



Hate crime in London

Evidence submitted by Galop, the LGBT anti-violence charity

Presented to the London Assembly Police and Crime
Committee



1) Executive summary

LGBT+ communities face high levels of hate crime

Despite progress on LGBT+ rights, hate crime remains a common experience for LGBT+ people. Research identifies that 40% of LGBT+ people experienced hate crime each year (Government Equalities Office 2018). There are an estimated 30,000 sexual orientation hate crimes committed each year according to the Crime Survey for England and Wales (Home Office 2018:26). The vast majority of these are not reported, with 91% of victims not reporting the most serious incident they experience (Government Equalities Office 2018).

Fear and opposition toward LGBT+ people is still common

The extent of prejudice driving these acts of violence and abuse is evidenced by polling that Galop commissioned. The research highlighted:

- 1 in 10 of those polled felt that LGBT+ people are 'dangerous to other people'.
- A similar proportion felt that LGBT+ identity can be 'cured'.
- Nearly 1 in 5 people said being LGBT was 'immoral' or 'against their beliefs'.
- Alarming, this rose to 1 in 4 among young people, showing a disturbing generational shift toward anti-LGBT prejudice. This goes against previous trends of young people holding more positive views toward LGBT+ people than other age groups.

Galop is proud to lead the successful Catch partnership

Galop is an LGBT+ anti-violence charity. Our hate crime support service has assisted victims of hate crime in London for 34 years. We work closely with City Hall in our role as lead partner within the Catch partnership of leading anti-hate crime charities providing specialist advocacy services in London. It has consistently performed extremely well in the outcomes it creates for service users. The success of the service is a key victory for the hate crime element of the Mayor's Police and Crime Plan.

There has been a large and consistent rise in recorded hate crime

Recorded homophobic and transphobic hate crime continues to rise. Data from last year is not available yet, but in 2017/18 the police recorded 11,638 sexual orientation hate crimes in the UK (up 27% from the previous year). Meanwhile, 1,651 transphobic hate crimes were recorded (up 32%) (Home Office 2018: 12).

The past year has also seen an escalation in the activities of transphobic hate groups aiming to target trans people, adding to the high levels of transphobic harassment, intimidation and violence. Meanwhile, there has been a growing parents movement calling for the removal of inclusive messages in schools, fuelled by fear and hostility toward LGBT+ people.

Anti-LGBT hate crime tends to involve high levels of violence

MPS data shows that anti-LGBT hate crimes involve higher levels of violence than other types of hate crime. 6% of victims of homophobic hate crime experienced moderate-serious injuries, compared to only 1% of religious hate crime victims and 2% of race hate crime victims (Walters and Krasodonski-Jones 2018:43).

It has deep and lasting impacts on victims

People who experience hate crime are over twice as likely to face serious emotional impacts such as difficulty sleeping, anxiety, panic attacks or depression, compared with people who experience crime in general (Home Office 2018: 28).

It makes communities feel fearful and unable to live openly

Hate crime limits the ability of people to live open and fulfilled lives. Most LGB people avoid holding hands in public for fear of a negative reaction (68%). Meanwhile most trans people avoid being open about their gender identity in order to lower the risk of experiencing transphobic abuse (67%) (Government Equalities Office 2018: 33).



2) About Galop

For 36 years Galop has worked to make life safe, fair and just for LGBT+ people. We are the specialist LGBT+ pan London service for LGBT+ victims and survivors of hate crime, domestic abuse and sexual abuse.

We provide advice, information and support to LGBT Londoners through our advocacy and helpline services. Our specialist hate crime advice, support and advocacy service works to empower people to report, cope, recover and build lives free from violence and abuse. It consistently produces good outcomes for the people it supports, with 76% of people supported last year feeling more able to cope and 81% experiencing an improvement in their quality of life.

We provide a multi layered approach to reducing the barriers LGBT+ victims face when accessing support. In addition to our direct service provision we use our expertise to improve professional practice, providing training and awareness-raising to professionals working in mainstream services on issues relating to LGBT communities and hate crime. We also undertake strategic engagement, policy work, research and partnership work to tackle hatred at a national and international level.

