by step guide in relation to Police Scotland's recording systems.

105. During our review both the SOP and Toolkit were found to lack clarity in relation to recording on different police systems and the importance of compliance. We were told of challenges of access to the SOP and toolkit for frontline officers when mobile, whilst other officers were either not aware of the existence of the guidance or did not feel the need to use it.

106. In advance of our inspection, Police Scotland's Audit and Assurance department under took a Self-Assessment exercise across all Local Policing Divisions to check compliance with the SOP and Toolkit. A further dip sample audit was undertaken by Safer Communities to validate the results. The high level results suggested the following areas of improvement were required:

   - Review of the SOP to reflect current call response practice and information
   - Improve accuracy of incident opening and closing codes
   - Improve accuracy of cross referencing of recording information on police systems
   - Ensure clear recording of repeat victim information within the THRIVE framework
   - Increased compliance in relation to the submission of intelligence logs

107. These areas will be subject to closer focus during the report however our findings broadly reflect those identified by Police Scotland and in general officers wish to have accessible practical information to directly support their response to the public. Since our inspection period, we have been advised that an 'aide memoire' developed from the Hate Crime Toolkit has been uploaded onto Police Scotland's mobile devices. HMICS welcomes this development.

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[31] Police Scotland, Hate Crime Standard Operating Procedure, February 2018.
[32] Police Scotland, Equality, Diversity and Dignity Policy, October 2016.

Initial incident reporting and recording

108. The majority of public contact with the police is by telephone to 999 emergency and 101 non-emergency services. These calls are managed by Police Scotland's Contact, Command and Control (C3) Division. Calls are initially taken by service advisors (members of police staff), who either resolve the call at first point of contact by providing advice or create an incident which is transferred to an Area Control Room (ACR). When a member of the public reports a hate incident it is logged on Police Scotland's System for Tasking and Operational Resource Management (STORM): Police Scotland's national command and control system. STORM is largely used for resource allocation purposes. Police Scotland provides an option for the public to report hate crime via an online form, which is forwarded to C3 for action.

109. In June 2019 Police Scotland commenced a phased roll out of the Contact Assessment Model(CAM). This model represents a new means by which Police Scotland manages requests for police assistance which was previously based on policies and default prioritisation of calls for incidents or reports. Service advisors apply the 'THRIVE' framework to establish Threat, Harm, Risk, Investigative opportunities, Vulnerability and Engagement. Police Scotland describe the CAM model as:

    'An enhanced assessment and decision making model, using criteria such as risk and vulnerability that enables identification and direction of the most appropriate policing response at first point of contact'

110. In HMICS 2019 carried out a review of the early implementation of the CAM model.[33] HMICS provided feedback to the project team to assist development of the model and the use of police systems to inform the THRIVE framework, specifically around assessing vulnerability and C3 staff's access to the interim Vulnerable Person Database (iVPD).

111. On deployment to a hate incident officers will establish the nature of report from the member of the public and assess whether there is sufficient information to record a crime. The requirement for a crime to be recorded is set out in the Scottish Crime Recording Standard (SCRS)[34] and in summary a crime is recorded when the circumstances amount to a crime as defined in legislation and there is no credible evidence to the contrary. Incident compliance with SCRS requires to provide a clear narrative to dispel or confirm criminality. The initial code, incident updates and closure codes are recorded on STORM by C3. Further incident updates and quality assurance should be carried out by the local policing division.

112. Issues with compliance and variance of quality assurance processes were highlighted in the HMICS 2020 Crime Audit, albeit hate crime was not specifically audited as part of the sample data.[35]

113. Given the legislative landscape for hate crime can be complex, determining whether the circumstances of an incident amount to criminality, and which crime – if any – should be recorded, can be challenging for officers on the frontline and for staff with responsibility for compliance and quality assurance.

114. In relation to recording on crime management systems, we were told that, at divisional level, there is often uncertainty, confusion and disparity. This results in debates amongst frontline officers and staff responsible for quality assurance as to what amounts to a hate crime. This has led to individual officers contacting national Safer Communities to seek their advice and intervention in terms of the perception of 'hate' by victims and/or others. The STORM and crime management systems operate independently from each other, although all crime reports must have a linked STORM incident number recorded for cross referral purposes.

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[33] HMICS, Review of the early implementation of the Contact Assessment Model, October 2019.
[34] Scottish Government, Scottish Crime Recording Standard - Crime Recording and Counting Rules, September 2020.
[35] HMICS, Crime Audit 2020, March 2021.

115. Furthermore there will be occasions when incidents occur and a crime is not established, but the incident itself is perceived to have been motived by hate or prejudice. Such incidents will be recorded as a hate incident on STORM and on the Interim Vulnerable Database (iVPD).

116. Our inspection assessed that the overall process for initial assessment, frontline response, recording and quality assurance by Police Scotland is a methodical and logical pathway. However, due to the sometimes subjective nature of hate crime, there is a risk of inconsistency in the advice and updates that members of the public are provided with at any stage of this journey.

Recommendation 8

Police Scotland should review hate crime national documents to ensure there is clear accessible guidance for officers and staff responding to and recording hate crime

Interim Vulnerable Persons Database (iVPD)

117. The interim Vulnerable Persons Database (iVPD) was set up as part of Police Scotland's commitment to keep people safe and was designed to protect and support vulnerable individuals and support working with partners to reduce harm.

118. The database is used by Police Scotland to record information about individuals who are, or are perceived to be, experiencing some form of adversity and or situational adversity which may impact on their current or future wellbeing. It is used to record all hate related incidents that come to the attention of the police regardless of whether or not they constitute a criminal offence.

119. The development of functionality, business rules and data protection compliance processes deemed it the most appropriate system for producing national data on hate incidents and crimes. Previously information was sourced from manually collated data collection tools sourced from interrogating the legacy crime management system.

120. The iVPD includes some further information on the context of each hate crime Police Scotland records in relation to the protected characteristics. This enables a broader understanding of the extent of hate related activity across the county.

121. The iVPD, STORM and crime management systems all operate independently from each other, thereby creating the need for multiple front end entries by officers responding to an initial call. Our inspection found this to be a major inhibitor for officers and staff in terms of input and subsequent update and quality assurance of data and systems.

122. The retrospective interrogation and cross-checking of systems can only be achieved manually, and is undertaken at local and national levels by a wide range of personnel, including supervisors, quality assurance units, performance units and Safer Communities. We found that, whilst a focus on accurate system recording is important for SCRS compliance, the absence of established quality assurance processes and alignment to roles may account for the gaps in compliance found in the Self-Assessment validation sample. Furthermore, we assessed that this activity was primarily motivated to ensure valid management information is submitted for the purposes of performance management. We found duplication of this audit process by national and local Equality and Diversity staff did not represent an effective use of skills and knowledge.

Intelligence Submissions

123. Police Scotland's Self-Assessment also identified a lack of corresponding hate crime data on the Scottish Intelligence Database (SID). The SOP and Toolkit are clear on the need to submit an intelligence log for a hate related incident and we were told of how this can be used to good effect especially where perpetrators cannot be readily identified for criminal acts in the community.

124. We did not look specifically at SID logs during our inspection however we were not provided with evidence of SID logs being used to inform intelligence products or analysis of hate crime. Staff performing equality and diversity roles told us that SID logs for hate crime are not submitted or checked routinely, nor used to carry out analysis of hate crime. The failure to submit intelligence logs is not unique to hate crime. The challenge of encouraging officers to submit intelligence is made more difficult by the fact the existing IT systems are not capable of 'speaking to each other', meaning officers have to enter the same information into multiple systems.

> ### Recommendation 9
>
> Police Scotland should provide clear guidance to police officers about the importance of submitting intelligence logs relating to hate crimes and hate incidents

Online Reporting Mechanism

125. Members of the public can also report a hate crime incident using the Police Scotland online reporting form which negates the need to call Police Scotland and increases service user access. The form is only available in English, however there is guidance for those who are deaf or hard of hearing.

126. Our inspection found well developed expertise, commitment and engagement in relation to Disability hate crime evidenced by strategic Safer Communities engagement and Equality and Diversity commitment in respect of the charity 'I Am Me Scotland' and the 'Keep Safe Programme'. Public facing collaborative working was clearly visible in support of the use of the 'Keep Safe' Digital App that has been developed for use on mobile phones and contains a specially adapted link to the Police Scotland online reporting tool. This can also be accessed through the 'I Am Me' website which outlines all forms of hate crime and the different resources available to assist public understanding.

127. Safer Communities have produced a short information film fronted by a police officer communicating in British Sign Language (BSL) advising on the protected characteristics, encouraging people affected to report and reinforcing Police Scotland's commitment to investigate thoroughly. This stands out as a demonstration of Police Scotland as a service actively seeking to use a broader range of communication messaging and improve accessibility. Since our initial fieldwork we have been advised Police Scotland Communications team have a dedicated workstream geared towards improving accessibility and progress updates will be provided to the Equality Inclusion Diversity and Human Rights Strategic Oversight Board.

128. The positioning of hate crime on Police Scotland's website is an opportunity to increase visibility and awareness of hate crime. On comparing and contrasting with other force areas we assessed there were opportunities for Police Scotland to improve its hate crime information for the public.

Identifying Repeat Victimisation - Initial Contact

129. The maintenance of public confidence when dealing with a hate crime relies on an effective, proportionate and appropriate responses by the police and partner agencies. This can be undermined if there is an absence of understanding the impact of repeat victimisation and/or the subsequent response is ineffective.

130. The identification of repeat victimisation starts with the initial call to the police on the understanding that, as with many crimes, the first call to police may not be the first time the victim has been subjected to the experience of hate related or prejudiced behaviour.

131. The main purpose of the HMICS Survey was to gauge user experience in this inspection by adapting our focus group approach through an online survey (Appendix 1).

132. The responses covered a broad range of views on Police Scotland's response to hate crime alongside and varying levels of experiences of hate crime.

133. In terms of repeat victimisation, responses revealed that many people do not equate the abuse they have suffered as worth reporting to police, or they have suffered or continue to suffer in silence albeit know it is a hate crime.

134. A key theme was where on reporting a series of incidents Police Scotland failed to either identify a pattern or take cognisance of same. Respondents felt by treating each incident separately this minimalised the victim impact or can increase the fear in a community.

135. Our user experience is broadly reflected in research and findings found in the Scottish LGBTI hate crime report 2017 produced by the Equality Network[36] and in Fostering A Victim Centred Approach to Hate Crime in Scotland 2017 published by Victim Support Scotland.[37]

136. These reports acknowledge that hate crime is considerably under reported and highlight that many people who experience hatred and prejudice on a daily basis find it impossible to constantly report them to the police with some victims normalising the offensive behaviour.

137. The CAM model and use of THRIVE takes into account repeat callers as part of the assessment of vulnerability. Our inspection confirmed that research of iVPD is part of the induction training for service advisors and relevant information on repeat victims should be passed to attending officers over the police radio. HMICS intended to carry out an inspection of CAM following national roll out by Police Scotland, however this has been postponed due to the pandemic.

Local Policing Processes

138. HMICS found that local divisions have robust oversight and scrutiny processes in place to manage reports of hate crime, and investigations are treated as a priority. Senior management assert a strong interest in any reports of hate crime at the daily 'grip' meetings and will ensure an effective response is delivered. Hate crime features as part of divisional Tasking and Co- ordinating Group meetings and at monthly Performance meetings, where any emerging trends are identified.

139. There is prioritisation of hate crime on an operational basis, with officers clearly considering hate crime to be important. Local divisions have robust processes in place to manage reports of hate crime, and there is a real drive to detect hate crime when it is reported. This divisional activity is reactive rather than part of an overall strategy for the prevention and detection of hate crime.

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[36] Equality Network, Scottish LGBTI hate crime report 2017, 2017.
[37] Victim Support Scotland, Fostering a Victim Centred Approach to Hate Crime in Scotland, September 2017.

140. We were told that the potential of repeat instances of hate crime is not at the forefront of officers considerations when attending a hate incident and they are only aware of the existence of previous reports if that information is passed to them when they are allocated the call, or the victim volunteers the information. Consideration of other risks, such as the seriousness of the incident or escalation of the nature of incidents, do not seem to feature in the response. Repeat victimisation is covered in the Hate Crime SOP however it does not define 'a repeat victim'.

141. Police Scotland's Victim and Witnesses Care SOP defines repeat victimisation as being a second or subsequent crime within a twelve month period. This is not one of the SOPs referenced in the hate crime document set however it provides guidance for Local Area Commanders on developing a planned approach. The SOP states the responsibility for audit mechanisms to identify repeat victims also lies with Local Area Commanders and through Self- Assessment and in our inspections of C, G and N divisions we found varying degrees of police led connectivity and sustainable prevention activity where victims and locations have been subject to numerous crimes. In C division we did find a police led forum which included Stirling Council, and regular liaison with Crown Office and Procurator Fiscal Service in relation to standalone cases.

142. HMICS found no evidence of analysis being used to understand hate crime, and an over reliance on police officers manually checking multiple systems with a focus on short term outcomes. We learned of no documented action plans in respect of repeat victims to coordinate long term prevention and support local policing plans or the strategic outcomes.

143. Divisional Concern Hubs manage the flow of information on the iVPD however this is geared primarily to look at a holistic assessment of wellbeing concerns for the purposes of referral to partners where appropriate. Our fieldwork identified that the 'vulnerability' aspect of the iVPD was appropriate for some hate crimes but not all therefore the iVPD prioritisation tool, resilience matrix and escalation protocol did not always apply. Where there is personal or situational adversity then referral pathways would be considered as they would for any adult or child concern.

144. In the absence of recognised risk assessment tools or analytical products, D division (Tayside) has developed its own process to identify and create a coordinated enhanced service to repeat victims of crime.

145. Repeat callers are identified from STORM and analysed to create enquiry packages that are allocated to community officers. Further enquiry and a bespoke risk assessment to gauge level of threat, risk or harm provides an enhanced understanding of any victimisation. Opportunities to engage partners are identified and ongoing liaison with the divisional hate crime officer ensure early awareness. In the absence of analysis or evaluation we were unable to evidence outcomes however this focus to repeat incidents demonstrated an understanding of the harm caused and a commitment to protecting people from harm.

146. It is clear that iVPD, STORM and Crime Management are rich sources of analytical information however HMICS are concerned regarding the confusing front end application of data and the absence of tools available for local area commanders to prioritise proactive and prevention work with partner agencies.

Recommendation 10

Police Scotland should review its use of the data held on IT systems to build knowledge and understanding of trends in hate crime and the impact on affected communities

Learning from Others

147. During the course of our inspection, we looked at aspects of the police response to hate crime in other areas of the United Kingdom. Police Scotland will be aware of all of these approaches to varying degrees. We have not carried out an assessment of practice elsewhere, however information about other approaches is offered for the consideration of Police Scotland and for the benefit of the Scottish Police Authority in discharging its scrutiny role.

148. HMICFRS published a report on hate crime in 2018, which looked at the police response in all 43 police forces in England and Wales.[38]

149. Many of the findings relate to issues that exist in Police Scotland, including challenges with gathering comprehensive data and intelligence about hate crime, and creating and using problem profiles. The report also highlights evidence of positive and innovative practice, which would be worthy of consideration by Police Scotland.

    Examples include:
    ■ Cyber community support officer, recognising that hate crime is increasingly taking place in online communities (Gwent Police)
    ■ Short training videos for officers policing diverse communities to enable them to understand and engage with those communities effectively (Greater Manchester Police)
    ■ Comprehensive hate crime risk assessments to help keep victims safe (Nottinghamshire Police)
    ■ Involving local communities in scrutinising the police approach to hate crime (West Yorkshire Police)
    ■ Training package called 'Take the hurt out of hate' for frontline officers and supervisors (Avon and Somerset Constabulary)

150. One of the issues identified by HMICFRS was in relation to the management of cases where there were recurring risks to hate crime victims. Some forces were using processes similar to those used for domestic abuse for risk assessment, victim support and safety. It was recommended that the principles of multi-agency risk assessment conferences (MARAC) be considered as a good way to manage the risks to hate crime victims.

151. Police Scotland uses an established risk assessment tool for domestic abuse, as well as the MARAC process (local information sharing meetings of statutory and voluntary agency representatives) to manage risk and support victims of domestic abuse. These approaches could be considered for its management of hate crime.

152. The HMICFRS report also highlights 'True Vision', which is a police funded website providing information about hate crime and an online reporting facility, which automatically sends the report to the relevant police force in England, Wales or Northern Ireland.

153. During our inspection, we had a closer look at True Vision. Its key objectives are to provide information to victims, advocates and professionals; to facilitate online reporting of hate crime (including anonymously); to build confidence in affected communities, and to provide a library of resources for local use.

154. In 2017, a National Online Hate Crime Hub was launched, funded by the UK Government.[39]

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[38] HMICFRS, Understanding the difference: the initial police response to hate crime, July 2018.
[39] UK Government Official Website, October 2017.

155. The Hub provides a central point for referrals from True Vision which relate to hate activity carried out online. These referrals are then assessed by the Hub and either retained by the Hub or forwarded to the relevant local police force for action. The Hub's remit includes working with online platforms in an effort to have hateful material removed. Since early 2019, the Hub has been using an Online Hate Speech Dashboard, which assists in the monitoring of community tensions.

156. True Vision seems to be a useful resource for hate crime reporting online, and for accessing national guidance, information and current issues. The National Online Hate Crime Hub is an effective pathway for True Vision referrals with the added benefit of looking at online trends and working with global platforms.

157. Scotland does not participate in True Vision, however True Vision provides a link to Police Scotland's website on the front page of its website, as well as providing a link to Police Scotland's online form for reporting hate crime.

158. Another approach we learned about was the bespoke referral mechanism developed by the Metropolitan Police Service to encourage people to report hate crime. Police officers can refer victims directly to coalition of partner agencies, known as the Community Alliance to Combat Hate (CATCH), who will then arrange for the most appropriate agency to provide support. This referral can be completed when the officer is with the victim via the officer's mobile device.

159. The Metropolitan Police Service has a Central Hate Crime Partnership Team, which has a strategic overview of hate crime across London and can respond to online and off-line hate crime activity. The team is dedicated to supporting officers investigating hate crime, ensuring victims are provided with specialist support, reviewing hate crime policy, and generally improving the response to hate crime. They deliver training to all staff. This team also offers support and guidance for dealing with staff who have been the victims of hate crime.

160. Police Scotland does not have a dedicated unit for hate crime, albeit the national Safer Communities function, specifically the Equality and Diversity Unit, has the lead for hate crime policy and advice.

161. HMICS has previously commented on the value provided by the College of Policing (England and Wales) in establishing Authorised Professional Practice (APP) across a range of policing activities and consider that the creation of national standards is essential to support interoperability and mutual aid across the United Kingdom. Police Scotland already adopts College of Policing APP for numerous areas of business. In October 2020 the College of Policing published APP guidance on hate crime.

162. The National Police Chiefs' Council (NPCC) works with the College of Policing to decide on national standards and common approaches with the aim of protecting the public from the most serious and strategic threats. Since 2019, the Chief Constable of Police Scotland has the same involvement in the NPCC as any other Chief Officer in the UK. The NPCC allocates portfolios to its members and there is an identified lead for hate crime.

163. Products and experience on policing hate crime are available from the College of Policing and the NPCC, which Police Scotland will be aware of.

164. In terms of providing support to police officers and staff who are subjected to hate crime, Operation Hampshire was developed in the Metropolitan Police Service from 2016, building on work started in Hampshire. The model relates primarily to police assaults, but in 2020 extended to include hate crime against police officers and staff. The MPS looked at the journey of an incident from initial supervision and aftercare through to the criminal justice outcome and put guidance and measures in place to improve each stage.

165. The National Police Wellbeing Service (England and Wales) is now coordinating Operation Hampshire, sharing of existing good practice and developing practical resources for police forces to use in supporting their officers and staff. Police Scotland has not signed up to Operation Hampshire, however it is part of the peer knowledge sharing group.

166. Police Scotland launched 'Your Safety Matters' in August 2019 following an increase in assaults on police officers.[40]

167. The Chief Constable subsequently issued an assault pledge:

168. HMICS understands that Police Scotland considers Your Safety Matters and subsequent Assault Pledge to be equivalent to Operation Hampshire. However, it should be made clear that hate crime is included in the Chief Constable's pledge to supporting officers and staff who have been the victims of "violence or abusive behaviour".

> ### Recommendation 11
>
> Police Scotland should consider good practice elsewhere to improve its response to hate crime. The Scottish Police Authority should use information about good practice elsewhere to ask more effective questions of Police Scotland about its response to hate crime.

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[40] Police Scotland, Chief Constable's Report , September 2019.

Outcomes

Equality Outcomes

169. The Equality Act 2010 introduced public sector equality duties in relation to nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex, and sexual orientation. There are statutory duties on Scottish policing to publish equality outcomes and report on progress (The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012). Equality outcomes are published every four years with a report on progress every two years.

170. In line with the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016, the Scottish Police Authority and Police Scotland jointly implemented new Equality Outcomes in March 2021, as outlined earlier in the report. The first equality outcome relates to the confidence to report hate crimes.

User Experience Monitoring

171. As a public service Police Scotland continues to develop how it measures public confidence and user experience. Police Scotland use different methods to understand the experience and expectations of communities. Regular updates are provided to the SPA within the performance framework.

172. Police Scotland's Strategy, Insight and Innovation team shape and deliver the Your Police Survey 2020/2021, which runs for the majority of the year and helps Police Scotland understand public opinions of policing across local areas. Police Scotland also undertake consultations on thematic or emerging areas of change for policing.

173. Feedback is monitored throughout the year and in the Quarter 3 Performance Report to SPA in March 2021 there was an overall 58% confidence in policing.

174. In terms of those who have recently experienced service from Police Scotland, the User Experience Surveys (UES) are undertaken monthly by Progressive Partnership Ltd on behalf of Police Scotland providing initial and overall satisfaction with the service received. The information is not broken down into crime types. As reported in the Quarter 3 Performance Report to the SPA in March 2021, satisfaction is greatest with understanding the caller's needs (88%) and initial contact (86%). Overall satisfaction with contacting Police Scotland was 73%.[41]

175. During our inspection, we found evidence of local efforts to capture user feedback about hate crime. By building on the standard letter to victims outlining Victim Support, N Division have incorporated an online survey to assess the victim's experience and also ascertain if there has been previously unreported incidents. This demonstrated good practice in seeking the views and information. N Division share this survey data with elected members and their local Equality and Diversity partnership group.

