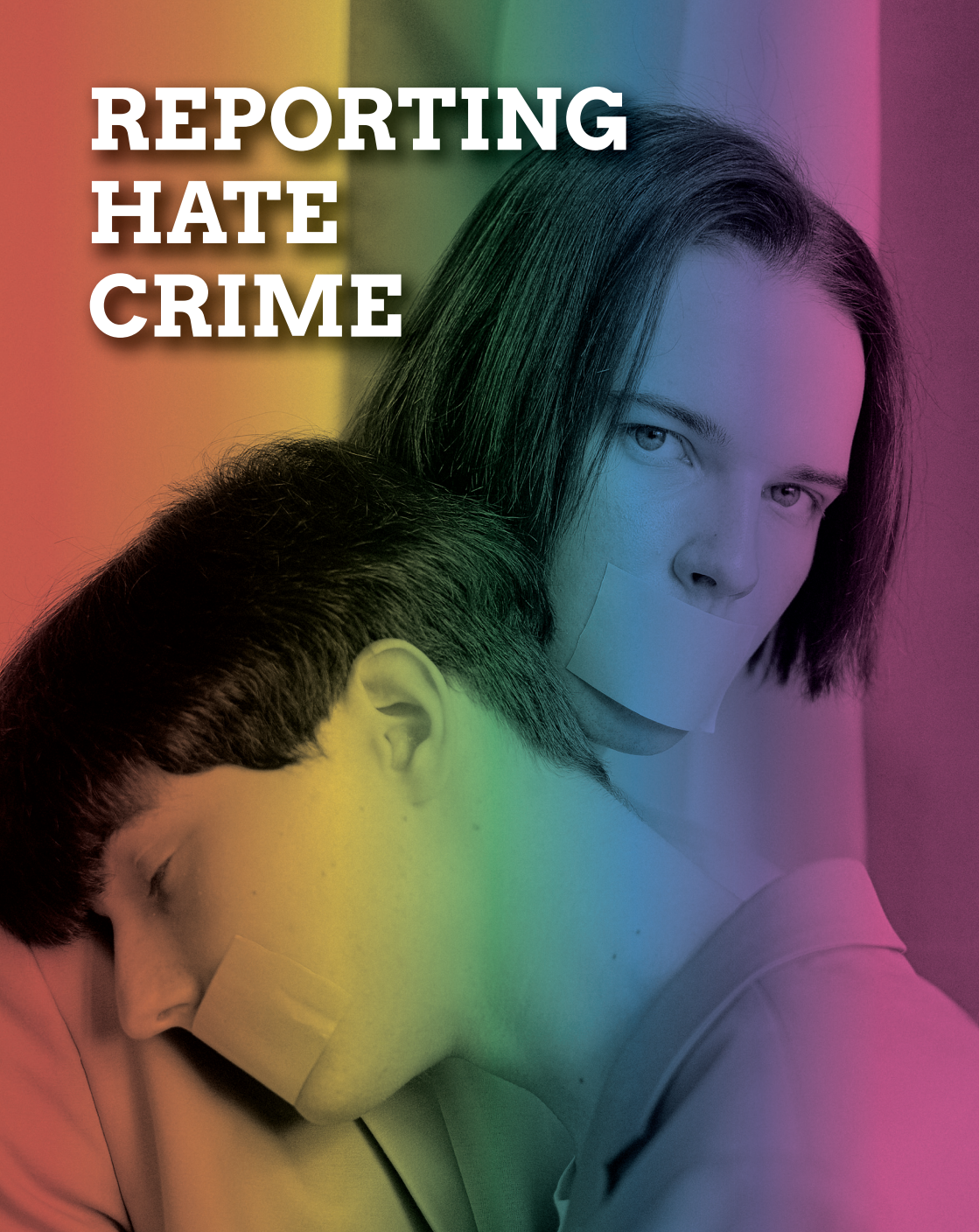


REPORTING HATE CRIME



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What is a hate crime?

A hate crime is any criminal offence that is motivated by hostility towards a person for one or multiple protected characteristics. Examples of these include:

- Verbal abuse like name-calling
- Harassment
- Physical violence or threats of violence
- Hoax phone calls
- Abusive phone or text messages
- Hate mail
- Online abuse
- Damage to property

You can also be a victim of a hate crime based upon perceived characteristics—for example is someone targets you as they believe you are gay even if you are not.

