

How prevalent is biphobic hate crime?

When asked how many biphobic hate crimes they have come across, most police officers would say none at all. However, many will have dealt with at least one example of this without realising. This is partly because bisexual people themselves may struggle to label experiences as hate crime, do not disclose their identity, or are assumed to have a different sexuality. Additionally, biphobia is often not well understood or recorded by services. Service providers should be prepared to acknowledge that biphobic hate crimes do occur, but that under-reporting may make them difficult to see.

Do bisexual people face homophobia?

Homophobia is not just an aversion to gay and lesbian people, but to anyone attracted to people of the same gender. Therefore, many bisexual people can regularly face homophobia in addition to biphobia. That means someone reporting homophobic abuse may well be bisexual rather than gay or lesbian. Someone could also identify as heterosexual but be subject to a homophobic or biphobic hate crime. Sometimes there can be uncertainty over whether an apparently homophobic word or action was being used to convey biphobia. Determining how an incident is recorded should be done together with the service user.

Section 2: Recording and tackling biphobic hate crime

Be led by the service user's perception

It is the right of anyone reporting an incident to safety services to ask for it to be recorded as biphobic. That is because the hate crime definition used by police states that any crime or non-criminal incident should be recorded as motivated by sexual orientation hatred (including biphobia and homophobia) if the person reporting it feels that was the motive. Though courts need evidence to establish that a hate crime has been committed, police and other services do not need proof to record a crime or non-criminal incident as biphobic.

Change recording systems

Criminal law recognises hate crime motivated by sexual orientation, which includes biphobia and homophobia. However, most organisations only have one recording category for both, which is normally 'homophobic hate crime'. Ideally, recording systems should have a separate category for each, but failing that, ensure any biphobic motivation is specifically identified on the narrative incident record.

Record non-criminal as well as criminal biphobic incidents

Below the level of criminal offences, people can face prejudicial or pejorative comments about their identity. Police forces, councils and charities can record these as non-criminal hate incidents. It is especially important to do this because non-criminal abusive or offensive comments make up the bulk of some bisexual people's negative experiences.

Acknowledge bisexual people's diversity

Many people face crimes and non-criminal incidents which they perceive as having multiple types of hate motive, for instance, both biphobic and racist motivations. They are entitled to ask police and other safety services to record the crime or incident under more than one hate crime or incident category. Ask service users open questions about their perception of the motivation for a crime or incident to understand their account of events. Bear in mind that a hate crime or incident may have more than one hate motivation.

It is also important to acknowledge that people's sexual identity does not always fit into a neat box. Under the bisexual umbrella you find people who feel a strong tie to bisexual communities and others who do not. Some people are polyamorous (have relationships with multiple consenting people), while others are in monogamous relationships. You also find pansexual people (gender doesn't determine who they are attracted to) and those who have a fluid attitude toward gender. Whatever terms someone uses about themselves, try to be flexible in understanding them.

Refer individuals to other service providers

For every biphobic incident or crime someone tells you about there will be many more that go unreported. Help people feel that telling you was worthwhile. An important but under-utilised way of doing that is by referring them to bisexual and LGBT support, advice, advocacy and social groups. Though some people are able to achieve criminal justice outcomes, many do not. Enable people to consider a range of options including help from police, discrimination law, restorative justice, emotional support, or assistance in complaining about biphobic attitudes from a provider of goods or services.

Address biphobia within LGBT communities

Bisexual people can face prejudice from lesbian and gay people as well as from heterosexual people, such as being refused entry to LGBT spaces or inappropriate treatment by LGBT services. Lesbians and gay men working as service providers can also sometimes oppose bisexual inclusion. This means bisexual people can feel pressured to pass as a gay man or lesbian to avoid biphobia when accessing an LGBT-related service. Those who do come out as bisexual can face assumptions, inappropriate questions and stereotyping. It is therefore important for LGBT services to do specific work toward understanding and welcoming this large section of their community.

Section 3: Taking positive steps to raise awareness and create a safe and welcoming environment

Recognise the gap

Services are increasingly familiar with hate crime against lesbian and gay people, but bisexual people have their own distinct needs, which can be overlooked or underplayed. Build your knowledge, policies and systems to tackle this important issue.

Be a bisexual-positive employer

Eliminating workplace discrimination is a legal duty, but going further in understanding and meeting the needs of bisexual staff sends a message that you're serious about tackling biphobia. Steps toward this can include:

- Acknowledging that lack of inclusion of bisexual staff may be an issue
- Work toward creating an environment where people can feel safe being 'out'
- Explicitly address biphobic attitudes and behaviour within policies
- Acknowledge that bisexual people have different needs to gay, lesbian and heterosexual people
- Include inclusive questions on forms
- Look into finding a way to officially record biphobic hate crimes and incidents
- Get specific training on bisexual issues and needs
- Ask questions about how your and other organisations are meeting their equality and human rights duties for bisexual people
- Encourage LGBT staff and service users to provide a safe space for bisexual people
- Seek the opinions of a bisexual community group about the accessibility of your service.

Further reading

Equality Network (2015), 'Complicated? Bisexual people's experiences of and ideas for improving services'. Available at:

www.equality-network.org/wp-content/uploads/2015/04/Complicated-Bisexual-Report.pdf

This information sheet was produced by Galop, an LGBT anti-violence charity providing support, advice and advocacy to people facing hate crime, domestic abuse or sexual violence and biUK, the national organisation for bisexual research and activism. It is a part of a series of 17 resources on hate crime for LGBT people and service providers, created on behalf of the National LGBT Hate Crime Partnership. The other useful information sheets are:

1. Glossary of Terms Relating to Hate Crime
2. Diary Sheets and Guidance on Keeping a Written Record of Hate Crime
3. Hate Crime Laws: A Guide for LGBT People
8. Training Toolkit on LGBT Hate Crime
9. LGBT Hate Crime Quality Standard: A Service Improvement Tool for Organisations
11. Tackling Transphobia: A Guide for Safety Services
12. Complaints to Statutory Agencies: A Guide for Advice Workers
13. Understanding Hate Crime Statistics: A Guide for Organisations
14. Hate Crime and Older Lesbian, Gay, Bisexual and Trans people in Care Settings
15. Housing, Disability and LGBT Hate Crime
16. Commissioning LGBT Hate Crime Services: A Guide for Organisations
17. Building Partnerships to Tackle Hate Crime

Find out about our work at www.galop.org.uk and www.lgbthatecrime.org.uk

Produced 2016. Authored by Nick Antjoule.