Additionally, we undertake awareness raising work to inform and empower LGBT+ communities. An example of a resource we have produced for LGBT communities that has been distributed across London (including agencies such as the MPS and Victims Support) with significant positive feedback can be found here:

www.galop.org.uk/wp-content/uploads/Hate-Crime-Guide-for-LGBT-People.pdf

One of our key strengths is successful multi agency partnership work to share our expertise on the issues affecting LGBT+ victims. We work closely with MOPAC, the MPS and Local Authorities to tackle hate crime and support those it impacts. In addition, we provide training and awareness-raising to professionals on issues relating to hate crime. A guide we have produced for professionals can be found here:

www.galop.org.uk/wp-content/uploads/Working-with-Victims-of-Anti%E2%80%93LGBT-Hate-Crimes.pdf



3) LGBT+ experiences of hate crime

The last 50 years has seen solid progress in the advancement of LGBT+ rights in the United Kingdom. However, hate crime unfortunately remains a common experience in the lives of LGBT+ people.

The National LGBT Survey 2018 found that 40% of LGBT+ people had experienced a hate crime incident in the last 12 months. Trans people were significantly more likely to have experienced at least one incident (53%). (Government Equalities Office 2018:33).

It found high levels of non-reporting, with 91% of LGBT people who experienced a hate crime not reporting the most serious incident. The most common reasons given for not reporting an incident involved 'That it was not worth it or nothing would happen or change' (48%). Or 'it was not serious enough or it happens all the time' (54%) (Government Equalities Office 2018:33).

Over the course of a lifetime, Galop research suggests as many as 4 in 5 LGBT+ people have experienced hate crime (Antjoule 2016:4).

Meanwhile, 2% of LGBT+ people had undergone conversion therapy in an attempt to 'cure' them of being LGBT, and a further 5% had been offered it (Government Equalities Office 2018:33).

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*I was in a park and two men asked for a light. We were attacked by a group of six other men, who began to kick, punch and stab us. They shouted homophobic abuse and kicked my head like a football.
Bisexual man interviewee, The Hate Crime Report, Galop*



4) Catch

We work closely with City Hall in our role as lead partner within the Catch partnership of specialist anti-hate crime organisations providing advocacy services in London. It has been recognized as consistently performing well in the outcomes it delivers for service users. It has been a key element in successfully delivering against the hate crime element of the Mayor's Police and Crime Plan.

CATCH brings together the leading London based anti-hate crime services to provide empathetic and trauma informed support and assistance. The partnership is commissioned by MOPAC. The partners within the service are CST, Tell MAMA, the Monitoring Group, Stay Safe East and Choice in Hackney. Galop is proud to be lead partner.

The partnership provided in-depth advocacy to 442 victims of hate crime during 2018/19. This was a rise compared to the previous year.

Catch consistently produces impressive results for people that we support. During last year 79% of those we supported had an increased feeling of confidence and ability to cope. We supported 84% of our clients in navigating the criminal justice system. We empowered 86% to engage with services. We also helped to reduce attrition from the criminal justice system and to access victim personal statements.

As well as performing highly against the commissioned outcomes, the partnership brings other significant added value in our collective community response. Catch recently produced a video campaign aimed at healing the divisions between communities that have been driving prejudice and hate. It was extremely successful, reaching over a million unique people on Twitter and over a million on Facebook.



5) Levels of recorded hate crime

In recent years we have seen an increase in the volume and seriousness of anti-LGBT hate crimes coming to our attention.

The Crime Survey for England and Wales estimates that there were 30,000 sexual orientation hate crimes committed in 2017/18. It is currently unable to provide a reliable estimate for levels of transphobic crime (Home Office 2018:26).