HMICS Survey

176. As part of this inspection, HMICS developed an online survey to seek the views of members of the public as to the effectiveness and efficiency of Police Scotland's response to hate crime. The survey was live between 24th September and 31st October 2020 and received 611 responses. Out of those responses, 267 people stated they had experienced hate crime and of those, 85 people reported their experience to the police. A full analysis of the survey results is shown at Appendix 1.

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[41] Police Scotland, Quarterly Policing Performance Report - Q3 2020/21, March 2021.

177. The survey found there were deficiencies in the way in which victims are updated, supported and the level of aftercare provided by police. Of the 85 people who had reported hate crime to the police, the following results were found:

- 46% of individuals felt that Police Scotland had not taken their complaint seriously
- 73.5% said they had not been provided with regular updates to their report
- 56% said they had not been provided with their rights in respect of accessing victim support services
- 79.5% said that they had not been provided with a Victim Care Card
- The majority (57%) were dissatisfied with the aftercare provided by Police Scotland, compared to those satisfied (24%)

178. The following key quotations demonstrate typical responses and viewpoints:

Victim Care

179. For victims of crime, navigating the criminal justice systems can be complex and protracted. This is often exacerbated if there are accessibility issues such as language or communication challenges.

180. Police Scotland's response to victims of hate crimes, as with all crimes, should follow the Scottish Government's Victims' Code for Scotland. Hate crime is not expressly mentioned in this code.[42]

181. The Victims and Witnesses (Scotland) Act 2014 requires Police Scotland to set and publish standards of service for victims and witnesses. The Victim and Witnesses Standards of Service and accompanying annual report is produced by Scotland's criminal justice partners including Police Scotland.[43]

182. It is for each organisation to identify their own standards and provide evidence annually as to whether those standards are being met or not. The first standard outlined is that of keeping victims informed of the progress of their investigation. Police Scotland have provided evidence from the aforementioned User Experience Survey as a measure of their standard over the past 5 years. This measurement shows percentages from the past 5 years of those surveyed who indicated that they had been adequately informed about the progress made on the incident they had reported to Police Scotland, and ranges between 50% and 60%. In the HMICS Survey, of the 83 out of 85 people who had reported hate crime, only 26.5% said they had been provided regular updates.[44] This highlights the need for Police Scotland to consider some focused public engagement with victims of hate crime so as to accurately capture their experience.

Victim Support Arrangements

183. The Victim and Witnesses legislation requires Police Scotland to inform victims of crime of how they can access victim support services. Due to the impact hate crime can have it is especially important that victims know they have rights in respect of access to victim support. In our survey we sought to understand the views on this obligation from those who had been a victim of hate and had reported it to the police (85 people).

184. The results were almost split with 44% advising they had and 56% advising they had not been provided that information.

185. Victim Care Cards (VCC) were introduced to standardise information for operational officers to provide victims with a single document that contains their rights and how to access support. It also provides the details of other key criminal justice agencies.[45]

186. The HMICS Survey enquired about the Police Scotland's provision of VCC to which 79.5% of those victims who reported their hate crime said they were not provided with this.

187. This low rate of provision appears to be reflected across all crime types and not just confined to hate crime. We learned of ongoing collaborative work between Police Scotland , Victim Support Scotland and Scottish Government to improve the use of VCC and identify other areas of improvement to ensure victims receive appropriate support.

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[42] Scottish Government, Victims' Code for Scotland, 2018.
[43] Police Scotland Official Website, Standards of Service for Victims and Witnesses.
[44] This question was only answered by 83 of the 85 people who had reported hate crime. Two responses were blank.
[45] Police Scotland, Victim Care Cards.

188. During our fieldwork we found a sense of frustration from officers who are keen to help their communities but do not have the necessary detailed information to hand to advise on what is in their area by way of support services. This is not unique to hate crime and the mapping of third sector support services is a constant changing picture due to national and local funding streams.

Victim Letters

189. HMICS was advised that once a victim of a hate crime is identified it is standard practice for the local policing division to write to the victim, giving the name of the enquiry officer and signposting the victim to local statutory and third sector support.

190. We observed positives examples in C division where this practice is also applied to repeat victims, who are provided with a generic list of local support agencies. N division follow a similar process, but also provide victims with a link to their locally-collated feedback survey.

191. In identifying victims of hate crime it is clear local policing divisions are keen to ensure victims receive a good standard of service however it is not clear that these mechanism alone are providing the adequate standard of service necessary for a crime that can have a psychological and emotional long term impact on individuals and communities. The long term effect of hate crime is expanded upon in the Victim Support Scotland Report.[46]

192. The HMICS survey asked about the overall satisfaction rate in respect of aftercare provided to victims of hate crime. The results found that 57% of the 84 people[47] who had reported hate crime were either dissatisfied or very dissatisfied by the level of aftercare service provided by Police Scotland.

Standard Police Reports

193. Police Scotland hate crime policy makes clear that in all cases of hate crime, consideration must be given to the impact on the quality of life of the victim and the wider community. When reporting a case to the Crown Office Procurator Fiscal Service for consideration of prosecution, police officers should include an assessment of the impact on victims and communities. This assessment is also important information to inform improvements to policy, policing priorities and operational practice.

194. Our inspection found variation in the quality of information provided in Standard Police Reports about the impact of the crime on the victim, their family and the community. Police officers need to be reminded of the importance of including this assessment.

Hate Crime Statistics

195. Police Scotland produces management information on a quarterly basis.[48] Reports are published on Police Scotland's website and provide information on crimes and incidents across the country, as well as breaking these into police divisions and local authority areas.[49] These reports provide limited information on hate crime. The only specific reference is to crimes that are racially aggravated. In Quarter 3 of 2020-21, there were 1431 racially aggravated offences, with a detection rate of over 92%.

196. Police Scotland also provides performance reports to the Scottish Police Authority on quarterly basis. These reports are published on the SPA's website and provide more detail as well as some narrative on crime trends.

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[46] Fostering A Victim (Victim Support Scotland).

[47] Only 84 people responded to this question. One response was blank.

[48] Police Scotland, Management Information Force Report: Quarter 3 2020/21.

[49] Police Scotland, Management Information Council Area Report: Quarter 3 2020/21.

197. In the Quarter 3 2020-21 performance report,[50] it was noted that hate crime had increased by 8.7% (425 more crimes) compared with the same period in 2019-20. Figures were provided showing that at Quarter 3 in 2019-20, 4878 crimes were reported, compared with 5303 at Quarter 3 of 2020-21. For the same period, 5090 hate incidents were recorded in 2019-20, compared with 5583 hate incidents in 2020-21. The five year mean for hate crime was shown as 5080, hate incidents as 5004. No breakdown is provided of different types of hate crime or hate incident.

198. The Quarter 3 report mentions some evidence of heightened community tensions as a result of the COVID-19 pandemic, and highlights some of Police Scotland's activities including the Hate Crime Awareness Campaign and National Hate Crime Awareness week in October 2020. Police Scotland supported the Scottish Government's "Dear Haters" campaign by sharing messages and letters on social media. The report states Police Scotland continued to work closely with partner agencies to support minority communities during the pandemic, in particular to reassure the Chinese community.

Information Available to Local Scrutiny

199. Each Local Authority has a forum to scrutinise local police performance. These groups have different names, but are generally referred to as Police and Fire Scrutiny Committees. The performance information provided to these committees varies, but there are examples of more detail on hate crime being provided depending on the profile of hate crime in local priorities.

200. In the same local policing division, we found that two different types of hate crime data were presented with one scrutiny committee being provided with detection rate data and the other measuring instances of racially aggravated hate crime. In isolation neither statistic allows for informed decision making or effective scrutiny.

201. HMICS would describe the quality and extent of hate crime data provided to local scrutiny committees as limited.

Disaggregated data

202. The existing IT systems used by Police Scotland hamper its ability to produce disaggregated data on hate crime. In order to understand how hate crime manifests itself in local communities and how it affects particular groups, Police Scotland needs to be able to access data that can be broken down by details relating to the location and circumstances of the offence, and the details of the victim and the offender. This would allow for effective analysis to identify trends and harms affecting specific communities.

203. The interim Vulnerable Persons Database (iVPD) can provide a breakdown of hate crime and incidents affecting five protected characteristics: Race; Religion; Disability; Sexual Orientation, and Transgender. This data provides an indication of the level of incidents affecting protected groups, however does not provide an accurate number of crimes affecting people from minority communities, particularly as the incident data can have more than one person recorded against a crime/incident.

204. Police Scotland is working with the Scottish Government to enhance its data recording systems, however it is unlikely to be resolved until Police Scotland introduces the national crime recording system to replace the various different IT systems across the country (largely IT systems used by the legacy police forces, prior to the creation of Police Scotland).

205. In the meantime, Police Scotland's Equality & Diversity Unit (now part of M division) monitors hate crime reports on a daily basis and leads on the Community Impact Assessment process for emerging events or incidents which may give rise to tensions.

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[50] Police Scotland, Policing Performance Report Quarter 3 2020, March 2021.

Focus on Detection Rates

206. In the absence of comprehensive, accessible data on hate crime, Police Scotland places an over-reliance on detection rates. The detection rate (the percentage of reported hate crime where an accused person has been detected) is provided in Police Scotland's quarterly management information reports, performance reports for the Scottish Police Authority, and for local scrutiny committees.

207. The Performance report for Q3 of 2020-21 shows the detection rate for hate crime as 67.9%, compared with 70.3% for Quarter 3 of 2019-20. The 5 year mean for detection rate is shown as 70%. The detection rate is for all reported hate crime, including that involving a police officer or member of police staff as the victim. In those cases, the person responsible is almost always identified, which will affect the overall detection rate. The Scottish Government analysis of characteristics of hate crime in 2018-19 estimated that police officers were the victim in about 19% of recorded hate crime.

208. Notwithstanding the challenges presented by existing IT systems, HMICS suggests it is important to separate out those cases involving police officers and staff as victims. Primarily this will help Police Scotland to support its own staff, but it would also mean published information about Police Scotland's effectiveness in dealing with hate crime would be more accurate.

Freedom of Information Requests

209. The Freedom of Information (Scotland) Act 2002 gives a general right of access to all types of recorded information held by public authorities. During 2020, Police Scotland processed 57 Freedom of Information (FOI) requests in relation to hate crime.

210. These requests are generally seeking disaggregated data on hate crime, which is not available through published reports. Police Scotland responds to these requests on an individual basis, meaning that information on hate crime is being released into the public domain without being part of a coherent communications strategy.

211. Often the results of FOI requests are published in the media, potentially giving rise to community concerns and affecting public confidence.

212. The preferred option would be for Police Scotland to be in a position to publish comprehensive data on hate crime and hate incidents, which would be available for anyone to view or analyse.

People

213. Police Scotland's Leadership, Training and Development function is responsible for providing probationer training for all new recruits, specialist training for detectives and road policing officers, Continuous Professional Development (CPD) courses, and leadership training. The department is expected to train approximately 800 new recruits per year, across four cohorts of around 200 officers.

214. Turning to training on hate crime specifically, it consists of one 90 minute input to probationary police constables when they first join Police Scotland. The input is based on learning outcomes described in lesson notes, namely teaching the definitions of hate crime and hate incidents; legislation and protected groups; offences relating to racially aggravated conduct; aggravations of crimes across the protected characteristics; standard of proof for aggravations, and the impact of hate crime on communities.

215. During our inspection we heard strong criticism of the quality, content, and sufficiency of the hate crime probationer training.

216. Since our inspection, a new Probationer Training curriculum was introduced in December 2020 and is being reviewed by Diversity Staff Associations. Police Scotland has stated it is likely the course will require further enhancements as it develops.

217. National Safer Communities staff had identified the need for effective hate crime training to be incorporated into bespoke training packages for key roles such as call handlers, community officers, and supervisors.

218. At the time of our inspection, there were no hate crime training packages available on Police Scotland's online training platform.

219. The role of Hate Crime Champion was introduced to provide a conduit between national policy and practice, and local divisions or departments. The intention was to create a network of Hate Crime Champions across the organisation with enhanced understanding of legislation and how to identify and record hate crime and hate incidents. These Hate Crime Champions would receive regular updates from national Safer Communities and other partners on hate related matters.

220. There is a one day training course for Hate Crime Champions, which was developed by national Safer Communities. Officers and staff from all divisions are given the opportunity to become Hate Crime Champions, with attendance on the course being voluntary. We were told that there was a good level of interest from members of police staff working in the Contact Command and Control division.

221. A theme that emerged from the HMICS public survey on hate crime was the need for the police to demonstrate empathy and understanding of issues for different groups in society. Comments included:

"Better diversity and inclusion training and education in the police to have discussions with vulnerable communities. Just generally being educated on issues that certain communities face would make a world of difference."

"believe strongly that in the past few years reporting and understanding of what hate crime is much better. In my job I helped a few people report and the police officers were almost all very understanding and helpful. Police training in hate crime is clearly good."

222.   The new legislation which will be brought in by the Hate Crime and Public Order (Scotland) Act 2021 will necessitate updates to training programmes. The opportunity should be taken to train staff on the new legislation as well as outlining new recording processes introduced by Core Operating Solutions.

> **Recommendation 12**
>
> Police Scotland should review and revise hate crime training at all levels as a matter of urgency

Support for police officers who are subjected to hate crime on duty

223.   The Scottish Government published a study in February 2021,[51] which covered the number of hate crimes recorded by the police in 2018-19 and 2019-20, as well as an analysis of hate crime based on a random sample of cases recorded by the police in 2018-19. The analysis estimated that 19% of hate crime recorded in 2018-19 was perpetrated against police officers (1,080 crimes).

224.   Crimes in which the victim was a police officer were generally aggravated by either race (43% of crimes) or sexual orientation (40%). Around one in ten (13%) were for religion and less than one in twenty (4%) were disability aggravated.

225.   The IT systems Police Scotland currently uses to record hate crime do not lend themselves to extracting data on the prevalence or nature of hate crime relating to specific groups. In the absence of a national crime recording system, Police Scotland depends on different IT systems across the country. Hate crime and incidents are recorded on the interim Vulnerable Persons Database, which does provide a breakdown of crimes and incidents affective five protected characteristics: race; religion; disability; sexual orientation, and transgender. It does not provide a means of easily identifying the occupation of victims.

226.   The Police Scotland Hate Crime Standard Operating Procedure covers the process to be followed when police officers or police support staff are the victims of hate crime. This includes internal welfare and support options but no mention of referral to Trauma Risk Management or to external support.

227.   Another Police Scotland document, 'Dealing with Hate Related Incidents Against Officers and Staff', gives further guidance and emphasises the need for police officers and staff to be given the same quality of service as a member of the public.

228.   From our interviews during the inspection, we found a lack of awareness about the relevant sections of the Standard Operating Procedure and the guidance document. HMICS found that police officers subjected to hate crime were routinely dealing with the incident themselves. Police officers were submitting entries on iVPD and crime systems relating to their own experiences of hate crime and were unaware of force guidance to the contrary.

229.   Officers find it difficult to understand why they are putting their details on the iVPD when they are not experiencing any form of personal or situational adversity, and do not consider themselves to be "vulnerable". The document, 'Dealing with Hate Related Incidents Against Officers and Staff', attempts to clarify this by explaining the impact of hate crime but also advises on the statistical nature of recording hate crime.

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[51] Scottish Government, A Study into the Characteristics of Police Recorded Hate Crime in Scotland, February 2021.

230. HMICS were advised template letters can be issued to officers however that is inconsistent according to findings and are generated by local Equality and Diversity teams in divisions. We observed practice in N whereby division a template letter is sent to officers in the name of the Divisional Commander advising of the TRiM[52] process support of staff associations and wellbeing pathways. There is also a link to the survey that N division have in place to capture user feedback and ascertain if they have previously experienced hate crime.

231. As with members of the public, hate incidents appear to be dealt with as single incidents. There does not seem to be a proactive approach taken in respect of staff wellbeing and the impact of repeated victimisation.

232. People Strategy outcomes state 'we have strong focus on wellbeing'.[53]

233. Police Scotland's People and Development function has overall responsibility for creating a positive organisational culture that values and recognises all staff and their contributions. However, we did not find any process within the People and Development function of Police Scotland to trigger prevention and intervention activity when a police officer or member of police support staff is the victim of hate crime. There is no consistent support mechanism in place for offices or staff.

234. We could not find evidence of divisional practices focused on identifying where police officers or staff members were repeat victims of hate crime.

235. Those we interviewed at a senior level felt that officers and staff were provided with sufficient support and guidance from line managers and all were aware of the support process. However, of the officers who were interviewed for this inspection, few could say they had been offered meaningful support from their line management.

236. This echoes the findings of the Independent Review of Complaints,[54] who were told by police officers that there was no support system in Police Scotland to deal with the aftermath of an incident where an officer is subjected to racial abuse on duty.

237. Potential for Police Scotland to make clearer its zero tolerance of hate crime against its staff by mentioning it specifically in the CC Assault Pledge, which currently relates to protecting and supporting staff who are subjected to "violence or abusive behaviour". This would bring emphasis to an area where officers feel there is currently minimal support.

Recommendation 13

Police Scotland should review its approach to dealing with hate crime experienced by police officers and staff on duty and providing effective support. Data should be collected to identify the volume, nature and extent of hate crime perpetrated against police officers and staff

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[52] Police Scotland, Trauma Risk Management (TRiM), April 2019.
[53] Police Scotland People Strategy 2018-2021.
[54] Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing, The Rt.Hon. Dame Elish Angiolini DBE QC, November 2020.

Diversity staff associations

238. Diversity staff associations support and represent police officers and staff and provide advice to Police Scotland on equalities issues. These groups include the Supporting Ethnic Minority Police employees for Equality in Race (SEMPER); Scottish Police Muslim Association; Scottish Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Police Association; Central and Eastern European Police Association; Christian Police Association; Scottish Police Disability and Carer Association, and the Scottish Women's Development Forum.

239. Some of the diversity staff associations we spoke to during the inspection felt they were not being used to their full potential by Police Scotland. In the context of hate crime, they have members with direct experience of hate crime and the Police Scotland response, yet had not been asked to contribute to work aimed at improving the situation.

240. Since the time of our inspection, we are aware of significant efforts on the part of Police Scotland's chief officers to engage more effectively with diversity staff associations. The DCC for People and Development in particular is praised for her genuine and positive engagement. We know that Police Scotland is working with SEMPER to establish a network of officers to provide support to colleagues who have been the victim of hate crime.

241. The DCC People and Development hosted focus group sessions with current and previous Police Scotland staff and SEMPER under the banner of "Talk Truth to Power", which led to a BME Equality Action Plan.

242. Some diversity staff associations voiced frustration at Police Scotland's inability to provide reliable national statistics on the volume and nature of hate crime experienced by police officers and staff, commenting that legacy forces were able to provide better data. There was criticism of the lack of progress with this since Police Scotland was formed in 2013.

243. The interim Vulnerable Persons Database is the system for recording hate crime, however it has limitations in terms of capturing and retrieving all police victim data. We were encouraged to hear of the work being carried out by national Safer Communities to create an iVPD dashboard to enable the recording of a victim's occupation.

244. Notwithstanding any planned improvements to the iVPD system, diversity staff associations voiced concerns about police officers and staff having to record their details on a system designed for recording vulnerability. Some of the officers we spoke to were not comfortable with having their details on such a system due to having been the victim of hate crime.

245. Some diversity staff associations query how seriously Police Scotland takes hate crime generally when there is no dedicated unit, no specific action plan, no dedicated analysis, lack of comprehensive data, and minimal training. In terms of hate directed at police officers and staff, there is no means of identifying volume, nature, extent, and no support mechanism in place.

246. We heard feedback from diversity staff associations that officers not subjected to hate crime do not understand the impact on colleagues. There was a feeling that colleagues consider an individual incident to be minor and not worth reporting: they do not realise the cumulative impact of multiple low level incidents.

247. This is the consequence of failure to invest in diversity training generally and hate crime training specifically.

Resources

Equality and Diversity Staff Resources

248. Police Scotland's national resource of Equality and Diversity officers and staff form a team within Partnership Prevention and Community Wellbeing (PPCW) division. Our inspection found that the national Equality and Diversity consisted of 1 chief inspector, 2 inspectors, 3 sergeants, 8 constables and 2 members of police staff. This team sits within the wider PPCW complement which totals 169 in FTE posts. At the time of inspection there were 113 of these posts occupied, 46 temporary vacancies mainly due to abstractions to Operation Talla and EU exit, and a further 10 current vacancies.

249. The Equality and Diversity Delivery Plan for 2020/2021 outlines key deliverables for the Equality and Diversity team as the provision of:

   ■ Progress and collate updates on our public sector equality duty and Equality Outcomes
   ■ Daily monitoring of hate crime/incidents, identifying local and national trends and emerging tensions, providing appropriate support and guidance to local policing divisions.

250. This team also has oversight of Third Party Reporting across Scotland and the Police Scotland Online reporting forms which requires daily attention. Equality and Diversity staff are also the point of contact for access to Community Advisors during office hours with this defaulting to C3.

251. The Equality and Diversity team members are experienced and knowledgeable in their field and have sought out means to improve their own skills and enhance engagement with equality groups. This provides a level of corporate knowledge however lengthy abstractions have diminished this capability. Since the start of Police Scotland the senior management appointments in this business area have lacked stability with comparatively short tenures. HMICS expects the new PPCW operating model to provide a broader skills base and cohesion. There is no analytical support evident from this model.

Local Policing Equality and Diversity Resources

252. HMICS was advised that all local policing divisions have Equality and Diversity functions within divisional structures. These functions vary in size, structure and name, but Equality and Diversity Partnership/Hate Crime officer roles generally amount to one or two dedicated posts per division. Officers and staff in these roles were assessed to be committed to the identification and prevention of hate crime but were hampered by administrative tasks to ensure incidents and crimes are accurately recorded and updated on police systems.

253. Similar to the Equality and Diversity national structure, local divisions were not being provided with analytical products covering people, locations or events to assist Local Area Commanders with identifying or addressing emerging issues in relation to hate crime or hate incidents.

Hate Crime Champions

254. The role of Hate Crime Champions (HCC) is determined on an individual voluntary basis and not determined by an assessment of skills or need within divisions or department. Notification for nomination for training is administered by national Safer Communities who organise the training outwith the People and Development environment. It is not clear on the expectations of the role other than acquiring an increased level of knowledge that can be used to assist colleagues when dealing with hate incidents.

255. In the divisions we visited as part of our inspection (N, C and G divisions), there was a lack of knowledge about the role of Hate Crime Champions and where they were located. We were told that the list of all Hate Crime Champions on the Police Scotland intranet is out of date and cannot be updated due to IT issues. We were told there are around 500 Hate Crime Champions across Scotland, however the force intranet was found to be out of date in respect of who these officers are and where they are based. HCC training is recorded on individual training records, therefore there is difficulty in identifying HCC in each division.