What is a hate incident?

A hate incident is any incident (which may or may not be a criminal offence) that is motivated by hostility towards a person for one or multiple protected characteristics.

Not all hate incidents will amount to criminal offences, but it is equally important that these are reported and recorded by the police. You can also be a victim of a hate incident based upon perceived characteristics - for example is someone targets you as they believe you are gay even if you are not.

Protected characteristics

There are five areas of identity that are used to class hate crimes. These are known in the law as “protected characteristics”. They are:

- Race
- Religion
- Sexual orientation
- Disability
- Trans status

You can be a victim of a hate crime based upon perceived characteristics—for example, if someone targets you as they believe you are gay even if you are not. You can also be a victim of a hate crime based upon multiple characteristics, for example if you are Black and Muslim.

LGBT hate crime

We are still not living in a fair and equal society where every LGBT person is able to achieve their full potential and not have to live in fear of discrimination for being who they are. Sometimes this will be one off incidents, like abuse or physical violence in the street. More and more, we are having people come to us who have been experiencing hate for a long period of time—prolonged harassment, often in their communities over months or even years—who were unaware that the abuse they were experiencing is actually a crime.

Sexual orientation and trans status are both protected characteristics under hate crime legislation. This means that if someone commits a hate crime against you for your sexual orientation or gender identity, it is classed as a hate crime and will be prosecuted as such and longer sentencing can be given to the perpetrator. Reporting hate crime is crucially important, as it can get you the support need and help bring an end to the abuse.

Hate crime law

Most hate crime prosecutions in England and Wales come under the Criminal Justice Act 2003. Section 146 introduced increased sentences for any offences that are proven to be aggravated by hostility towards sexual orientation and disability. This act was amended through Section 65 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 to extend the same provision for transgender identity.

This means that, when sentencing, a judge can increase a perpetrators sentence by up to 25% if the crime committed is a hate crime.

Criminal law is devolved, so will be in different legislation in Scotland and Northern Ireland. However, all countries in the United Kingdom offer the same level of protection.

Digital hate crime

The Internet has created many new avenues for bringing us closer together, but also unfortunately has given rise to online hate crime. A digital hate crime is the usage of electronic communications (most commonly social media) to commit a hate crime as covered by existing legislation.

Online hate crime can be hard to regulate, as most social media companies are based in other countries or the perpetrator may be based in another country. All major social networks have some form of mechanism to report harassment, so it is important to utilise those. You can also report it to the police, or through a Third Party Hate Crime Reporting Centre.

Reporting hate crime to LGBT Foundation

Data shows that four in five anti-LGBT hate crimes and incidents go unreported, with young people particularly reluctant to report their experiences to police. Reporting rates are increasing but still dangerously low.

It is important to not place yourself in any danger, even if a stranger or a neighbour discriminates against you based on your sexual orientation or gender identity. If you are in immediate danger, it is important to call 999 and speak to the police immediately. If a hate crime or hate incident happens to you and you are not in danger, make as many notes about the details and times in the moment as is possible, then you can report through LGBT Foundation.

LGBT Foundation is a Third Party Hate Crime Reporting Centre. This means that you can report the hate crime you experienced to us, anonymously if you wish.

Helpline

The impacts of hate crime can last long beyond the moment itself. Our helpline provides thousands of hours of support and advice to thousands of people every year, many who feel like they have nowhere else to turn. The helpline has been running for 45 years, and is staffed by a team of dedicated staff and volunteer operators all of whom receive extensive training and support. We are here to offer support and advice on a range of topics. Our service is non-judgemental, and we are here to talk through whatever is on your mind. Experiencing hate crime can have a big impact on you, and we are here to ensure that you have the support you need.

Call us on 0345 3 30 30 30. For our most up to date operating hours, see: lgbt.foundation/helpline

We believe in a fair and equal society where all lesbian, gay, bisexual and trans people can achieve their full potential.

This book is available in large print by calling **0345 3 30 30 30** or email **info@lgbt.foundation**

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**Promoting
Safety**



**Encouraging
Wellbeing**



**Achieving
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LGBT
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