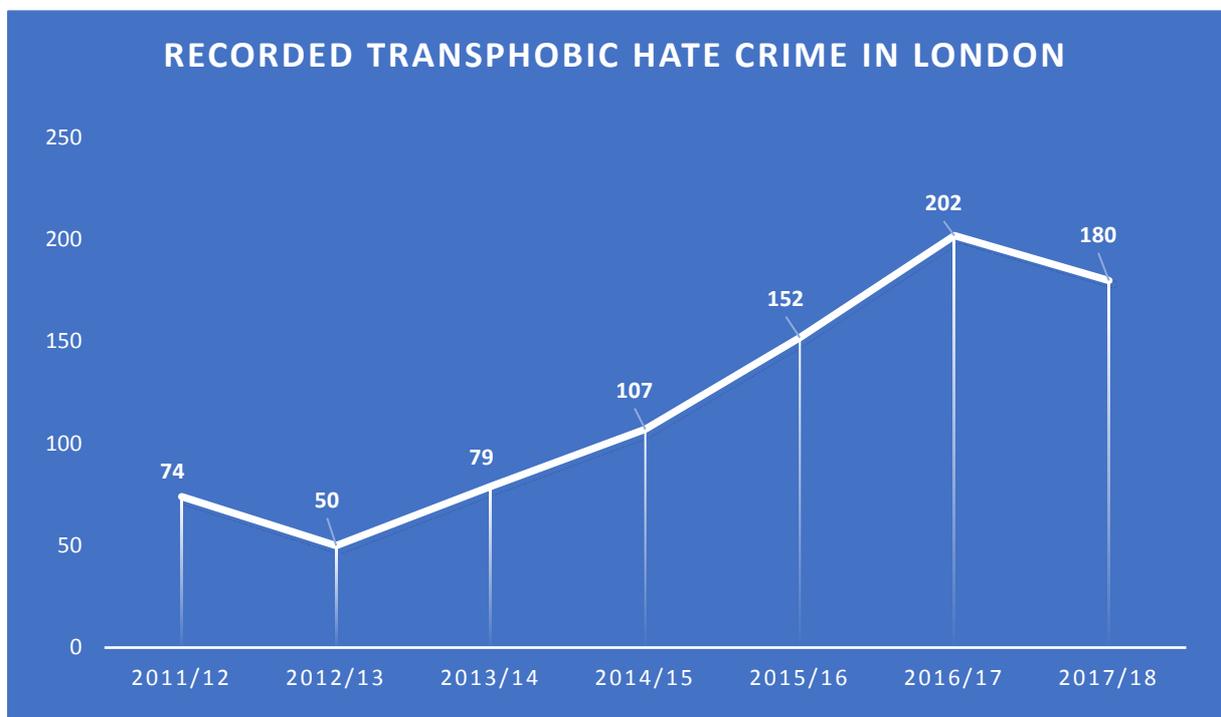
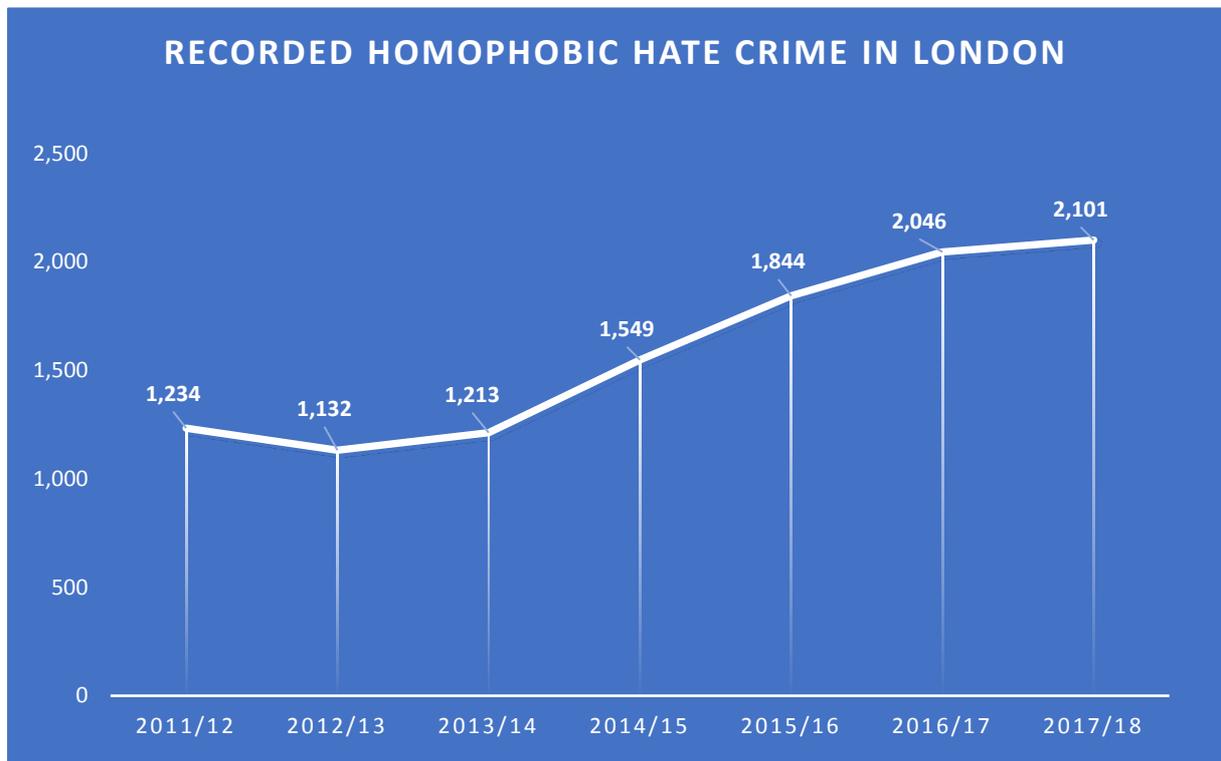
Recorded hate crime against LGBT+ people is increasing. In 2017/18, the police recorded 11,638 sexual orientation hate crimes in the UK (up 27% from 2016/17), and 1,651 transphobic hate crimes (up 32%). Recorded hate crime has risen significantly every year since 2013/14, in which 4,588 sexual orientation hate crimes and 559 trans hate crimes were recorded (Home Office 2018: 12)