Hate Crime Advisors

256. Hate Crime Advisors are officers from Safer Communities and local policing who have been given specific training in relation to hate crime legislation in the context of balancing Human Rights to protest and freedom of expression during public gatherings, events or protests with the rights of people and communities to be protected from hate crime. This role is regarded as a specialism and officers have been previously deployed specifically to events to advise commanders when policing protests where community tensions are anticipated or exists. A Police Scotland review concluded that the present training package is not sufficient to address the increasing complexity of the role. As such the specialism was withdrawn in December 2020 and work is now underway to produce and deliver an enhanced training package suitable for Police Scotland's needs. It is anticipated this will be ready to roll-out nationally during June 2021.

Recommendation 14

Police Scotland should review the role, remit, training and deployment of Hate Crime Champions and Hate Crime Advisors

Investigative Resources

257. During fieldwork we were advised that, in the main hate, crime investigations are carried out by either response or community officers and only when an incident is more complex or involves a serious violence that local CID resources are allocated the enquiry.

258. In November 2020 Police Scotland launched its Cyber Strategy 2020[55] which illustrates in detail the demand from cyber enabled crime is increasing and largely reflected in financial and economic crimes, sexual offences and threatening behaviour.

259. Police Scotland consider political, social, economic factors which may influence trends in hate incidents which often can be committed via social media platforms. The Cyber Strategy 2020 acknowledges the limited skilled resources there are to deal with cyber enabled crime (at present, Police Scotland has six full-time cyber investigators) and prioritises building the infrastructure for local policing to tackle an agreed range of offences. This will be developed in tandem with work to understand the scale of cybercrime and the demand on the organisation. It will remain to be seen how much impact this strategy will have on the prevention and detection of hate crime online. HMICS highlights the National Hate Crime Hub as a central gateway for the initial investigation of hate crime online.

260. Our inspection found no dedicated resource for the investigation of hate crime on or offline. Hate crime champions located in response or community teams advise they are seldom called upon in the division to assist investigations.

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[55] Police Scotland, Cyber Strategy 2020.

Recommendation 15

Police Scotland should ensure that knowledge of hate crime and diversity is included in its consideration of the necessary skill set for planned cyber crime investigators.

National Crime System

261. In November 2018 the SPA Board approved a Full Business Case for Core Operational Solutions (COS)[56] as a project within the Digital Enabled Policing Programme designed to streamline the recording and management of core operational information and supporting activity.

262. A new National Crime and Warrants solution will form part of COS creating a single crime recording system for Police Scotland. The system will be a phased implementation and will have within it the ability to include variations and subsets within. Our fieldwork was limited given the ongoing nature of the project therefore it is unclear how this will work in practice for hate incidents and hate crimes. Initial implementation will not have all the elements, i.e. iVPD, however will interface with STORM.

263. Section 15A of the Hate Crime and Public Order (Scotland) Act 2021 places a duty on Scottish Ministers to publish reports on police recorded hate crime on an annual basis. The Chief Constable must provide the following information to Scottish Ministers, where it has been recorded:

   ■ data identifying, for each hate crime, the characteristic included in the Act which the perpetrator is recorded as having targeted;
   ■ data identifying in more detail the different group or groups a perpetrator is recorded as having targeted, for the characteristics of race (and related characteristics), age, disability, religion, sexual orientation and transgender identity;
   ■ the age, sex and ethnicity of any person recorded as being a victim of the crime; and
   ■ the age, sex and ethnicity of any person recorded as being a perpetrator or suspected perpetrator of the crime.

264. It is anticipated that a single crime recording system will improve Police Scotland's ability to gather and collate data on a national basis. The implementation of the national crime recording is due to commence in May 2021 and scheduled to continue through until June 2022. In additional to ICT milestones, this will require training on the new system for all staff. HMICS have been advised the aforementioned provision will not be commenced until Police Scotland have their new crime management system in place. Scottish Government will work with Police Scotland as they develop the new crime management system to ensure it will be capable of recording the disaggregated hate crime information required for the purpose of these reports. To note, however, that the provision itself does not place a duty on Police Scotland to record additional information but only to provide Scottish ministers with data that they have recorded.

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[56] SPA Board, Business Case Proposals for Change and Improvement, November 2018.

Appendix 1

HMICS Hate Crime Survey Analysis Report

1.   Introduction

As part of the HMICS Inspection of hate crime an online survey was developed to seek the views of members of the public as to the effectiveness and efficiency of Police Scotland's response to hate crime. The survey was live between 24th September and 31st October 2020. In total the survey received 611 responses. The survey has been analysed as a whole, giving results from all respondents. Data has then been broken down into the five protected characteristic groups.[57] These are: disability; race or ethnicity; religion or beliefs; sexual orientation; and transgender identity. In order to explore experiences that may be related to the different protected characteristics, respondents have been included in a group if they identify with the minority/minorities within that overall group. It should be noted that this means that individual respondents may have been included in more than one group.[58] Following the group data explorations are cross-cutting issues that emerged in the survey.

2.   Key findings

Of those responding to the survey, 267 (44%[59]) had experienced hate crime/incidents, and of these, 85 (32%) had reported it. There was a fairly even divide in terms of whether or not people thought had found it easy to report hate crimes/incidents. The online reporting mechanism only been used by a very few respondents, but the majority of these had found it easy to use.

Overall, the picture painted by those who had reported hate crime was not positive particularly with regards to confidence in Police Scotland and satisfaction with treatment. When asked how confident individuals felt that Police Scotland had taken their complaint seriously, the most common response at 46% was 'not at all confident'. 73.5% said they had not been provided with regular updates to their report; 56% said they had not been provided with their rights in respect of accessing victim support services; 79.5% said that they had not been provided with a Victim Care Card. The majority (57%) were dissatisfied with the aftercare provided by Police Scotland, compared to those who were satisfied (24%), and those who were unsure (19%).

For the 181 individuals who had experienced a hate crime but said that they had not reported it, the data suggested that this was also due to a lack of confidence in Police Scotland. The two most common reasons given by this group were that they did not think that their complaint would be taken seriously by Police Scotland (67%), and that they were not confident that reporting it to Police Scotland would help (58%). These two reasons were consistently the most common across the five protected characteristic groups, although they were closely followed by 'disability making it difficult to communicate' in the group of people with disabilities.

In the survey as a whole, the two main reasons given by respondents for what they thought prevented people in their community from reporting hate crime was that there is a lack of confidence that reporting it to Police Scotland will help (29%), and that people do not think

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[57] The statistics given represent the respondents of the survey only. It is not claimed that the survey is representative of the wider Scottish population, nor of the wider Scottish populations of the five protected characteristic groups.

[58] For example, an Asian person identifying as transgender will be included in the minority ethnic group as well as the transgender identity group, and their responses considered as part of both of these groupings. This means that numbers listed in reference to one group should not be added to the numbers listed in reference to another group, as they may contain the same individual(s).

[59] Most percentages have been rounded up to the nearest decimal point.

that their complaint will be taken seriously (27%). Whilst for people with disabilities for whom the most common reason was that their disabilities made it difficult to report (closely followed by the other two reasons), these were consistent across the groups.

Overall, with regard to how the wider criminal justice system deals with hate crime, a higher degree of dissatisfaction was expressed (38%), compared to those who expressed satisfaction (33%) or neither (29.5%). A similar pattern was found across the five groups, although the data suggests that dissatisfaction was higher in all the minority groups that the combined survey response. Despite the lack of confidence and dissatisfaction expressed, the data suggested that a higher number of people (50%) would still intend to report a future crime than not (32.5%) or neutral (18%). This finding would suggest that it is important to carefully consider how to improve the reporting and victim support experience as well as reducing initial barriers to reporting.

Key themes emerging from the free text questions included:

- Attitudes and awareness of Police Scotland

Across groups a key theme was the perception that discriminatory attitudes exist within Police Scotland, and that the level of awareness of the police of hate crimes, and of the experiences and needs of specific groups is inadequate. This took away confidence in, and credibility of the reporting process, discouraging people from reporting (again). Whilst some exceptions were noted, many felt that the police did not display an empathetic approach which also created a barrier to reporting. Better training for police with regard to minority groups, issues of equality and diversity, and hate crime issues was suggested in order to address institutionalised attitudes, in order to raise awareness and amend practices. Greater diversity of staff was suggested.

- Communication

Many respondents were unsure about what hate crime is, what can be reported and how, and what will happen once a report is made. The current structure for reporting hate crime could be improved by better communication between the police and the public/communities. Many suggestions were made for visible, simple, better and more accessible campaigns about what hate crime is, and how to report it. These need to be inclusive of all types of hate crime directed at all protected characteristics. Campaigns should also provide reassurance that it is ok to report hate crimes, that reports will be taken seriously, and demonstrate positive case outcomes. Information needs to be more relatable and accessible, meeting various communication needs and difficulties. This included the need for better communication about Third Party Reporting.

- Victim support services

Victim support services were felt to be inadequate to needs. It was suggested that they need to be more appropriate and tailored, with staff who are suitably and specifically trained to meet the needs of different groups. As a first step the availability of victim support services needs to be communicated better to victims. Appropriate support also meant signposting to relevant support agencies, and providing frameworks of support. Better support for victims meant providing longer-term support including support from counselling services, with follow-up to check that mental health was being supported. A key part of support was the need for victims to feel and be better protected, which would also encourage reporting of hate crime.

- Justice

As before, many respondents felt that there was no point in reporting hate crime, and that it

would not be taken seriously. A key part of this was the perception that nothing would be done to resolve the issue. It was felt that people were more likely to report, and would feel better supported if they felt that justice would be done, or at the very least, that their case would be addressed. Punishment options were suggested, including harsher penalties, and restorative justice. Greater transparency in order that people understand why or why not their case was being pursued was suggested. Key to this theme, and linked to victim support, was the need for Police Scotland to provide more and better updates to victims about the progression of their case. An important issue was for multiple incidents/reports from the same individual to be pieced together better.

- Accessibility of reporting

Difficulties with accessing the reporting structure were identified as well as suggestions to improve it. These included working with minority groups to identify more accessible ways to report, as well as addressing communication issues that various groups might have, e.g. related to disability or language. Many were keen to have a dedicated phone line/team/support workers for reporting hate crime. Having the ability to report anonymously was important to several. Improving Third Party Reporting centres and working better with communities was a part of this theme.

These themes all feature not only across the main survey, but across the five different protected characteristic groups. Other themes include education/prevention and the need for more police resources. All of these themes are elaborated upon in the different sections, with illustrative quotes. Some important cross-cutting issues are raised at the end.

3.   Overall survey responses

611 responses were received and analysed.[60] Comments have been selected to illustrate relevant points within Section 3, however, further comments directly related to the experience of particular groups are included within their individual sections.

Sex
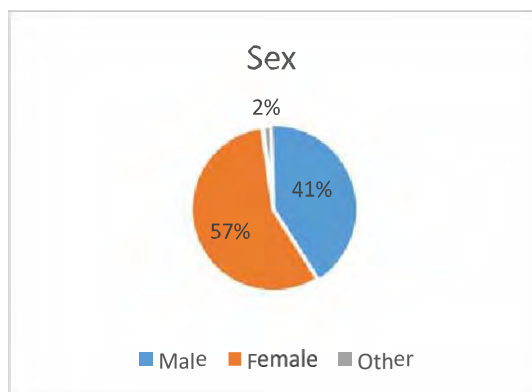
With regard to the sex of respondents, the largest group of people were those who identified as female.

603 people responded to this question:
- 345 (57%) identified as female
- 248 (41%) identified as male
- 5 (1%) identified as non-binary
- 5 (1%) identified as other.

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[60] All responses were included in the analysis, although blank responses to certain questions were excluded (and the number of respondents noted for each individual question).

Age bracket
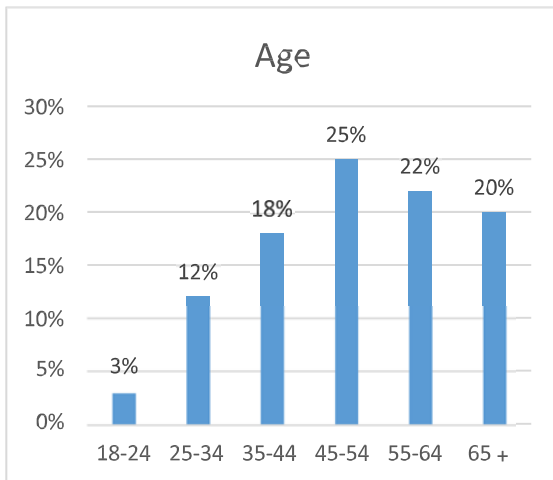
67% of those responding to the survey were aged 45+.

603 people responded to this question:

- 18-24: 18 (3%) people
- 25-34: 69 (12%) people
- 35-44: 110 (18%) people
- 45-54: 151 (25%) people
- 55-64: 132 (22%) people
- 65+: 123 (20%) people

Do you consider yourself to be Transgender/ have a Transgender history?
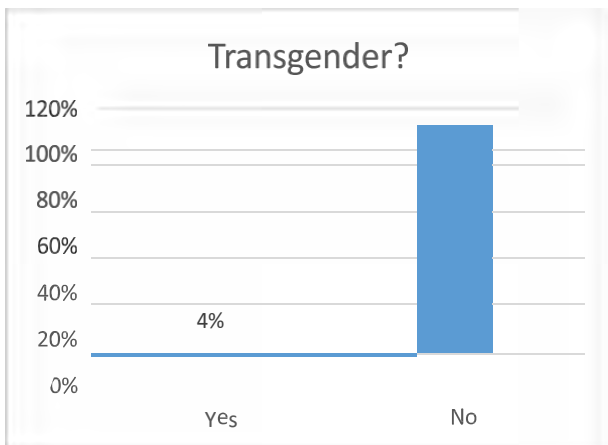
595 people answered this question.
Yes: 21 (4%) people
No: 574 (96%) people

Of those who answered yes:
7 identified as male
7 identified as female
4 identified as Non-binary
2 identified as other
1 blank response

What ethnic group do you most identify with?
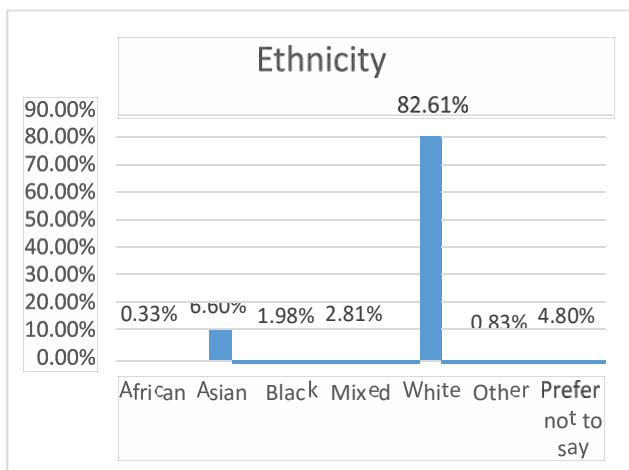
604 people answered this question.

- White: 499 (82.6%) including 5 Gypsy/Travellers and 1 Irish)
- Asian: 40 (6.6%)
- Mixed: 17 (2.8%)
- Black: 12 (2%)
- African: 2 (0.3%)
- Other: 5 (0.8%) (including 2 Arab)
- Prefer not to say: 29 (4.8%)

Which religious group do you most identify with?
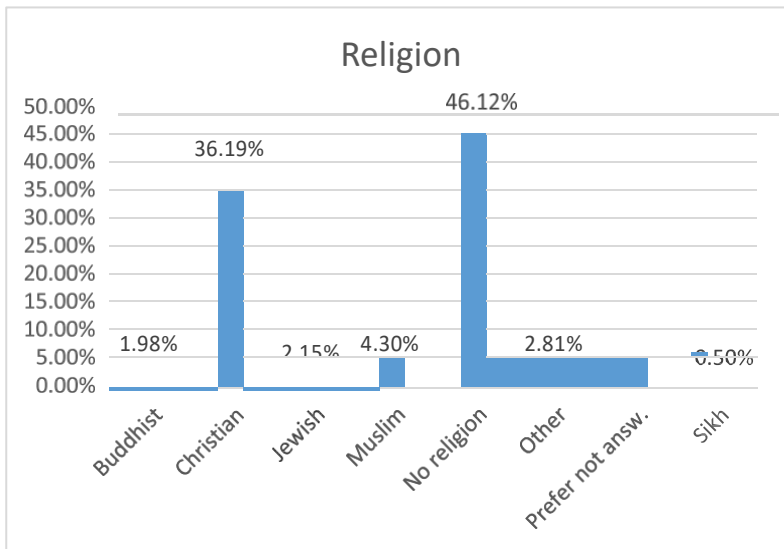
605 people answered this question.

- None: 279 (46.1%)
- Christian: 219 (36.2%)
- Muslim: 26 (4.3%)
- Jewish: 13 (2.2%)
- Buddhist: 12 (1.98%)
- Sikh: 3 (0.5%)
- Other: 17 (2.81%)
- Prefer not answer: 36 (5.95%)

What sexuality do you consider yourself to be?
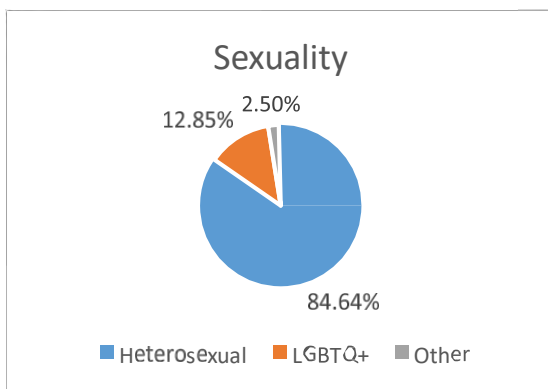
599 people answered this question.

- 507 identified as heterosexual (84.64%)
- 77 identified as LGBTQ+ (12.85%)
- 10 identified as other (1.7%)
- 5 preferred not to say (0.8%)

How long have you lived in Scotland?

How long lived in Scotland
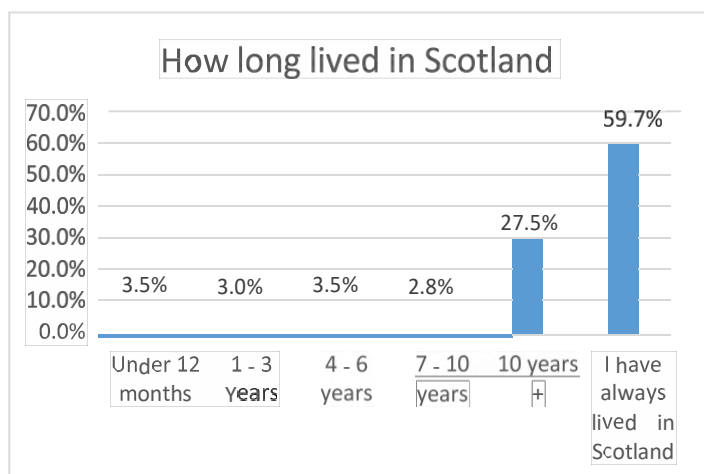
603 responses.
- <12 months: 21 people (3.5%)
- 1-3 years: 18 people (3%)
- 4-6 years: 21 people (3.5%)
- 7-10 years: 17 people (2.8%)
- 10+ years: 166 people (27.5%)
- Always: 360 people (59.7%)

Have you ever been the victim of a hate crime?

607 people answered this question. Of these, 267 (44%) people said that they *had* ever been the victim of a hate crime, and 340 (56%) respondents stated that they *had not*. Of the 267 people [61] who said they had been a victim of a hate crime:

- 154 (58%) identified as female, 103 (39%) as male, and 3 (1%) as non-binary.

- 15 (6%) were 18 – 24 years; 35 (13%) were 25-34; 62 (23%) were 35-44; 61 (23%) were 45-54; 57 (21%) were 55-64; and 35 (13%) were 65+ years.

- 14 (5%) said they considered themselves to be transgender.

- 190 (71%) were White; 33 (12%) Asian; 11 (4%) Black; 11 (4%) Mixed; 3 (1%) Gypsy/Traveller; 2 (0.7%) African; 16 (6%) other/preferred not to say.

- 119 (45%) no religion; 79 (30%) Christian; 21 (8%) Muslim; 7 (3%) Buddhist; 4 (1%) Jewish; 3 (1%) Sikh.

- 201 (75%) identified as heterosexual; 50 (19%) as LBGTQ+; 8 (3%) stated 'other'; 4 (1.5%) preferred not to say.

- 13 (5%) had lived in Scotland for less than 12 months; 9 (3%) for 1-3 years; 11 (4%) for 4-6 years; 8 (3%) for 7-10 years; 82 (31%) for 10+ years; and 142 (53%) had always lived in Scotland.

Did you report it?

Of the 267 people who said they had been the victim of a hate crime, 32% (85 people) said they reported it and 68% (181 people) did not (1 blank). Fewer females (29%) who had been a victim of a hate crime reported it (44 out of 154) than males (36%) who had been a victim of a hate crime (37 out of 103).

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[61] Blank responses are not been included in the below figures.

Who did you report it to?

Of the 85 people who had both been a victim of a hate crime *and* reported it, it was reported to the following people/organisations (more than one reply was allowed):

Who did you report it to?
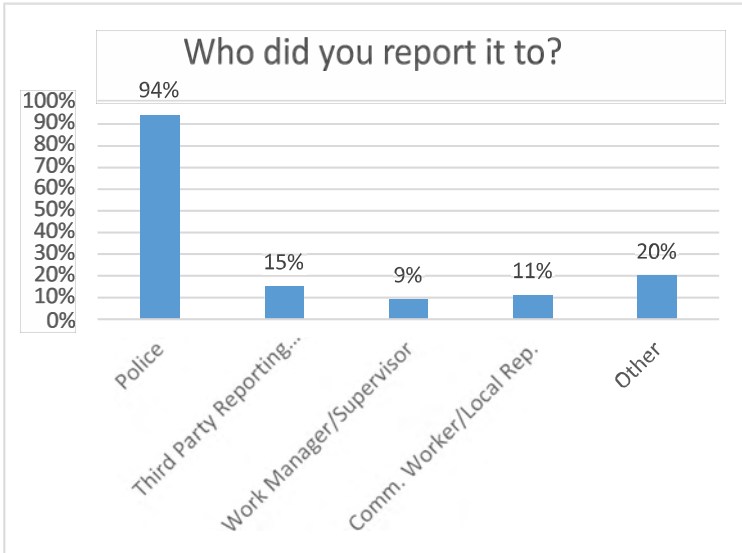
- Police – 79 people   (94%)
- Third Party Reporting Centre – 13 people (15%)
- Work Manager/Supervisor – 8 people (9%)
- Community Worker/Local Representative – 9 people (11%)
- Other – 17 people (20%)

In your experience, how easy was the process for of reporting your hate crime?

How easy was it to report?
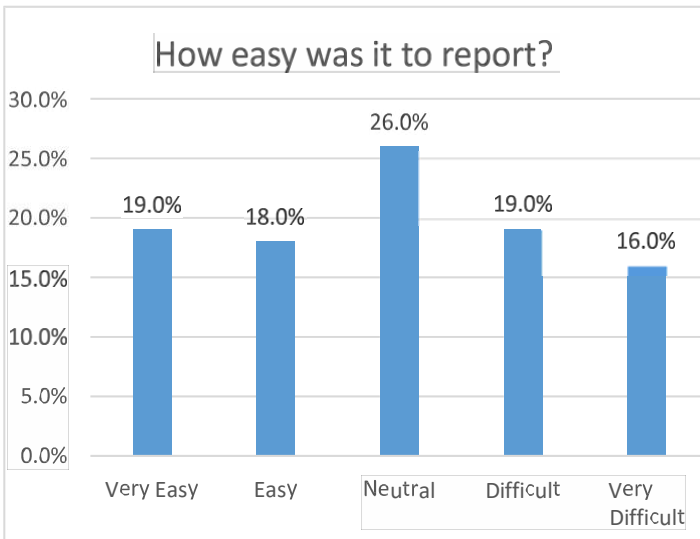
Of the 85 people who had been a victim of a hate crime, and reported it:
- 16 (19%) said it was very easy
- 15 (18%) said it was easy
- 22 (26%) said it was neutral
- 16 (19%) it was difficult
- 14 (16%) said it was very difficult
- 2 (2%) did not answer

Have you ever reported a hate crime using an online platform?

Of the 85 people who had experienced a hate crime and reported it, 22 (26%) said that they had used an online platform, with the other 74% using other means.

How easy was the online platform to use?

Online reporting platform
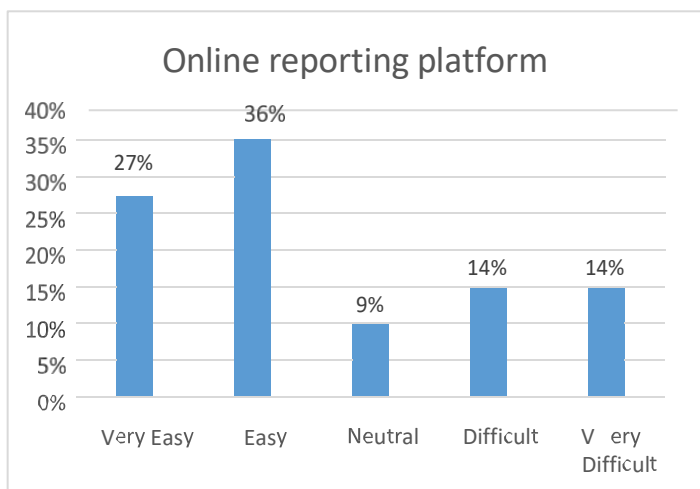
Of the 22 people who said they had ever reported a hate crime using an online platform, almost two thirds (63%) found the online reporting platform easy to use.

6 (27%) said it was very easy.
8 (36%) said it was easy
2 (9%) said it was neutral
3 (14%) said it was difficult

How confident did you feel Police Scotland had taken your complaint seriously?

Confidence in Police Scotland
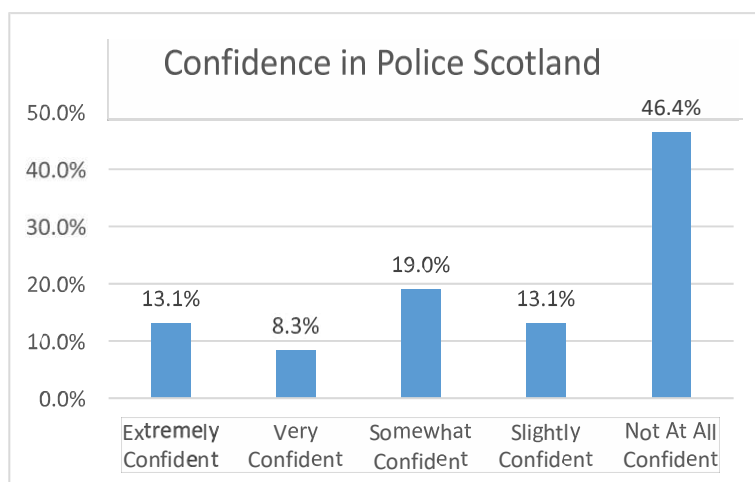
84 people answered this question:

Extremely confident: 11 (13.1%)
Very confident: 7 (8.3%)
Somewhat confident: 16 (19.0%)
Slightly confident: 11 (13.1%)
Not at all confident: 39 (46.4%)

Did Police Scotland provide you with regular updates to your report?

Did PS provide regular updates?
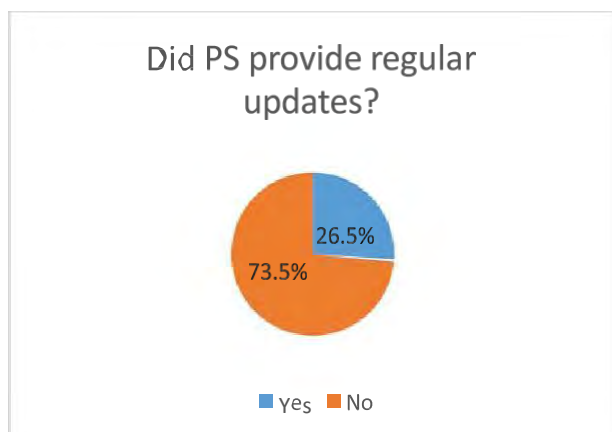
83 people answered this question.
22 (26.5%) said that they were provided with regular updates to their report, and 61 (73.5%) said that they were not.

Did Police Scotland provide you with your rights in respect of victim support services?

PS provide rights in respect of victim support?

44%
56%

Yes   No
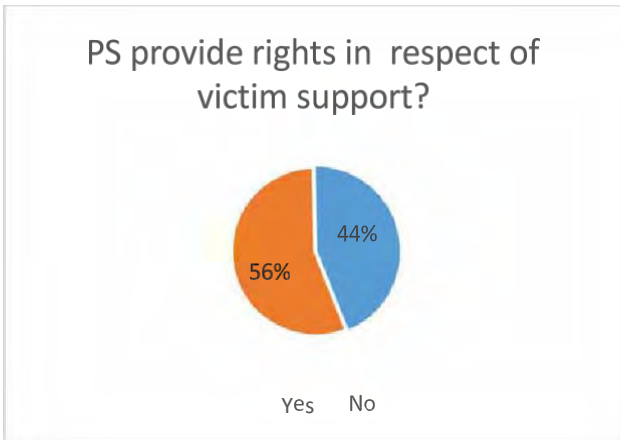
84 people answered this question. 37 (44%) said that they were provided with their rights in respect of victim support, and 47 (56%) said that they were not.

Did Police Scotland Provide you with a Victim CareCard?

PS provide victim care card?

20.50%
79.50%

■ Yes ■ No
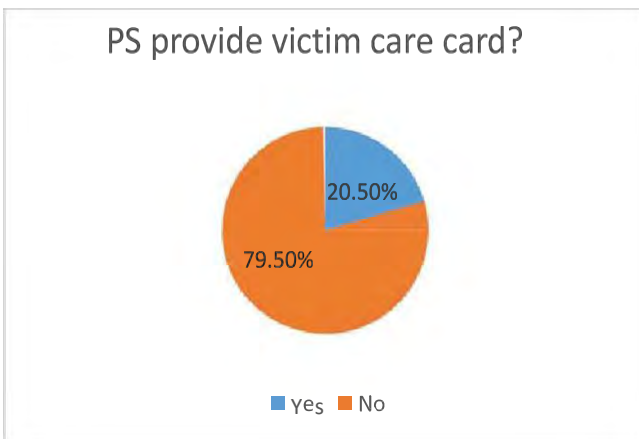
83 people responded to this question. 17 (20.5%) said they were provided with a Victim Care Card by Police Scotland, and 66 (79.5%) said they were not.

Overall, how satisfied were you with the after care provided to you by Police Scotland?

Satisfaction with after care from PS

40.0%
35.0%   36.9%
30.0%
25.0%
20.0%
15.0%   19.0%   20.2%
10.0% 10.7%   13.1%
5.0%
0.0%
Very Satisfied Satisfied Unsure Dissatisfied Very Dissatisfied
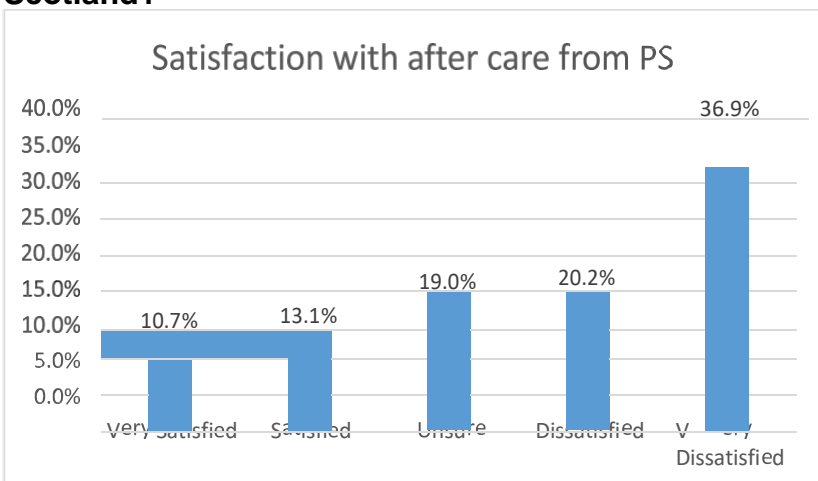
Of the 84 people who said that they had both been a victim of a hate crime, and reported it:

9 (10.7%): very satisfied
11 (13.1%): satisfied
16 (19%): unsure
17 (20.2%): dissatisfied
31(36.9%): v.dissatisfied

In future, if you were a victim of hate crime, how likely would you be to report it?

Future report?

- Extremely Likely: 28.9%
- Likely: 21.0%
- Neutral: 17.7%
- Unlikely: 19.0%
- Extremely Unlikely: 13.5%
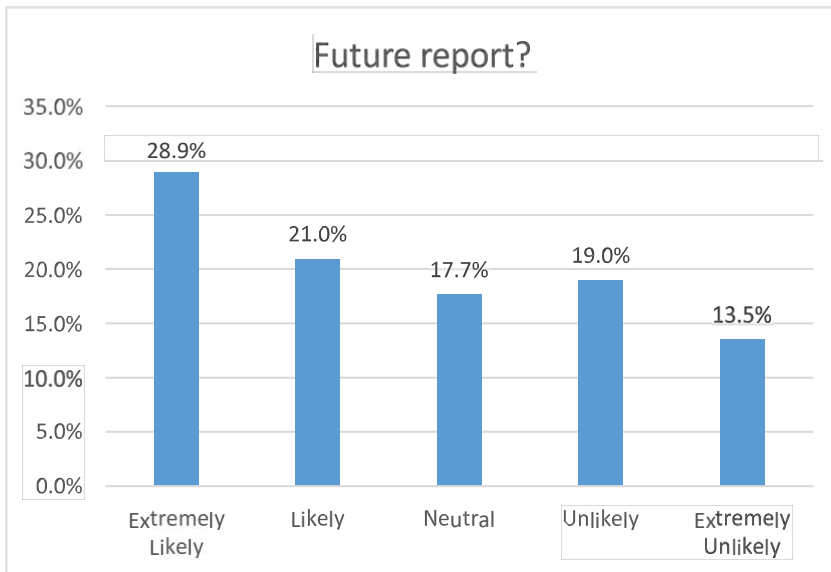
How likely you would be to report it to Police Scotland or another 3rd party agency? Overall, 606 people answered this question, and said that they were:
Extremely likely: 175 (28.9%)
Likely: 127 (21.0%)
Neutral: 107 (17.7%)
Unlikely: 115 (19.0%)
Extremely unlikely: 82 (13.5%)

Of the 84 who had previously been the victim of a hate crime *and* reported it, if in future they were a victim of hate crime again, in terms of reporting it to Police Scotland or another Third Party Report agency they would be:

Extremely likely: 29 (34.5%)
Likely: 15 (17.9%)
Neutral: 14 (16.7%)
Unlikely: 11 (13.1%)
Extremely unlikely: 15 (17.9%)

As a victim of a hate crime, who did *not* report it, can you please tell us why?

Why choose not to report?

- Do not know how: 15.5%
- No knowledge of TPR...: 22.1%
- Not confident in PS: 58.0%
- Too scared: 12.2%
- Complaint wouldn't be...: 66.9%
- English not my first language: 1.7%
- My disability makes...: 3.9%
- Require additional support...: 1.7%
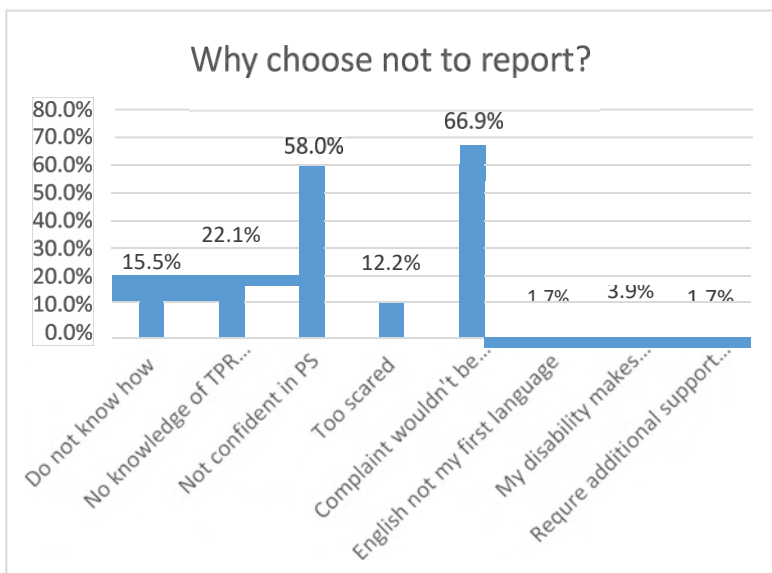
- 181 people answered:
- Didn't think complaint would be taken seriously – 121 (67%)
- Not confident reporting it to Police Scotland would help – 105 (58%)

- No knowledge of Third Party Reporting centres – 40 (22%)
- Don't know how – 28 (15.5%)
- Too scared – 22 (12%)
- Disability makes communication difficult – 7 (4%)
- Difficulty as English not first/ preferred lang. – 3 (2%)
- Require additional support which was not available as I am deaf – 3 (2%)

Hate crime issues faced by your specific community which are hard to report?

Are there hate crime issues that your specific community face which are difficult to report or make you feel uncomfortable reporting to the police? 602 people answered this question; 45% (272 people) said yes and 55% (330) said no.

Please can you provide details of the issues?

A range of issues were raised in response to this question. Of the 272 people who said that there were issues that their specific community faced that are difficult to report, or made them feel uncomfortable reporting to the police, the main themes were as follows (28 people declined to provide further details of the issue):[57]

- Race/ethnicity: 86 mentions
- Sexism/misogyny: 64 mentions
- Religion/beliefs (including political beliefs): 31 mentions
- Sexual orientation: 30 mentions
- Disability: 18 mentions
- Transgender identity: 13 mentions

Illustrative examples of all of the key themes above are provided in the individual protected characteristic group sections of this report. Issues related to sexism/misogyny are included as a crosscutting theme (in section on legislative issues) at the end of the report. Some of the examples given referred to more than one key theme, for example:

> There's no point" [in reporting] – esp with regard to on-line abuse, cultural issues about "not making trouble", feeling of being persistent complainers, embarrassment about explaining cultural or religious context.' (Respondent 4).

Other lesser mentioned themes included issues related to job/profession (5 mentions), such as discrimination against sex workers and against farmers/farming as a profession, and age related job discrimination. For example:

> Police don't recognise sex worker targeted hate crime, like they do in many parts of England, e.g. Merseyside. (Respondent 2).

> I have been assaulted in my own fields while at my place of work for simply asking that people walk their dogs on roads not on the fields or put their dogs on leads. …This happens all the time, all be it without assault all the time but never the less verbal abuse and hate…….This is the attitude of hate towards rural people rural businesses and property. It almost governs my life such that I am afraid to even walk my own fields looking for sick animals. This is hate. (Respondent 218).

> It is rife in the retail trade as people are in competition for the managerial jobs which are diminishing. (Respondent 424).

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[57] Number of mentions of a theme do not add up to the overall number of comments made as some suggestions covered more than one theme.

Some responses mentioned barriers to reporting, as in the examples below, however this theme is covered more in question 3.25:

> *Being female, it can be difficult to access a female officer due to shortage of numbers. While personally, I would speak to a male officer, many women would find this difficult and could put people off reporting a crime. (Respondent 386).*

> *People are unhappy as they lack confidence in Police Scotland. The lack of powers by the police with international platforms e.g. Facebook is extremely poor. Several businesses have been shut down due to the hate speech delivered by the online community with a claim that nothing can be done. We have experience of this. (Respondent 417).*

What could be done to improve the current structure for reporting hate crime?

470 people answered this question giving suggestions (many people made several) of what could be done to improve the current structure for reporting hate crime/incidents. Suggestions fell into 8 key themes[58] in order of frequency:

- Attitudes and awareness of the police (173 mentions)
- Legislative Issues (77 mentions)
- Communication (74 mentions)
- Accessibility of Reporting (54 mentions)
- Education/Prevention (48 mentions)
- Victim Support Services (42 mentions)
- Police Resources (41 mentions)
- Role Of Third Party Reporting/Support (28 mentions)

Attitudes and awareness of Police Scotland

The main theme that emerged in responses to this question was that attitudes and awareness within Police Scotland needed to be addressed/changed in order for the current structure for reporting hate crime/incidents to be improved. This included comments directly pointed at attitudes and awareness of the police, with beliefs of the existence of homophobia, racism and misogyny within Police Scotland taking away confidence in, and credibility of the reporting structure/process.

> *There has to be better education of officers dealing with racist incidents as, in my experience, they tend to harbour general negative stereotypes that are common in society and are therefore largely unsympathetic. (Respondent 33).*

> *The problem isn't the reporting system, it is the systematic bias that Police Scotland exhibits. All victims of crime should be treated equally, as should all perpetrators. (Respondent 109).*

> *I don't know. The racism I experienced was from one of your officers, so better training?* (Respondent 545).

Many respondents also believed that their concerns or reports were/would not be perceived as serious or valid by Police Scotland.

> *Would like the framework for hate crime updated and published publicly so everyone can the detailed pathway of the report, the checks and balances and what criteria police use to judge the outcome of a report. Too many times people have reported racist and Islamophobic incidents and the results are the police don't want to take any further because the perpetrator said sorry - how is this showing the gravity of how police tackle hate crime*

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[58] Number of mentions of a theme do not add up to the overall number of comments made as some suggestions

and contributes massively to under reporting. (Respondent 63).

Police don't seem to want to go down the line on racism meaning you almost don't want to bring in race in a report or complaint because they often downplay it and say it's not clear cut saying it could just be people being mischievous- in such a situation it feels like it's being minimised and then I decide to pull back because I feel like they don't really want to know. (Respondent 79).

Campaign to increase awareness of what is a hate crime, promote how socially unacceptable and personally damaging it is, and encourage reporting by informing public of appropriated channels to do so. Also demonstrate how seriously the police will take this and that they will regard this with the seriousness it deserves. There is still work to be done in assuring minorities that the police will be 'on their side'. (Respondent 410).

Suggestions made to improve the current structure included having better/more training for police to raise their awareness and amend their practices with regard to minority groups, and to hate crime issues.

Better understanding of race related hate crimes and incidents. More training in cultural and racial issues. Improving community engagement and access to marginalised communities to build trust. (Respondent 44).

Attending PCs and PFs need more awareness of what is a hate crime. I was targeted because I was Deaf (BSL user) but the hate crime element was not attached to the charges faced by the perpetrators. It was just seen as an ordinary crime. But I would not have been targeted if I had been hearing. (Respondent 13).

The structures are ok it is the experience of using the structures and the reassurance that occurs when using them that will determine how well they are used. Alongside how well are the structures publicized across the diversity of communities in Scotland and are the police well enough trained to understand the difficulties that particular groups experience when reporting to formal organisations such as Police Scotland. (Respondent 532).

There were also several comments about the need for greater diversity of staff to address the issue of attitudes and awareness of the police.

The ability to speak to a police officer of your own demographic (eg BAMe, LGBTQ+, disabled, etc) as this can make us feel safer and more heard, even if the outcome is the same. (Respondent 97).

You need black people involved who understand the situations we find ourselves in. I have once reported racist incident, by the police because I though it the right thing to do, despite not having done so before because of my personal experiences and mistrust of the police with respect to these things. The individual who dealt with it took it seriously but the organisation didn't. Whilst that individual apologised for the actions of his fellow officers the institution denied any responsibility and took no action. Also there needs to be an independent body to look at these things rather than an internal process that has a culture of protectionism. (Respondent 126).

Better communication

The second key theme recorded within responses to this question was that the current structure for reporting hate crime could be improved by better communication between the police/criminal justice system, and the public/communities. Many suggestions were made for visible, simple, better and more accessible campaigns about what hate crime is, and

how to report it. Campaigns should also provide reassurance that it is okay to report hate crimes and that it will be taken seriously. It was suggested that this might include posters in communities, which also highlight pathways to reporting that do not involve the police. Holding talks within communities was also suggested, with input from police, victims and third parties. Such campaigns and talks should also detail more obvious reporting methods with actions plans/maps to show the process.

> *Making people more aware of the process of reporting, in a format that is easy to understand and access. This should also involve the highlighting of pathways that do not require the person to interact with the police directly if they do not wish to, as direct police interaction can deter people from reporting. (Respondent 34).*

> *Clarity over what defines a hate crime and the line when this becomes reportable and actionable. Also consistency of approach across Scotland and across groups being affected. (Respondent 601).*

It was suggested that there needs to be better communication about the option of reporting via a third party, and for third party organisations and support workers to be better trained in order to help people to report. It was also suggested that campaigns or publicity around hate crime might also include information about the outcome of hate crime reports so that people know whether or not 'it is worth' doing.