An analysis of MPS data also found that homophobic or biphobic hate crimes result in more serious injuries than other types of hate crime; 6% of victims of sexual orientation hate crime experienced moderate-serious injuries, compared to only 1% of religious hate crime victims and 2% of race hate crime victims (Walters and Krasodonski-Jones 2018:43)

Despite the above research suggesting that LGBT+ hate crime tends to involve more serious injury than other types of hate crime, it has very poor outcomes in terms of charging. The percentage of offences resulting in charge or summons for LGBT+ hate crime is between a quarter and half of the percentage for other hate crime strands, across violence against the person, public order offences, and criminal damage and arson (Home Office 2018: 20).



6) Recorded hate crime in London



Source: Hate Crime Statistics, Briefing paper 08537, House of Commons Library, 2019



7) The impacts of hatred

People who experience hate crime are over twice as likely to experience serious emotional impacts such as difficulty sleeping, anxiety, panic attacks or depression, compared with people who experience crime in general. (Home Office 2018: 28).

Unsurprisingly given the prevalence of LGBT+ hate crime and increased risk of injury, many LGBT+ people take steps to decrease their visibility in certain scenarios in order to avoid being targeted. In the National LGBT Survey, 68% of LGB+ people said they avoided holding hands with a same-sex partner in public. 70% said they avoided being open about their sexual orientation for fear of a negative reaction from others, most commonly on public transport and in the workplace. 67% of trans people said they avoided being open about their gender identity for fear of a negative reaction from others. Non-binary people were particularly likely to avoid being open (76%) (Government Equalities Office 2018: 33).

The impacts of hate crime also reaches beyond individuals by sending a message to communities that they are unsafe and unwelcome. A study found that LGBT and Muslim people who hear about a hate crime, are more likely to feel vulnerable, anxious, angry or ashamed, compared with non-hate motivated crime. Such reactions also cause them to change their behaviour to avoid the risk of abuse. This is particularly important given that 80% of participants knew of someone else who had been subject to hate incidents in the past three years (University of Sussex 2018).



8) The prejudice driving anti-LGBT violence

The erroneous perception that LGBT+ equality has been achieved displays a gulf between public awareness of anti-LGBT+ hate crime and the lived experience of LGBT+ people in the UK.

Forthcoming polling data of 1,617 people across the UK commissioned by Galop produced the following concerning results:

- 1 in 5 people polled were uncomfortable with the idea of having lesbian, gay or bisexual neighbours. Over 1 in 4 were uncomfortable with trans neighbours.
- Nearly 1 in 5 people said being LGBT was 'immoral' or 'against their beliefs'.
- Alarming, over 1 in 4 young people said that being LGBT was 'immoral' or 'against their beliefs', higher than other age groups.
- 1 in 10 people said that being LGBT+ could be cured.
- 1 in 10 people thought that LGBT+ people were dangerous to other people.

Violence and abuse against LGBT+ people being well-documented, yet a large proportion of the general public do not believe that violence against LGBT+ people is a serious problem. Our polling data indicates that many people hold conscious bias against LGBT+ people, such as believing that LGBT+ people are immoral and/or dangerous, and being uncomfortable living with LGBT+ neighbours. The views that the young people in this study expressed give rise to serious concern, as they were often more negative and/or polarised than their older counterparts. This appears to indicate that inclusion of LGBT+ people in society is under threat in future generations within London.

The 2017 ILGA-RIWI Global attitudes survey on Sexual, Gender and Sex Minorities found that in the UK, 17% of people agreed that people who engage in romantic or sexual relationships with people of the same sex should be charged as criminals, and a further 20% neither agreed nor disagreed.

The past year has seen an escalation in the activities of transphobic hate groups who have run well organised and resourced campaigns to demonise trans people. This has contributed to the high levels of harassment, intimidation and violence faced by trans people.

Meanwhile, there has been a growing parents movement calling for the removal of inclusive messages in schools, fuelled by fear and hostility toward LGBT+ people.

9) Case example: homophobic neighbour violence

With funding from MOPAC we assisted in the following case

“

H is a gay man. One day his downstairs neighbours broke into his flat at 3am in the morning and beat him with a stick while shouting homophobic abuse. Galop helped H communicate with the police who were slow to progress the case, helped H secure alternative housing as he felt unsafe to return to his home, and gave him safety planning advice. The case was prosecuted and Galop attended court with H three times (two times the case was not heard). On the third court date Galop sat next to H as he gave his testimony and was cross examined in court. The rest of the court day was spent giving emotional support to H and reporting back to him from the public gallery as H felt unable to watch the trial himself but wanted to know what was being said. H's attackers were found guilty on all charges. Galop will continue to support H liaising with his housing providers to get his attackers evicted.

”



10) Case example: transphobic violence in a hostel

With funding from MOPAC we assisted in the follow case:

“

S is a trans woman. S was experiencing homelessness and staying in shared temporary accommodation. While there she was assaulted and verbally abused by another resident in the reception area. S reported this to the police. Galop helped S communicate with the police who tried to take statements over the phone rather than in person. Galop also helped S to speak up about negative experiences she had with a police officer. Galop helped S come up with an action plan for what she wanted to achieve. This included safe housing, going to court, and becoming connected with trans communities.

While the case was progressing with the police, Galop help S to secure specialist housing help and trans healthcare. Galop attended court with S. Sadly the attacker was found not guilty, but S felt that the whole process would deter him from offending again and was happy with her experience. Galop helped S claim back her expenses from missing work and traveling to court. As the last part of her plan S wanted to start volunteering with either trans groups or groups supporting victims of crime. Galop helped her identify volunteering opportunities. S is now in safe and permanent housing.

”



11) Criminal justice responses

Galops' LGBT Hate Crime report evidences the following:

- Half of those who reported a hate crime to the police did not feel satisfied with the outcome, which compares poorly with other types of crime
- The main reason for dissatisfaction was feeling that reporting produced no result
- There is a lack of referrals to anti-hate crime support services
- LGBT+ people need an improved response from the police, including:
 - Quick response with regular follow up communication
 - Good knowledge of LGBT+ issues
 - Respectful, non-judgmental approach
 - To be believed and listened to
 - Have the incident recorded as a hate crime
- Our 2017 report into LGBT+ people's experience of online abuse revealed the following:
 - Interview participants wanted the police to take action;
 - protect them from the perpetrator, and provide more regular contact and follow up.
 - They'd like to see more visible involvement of police tackling online hate and calling for increased reporting of online hate crime.