> *I think that more advertising/promotion (especially in public places including football grounds, pubs, public transport - where I have personal experience and knowledge of others experiencing hate crime) of what hate crime is, how to report it and how it will be dealt with should be developed on a nationwide basis. Again, this can be done in partnership with various stakeholders from the equality sector. (Respondent 106).*

> *I like the Keep safe places that the police have as i can go there and be safe and not need to ask for help. I would like Keep Safe places to maybe have information about how to report. (Respondent 493).*

Accessibility of reporting

Another key theme in relation to improving the current reporting structure for hate crime was accessibility of the reporting structure and process. Suggestions included working with minority groups to identify more accessible ways for them to report incidents, as well as addressing communication issues that various groups might have, e.g. related to disability or language. Some suggested that overall a simpler reporting mechanism was needed to avoid repetition. The need for an anonymous reporting system, including the ability to text, was identified, as well as the need to ensure privacy when reporting incidents. Several respondents thought that it would be useful to have an online reporting facility for less serious issues, and the ability to talk to someone before reporting to ascertain appropriateness of reporting a particular incident, either in person or via a free phone line. The need for a dedicated reporting number answered by specifically trained staff, as well as a specific website for information was identified. Improvements to the current police website for reporting were suggested.

> *The police website is not fit for purpose. It does not allow for attachments for be made, is not mobile friendly and has recently been changed and it seems to be much worse than what was on earlier. The option to report anonymously doesn't seem to be available. (Respondent 116).*

Reduce the number of steps that need to be taken to report. I was recently assaulted and found myself repeating the same story over and over again to different police members. (Respondent 50).

Would be useful for this communication to be made in languages other than English, and also to make the reporting an easy digital process (Respondent 46).

The use of a private facility to allow total freedom and privacy to report an incident to the Police. (Respondent 287).

I have no knowledge of procedure but would expect a dedicated hate crime phone no for anyone wishing to report a hate crime. (Respondent 240).

Education/prevention

A key theme in how the current structure for reporting hate crime could be improved was focused upon education/prevention of hate crime in the first place. Several felt that the reporting of hate crime was not the issue, but instead a need to address its root causes within society was more important. Tackling this through education and/or prevention included issues such as: holding police assemblies in schools including information about what a hate crime is, and how to report; and the need for proactive joined up approaches including bodies such as football clubs, schools, GP surgeries, local authorities and criminal justice authorities. Educational/prevention measures might include education/posters/leaflets, with more education for the general public about what constitutes a hate crime. The need to empower and better fund voluntary sector organisations and public bodies better so that they can work to prevent hate crime was identified.

More education and awareness training across all sections of institutions from top management. (Respondent 121).

Ensure a more cohesive and wider strategic approach that ensures equal emphasis for those groups who have high risk of being subjected to this crime. A framework which could be used to inform local partnerships that tackle this at a level that promotes community understanding and awareness, creates a movement that starts to challenge assumptions and attitudes to the root causes of this form of discrimination (a preventative approach). (Respondent 508).

Education at a high school level is really important for teaching tolerance and language. There are words I learned in high school that I've only recently and embarrassingly learned are pretty intolerable slurs, but were treated by my classmates as everyday insults. (Respondent 94).

Victim support services

Several comments focused upon issues related to post-reporting, including the need for better updates, better support and victim safety, as issues that would contribute to improving the overall structure for reporting. Incorporated into the structure or process of reporting should be ongoing and appropriate services for victims, including having an allocated phone number and reference number for updates after reporting. Being given more regular and better updates on reports submitted was suggested in order to increase confidence in the reporting process. Several wanted to see victim safety addressed as part of the reporting process, which might include factors such as visible action being taken to protect the wellbeing and safety of the victim; not openly visiting the victim if they have requested for

this not to happen; and addressing issues such as housing for victims.

Helping people feel safer in their communities - through putting the responsibility more on perpetrators ie education in zero tolerance to hate crimes, encouraging the

community/bystanders to report rather than the victims being more exposed, public campaigns regarding what to do and when eg do you report to a child's school, how can people feel safe? Identify likely victims and seek their views. (Respondent 409).

I was scared for days thinking he would find out that I have tried to raise a complaint and he would harm me or my family. What a scary experience of feeling totally helplessness. (Respondent 457).

People need assurance (not only in words) that they will be safe and will not be identified by reporting hate crime. (Respondent 144).

Police resources

Several people commented that the reporting structure could be improved by addressing issues related to police resources. One suggestion was the need to provide greater investment for adequate police investigation of reports of hate crime.

Other suggestions included having opportunities for the police to hold community surgeries/meetings/monthly drop-ins for hate crime; having police/police staff based in local spaces where they can be accessed; and for police to provide training to community organisations to raise awareness and better support their communities.

It was suggested that the reporting structure for hate crime would be improved with more community police on the streets, and by having dedicated officers/teams to deal with hate crime, including online hate crime.

The ethnic minority should be given more opportunities to be part of the local government, which would empower them so they can identify the issues that caused hate crimes and create more social awareness. (Respondent 418).

The police have to prioritise the reports they receive, and I don't believe we have enough officers to deal with all the hate crimes in Scotland. I know people who have accepted hate crime as being part of our culture. (Respondent 475).

My community don't find the police approachable so have community police officers who are visible and interact with the community would improve the reporting of all crimes and also educate the public on how to report crimes. (Respondent 432).

Role of Third-Party Reporting/support

The role of third party organisations was a common theme in thinking about how the reporting structure for hate crime could be improved. This theme covered the need to improve the public profile/publicity around Third Party Reporting as awareness of this was thought to be low. This might include keeping better statistics on the use of Third Party Reporting. It was suggested that there was a need for more third party partnerships to improve Third Party Reporting, and that third parties organisations could play a role in victim support as well as reporting. However, it was recognised that there was a need to properly resource third parties for their role, and to provide third party organisations with access to resources to support those using their services. Raising awareness within the police of the role of third party

organisations and improving the flow of information between the two was suggested, as was providing third party organisations with dedicated numbers/officers to improve relationships.

> *More publicity of Third Party Reporting, rebranding of this scheme to Support to Report and better resourcing and support of Third Party Reporting centres. (Respondent 512).*

> *Third Party Reporting is not fit for purpose. It has no public profile, and is barely used. It's also badly thought out – in small communities people won't report to someone who might be a relative of the perpetrator, or potentially on the other side of a civil war. The purpose would be far better served by a phone app (which would also allow reports in other languages without the need for a translator who might have the same drawbacks as above).*

> *Most importantly, given the prevalence of on-line hatred, there must be a facility for submitting screen shots and routing information. (Respondent 4).*

> *Third Party Reporting Centres must have access to a national pool of accessible services (interpreting, translation, BSL etc) to support those using their services. (Respondent 116).*

How could victims of hate crime be better supported after reporting?

394 people answered this question (although 39 of these said that they didn't know). Suggestions given in response to how victims of hate crime could be better supported after reporting have been categorised into seven key themes[59] which, in order of frequency, were:
- Better victim support services (186 mentions) including victim safety (37 mentions)
- Justice/case resolution (58 mentions) including more updates from police (111 mentions)
- Better attitudes and awareness of Police Scotland (73 mentions)
- Police resources (20 mentions)
- Role of other organisations (7 mentions)

A few people stated that the support was adequate and nothing further was needed, for example:

> *I was supported well enough. (Respondent 130).*

> *Current support is in place and so long as every victim is made aware of the support no changes are necessary. (Respondent 269).*

> *I think the support is first class and no improvement is required. (Respondent 524).*

Victim support services

The main theme in response to this question was the need for actual victim support services to be improved in various ways. It was felt that victim support services need to be appropriate to the individuals or groups accessing them, and tailored to their needs, with staff who are appropriately trained, e.g. whether this is in supporting people with disabilities, or with communication/language needs. Appropriate support was also described as meaning signposting on to relevant support agencies, and providing frameworks/networks of support. Better support for victims meant providing longer-term support – throughout the duration of the justice process, and beyond if needed. It was suggested that this could

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[59] Number of mentions of a theme do not add up to the overall number of comments made as some suggestions covered more than one theme.

include support from counselling services/trauma services, and follow-up from victim support services to check that mental health of victims was being supported. Such support could include services via email/phone, and a designated point of contact for support.

> *Perhaps follow up contact to ensure that a person isn't experiencing any PTS/fear; creation of community 'buddies' ; use of plain clothes police staff; creation of 'Safe Spaces' in the community, e.g. in a shop or cafe so that if a person becomes fearful, they can go there for support. (Respondent 132).*

> *Over the months I was given over to various officers until a detective came into the scenario. He kept his word and ..he called me, emailed me reassured me. Reassurance is vitally important as the man who attacked me said he was going to kill me. The victim has to feel safe. I have only recently been able to sleep properly, after two years.(Respondent 212).*
> *Put in place counselling for as long as necessary. Possibly finding them a new place to stay. Family liaison officers visiting offering support and possibly deterrent. (Respondent 403).*

It was suggested that the support worker role could include not only provision of support but information about any future incidents and what to do, and support going to court and with the court process. Peer support could be part of this, as could better (although careful) use of third parties for support purposes. Several people thought that assistance with repairing relationships was an important step following the reporting of a hate crime.

> *Having experience of using a community leader to 'support' a victim of hate crime this has to be very carefully considered as it can inflame situations. (Respondent 361).*

> *Peer support from others who have found themselves in a similar situation.(Respondent 238).*

Victim safety was a key part of victim support. There was a sense from many that fear of reprisals and revenge/future attacks would stop people from reporting, and efforts towards protecting the safety of victims should be part of post-reporting support. Enabling victim safety included measures such as: physical police protection; community mobilisation against hate crime/discrimination; security and safety advice to be given; higher visibility of police in an area; better police contact with victim; and consideration of the safety of family members.

> *By protecting their identity. Providing emotional support… People are scared of reporting hate crime because of the advert effect of it on their immigration case. Therefore. Support should be provided when dealing with reporting cases on the police database.(Respondent 113).*

> *Depending on the situation some victims may need additional protection via the presence of police personnel, in some areas there may be value in a community approach to challenging discrimination and overall a response that acknowledges the impact of hate crime on the victim needs to be consistent and victim centred. This would encourage people to report crimes more readily. (Respondent 123).*

> *Guidance which needs to be accessible on keeping safe and how to prevent it happening again. (Respondent 14).*

Better attitudes/awareness of Police Scotland

Another very common theme in responses to this question was that victims of hate crime could be better supported after reporting a crime/incident if attitudes and awareness within

Police Scotland were better. Many thought that police need to have or at least demonstrate a more empathic approach to those reporting. It was suggested that the police needed to have improved training to promote better attitudes. Having more diverse staffing within the police was a suggestion to ensure that victims were better supported. Respondents also said that victim support would be better if it was perceived that their reports were being taken seriously by police, and receiving equal treatment. All of these measures would lead to increased trust in the police.

> *By support staff being empathetic, outlining processes correctly and properly, showing compassion, being genuine, carrying out their work with integrity, recognising cultural differences (definitely training and awareness is required in this area), understanding the role of Scotland in enslavement and why Black and Brown people are here, understanding that specific crimes aren't caused by religion or only prevalent within a certain ethnic group but understanding the role of patriarchy, patriarchal systems and intersectionality. (Respondent 64).By simply being listened to, empathised with and reassured. 9 out 10 times the people I work with say they don't want to be disregarded. I think maybe they have had times when they have spoken with police who have not come across as caring or understanding and more so formal and procedural. (Respondent 61).*

> *I'm unsure what specifically could be done to ensure people are better supported, beyond the obvious like responding in a timely manner, not dismissing the report out of hand but doing a thorough investigation, and ensuring that officers are courteous and sensitive to the complainant. (Respondent 596).*

Justice/Case Resolution

Another key theme was that victims of hate crime would feel better supported if they felt that justice was being done, or at the least, that their case was being resolved. This included needing to know about cases that were successfully prosecuted. Also suggested was a more transparent process to be in place for people to understand when reporting, including explanations of why/why not cases were being pursued. Some were keen for the opportunity for some form of restorative justice to be available. A very important issue was for multiple incidents/reports from individuals to be pieced together better to form an overall case.

> *To look fully into the hate crime incident by connecting up to housings records of complaints & past police complaints…to gather information to see if there is a pattern in hate crime behaviour. (Respondent 100).*
> *Letting them know that even if there were no witnesses or nothing can be done that it's still worth reporting in the event it happens again to them or another and they can link the two or more incidents. (Respondent 217).*

> *To know there is a structured process and outcome. (Respondent 41).*

> *A full explanation of why it is to be dropped or prosecuted, alongside victim and perpetrator mediation. (Respondent 42).*

> *Restorative justice. See if they wish to confront their perpetrators. In a group setting with other victims/perpetrators.. (Respondent 290).*

As part of this theme, it was felt that victims of hate crime could be better supported after reporting if they received better/more updates from the police about their case. People felt that updates should be honest, ongoing and regular throughout a case; many wanted updates either in person or on the phone, but these needed to be tailored to the individual

and not cause them distress/put them in any further danger. Updates also needed to include practical information about any future incidents.

It would be nice to have more than a form letter, or postcard, or even a phone call. A designated case handler need not be a police officer, but if victims aren't kept informed they just won't bother next time. (Respondent 4).

With a specific allocated contact number/email where instead of having to repeat the details by contacting 101 they have the names and can look it up straight away and give updates directly rather than having to be filtered often several times by 101. (Respondent 26).

Feedback, if a hate crime was against me I would like to be reassured about what they are doing and then I would have more faith in the police. (Respondent 32).

Police resources

There was a feeling expressed by several people that victims of hate crime could be better supported after reporting by ensuring that the police have more resources available to them. This included having dedicated officers to deal with the hate crime, and to provide support and/or a dedicated hate crime unit. Increased police presence on the streets was suggested to deter and respond to hate crime as well as building better relationships with the communities. Overall, a quicker police response was desired, enabled by increased resourcing.

Have a designated officer who can put them in touch with other services to talk to someone about the crime other than the police. (Respondent 141).

Clear lines of communication with the victim, having a nominated person who could facilitate the process and advise in terms of progress and outcomes. (Respondent 492).

Clear guidance on what will happen next. Consistency of support and approach. All of this takes funding and should be additional funding and support, not redirected from existing funds which are still required. (Respondent 601).

Show the victims that you are pro-actively working closely with communities affected by hate crime to educate and eradicate it. I believe that this would make victims feel better supported. (Respondent 483).

What prevents members of your community reporting hate crime/incidents?

What prevents people from reporting hate crime?
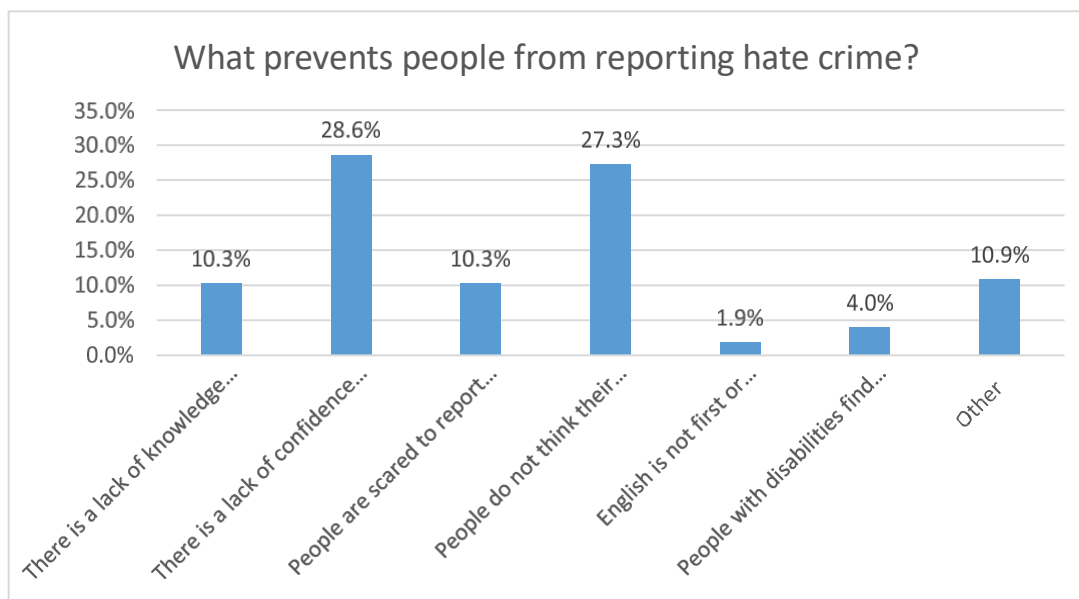
594 people answered this question, with responses in order of frequency (they were able to select more than one response):

- There is a lack of confidence that reporting it to Police Scotland will help: 197 (28.6%)
- People do not think their complaint will be taken seriously: 191 (27.3%)
- People are scared to report hate crime/incidents: 84 (10.3%)
- There is a lack of knowledge on how to report hate crimes: 84 (10.3%)
- People with disabilities find it difficult: 46 (4.0%)
- English is not first or preferred language: 31 (1.9%)
- Other: 65 (10.9%)

What would encourage victims of hate crime/incidents to report hate crimes?

407 people answered this question, with several giving more than one suggestion. The key themes raised in response to this question mirror those issues raised in the previous question. Suggestions given in response to what would encourage victims of hate crime to report it have been categorised into key themes,[60] which, in order of frequency, were:

- Communication (132 mentions)
- Better attitudes/awareness of Police Scotland (130 mentions)
- Justice/case resolution (123 mentions)
- Police resources (42 mentions)
- Victim Support Services (39 mentions)
- Accessibility of reporting (35 mentions)
- Education/prevention (23 mentions)
- Legislation issues (21 mentions)
- Role of other organisations (5 mentions)

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[60] Number of mentions of a theme do not add up to the overall number of comments made as some suggestions covered more than one theme.

Communication

One of the main factors that respondents thought would encourage victims to report hate crimes/incidents was having better communication about what constitutes hate crime/incidents and how to report. This should include examples of all types of hate crime. Many people suggested campaigns or publicity that include case studies and examples, of hate crimes/incidents, how to report, and, importantly, outcomes of cases. People were keen that outcomes of reporting should be demonstrated to show that there was an impact beyond contributing to statistics. Publicity should also clearly detail what can be reported, and how this may contribute to reducing hate crime across Scotland. Respondents suggested that such information needs to be more relatable and accessible. Suggestions for promotion included consular offices for foreign nationals, posters in public spaces such as bus and train stations, multi-lingual and accessible for those with disabilities. Campaigns/information also need to demonstrate that Police Scotland will be receptive to reports of hate crime/incidents, will listen and take them seriously. Some people saw more of a role for the Government in campaigns around hate crime reporting.

> *More needs to be done to let the people in Scotland know what hate crime is. Too often the only information is online...and not everyone is online. Information about hate crime needs to be accessible and inclusive - it needs to relate to the people it is targeting.*

> *Imagination is needed to make sure people understand...using TV - River City carrying a story line; sports programmes carrying the message; newspapers, magazines, libraries, taking the message to Community Councils, Access Panels, Tenants Groups...If people don't know about it, they can't report it. (Respondent27).*

> *More adverts, I really liked the Scotland campaign (I think ran by snp) acknowledging that Scotland does not tolerate homophobia, racism transphobia etc I do not think that's true yet, I do feel we tolerate discrimination in its lesser forms however I think it made some people think twice about whether their beliefs were morally sound and encouraged the victims of discrimination to speak up more. (Respondent69).*

Better attitudes/awareness of Police Scotland

The second main theme in response to this question was that improved attitudes and awareness of the police would encourage victims of hate crime to report it. A significant proportion of the comments given related to the perception that they had that police did/would not take their report or their reporting needs seriously. Many also thought that the police discriminate or are prejudiced against certain groups.

> *I have been the victim of many hate crimes over the years and have never seen the police take it seriously. One time a car sped up to run me down on a crossing .. shouting [racist abuse] and I took the plate and called the police. They told me they could not pursue without a plate. I told them I had the plate. They said they needed another witness and I said there were 2 of us. They never ever came for a statement. I haven't reported an incident since. (Respondent 67).*

> *Not telling them that they are Asylum seeker or migrant and do not have any right to report hate crime against them. By not treating them less favourable than other ethnicity. (Respondent 113).*

Suggestions for improvement included having more diverse staff within the police; having specially trained officers or a department to deal with hate crime; having more local police so that trust can be built up; for the police to show and demonstrate

empathy, sympathy and compassion; and that concrete actions to eradicate institutionalised attitudes such as racism, homophobia and misogyny must be taken within the police force.

Police actually waking up and putting their own house in order. Complaints about police officers actually ending in results. Support and recognition for disabled people to report. Huge training programme for officers so they stop perpetrating hate crimes. An actually independent police complaints process. (Respondent 66).

Word of mouth, to hear from other BAME people that they were taken seriously & for hate crimes to carry harsher sentences. There's a difference in attitude regarding hate crime against white people compared to BAME people. The "here we go again" or "the race card" is thrown around freely as soon as we raise the issue. (Respondent 71).

Having more ethnic minority police who have an understanding. (Respondent 79).

Make sure there is no institutionalised racism within Police Scotland. (Respondent 317).

Justice/Case Resolution

Another major theme in responses to what would encourage victims of hate crime to report it was if they felt that justice was being done in cases of hate crime. This would act to give confidence of reducing hate crime in the future. Some people wanted to see 'tougher' responses to perpetrators of hate crimes, but mainly people wanted to know that if they reported a crime/incident that the case would be followed up and addressed in a timely fashion. A few people felt that receiving damages as a result of experiencing hate crime would encourage reporting of it. Victim centred justice was suggested, including recognition and inclusion of the impact on victims within sentencing. Some felt that restorative justice would be beneficial, if this process could be well supported.

Tougher punishment! Police using better charges to make better cases against racism. (Respondent 76).

You need to see the conviction of offenders and them being held to account and without that example you are not going to have any confidence within the community. It's a carrot and stick approach. (Respondent 33).

I feel victims need to have the perpetrator say "sorry" and to be genuinely sorry, and understand, so much so that they amend their behaviour. The victims would have to be very brave and need support to feel comfortable to stand up and confront these people. This would only come about within by the support of specialist teams to do so.(Respondent 290).

If we see action being taken on all hate crime - if justice is done then people will come forward with more confidence. (Respondent 112).