13) Barriers to reporting

While there are universal barriers to victims accessing specialist services, LGBT+ people can face additional challenges which are different to those experienced by heterosexual, cis women and men. Within our Hate Crime report in depth insight is given into these barriers:

- Reasons given for **not reporting** included feeling that it would not produce a result (24%), being unsure if it was a crime (22%), feeling it would not be treated seriously (12%), fear it would make the situation worse (7%) and fear of a negative reaction from police to their identity (5%). In contrast to the barriers above, the survey found high levels of literacy about reporting mechanisms, with just 2% saying they did not report because they were unsure how or where to do it.
- Among those who reported the most recent crime they experienced, 40% indicated **they did not find the process easy**. The most common reason given was the perception that justice professionals had not received training on LGBT issues (68%). Others found it difficult having to repeat what happened several times (47%) or felt there were too many steps to go through (44%). Lastly, some participants were **apprehensive about the prospect of disclosing their sexual orientation and/or gender identity** (27%).

- There are also **key gaps in laws and criminal justice provision** covering LGBT people including:
 - **Lower maximum sentences:** Homophobic, transphobic and disability hate crime offences carry a lower maximum sentence than race and faith crime in England & Wales. For instance, racially or religiously aggravated common assault can attract up to 2 year sentence, while for LGBT or disability the maximum is 6 months. Meanwhile, in Scotland, a conviction for racial harassment carries a 7 year maximum sentence, while anti-LGBTI, faith or disability harassment has a maximum of 5 years.
 - **Recording:** Where someone is found guilty of a homophobic or transphobic hate crime, the hate element is not normally recorded on an individual's criminal record. This is because there are no specific hate crime offences that can be named on their Police National Computer record. That means future trials and probation services cannot see if someone is a serial hate crime offender and no work can take place to manage any risk they pose. Meanwhile, where specific race or faith offences exist they can be recorded in a way that makes their hate motive clear.
 - **Trans and intersex inclusion:** There is still no legislative provision for dealing with transphobic hate crime in Northern Irish law. Although Scottish hate crime laws explicitly cover hate crime against intersex people, no such provision exists in England, Wales or Northern Ireland.
 - **Victim rights:** People who experience hate crime have the right to various entitlements from justice agencies in relation to assessment, information, referral to services etc. These are set out within the England & Wales Victims' Code and Northern Ireland's Victim Charter. At Galop, we see many of our service users not receiving these entitlements, yet the only way to enforce these rights is through the internal complaints mechanism of the relevant organisation (such as the police or CPS) which can be a frustrating experience for individuals. We believe these entitlements for victims should be a legal right instead of a voluntary code. We therefore recommend they be backed by law; such as exists in Scotland's Victims' Rights Regulations 2015.
 - **Incitement:** Various laws prohibit the stirring up of hatred against certain groups. These are sometimes called 'incitement' or 'hate speech' laws. There are no laws preventing stirring up hatred against trans people in England, Wales and Northern Ireland. A law preventing stirring up hatred based on sexual orientation exists in England & Wales but it is weaker than similar laws covering race and faith. In practice, all laws in this category are set at a high threshold of seriousness and are infrequently used, but allowing the disparity to remain sends an unhelpful message.
 - Voluntary sector workers described problems with **police referral systems** automatically using Victim Support as their default support organisation for all people facing hate crime. They also pointed out that information about hate crime support services is not generally shared with people who report hate crime.

- **The Code of Practice for Victims of Crime** created a right for everyone who reports hate crime to be offered a referral to a specialist support service, where available in that area (such as Galop and other services), in addition to a general support service (such as Victim Support). At Galop, we are proud of having built good referral relationships with police officers who regularly discuss our services with those who report. However, from a general voluntary sector perspective, very few of the people who report hate crime are referred to specialist hate crime services, or even told about them. This means the majority of individuals are forced to seek out specialist advice and support unaided by statutory services, with many never hearing about services which could have benefited them. The issue was touched on in the following account:
 - The above findings are supported by Stonewall research which found that just 26% of those who report homophobic crime to the police are referred to any kind of support service. Although most did not feel they needed advice or support, others would have liked it but felt unable to seek it out because they were unaware of a service suited to their needs (16%), or they did not know where to look (13%). Others feared encountering prejudice related to their identity from support services (7%) or were uncomfortable having to out themselves to support.