Police resources

Another common theme was that victims of hate crime would be encouraged to report it if Police Scotland was better resourced, and therefore better able to respond proactively or reactively to hate crimes. The resourcing theme included issues such as a need for better community engagement by the police, especially with minority groups. Having a dedicated

hate crime unit was suggested, as was having greater police presence through more community policing. It was suggested that tackling hate crime needs to be a collaborative effort between the police and public.

A specialist responsive unit. Uniform police are too busy to deal with what they may deem as a trivial complaint. (Respondent 533).

A safe, sympathetic, trained department which will see to it properly viz. from reporting 24/7 to carrying the investigation through and staying in contact with the victims. Nothing of this has happened. (Respondent 398).

My opinion is that more needs to be done to engage communities and police to work together to promote a community ethos where this type of behaviour towards anyone is just not right. Police Scotland cannot do this alone and there should be more collaboration with communities to get the message out there. We see national campaigns, legislation, police campaigns and operations but they will not encourage more reporting in isolation. There needs to be a more cohesive effort with a community focus to build up trust that this is coming from the heart of their community. (Respondent 195).

Victim support services

Several people thought that victims would be encouraged to report hate crimes if certain post-reporting conditions were in place. A key part of this was promoting better awareness of the fact that support would be available for victims of hate crime, post-reporting. This needed to include an effort to raise awareness and availability of support from third parties. Victims needed to be reassured that updates on cases would be given, and that ensuring their safety would be of key importance.

Anonymity and better protection against retaliation. (Respondent 263). Offer them rehousing opportunities. (Respondent 467).

Knowledge of Third Party Reporting centres and that the police do not have to come to their home, or can be plain clothed. Better feedback/follow-up. Knowing that it will be taken seriously and that there will be consequences for the person(s) they have reported and that it won't come back negatively on them. (Respondent 217).

Accessibility of reporting

Several people thought that if there were improvements made to the reporting system, then victims of hate crime would be encouraged to report it. Overall it needed to be a reporting mechanism that was easier to use, with more examples given of how to make a report. Other improvements included a system that allowed people to report anonymously. Improvements should also include ready provision of interpreters and use of different languages to explain the reporting process.

Communicate directly with potential victims in language they understand and do not rely on community leaders, who may have their own biases. (Respondent 157). Guarantee of anonymity e.g. If it needs to go to Court. (Respondent 191).
When they do go to book an interpreter it takes so long to get the appointment to match their shifts/days off/annual leave and the interpreter availability. I just feel like giving up! (Respondent 13).

Easier reporting. Can be done through an app with large print. (Respondent 493).

Education/prevention

Another theme was that education around hate crime, and prevention efforts would be influential in encouraging victims of hate crime to report it, including early intervention and education in a variety of public spaces, including schools. A key aim was for societal/systemic change to take place in order for people to feel confident in reporting hate crime. It was recognised that a collaborative effort would be needed to tackle the issue(s).

Make it known that no matter how trivial it feels it all needs to be dealt with to create a tolerant accepting society for all. (583).

More education at Primary School level to include community spirit, friendship, empathy etc. (Respondent 167).

Early Intervention, leave anonymous drop boxes in schools community centres doctors councils and have an office team to work through these. Education on hate crimes and the factors that lead to criminals usually poverty. (Respondent 515).

Other organisations

Some felt that what was needed was for the government to be more involved in efforts to prevent hate crime, including the suggestion of a whole systems approach.

Change of policy by Scottish government and Police. (Respondent 508).

If more information is given out so people have confidence in the system. The Government and councils should take lead in this! (Respondent 92).

How satisfied are you with the wider CJS & how it deals with hate crime?

How satisfied are you with the wider CJS re. hate crime?

Completely Satisfied	Mostly Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Mostly Dissatisfied	Completely Dissatisfied
4.4%	14.1%	14.3%	29.5%	15.4%	9.7%	12.6%
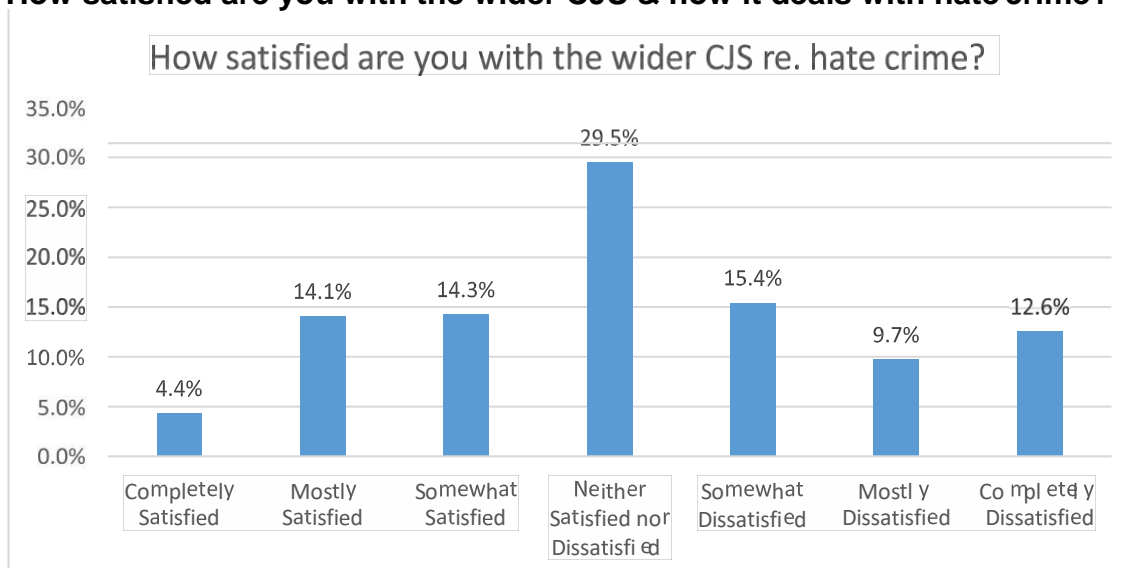
596 of the survey respondents answered this question. Almost 33% expressed some degree of satisfaction (completely, mostly and somewhat), compared to almost 38% who expressed some dissatisfaction (completely, mostly and somewhat), with a further 29.5% neither satisfied nor dissatisfied:

Completely satisfied: 26 (4.4%)
Mostly satisfied: 84 (14.1%)
Somewhat satisfied: 85 (14.3)
Neither satisfied or dissatisfied: 176 (29.5%)
Somewhat dissatisfied: 92 (15.4%)
Mostly dissatisfied: 58 (9.7%)
Completely dissatisfied: 75 (12.6%)

There were several comments in the survey suggesting dissatisfaction with the court system, for example:

> *It's not just a lack of trust of the police that prevents people from reporting. It is equally off putting when considering the court system. Even if the police were to be as trustworthy and supportive as possible, there will still be a huge lack in reports because no one believes in the court system. Everyone I know has heard some kind of story about how unjust they are. (Respondent 22).*

Any other comments?

177 people provided further comments. These have been categorised into main themes, which, in order of frequency, were:
- Legislation (42 mentions)
- Attitudes/awareness of Police Scotland (30 mentions)
- Justice/case resolution/process (29 mentions)
- Specific experiences of hate crimes (21 mentions)
- Resources for police (20 mentions)
- Education/prevention (12 mentions)
- Accessibility of reporting (12 mentions)
- Better communication about hate crime/reporting (12 mentions)
- Victim support services (6 mentions)

As before, some comments refer to more than one theme.[61]

Attitudes/awareness

Comments under this theme included, as in other sections, issues around the need for more demonstration of empathy from the police; better diversity of staff; for perceived police bias to be tackled; and for better training for police to understand hate crime. However, some were positive about their experience of the police in relation to hate crime being tackled.

> *The police and the justice system is an absolute joke.., a girl spat on my face after calling me… [racist abuse], attacked me, all on camera, with witnesses, the police even said she was known to them, and was found not guilty and got off completely with it. (Respondent 78).*

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[61] Number of mentions of a theme do not add up to the overall number of comments made as some suggestions covered more than one theme.

Police are always quick to believe a white person over a black person when anything is reported. When a white person makes an allegation about a black person the black person is likely to be perceived as being guilty from the get go. (Respondent 79).

From my perspective I think the police do a really good and sensitive job. As previously mentioned, things are often "blamed" on the police when the problems lie at court experience, delays and frustrations. (Respondent 107).

I believe strongly that in the past few years reporting and understanding of what is hate crime is much better. In my job I helped a few people report and the police officers were almost all very understanding and helpful. Police training in hate crime is clearly good. (Respondent 14).

Justice/process

Comments within this theme included issues such as the feeling that reports were often not acted upon; that the court system could also act as a deterrent to reporting; that wider punishment options were needed, including restorative justice and education; that hate crime statistics should be better recorded and used; that multiple incidents should be better pieced together.

I have phoned again tonight about three more incidents. No phone call, no contact and that leaves one thinking that despite " doing the right thing" the Police do not care, or will phone in days to come, when probably yet more harassment has occurred, and it is difficult to apprise the attending Officer without sounding like one is paranoid - which they think is the case anyway. (Respondent 402).

I also don't really know what the police position is on reporting hate incidents any more. Legacy forces were very clear that they encouraged reporting of hate incidents as well as hate crime. I am now not sure if that is the case as I have seen and heard recent comments, including the Police Scotland response the Justice Committee call for evidence on the Hate Crime and Public Order Bill, which indicate that the Police are only interested in reports of hate crime - contrary to the recommendations in the McPherson Report. (Respondent 98).

My husband and I received a threatening abusive telephone call…, threatening [us], calling my husband various unrepeatable things, adding to these slurs [racist abuse]... Terrifying at the time and for some time after until the police found out who it was. The incident was passed to the procurator fiscal and we have heard nothing since. We felt badly let down by the whole legal system. ..If you are a victim of racism because of the colour of your skin etc you are very much more likely to be listened to and your problem dealt with, racism comes in all forms for all people and should all be dealt with in the same appropriate way. (Respondent 258).

We need a judicial review of SPSO legislation which prevents them investigating conduct, curriculum or discipline in schools. (Respondent 91).

Specific experiences of hate crimes

Examples are given, but some of the specific experiences included hate crimes in schools; hate crimes directed towards gypsies and travellers; institutional hate crime; increased hate crime during Covid-19; online hate crime; and political hate crime.

During the Covid-19 Pandemic the incidents of hate crime towards disabled people was extremely high but people didn't feel confident enough to report. Eg Blind and not being able to navigate stores and maintain social distancing and were verbally abused for this. (Respondent 266).

My most recent personal experiences have been hate messages on Facebook and Twitter, so as anticipated, I was told that the US-based platforms refused to identify the senders. That is not acceptable; the UK (or Scotland) should legislate to ban anonymous accounts and ensure that these companies can only operate here if they comply with our standards. (Respondent 4).

When I was given the formal police warning, I had already phoned Police Scotland to tell them what I had done, I literally snapped….I couldn't let myself go through that again and so I defended myself. The officer who issued the warning had no care whatsoever about the catalogue of incidents which I had recorded… I had a folder full of those incidents and he didn't even look at them, he said it should have been dealt with by the school…If police made it clear in school that this behaviour is a crime and schools made it clear ….I was let down badly by the school, but I honestly thought the Police would help me, but they didn't - it was a hopeless situation and I'm the one now with a record. (Respondent 176).

Resources for police

Comments within this theme included requests for personal contact with individuals and organisations; the need for better engagement with communities and more community policing, and more funding for Police Scotland and the wider CJS.

The criminal justice system and the police are underfunded and undervalued . During this pandemic they have put their lives at risk to keep the system going. Proper funding should be given to the Police , the PF Office and Legal Aid Budget to allow the system to catch up and deal effectively with the demand of these essential services. (Respondent 246).

..I am a retired PC. I don't think hate crime is necessarily alone in need of improvement. Overall "engagement" and mutual understanding and assistance seems lacking. Involvement with Police Scotland is on THEIR terms and only when there is a problem..(Respondent 413).

Please reach out to us, we have tried so many times to reach out to you. Email us and support our community. [details supplied] (Respondent 36).

Reporting process

Comments in this theme included factors that deter from reporting, including fear of reprisals, fear of agency interference, and previous negative experiences of reporting. Mental health was also described as acting as an impediment to reporting. It was suggested that foreign nationals need more advice to report hate crime.

I was afraid of the offender knowing that he had a lengthy prison service. I also didn't want any agencies involvement e.g. social work or the school as I'm a single mother and I value my privacy. I would be afraid that the agencies would focus on supervising me rather than supporting. (Respondent 11).

I didn't report the crime as I am a registered healthcare professional with a senior role within [area]. I firmly believe that this very complex incident would have not worked out in my favour and that it would have had significant negative repercussions for my job. I firmly maintain that I was racially targeted. (Respondent 83).

You would be appalled to hear our experiences of hate crime and reporting such. It has been so distressing that my husband and I are receiving counselling and medication for our incidents and the police have.. sided with them [the perpetrators] against us, thus fuelling the situation and making it a hundred times harder to endure. Really shocking behaviour by

all. (Respondent 398).

This theme included the need for better information about what hate crime actually is, better information about reporting, and better information sharing between the police and other parties.

Much more needs to be done to make sure everyone in Scotland is aware of the law and what constitutes a hate crime. Without education, you cannot stamp out hate. (Respondent 27).

Information should be disseminated to all especially councils can play a big role in this. Voluntary sector do a good job, but are not well funded. This needs to change as hate crime remains a big problem and no amount of suppressing it will make it go away. (Respondent 92).

I didn't know how to contact the police about the crime. There is not enough information on how to do it and who to report it to. (Respondent 216).

4.   Disability

The survey did not explicitly ask people if they considered themselves to have a disability. However, there were three main questions on the survey in which people could identify as having a disability (difficulties with reporting related to disability, issues that prevent reporting, and hate crimes faced by their specific community). A total of 23 people answered yes/provided comments to one or all of these questions. Whilst this does not mean that there were no other respondents with disabilities, responses from these 23 people have been combined for purposes of analysis.[62]

18 (78%) of this group had been a victim of hate crime, but only 5 (28%) of these had reported it. 3 said they had found it easy/very easy to report, and 1 very difficult (1 had not responded). Of these 5 people, 1 was satisfied with the aftercare provided by Police Scotland, 3 were unsure, and 1 was very dissatisfied.

Of the 13 people who had been the victim of a hate crime but *did not* report it:
- 9 (69%) did not think their complaint would be taken seriously
- 8 (62%) were not confident that reporting it to Police Scotland would help
- 7 (54%) said their disability made it difficult for them to communicate
- 5 (38%) said they did not know how
- 3 (23%) require additional support which was not available as they are deaf
- 3 (23%) said they had no knowledge of Third Party Reporting Centres
- 1 (8%) said they were too scared to report it
- 1 (8%) had difficulty as English is not their first or preferred language

All 23 people from this group answered the question (question 25) of what prevents members of their community from reporting hate crime/incidents:
- People with disabilities find it difficult: 10 (43%)
- Lack confidence that reporting it to Police Scotland will help: 8 (35%)
- People do not think their complaint will be taken seriously: 7 (30%)

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[62] It should be noted that this is a small sized group, so percentages represent only small numbers of people.

- People are scared to report hate crime/incidents: 5 (22%)
- There is a lack of knowledge on how to report hate crimes: 5 (22%)
- English is not first or preferred language: 2 (9%)

All 23 people within this group responded to the question of how satisfied they were with the wider CJS in Scotland question. 14 people (61%) expressed some degree of dissatisfaction with the wider criminal justice system in Scotland (question 27), compared with the 6 people (26%) who expressed some degree of satisfaction. A further 3 (13%) were neither satisfied nor dissatisfied. However, of the group of 23 as a whole, more were likely/extremely likely (52%) to make a future report of hate crime to Police Scotland, than those who were unlikely/extremely unlikely (26%), or neutral (22%).

The main themes identified in the free text questions for the group of people with disabilities were:
- a need for improved attitudes and awareness within Police Scotland
- better communication needed of what disability specific hate crime is and how to report it
- accessibility of reporting (due to communication and practical needs) and an easier reporting mechanism
- a need for more appropriate and tailored victim support services
- a need for police to provide better updates on cases

17 people of the group with disabilities said that there were hate crime issues faced by their specific community that were difficult to report, or that made them feel uncomfortable reporting to the Police (questions 21 and 22). Examples given of experiences/types of hate crime included, the below, showing that simply using public transport and conducting essential activities could result in much anxiety:

Over the years I have experienced verbal and physical abuse.. for being overweight. This has been mortifying and had a huge effect on my confidence and esteem. I have just recently been diagnosed with ADHD and learned why I have struggled with my weight all my life. (Respondent 493).

A friend was parked legally. He is a wheelchair user and drives independently. The car parked in front of his ...a woman got out saying he was too close to her but he was in the bay and she had enough room to get out of the space. Her mother then got abusive with my friend and said a direct threat.. (Respondent 521).

If you have mobility issues, you just want to get home as soon as possible. All of my hate crime experiences have been on public transport…There needs to be more active under cover patrols of public transport to observe..…refusing to give up disabled seats or..disabled abuse by criticising disabled people for needing a seat, in a lift, or just being on the transport. (Respondent 560).

I own an 8mph mobility scooter which can be used on the road do not travel on main roads but travel on quiet roads and I get no end of motorist tooting and shouting at me to get off the road (Respondent 472).

Shopworkers not having patience when asking questions in shops as I have communication difficulties….People shouting names at me in the streets gets me very anxious. (Respondent 568).

Within the responses to the other free text questions there were four main themes. One of these

key themes was the attitudes and awareness of Police Scotland, in particular perceptions of discrimination from the police because of disability, or of police not taking reports seriously. Such treatment impacted on ability and willingness to report.

Hate crime against me as a disabled person is not seen as an issue….in the event that I am listened to, it is dismissed as my over-sensitivity (Respondent 221).

police have ignored and ridiculed requests to give reasonable adjustment for my disability, been rude and aggressive, and have refused to even investigate violent crimes against me. Why on earth would I bother reporting these crimes to the very force which perpetrates them? (Respondent 66).

Direct disability hate crime and also by way of association which causes hostility and rejection in my community. Police Scotland have been absolutely abysmal in dealing with it from reporting it on 101 right through to investigating it. By it, I mean, numerous incidents under the same hate crime. (Respondent 398).

Improving the training and awareness of police in the issues that people with disabilities face in terms of hate crime and reporting was seen as a factor that would contribute to reporting. This included sign language/body language.

Police officers should always be professional and keep their personal opinion/feelings hidden when dealing with the public, especially deaf people they can read body and facial expressions and take it negatively. (Respondent 544).

More awareness in cops that an interpreter MUST be booked for BSL users and not expecting us to just "get by" because they can't be bothered booking one, or they don't think it's important. (Respondent 13).

Having officers that are trained to deal with people who have disabilities and/or communication difficulties. (Respondent 441).

You need to have someone at front desk or online that will be able to communicate with deaf.. people properly. People need to be treated seriously and with respect when reporting an incident no matter how trivial it may seem. (Respondent 544).

Having a more diverse workforce was also suggested to address this issue.

The ability to speak to a police officer of your own demographic (eg BAMe, LGBTQ+, disabled, etc) as this can make us feel safer and more heard, even if the outcome is the same. (Respondent 97).

Poor communication around what might constitute hate crime towards those with disabilities was another key theme, leading to a lack of knowledge over hate crime, and how to report it. This could leave people with disabilities particularly vulnerable.

Disability hate crime. Not knowing what is a crime. Feeling too vulnerable to tell anyone. Some people are victims of their own family and or friends. It happens so often to some people because they are different and could have been happening throughout their lives they didn't know it's criminal. I have seen online the campaigns have helped some realise they can report. (Respondent 14).

Some people with learning disabilities don't know about hate crime, what is it, or what are abuses. (Respondent 593).

It was suggested that campaigns to raise awareness need to include information about disability-specific hate crime with case studies/examples:

More examples of how to report. From feedback people's stories help others realise they are victims and could report. Issue based advocacy services can help people through the process so signposting to them if available locally. (Respondent 14).

to be recognized as a victim of hate crime - a lot of hate crime advertised on TV concentrates on colour, religion, physical disability, etc but disability (especially hidden disability) is not represented - so autism is very under represented when it comes to saying you can report a hate crime if people are spiting vile at you because of your disability. (Respondent 293).

Suggestions were made of how to improve communication about hate crime and how to report it, in a more accessible way.

Link up with deaf organisations to give a clearer guidance and set up workshops to give the Deaf community confidence to report. (Respondent 480).

More campaigns as accessible information can only help. More included in training for support workers too. (Respondent 14).

Also having posters with a hotline for hate crime reports beside disabled seats. And a better sign at accessible seats that takes away the voluntary nature of "please give up this seat" and makes it an offence to sit in it if someone needs it. Also better education in schools about Disability hate crime and ableism… (Respondent 560).

More third party organisations helping e.g. The one stop shop for autism. where I feel safe and I know the staff so can speak to them in confidence. (Respondent 568).

Another main theme was accessibility of reporting. Practical issues that create challenges to reporting were detailed, but hidden disabilities were also a key issue.

I think as I have a hidden disability it is hard to report those crimes and someone who looks "normal" like me feels that I am luckier than other disabled people when in reality we are all in the same situation and to look "more disabled" does not make it easier to report a crime. (Respondent 26).

As a "hidden" disability there are a range of issues and it's often a combination of deafness/other protected characteristics that create the hate environment. The communication barriers language - BSL/English/other spoken or visual language are an issue creating vulnerability as victim and reporter. (Respondent 119).

I have autism and can find it hard to communicate. (Respondent 494).

There should also be more information about how to report a hate crime. Also, there should be support from the police to go through the procedure for people with learning disabilities. (Respondent 593).

Direct and detailed suggestions to make the reporting process more accessible to people with disabilities were given. Again, some suggestions were practical, e.g.:

Communication support needs that are not BSL need to be covered. I am very hard of hearing and need support from an Electronic Notetaker or someone who can type what they are saying and let me see the screen… Third Party Reporting centres - deaf ones are BSL only; disability ones do not provide communication support. Makes it really hard to report..

(Respondent 27).

Development of information to describe what hate crime is using augmented and alternative communication, for example: easy read, BSL; Talking Mats; symbol pictures; etc. (Respondent 132).

Knowledge of having a number of people involved just to kick start the report (book BSL/English interpreter), and seek advice from local deaf organisation, re. process, so daunting already for one simple reporting. (Respondent 480).

However, other suggestions were also aimed at addressing more hidden disabilities, as well as minimising any potential stress involved in the experience.