Our practice based experience tells us that LGBT+ people face a range of distinct **barriers on a personal and systemic level**, which **often prevent them from getting the support they need**. Personal barriers most often relate to LGBT+ people's perception of self and the abuse and their perception of the support system. In contrast, systemic barriers relate to the way services are designed and delivered that may result in them being less accessible and inclusive for LGBT people. Factors include:

- LGBT+ survivors might feel unsure of, or are **reluctant to disclose their relationships and identity with non-LGBT+ organisations**.
- LGBT+ survivors also **often believe that non-LGBT services are 'not for them'** and **fear and/or anticipate being misunderstood or discriminated against** by services. This fear is often **rooted in significant experiences of discrimination due to sexuality or gender identity**, which may include family rejection, hate crimes and previous experiences of discrimination. These experiences may inform a belief that service provision is prejudiced and may result in concerns around disclosure of sexual orientation and/or gender identity. Our experience also tells us LGBT+ people are particularly reluctant to report and engage with the police and are not likely to opt for cooperation or criminal justice outcomes in the context of domestic abuse.

14) Challenges to charities supporting victims of hate crime

- LGBT advocacy capacity – Our specialist casework service provides high quality empowerment-based work serving the needs of victims, but its capacity falls far short of the vast scale of need among LGBT victims of hate crime. For instance, according to the National LGBT Survey of 108,000 LGBT people, 40% had experienced hate crime within the past twelve months. Anti-LGBT abuse is also rising at a rate that cannot be explained by reporting changes alone (27% rise in reported homophobic hate crime in last year and 45% rise in transphobic hate crime).
- CATCH roll out – The partnership service has proven itself at enabling positive change for victims and there is an appetite among authorities and charities for full roll-out. However, CATCH remains at the level of funding it was first awarded to pilot the scheme in two boroughs. Several years on, CATCH partners are attempting to meet the clear escalation in the scale and complexity of hate crime need across all 33 London boroughs on that same modest level of capacity that was initially intended to serve just two boroughs.
- Operational response – There are many fantastic professionals and volunteers across CJS and victim services, but LGBT victims of hate crime frequently feel let down when they choose to disclose to services. For instance, the Crime Survey for England & Wales, finds that only half of the people who report hate crime are satisfied with how it is handled by police (52%), compared to much higher satisfaction rate for other types of crime (73%).

Though great work has been done to improve the confidence of communities facing hate crime, gaps in the actual response individuals receive are very noticeable at a casework level. This leaves some victims feeling dismissed, marginalised or frustrated. For instance, CSU's are intended as specialist units to understand and meet the needs of hate crime victims, but in practice they investigate very few of the hate crimes reported to the MPS. Whereas victims of DV and SV have IDVA's ISVAs and SOITs existing in every borough separately to investigators as a safeguard of victim's needs, hate crime advocates exist in tiny numbers and can find it difficult to have their expertise recognised by authorities in the way that an IDVA or ISVA would.

15) Recommendations

In addition to the points made under point 3 above we ask the Mayor to work with Galop to support the delivery of the recommendations' of our LGBT Hate Crime Report:

- Remedy the deficiencies in LGBT and disability hate crime laws
- Ensure the hate motive of an individual's conviction is recorded on their criminal record
- Build preventive educational programmes for perpetrators of hate crime
- Create good practice guidance on anti-hate crime restorative justice
- Give legal backing to rights within the Victims Code and Victims Charter
- Support the professionalisation and capacity building of anti-hate crime support and advocacy work
- Support community-based work to challenge online hate crime
- Support the creation of a regular survey of LGBT perceptions to contextualise changes in recorded hate crime

Moreover:

- There is a lack of sufficient specialist LGBT advocacy service provision to meet the needs of LGBT victims/survivors. The level of funding available does not match the level of capacity needed to support the current and rising demand. We ask the Mayor to review the budget available.
- This funding needs to be multi-year, to ensure stability of provision and allow the service to implement development plans, with flexibility on deliverables to allow services to remain responsive to organic needs and issues presented by our diverse communities and new technologies.