A simpler incident form which the person could fill in online so they don't have to go through the stress of speaking to strangers about sensitive matters. (Respondent 441). There should be support from the police to go through the procedure for people with learning disabilities. (Respondent 593).

Support and recognition for disabled people to report…Automatic assessment of support needs at the point of reporting rather than forcing already marginalised people to go through inappropriate questioning first. Non-police involvement from services including advocates and social work/mental health support from the moment of reporting. (Respondent 66).

In terms of better post-reporting support for victims of hate crime who have disabilities, the main theme was to have more appropriate victim support services, including signposting to other relevant services. This included specially trained staff who can meet communication and language needs.

Having an identified officer who is aware of language/communication support needs and knows how to address these would help. Also making sure that the person's language/communication support needs are recorded so that information and contact can be appropriate and accessible. (Respondent 27).

To give sufficient examples to the Deaf community of what is to be expected aftermath, to give them a better idea and confidence to make the initial report. (Respondent 221).

solutions for communications include electronic notetaking (actual or online), speech to text, hearing loops and communication equipment such as microphones and audio receivers at reception facilities (not just front desk but interview rooms etc)(Respondent 119).

A mix of support from people within the police and working with third sector organizations to step up support for victims if required. Perhaps a support group could be set up if one doesn't already exist. (Respondent 481).

Police Scotland staff responding to hate crime reports to have undertaken Disability Equality Training delivered by disabled peoples organisations. (Respondent 512).

Better victim support services also included addressing fears that disabled people might have about reporting, including personal safety as well as issues such as challenges to benefits.

There is also a general fear in the Disabled Community that if you report something or do anything which makes you appear more able, DWP will find out and rate you as more capable at your next assessment… so it goes unchallenged and unreported.(Respondent 560).

Look at preventing rather than reporting as many Disabled people are just too scared to report. (Respondent 560).

Finally, another view that was expressed was the need to tackle the roots of this form of hate crime within society, demanding change on many different levels:

A complete change to how society views the disabled! Institutional Ableism is rife…Too many people presume that if people with a Disability complain, that they also must have a mental health problem. (Respondent 560).

5.   Ethnicity

81 people identified as belonging to a minority ethnic group, including 2 African, 40 Asian, 12 Black, 5 Gypsy/Traveller, 17 mixed race and 5 other (including 2 Arab).

62 (77%) of this group said that they had ever been the victim of a hate crime, but only 26 (42%) of these had reported it to the police (or other). Of these 26 individuals, 9 (35%) had found it easy/very easy to report; 10 (38%) had found it difficult/very difficult; and 7 neutral (27%). A high rate of dissatisfaction in the aftercare provided by Police Scotland was reported, with 14 (54%) indicating that they were either dissatisfied or very dissatisfied, compared to 7 (27%) who indicated that they were satisfied or very satisfied. A further 5 (19%) were unsure.

Of the 36 people belonging to a minority ethnic group who had been the victim of a hate crime but *did not* report it (more than one response was allowed):
- 26 (72%) did not think their complaint would be taken seriously
- 25 (69%) were not confident that reporting it to Police Scotland would help
- 9 (25%) had/have no knowledge of Third Party Reporting entries
- 8 (22%) were too scared to report it
- 6 (17%) did not know how to report hate crime/incidents
- 2 (5.5%) had difficulty as English is not their first or preferred language

people answered the question of how satisfied they were with the wider criminal justice system in Scotland and how it deals with hate crime. A higher degree of dissatisfaction with the wider criminal justice system in Scotland (question 27) was expressed, with 36 people (46%) expressing some dissatisfaction (completely, mostly and somewhat), compared to 30 (38%) who expressed some degree of satisfaction (completely, mostly and somewhat), with a further 13 (16%) neither satisfied nor dissatisfied. Despite this, of the group of 81 as a whole, 41 (51%) people said they were likely/extremely likely to make a future report of hate crime, compared to 24 (30%) who were unlikely/extremely unlikely to do so, and 16 (20%) who were neutral.

people answered the question of what prevents members of their community from reporting hate crime/incidents (question 25):
- People do not think their complaint will be taken seriously: 34 (42.5%)
- A lack of confidence that reporting it to Police Scotland will help: 28 (35%).
- There is a lack of knowledge on how to report hate crimes: 11 (14%)
- People are scared to report hate crime/incidents: 9 (11%)
- English is not first or preferred language: 7 (9%)
- People with disabilities find it difficult: 3 (4%)

The main themes identified in the free text questions for the group of people from minority ethnic backgrounds were:
- attitudes and awareness of the police

- accessibility of reporting (due to language and cultural issues)
- a need for more appropriate and tailored victim support services including victim safety (fear of repercussions from community/work/police/immigration was a theme)
- justice, and a need to know that cases were being progressed (including receiving better updates)
- a need for better communication about hate crime and how to report it
- a need for better engagement with communities/community groups
- a need for better education and prevention around hate crime

58 (72%) of the minority ethnic group said that there were hate crime issues faced by their specific community that were difficult to report, or that made them feel uncomfortable reporting to the Police (question 21). Examples given of experiences/types of hate crime included:

> *We are receiving a spike in hate crime because of the geographical origins of COVID-19. And remember we are not all CHINESE! (Respondent 36). Please more education for the school. We are in 2020 and my daughter was subjected to racial abuse from her year group S1. (Respondent 604).*

> *People saying they don't like the skin of your colour or go back to your country and the only place you think was home is Scotland. (Respondent 605).*

Within the responses to the other free text questions there were five main themes. One key theme was the attitudes and awareness of the police. Respondents described how people would be encouraged to report hate crimes if they could be confident that attitudes within Police Scotland would be fair and non-discriminatory, and that they would have good awareness of issues of diversity and rights.

> *Trust in a police system that does not discriminate or judge. (Respondent 57).*

> *I think there is also a lack of understanding towards if police have the training to really understand the experiences of people of colour or those who are LGBTQIA for example. That could give people confidence. (Respondent 61).*

> *If they are not going to be judged for reporting hate crime or seen as a criminal. Not telling them that they are Asylum seeker or migrant and do not have any right to report hate crime against them. By not treating them less favourable than other ethnicity. (Respondent 113).*

Instead, several described experiences of police exhibiting perceived racist and discriminatory behaviour and treatment themselves. Specific communities described feeling at once victimised and neglected by the police. Other experiences included intimidating and/or patronising attitudes that made reporting difficult.

> *Some police abuse their position, they wouldn't treat people from the settled community like they treat Travellers. Their attitude is that, "you people sort it out among yourselves." (Respondent 28).*

> *The police are inherently racist themselves. It is well known if you report a police officer for misconduct they will not face any consequences. (Respondent 78).*

> *Many of us have had negative experiences of police treatment in Scotland - often come across as authoritarian, patronising and intimidating to particularly woman of colour. I would much rather seek support and justice from trustworthy third sector organisation. (Respondent 111).*

There was a strong sense that reports from minority ethnic groups were not taken seriously by the police.

> *We face hatred and verbal attacks from the public, vitriol. The negative attitude of the authorities in dealing with it doesn't instill any confidence in the community whatsoever and in some instances figures in authority state that we are not an ethnic minority therefore incidences are not recorded as racially motivated. (Respondent, Gypsy/Traveller 33).*

> *When I have reported racism over the years, I have been mocked at by officers coming home to take my statement. It has only been handled somewhat decently once. Naming racism seems to be hard for Police officers and they seem to require constant evidence. (Respondent 64).*

> *People in my community has been attacked at different location due to their colour and ethnicity….Some has been reporting to the police and nothing has been done about it. Individuals in my community have lost interest in reporting hate crime to the police because they have not been taking seriously or provide necessary care to support them. (Respondent 113)*

Several people described how perceived discriminatory attitudes and beliefs within Police Scotland impact upon the way in which they go on to process cases arising from hate crimes/incidents experienced by ethnic minority groups.

> *I've been told that while the incident was racist there was nothing they could do and that you just needed to ignore the perpetrator. (Respondent 44).*

> *Don't recruit racists, sexists, fascists, personal bias from a police person can lead to non-action (Respondent 59).*

> *Police Scotland do not take racism seriously and are racist in dealing with the investigation. They go as far as suppressing evidence to help the perp. (Respondent 517).*

Suggestions for how institutionalised discriminatory behaviour within the police could be addressed were made which included providing more and better training.

> *Please include in your recruitment a requirement for anti racism not just "not racist". Not racist isn't enough and will not change the attitude of the police; you need people who are actively anti racist to stamp it out of the force. Since coming to this country I have often thought of joining the Police but the attitude I have encountered has made it feel unsafe for me to do so. (Respondent 71).*

> *Better education of police about Traveller culture. Treat us the same as everyone else. (Respondent 28).*

> *More training for individuals and organisations on racism/diversity and equality training. (Respondent 56).*

Reaching out to and engaging with communities was seen as critical for addressing attitudes and awareness within the police, but also as a way of building trust.

> *Interact with our communities, work with our community leaders. Be culturally sensitive and conduct anti racism training within Police Scotland. Talk to us, listen to us and see us. (Respondent 36).*

> *Awareness and working with local RACE group. Police engaging with positively engaging with ethnic minorities group. (Respondent 419).*

The increase of outreach work from Police Scotland with regards to talking about these issues [racism] and making people feel more comfortable about reporting hate crime would go a long way in improving these issues. More awareness about hate crime and how to report it would also be helpful - this can be done in conjunction with equality organisations in Scotland.. (Respondent 106).

Ensuring a greater diversity of the policing workforce was also a key suggestion for many reasons, including building understanding and trust as well as equality. This was seen as a factor that would contribute to giving people confidence in reporting.

For police to understand & appreciate that it takes a lot for a BAME people to report anything & to take it seriously & offer empathy & support. Recruit more BAME people to be in a dedicated team to deal with race specific hate crime. (Respondent 71).

Police Scotland need to hire more people from ethnic minority groups. (Respondent 76).

It has to be seen that these types are taken seriously and the perpetrators dealt with (including those within the police). Folk have to see the police as representing themselves; the demographics within the force need to broaden. (Respondent 126).

Another key theme was justice. There was a lack of faith that the police would address reports of hate crime from ethnic minority groups. For example:

A girl spat on my face after calling me… [racist abuse], attacked me, all on camera, with witnesses, the police even said she was known to them, was found not guilty and got off completely with it. (Respondent 78).

Where we see manifestations of racism and bigotry we do not see the police as doing anything to prevent it; more often actually protecting the perpetrators. You want to change, then change, allow independent arbitration and let us see. (Respondent 126).

Several people were also concerned that by reporting hate crimes/incidents, the victim might themselves be investigated.

Police taking it serious and don't victimise the reporter. The feeling that police might want to investigate the person who reported the crime/incident is familiar and worry by people from ethnic minorities group. (Respondent 419).

The police's default position seems to be unsupportive. Nothing has happened in relation to the many reports I have made and I have only reported cases when I have had witnesses with me as I know that other people who have reported without witnesses have ended up being charged with offenses based on the perpetrators comments. As a person on colour it is very difficult to report. Even in the one case where the police officer was sympathetic there was no one charged and no outcome. It left me wondering what was the point of reporting. (Respondent 116).

Needing to know that reports would be taken seriously and addressed appropriately through a transparent process was an important part of supporting victims. This included receiving better updates about the progress of their case, for example:

Feedback, if a hate crime was against me I would like to be reassured about what they are doing and then I would have more faith in the police. (Respondent 32).

Respondents thought that victims would be encouraged to report if they had greater confidence that justice would be done. This included justice against ill-treatment or

discriminatory behaviour by the police themselves. Knowing about the outcomes of other cases was seen as important motivation for people to report.

Word of mouth, to hear from other BAME people that they were taken seriously & for hate crimes to carry harsher sentences. There's a difference in attitude regarding hate crime against white people compared to BAME people. The "here we go again" or "the race card" is thrown around freely as soon as we raise the issue. (Respondent 71).

Tougher punishment! Police using better charges to make better cases against racism. (Respondent 76).

Work with minority group. Make separate section where people who have been ill-treated by police can confidently approach and inform the full case. (Respondent 457).

Better communication around information about hate crime and how to report it was another suggestion for improving the reporting structure and level of confidence in reporting. This included campaigns of the range of behaviours or actions that may constitute hate crimes/incidents in order to raise awareness of people's rights.

This is where the police can come in, raising awareness to the public that such abhorrent things happen to specific populations in our community. (Respondent 45).

Raise awareness in minorities about their rights and correct process of reporting such hate crimes are available. (Respondent 457).

More targeted campaigning about it being taken seriously and serious consequences for racism. Make racists afraid again. (Respondent 56).

More adverts, I really liked the Scotland campaign (I think ran by snp) acknowledging that Scotland does not tolerate homophobia, racism transphobia etc I do not think that's true yet, I do feel we tolerate discrimination in its lesser forms however I think it made some people think twice about whether their beliefs were morally sound and encouraged the victims of discrimination to speak up more. (Respondent 69).

These needed to be accessible, including in different languages, and contain case studies.

Marketing should be in different languages. (Respondent 522).

Some sort of campaign on what constitutes a reportable hate crime would be really impactful I think - particularly hate crimes that 'less serious' that people may not think to report at all. Would be useful for this communication to be made in languages other than English, and also to make the reporting an easy digital process. (Respondent 46)

Linked to the theme of communication about hate crime was accessibility of reporting. This included barriers to reporting due to language or cultural differences. The need for a simpler form for people whose first language is not English was suggested, as well as having culturally appropriate materials, and materials in other languages.

The online reporting form should be shortened and simplified in order to encourage people whose level of English isn't of a certain standard. (Respondent 106).

Many Chinese will have difficulty reporting because of language, not knowing how to report and accept verbal abuse as normal (Respondent 12).

As a professional worker from the community, I hear of incidents of where women have faced

issues and are not confident in reporting them due to language barriers, not confident enough, not having the awareness of how to report, depending on severity of the situation, not awareness of Third Party Reporting and due to many other reasons. (Respondent 442).

Not culturally sensitive, Language barrier, no visible outreach or representatives of East or Southeast Asian people. (Respondent 36).

Another important issue also raised was that of confidentiality of reporting, and of incidents where police have not respected requests written on reporting forms *not* to attend houses in person for fear of reprisals etc. A few people expressed the view that this was experienced as particularly concerning for people from minority ethnic groups who might already be subject to discrimination.

I have used the police online form and stated that the police (especially uniformed officers) should not show up at my residence as a person from a minority ethnic background it leaves negative impressions as neighbours wonder what trouble I have got into. Plus in cases when the perpetrator is from the neighbourhood it poses the risk of further intimidation. Despite a complaint being made and an written apology the police still showed up at my door…This undermines confidence in reporting hate crimes... (Respondent 116).

The need for better and more appropriate and tailored victim support services including signposting to relevant services, was raised as a key theme in terms of better supporting victims from minority ethnic groups after reporting.

Follow up, referral to support networks. For example, LGBTQ+ ppl referred to LGBTQ+ specific support services and BAME people referred to services that are culturally sensitive to their needs. Also take into account, intersectionality. (Respondent 36).

If a person reports a hate crime they should be supported by the police or support groups but when it comes to Travellers they don't even mention that there is any support for them. (Respondent 52).

They should be offered the same types of support as victims of any other crime. It is more important that they get taken seriously in the first place and that the police clean up their own act so that they aren't seen as endemically racist and a major part of the problem. (Respondent 126).

Factors such as police demonstrating empathy, that they believed the victims, and equality of treatment were seen as crucial to quality of victim support.

By support staff being empathetic, outlining processes correctly and properly, showing compassion, being genuine, carrying out their work with integrity, recognising cultural differences (definitely training and awareness is required in this area), understanding the role of Scotland in enslavement and why Black and Brown people are here, understanding that specific crimes aren't caused by religion or only prevalent within a certain ethnic group but understanding the role of patriarchy, patriarchal systems and intersectionality. (Respondent 64).

Better victim support also included the use of appropriate third party organisations for support, including those with interpreters.

Knowing that there are other parties you can go to that aren't the state. People who are affected by hate crime are those that are most likely to be oppressed by the state (disabled, people of colour, lgbtq+). (Respondent 111).

Third party support. Interpreters provided. (Respondent 12).

6. Religion

290 respondents identified as having a religion: 219 Christian, 26 Muslim, 13 Jewish, 12 Buddhist, 3 Sikh and 17 other (including folk religions). A further 279 people said that they did not have a religion. Given that Christian religions account for 75% of those identifying themselves as having a religion, the other religions listed above (Buddhist, Jewish, Muslim, Sikh and other) have been combined into a 'minority religion group' for the purposes of survey analysis. However, comments relating to issues of concern for Christians are also included.

Of the 71 people identifying as one of the religions within the minority religion group (as above), 48 (68%) said that they had been the victim of a hate crime, but only 17 (35%) had reported it to the police (or other). Of these 17 individuals, 9 (53%) found it easy/very easy to report; 6 (35%) found it difficult/very difficult; and 2 (12%) neutral. In this group of 17, 7 (41%) expressed that they were satisfied/very satisfied with the aftercare provided by Police Scotland, 5 (29.5%) were dissatisfied/very dissatisfied, and 5 (29.5%) were unsure.

Of the 31 people who had been the victim of a hate crime but *did not* report it (more than one response was allowed):
- 22 (71%) did not think their complaint would be taken seriously
- 21 (68%) were not confident that reporting it to Police Scotland would help
- 9 (29%) had/have no knowledge of Third Party Reporting centres
- 6 (19%) did not know how to report hate crime/incidents
- 6 (19%) were too scared to report it
- 2 (6%) had a disability which makes it difficult to communicate
- 1 (3%) had difficulty as English is not their first or preferred language

69 people in this group answered the question of how satisfied they were with the wider criminal justice system in Scotland and how it deals with hate crime (question 27). 28 people (41%) expressed some degree of dissatisfaction, compared with 26 (38%) who expressed some degree of satisfaction. A further 15 (22%) were neither satisfied nor dissatisfied. Of the group of 71 as a whole, 31 (44%) said they were extremely likely or likely to report any future hate crime, compared to 26 (37%) who were extremely unlikely or unlikely to do so, and 14 (20%) who were neutral.

71 people from the minority religion groups answered the question of what prevents members of their community from reporting hate crime/incidents (question 24):
- 25 (35%) do not think their complaint will be taken seriously
- 21 (30%) lack of confidence that reporting it to Police Scotland will help
- 12 (17%) are scared to report hate crime/incidents:
- 12 (17%) lack of knowledge on how to report hate crimes:
- 6 (8%) have difficulty as English is not first or preferred language:
- 4 (6%) have a disability that makes it difficult to communicate

The main themes identified in the free text questions for the group of people from minority religion backgrounds were:
- attitudes and awareness of the police
- a need for more appropriate and tailored victim support services, including victim safety

- justice, and a need to know that cases were being progressed (including receiving better updates)
- better communication about hate crime and how to report it
- better engagement with communities/community groups, including the need for more police resources such as community policing
- a need for better education and prevention around religion specific hate crime and the forms it might take

45 (63%) people in the minority religion group said that there were hate crimes experienced by their specific community that were difficult to report, or that made them feel uncomfortable reporting to the police (question 21). Examples given of experiences/types of hate crime included:

Commenting on dress & head wear, commenting on religious beliefs when women & children are walking comments are made. Using dogs to scare children. (Respondent 487, Muslim).

As an openly Jewish person in a community with very few other Jews, often external parties do not understand how nuanced or subtle antisemitism may be. The majority of attacks happen now online, so instead of going to the police…we are now forced to simply go through the channels of social media reporting instead. I have never once received news back about an antisemitic or extremist account being shut down…(Respondent 497, Jewish).

The only area that concerns me regarding Jewish people living in Scotland is that there are many Israeli people living and working here in Scotland and they tend to worry about admitting where they were born because there is so much negative misinformation about Israel and this also affects Jewish people who have family and friends there and tend to feel they have to deny their feelings of connection to Israel. (Respondent 524, Jewish).

Most recent events have mainly been verbal such as getting called a 'Fenian bastard' for wearing a green t-shirt. (Respondent 606, Christian).

Some mentioned institutional hate crime, such as hate crime within schools:

Yes there has been instances of Islamophobia with verbal abuse and harassment in parent forums but police never followed up or did anything because its East Renfrewshire and dont want to upset the status quo or the schools or the council. (Respondent 63, Muslim).

Members have occasionally had trouble with their children at school being taunted with anti-Semitic comments and have often not had good support from the teachers. (Respondent 5, Jewish).

Anti Catholic bigotry in workplace. (Respondent 487, No religion).

Within the responses to the other free text questions the most common theme mentioned was attitudes and awareness of Police Scotland. This included the perception that reports are not taken seriously by Police Scotland.

General feeling in muslim community that police wont do anything. (Respondent 7, Muslim).

The level of understanding of the issues faced by the Jewish Community are often not properly understood at a local level in Police Scotland. (Respondent 137, Jewish).

Many police officers act like hate crime is not real and islamophobia is not even tackled at all. It's online yet they won't tackle it using the communication act. (Respondent 76, Muslim). Having hate crimes against them actually investigated and not brushed off, or more suitable

explanations given as to why something isn't being investigated. (Respondent 597).

Experiences of the police providing discriminatory treatment were also described.

Protect religious crimes as well as race is protected. (Respondent 77).

Too many times people have reported racist and Islamophobic incidents and the results are the police don't want to take any further because the perpetrator said sorry - how is this showing the gravity of how police tackle hate crime and contributes massively to under reporting. (Respondent 63).

Police Scotland endorse hate crimes against Catholics every July by providing police support for the Orange Order and their marches which are targeted hate against Catholics. (Respondent 308, Christian).

I am not sure that if as a Christian I was the victim of a hate crime that it would be fully investigated. (Respondent 406, Christian).

However, some people made positive comments about relationships with the police:

I think that Police Scotland are seen to be caring and approachable by the Jewish Community and that everything has been done to maintain a trust and sympathy from Police Scotland to any anxieties felt by our community. (Respondent 524).

Key is improved relationships with the Police though Police/Jewish relationships have always been strong. … we put in place direct liaison arrangements at Superintendent level which worked well. We also had community meetings that then went onto a series of private surgeries on the same night with the police. (Respondent 107).

Another theme was the need for more appropriate victim support services. Again, this included referrals to services which offered different languages and which were culturally appropriate and offered a range of services. The need to adequately fund and resource such groups was highlighted. This was also seen as a way to build better relationships between the police and communities.

The victims should be better linked/ referred to appropriate agencies. Victims, especially the older generation from ethnic and cultural background should be referred to their agencies with the access to specialists from the same background, speaking the same language. (Respondent 11)

The local ethnic minority groups should be given more resources and recognised as an organisation so victim would feel more comfortable to speak within their own community, who may has similar experience . It appeared to me those ethnic group run as volunteer and they have no power to make any decision or supports their own communities.(Respondent 418).

By raising awareness of among the community about this type of crimes and how this crimes can affect our community and dividing us also by increasing counselling and psychological supports. (Respondent 120).

Have workshops around the communities to support local folk. (Respondent 442, Muslim).

7.   Sexual orientation

87 people identified as LGBTQ+, including 34 bisexual, 32 gay/lesbian, 4 asexual, 4 pansexual, 3 queer and 10 who stated 'other'.

58 (67%) of this group said that they had ever been the victim of a hate crime, but only 22 (38%) of these had reported it to the police (or other). Of these, 9 (41%) found it easy/very easy to report, 5 (23%) difficult/very difficult to report, and 8 (36%) neutral. A high rate of dissatisfaction in the aftercare provided by Police Scotland was reported. 11 people (50%) indicated that they were either dissatisfied or very dissatisfied, compared to 6 (27%) who indicated that they were satisfied or very satisfied. A further 5 (23%) were unsure.

Of the 36 LGBTQ+ people who had ever been the victim of a hate crime but *did not* report it (they were allowed to choose more than one response):
- 27 (75%) did not think their complaint would be taken seriously
- 25 (69%) were not confident that reporting it to Police Scotland would help
- 11 (31%) had/have no knowledge of Third Party Reporting centres
- 7 (19%) were too scared to report it
- 4 (11%) did not know how to report hate crime/incidents
- 2 (6%) had a disability which makes it difficult to communicate with people

All 87 LGBTQ+ people answered the question of how satisfied they were with the wider criminal justice system in Scotland and how it deals with hate crime (question 27). 42 people (48%) expressed some degree of dissatisfaction, compared with 25 people (29%) who expressed some degree of satisfaction. A further 20 (23%) were neither satisfied nor dissatisfied. Of the group of 87 as a whole, a higher proportion – 38 people (44%) were unlikely/extremely unlikely to make a future report of hate crime than the 34 (39%) who were likely/extremely likely and 15 (17%) who were neutral.

85 people answered the question of what prevents members of their community from reporting hate crime/incidents (question 24):
- 41 (48%) lack of confidence that reporting it to Police Scotland will help
- 38 (45%) do not think their complaint will be taken seriously
- 12 (14%) lack of knowledge on how to report hate crimes
- 10 (12%) people with disabilities find it difficult
- 9 (11%) are too scared to report hate crime/incidents
- 6 (7%) do not have English as their first or preferred language:

The main themes identified in the free text questions for LGBTQ+ people were:
- attitudes and awareness of the police
- a need for better victim support services, including victim safety (particularly fear of repercussions of being 'outed') and signposting to services
- engagement with third parties and community groups for reporting and support purposes, especially where individuals prefer not to report to the police for reasons of privacy
- justice, and a need to know that cases were being progressed (including receiving better updates)
- better communication needed around hate crime towards LGBTQ+ people and reporting of it
- the need for better education and prevention around hate crime.

67 (77%) of the LGBTQ+ group said that there were hate crime issues faced by their specific community that were difficult to report, or that made them feel uncomfortable reporting to the Police (question 21). Examples given of experiences/types of hate crime included:

Sexual harassment and getting 'flashed'. No real point as all police think that's all gay men like. (Respondent 3).

When people yell and call names in the street. It's still hurtful but it's normally such a short incident that it feels not worth reporting. (Respondent 70).

Teenage groups causing issues and being intimidating. (Respondent 335).

As a bisexual woman in a committed lesbian relationship I feel extremely vulnerable - I wouldn't hold hands in public with my girlfriend for example, because we get offensive comments. (Respondent 554).

I'm bisexual. Bi-erasure is a huge thing, and bisexual identities are often seen as lesser than other LGBTQ+ identities, which makes reporting even more difficult. I am disabled, this also makes reporting hate crime harder. Intersectionality is a huge thing, e.g. I have two factors which make me at risk of hate crime: disability and being LGBTQ+. (Respondent 97).

Within the responses to the other free text questions the most common theme for the LGBTQ+ group was attitudes and awareness of Police Scotland. This included the police not taking their reports seriously.

Harassment to gay and bisexual people doesn't seem to be taken seriously.(Respondent 374).
Being downplayed by the public or by the police if racist or homophobic incidents ever happen - feeling reluctant to report cos you feel like you are wasting their time or being too "over the top". (Respondent 84).

Experiences described included being on the receiving end of discriminatory treatment.

Young lesbian with history of abuse in local community and living with chaotic and complex social circumstances reported an assault. Told officer the man verbally abused her and called her homophobic names. He [description of conducting sexually aggressive behaviours]…. and she slapped and shouted at him. He continued verbally abusing her laughed and walked off. She reported it and 1) was not informed of hate crime legislation and 2) informed he could report her for assaulting him. She decided not to bother. (Respondent 535).

When I was assaulted in a taxi queue the police took me home rather than arrest the person who attacked me. (Respondent 542).

Alongside this there was a feeling that the police have a lack of training to deal with or identify transgender identity issues, especially when they intersect with other issues. For example:

Offensive language used towards LGBTQ+ people can be heavily disguised. It can be hard for police officers to recognise gas lighting and dog whistles. (Respondent 35).

Some police officers are insufficiently trained/educated in LGBT+ issues and can cause unintended problems because of this. Some officers are as equally prejudicial towards LGBTQ+ people as the individual perpetrating the hate crime and cause deliberate and direct harm themselves. (Respondent 35).

It was suggested that victims would be encouraged to report hate crimes if attitudes and awareness within Police Scotland were better, and if people perceived that their reports would be taken seriously.

A belief that the police take such crimes seriously and that we don't have to wait to be physically assaulted before any action can be taken. (Respondent 21).

I think bi-women would be more likely to report if attacks on them as women were taken seriously too. I never get harassed as a bi-woman in a way that isn't also about me being female. (Respondent 297).

I have no faith whatsoever in Police Scotland ' ability to address hate crimes as my last three homophobic crime reports have ended with no perpetrators being caught. Therefore I do not report hate crimes...(Respondent 3).

The provision of more and better training was a key consideration in terms of encouraging people from the LGBTQ+ community to report, and in providing better support.

Better diversity and inclusion training/education in the police to have discussions with vulnerable communities. Just generally being educated on issues that certain communities face would make a world of difference..(Respondent 31).

Another suggestion to tackle this issue was through ensuring more diversity in the police force.

The ability to speak to a police officer of your own demographic (eg BAMe, LGBTQ+, disabled, etc) as this can make us feel safer and more heard, even if the outcome is the same. (Respondent 97).

In the times I've needed police intervention, having a woman here (as a gay man) makes me feel less stressed as male officers can be seen as part of a "lad" culture which can make gay men uncomfortable. I fully understand that this might not be possible and that the majority of male officers are responsive and empathetic. It is just the protective nature of gay men. (Respondent 75).

Involving more people who are from similar communities to the groups targeted by hate crimes/incidents in order for people to feel more comfortable reporting at a first instance. Having more diversity and inclusion training to help people feel more comfortable also by being able to effectively navigate conversations. But also generally having a more welcoming atmosphere for reporting hate crimes/incidents, so it doesn't feel as daunting or that it's not worth reporting. (Respondent 31).

Another key theme for the LGBTQ+ group was the need for better and more appropriate victim support services, including signposting to other relevant services. The second was the need for people to receive better updates about the progress of their case.

1. Signposting to LGBTQ+ support organisations. 2. Ongoing contact by police while the case is ongoing, even if there is little progress. 3. A concluding contact by the police when the case has been closed. (Respondent 35).

If the police would work closely with organisations that offer community support, that would be really good. For example, if an LGBTQ+ individual has experienced hate crime, it would presumably be more comforting to be supported by organisations geared towards providing support for the community that the individual identifies with, than a 'one size fits all' victim support. Also as a person who has feared going out because of hate crimes, I think support

is most helpful if it is conducted long term, I understand that the police may not have the necessary tools for this, but with closer collaboration with organisations that provide that long term support.(Respondent 45).

Linked to signposting victims to relevant services was the use of third party organisations for reporting and support purposes. This was seen as a friendlier, more comfortable space for LGBTQ+ individuals to report incidents.

Use community groups to be a reporting mechanism. Being approached by uniformed police might not be comfortable for some people. I had police turn up to my workplace and they assumed I had did something wrong and then I had to explain to my work colleagues the details of my hate crime. (Respondent 10).

Work with minority groups (lgbtq, bame etc) to create more friendly spaces/ways to discuss/report incidents. (Respondent 55).

Third Party Reporting centres were also potentially seen as safer spaces for the LGBTQ+ individuals, as fear of the implications of reporting was a key theme. A main reason for this was because of concerns around not being 'out' and exposure of this.

I am not out to my family and have faced racism and Islamophobia in Gay community and have been too scared to report as I worry that the police might call my family .. and disclose my sexuality by mistake. (Respondent 10).

In the LGBT community, secrecy is prevalent because people are not out of the closet. This makes coming forward with reports difficult (Respondent 60).

Having to out yourself during the process. (Respondent 125).

Reporting can have severe repercussions in day to day life for LGBT+ people in their local communities. (Respondent 35).

8.   Gender reassignment

21 people said that they considered themselves to be transgender, or to have a transgender history.

14 (67%) of this group said that they had ever been the victim of a hate crime, but only 5 of these (36%) had reported it to the police (or other). Of these 5, one found it easy to report, 3 difficult/very difficult, and one neutral. Of these 5, 3 were dissatisfied (2 very) with the aftercare provided by Police Scotland, and 2 were unsure. 3 of the 5 were likely to make a future report. Of the 9 transgender people who *had* experienced hate crime but *did not* report it (they were allowed to choose more than one response):

- 8 (89%) did not think their complaint would be taken seriously
- 7 (78%) were not confident that reporting it to Police Scotland would help
- 6 (67%) had/have no knowledge of Third Party Reporting centres
- 2 (22%) had a disability which makes it difficult to communicate with people
- 1 (11%) was too scared to report it
- 1 (11%) did not know how to report hate crime/incidents

All 21 Transgender people answered the question of how satisfied they were with the wider criminal justice system in Scotland and how it deals with hate crime (question 27). 10 people

(48%) expressed some degree of dissatisfaction, compared with 7 (33%) people who expressed some degree of satisfaction, and 4 (19%) who were neutral. Of the group of 21 as a whole, 52% said they were likely/extremely likely to make a future report of hate crime, and 48% were unlikely/extremely unlikely.

All 21 people answered the question of what prevents members of their community from reporting hate crime/incidents (question 24):
- 13 (62%) lack of confidence that reporting it to Police Scotland will help
- 8 (38%) do not think their complaint will be taken seriously
- 5 (24%) have a disability which makes it difficult to communicate
- 4 (19%) are scared to report hate crime/incidents
- 4 (19%) do not have English as a first or preferred language
- 4 (19%) lack of knowledge on how to report hate crimes

The main themes identified in the free text questions for the group of transgender people were:
- attitudes and awareness of the police (including knowledge of how to address transgender people and the various forms of hate crimes)
- a need for better communication around hate crime specifically related to transgender issues
- engagement with third parties and community groups for reporting and support purposes
- people from minority religion backgrounds were attitudes and awareness of the police
- a need for more appropriate and tailored victim support services including victim safety
- justice, and a need to know that cases were being progressed (including receiving better updates)

17 (81%) of the 21 people said that there were hate crime issues faced by their specific community that were difficult to report, or that made them feel uncomfortable reporting to the Police (question 21). Examples given of experiences/types of hate crime included receiving abuse from 'hate groups' online and in person, including misrepresentation, misgendering, harassment and violence.

> *There are hate groups stirring up anti-trans hatred, putting anti-trans stickers in public places and similar tactics; online the abuse is constant and without consequence for the offenders. (Respondent 21).*

> *Discrimination, attempted-exclusion, harassment and violence due to gender identity or perceived gender identity. This is particularly prevalent in settings such as bathrooms and changing rooms, and in settings such as at home with family or a partner, at work/school and/or in general public view. Trans women in particular can experience the brunt of these attacks due to the constant narrative, online and in the media, that they are paedophiles and/or sex offenders and more prone to violence do to a perceived inherent "maleness". This results in trans women.. being the target of hate. (Respondent 34).*

Another theme was institutional discrimination (from the health service, workplaces, schools etc), including discriminatory treatment, e.g.:

> *Trans people face discrimination in all aspects of life and can often be from people in positions of power. One personal example is from doctors within the NHS. Discrimination in circumstances like these makes it difficult report as it's not a black and white incident.*

...When a trans person experiences hate from a position of authority, a government body etc, it is seemingly impossible to do anything about it. This happens regularly... (Respondent 22).

Within the responses to the other free text questions the most common theme for the transgender group was attitudes and awareness of Police Scotland. This included the police not taking their reports seriously, and exhibiting discriminatory behaviour towards the transgender community.

I do not trust the police to not be transphobic given my previous interaction with them. (Respondent 30).

what's the point in reporting something that Police Scotland also take great pride and joy in joining in over? Police referred to me as a tranny to my abuser while attending a domestic abuse incident where I was the victim. (Respondent 68).

Suggestions made to increase confidence of the transgender community in the police, thus increasing reporting and improving victim support included addressing discriminatory behaviour, and providing better training for the police around transgender issues and experiences (including how to address transgender people).

Challenge real homophobia within the force. Unless this is addressed and taken seriously then the police response to homophobic and transphobic crimes will never be improved. (Respondent 3).

Changes, or clarification on what the definition of a hate crime is. I would argue that the majority of hate crimes trans people receive are not the typical example of being harassed or physically assaulted. It can be a subtle act that has a not so subtle effect on the victim of mistreatment. I believe the police first and foremost must gain a better understanding in how prominent mistreatment occurs in all aspects of a transperson's life, and how it has all been for so long viewed as a kind of grey area.(Respondent 22).

For my own community, making sure that best practice is followed regarding names, pronouns, and other gendered forms of address is vital....For a transgender person, misgendering or dead-naming immediately undermines trust, and may make us disengage from the structure. (Respondent 24).

If the police were very vocal and visible in their stance against hate crimes, but more so in their support for trans people and their rights. If the police truly seemed like they understood and put that across through their use of language, it might make trans people more likely to report in the future. (Respondent 22).

Better diversity and inclusion training/education in the police to have discussions with vulnerable communities. (Respondent 31).

Another theme was diversity of staff, and the need to include people from similar communities within the police:

Involving more people who are from similar communities to the groups targeted by hate crimes/incidents in order for people to feel more comfortable reporting at a first instance. (Respondent 31).

Several people from the transgender group gave suggestions for how victims of hate crime from this specific community could be better supported after reporting. These included the need for better and more appropriate victim support services. This included long term support where needed. Signposting to, and engaging with other relevant services was

mentioned both as a way of ensuring appropriate support, but also helping the police understand issues faced by this community.

Just generally being educated on issues that certain communities face would make a world of difference and how to approach each one effectively by working with community leaders or groups. (Respondent 31).

Named officers in specific stations who are trained to support people through the reporting structure; Use of trained advocacy services; Liaison links/joint working with LGBTQ+ organisations to support individuals.(Respondent 35).

Providing updates on case progress, as well as being in contact to provide reassurance of safety post-reporting were also very important factors.

Ensuring their case is followed up, they are updated in a timely manner on the case, and given accessing to counselling and signposted to other services which may be relevant. Also consider that way in which updates to a case are delivered, as the subject may continue to be distressing for weeks or months after the crime has occurred. (Respondent 24).

Continued support - whether it be giving them information for local community support groups they can contact for support or even just checking in with them in some way. Having continued good communication with victims would also be very effective in easing worries. (Respondent 31).

9.   Cross-cutting themes

Multiple incidents

The need to recognise and connect multiple incidents as part of the same hate crime was raised frequently throughout the survey. Many people from across the different groups felt that often incidents or crimes were treated as separate incidents, and not as part of a catalogue of abuse. This was particularly the case where individual incidents may appear to be minor, and several respondents felt that the police did not give proper credence to them, but when repeated were experienced as harassment. Some felt that it was not until a really grave incident or crime took place (possibly as escalation of multiple incidents that came before), that this would be taken seriously, but even then, that the preceding incidents would not necessarily be taken into account. Many felt that patterns of hate incidents or crimes should be (better) explored and linked together by police when a report was made.

Some hate crimes people may feel are not worth their time to report (slurs, name calling etc.) and they should just brush it off. However, if someone is consistently doing this to a community and this can be evidenced it makes for a stronger case. (Respondent 73).

Police seemed completely disinterested despite a continuing problem with one perpetrator. (Respondent 206).

Documenting and/or treating a multi-incident report as multiple incidents instead of only one.

Many trans people can be subject to multiple, persistent attacks before they report it. (Respondent 34, Transgender community).

As an ex - Police Officer, the attending Constable should not see twenty years of harassment as very minor crime. Nobody has ever looked back at the logs, and the attending officers treat each case separately. (Respondent 402, person with disability)

Third Party Reporting/Third Party Support

Across groups there was strong support of the idea of Third Party Reporting. Many recognised that people did not always feel comfortable or confident reporting directly to the police, and felt that Third Party Reporting provided a safer and more neutral space. One person described the quicker response he had when reporting through Third Party Reporting compared to over calling 111. Several respondents also thought that these could provide ways for the police to build stronger relationships and engage with different communities, and better understand their issues and concerns. It was also suggested by several that such third party centres could also play a (larger) role in supporting victims of hate crimes, as familiar places with people they trust. However, a number of challenges and difficulties were identified with Third Party Reporting centres. One problem identified was publicity, with many suggesting that this was inadequate, and so many were not aware of the presence or role of Third Party Reporting, and hence would not access them. They felt that this poor awareness was not limited to members of the public, but was an issue also for some police, and some employees of third party organisations. It was felt that stronger connections need to be built between the police and third party organisations to improve this, as well as better publicity given to Third Party Reporting both by the police and other means. Raising awareness might mean changing the name, with 'Support to Report' suggested by several. Collecting better data about the usage of Third Party Reporting was suggested.

It was suggested that more Third Party Reporting centres were needed in some areas, but funding of and resourcing of third parties in order to conduct their roles was recognised as a key issue. Better resourcing included access to other services (interpreting services, sign language services etc), dedicated free phone lines, and liaison officers. It was also suggested that third parties should be treated in the same way as police officers in terms of providing testimony to court, as otherwise the long waiting periods put the organisations under pressure. Another issue identified was potential conflict of interests when using members of the same communities as the victims, and it was suggested that this part of Third Party Reporting needed to be given further consideration.

[Victims should be] supported outside of the police, the police should not be involved at all and this should be clear. you would get a lot more hate crimes reported this way. (Respondent 89, Transgender community).

People don't have the confidence to report hate crimes directly and Third Party Reporting Centres would be a good way to report hate crimes but there are no resources that are made available to Third Party Reporting centres. (Respondent 116).

Legislative change

One of the key issues raised across the survey by many people was the belief that the characteristic of sex/gender should be added to the list of protected characteristics for hate crime, in order that misogynistic harassment be included as a hate crime/incident (in

line with the Hate Crime Bill going through parliament at the time of the survey). There were high numbers of comments in response to all of the free text questions detailing why this should be the case, and giving examples of hate crimes/incidents individuals had experienced that they would class as misogynistic harassment. Being unable to report such incidents as hate crime meant that many did not have confidence in the criminal justice system to address their concerns. As shown at the start, females who experienced hate crime were less likely to report it (29% of 154 individuals) than males who had experienced hate crime (36% of 103 individuals). Many of those who identified as female also felt that they were not taken seriously by the police when they came to report such incidents, and that such treatment was so normalised within society that the gravity and impact upon individuals was not recognised. As a lesser measure than amending hate crime law to include misogyny, several made the suggestion of including sex as a category for recording hate incidents.

I am a woman. Misogyny is not covered by hate crime legislation. Like most women I have been flashed at, sexually assaulted and frightened by men. These experiences are rooted in misogyny but we are expected to put up with them. (Respondent 38).

..sex is not even part of the hate crimes bill, reinforcing the idea my sex and crimes aimed at it are unimportant to police, government, and society. However, sexism and misogyny are still rife whenever I go to work, get on a bus, go to a garage, or open social media. (Respondent 42).

As a female who is aware of the low prosecution and conviction rates of men who commit crimes against women, why would I [report]? Further, it's my understanding that women aren't protected under anti "hate" legislation. (Respondent 321).

I don't think the law or the police consider crime against women and girls to be taken seriously. (Respondent 368).

One of the biggest barriers for women (in general) reporting any crime is fear of being judged, disbelieved and blamed for the crime they are reporting to….Basically Attitude needs to be addressed if any changes to structure, policy and practice are to be effective. (Respondent 535).

Other legislative changes were also suggested. This included issues such as clarifying the definition of hate crime; amending and expanding categories of hate crime (including profession as well as sex as mentioned above); expanding the reach of hate crime law, for example to make it a legal requirement for employers to provide Police Scotland with reports of racism within their institutions; amending legislation to impose stricter criteria for both online platforms, and for Scottish football; making it an offence to sit on seats labelled for disabled people on transport when these are needed; and introducing a requirement for claims of hate incidents to be independently assessed before being recorded. It was also suggested that there needs to be a more equal and inclusive focus of hate crime law to all protected characteristics.

Change the categories you use. I have reported several hate incidents to the police on behalf of the Jewish community. The classification you use to define ethnicity doesn't treat being Jewish as an ethnic group. Ethnicity is not defined by skin colour; it is defined by culture and descent. (Respondent 6).

The high degree of evidence required in Scottish Law means hate crime over the Internet is not being tackled adequately. Legislation was designed for the print media not the Ipad or computer. (Respondent 164).

Finally, a number of respondents wanted to see hate crime and/or hate incidents abolished. Many of these felt that 'real crimes' would be addressed by the police anyway (e.g. assault/harassment), and that there was no need for a separate category. People expressing these views often felt that freedom of speech was at risk. They also felt that police time was being wasted by having to respond to what they saw as minor issues.

> *I strongly believe that all people have the freedom to express their own opinions regardless of the offence that may result. No less than total freedom of speech is acceptable to me. (Respondent 294).*

> *People should develop thicker skin. People are all too ready to be offended. (Respondent 177).*

> *I think the police should be focusing on actual crimes not hate crimes unless someone is threatened with violence or persistently aggressively targeted. Too often a difference of opinion and petty nastiness are called hate crimes. Stabbings, burglaries, domestic violence, rapes, physical assault, dangerous driving: These are all more important than hate crimes. (Respondent 330).*

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