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Restoring Relationships Project

Addressing hate crime through restorative justice and cross-sector partnerships: a London study

April 2008

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Forward by the Chief Executive of Safer London Foundation

Unfortunately, many people living in the UK have at some point in their lives had either personal or indirect experience of Hate Crime. A pointless and cruel crime that can not only leave victims with physical scarring but also psychological scarring which can devastate innocent people's lives.

This excellent report explores the complexity of Hate Crime and illustrates to the reader that this is not an easy subject to either understand or address. For instance, the debate in the report about whether or not this type of violence is dealt as "crime" is an interesting one and determines the kind of intervention used by various agencies. For some this intervention is punitive, for others educational and for some restorative.

As outlined in the report, Restorative Justice can clearly play an important and effective role in addressing the issue of Hate Crime however this takes time and is not an instant fix. It is just one of many interventions outlined in the report which highlights the fact that Hate Crime is an issue for the whole community, not just the police.

ROTA is an excellent Third Sector organisation that punches well above its weight and plays a very important role in creating a fairer and more equal society in which to live. ROTA has once again dealt with a very complex and emotive issue in a clear and concise way while challenging the reader to consider their own perceptions of Hate Crime.

Tony Shepherd
CEO, Safer London Foundation
March 2008

Acknowledgments

Thanks are due to all the paid and volunteer staff at ROTA for their contribution to this publication and the two year research project that led to its development.

The authors would also like to thank Safer London Foundation, City Parochial Foundation and the Equality and Human Rights Commission for supporting the project. Many thanks also go to the Youth Advisory Group members for supporting and scrutinising the project.

We would also like to express our gratitude to the practitioners and other interviewees who participated in the research from the beginning. Sharing your time, knowledge and experience with us made this report possible - Thank you.

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March 2008

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Problem Statement and Executive Summary

According to London Councils' 2007 annual survey of Londoners, crime continues to be the number one issue of concern in the capital[1]. 54% of Londoners say that crime is one of their top three personal concerns; this rises to 61% for 18-34 year-olds. Of all the regions in England and Wales, London has the highest level of recorded crime at 124 offences per 1,000 population, while between 1999 and 2007, violent crime in the capital increased by 17%[2]. Hate crime, particularly racist violence, remains a key area of concern despite the decrease in reported incidents[3].

Violence in all its forms is a matter of concern. However, violence that also corrupts our ability to function and live together as a society, and denies our humanity and value as human beings is a cause for even greater concern. Hate crime is one example. It is defined as *any incident which is perceived to be racist [hate crime] by the victim or any other person.* (Macpherson 1999). In 2006/7, the most commonly reported hate crime in London was racist crime (9,976 reports), followed by homophobic crime (1,184 incidents) and faith crime (696 incidents).

To win the battle against hate crime and its consequences there must be a break down of the stereotypes, attitudes and world views that foster it in the first place. This battle is being fought on a daily basis within schools, faith institutions, families, person-to-person relationships and Third Sector organisations. The current criminal justice system has set up mechanisms to facilitate this fight but its limited retributive and punitive approach does not allow the facilitation of a meaningful dialogue which appears to be one of the means for combating hate crime. Restorative justice is one form of this dialogue and this report aims to learn from best practice by investigating what is already taking place in the capital in terms of hate crime reduction and prevention.

Hate crime is a misleading term encompassing a wide array of attitudes and biases that result in "hate crime incidents" such as egg throwing and name calling to more serious attacks such as killing. To fight hate crime there needs to be a holistic approach to its complex causes and this can only be achieved through cross-sector, multi-agency partnership working. This project has looked into existing best practice examples in the hope of producing a toolkit and concrete practical recommendations to bridge gaps in existing anti-hate crime policies and practices. The project also aims to compile the findings into a training manual which will be disseminated through face to face and online training. More importantly, the project through this report aims to increase awareness of what needs to be done to address hate crime in London and influence policy and practice.

In the absence of a pan-London hate crime strategy that would allow the forging and maintenance of long-term multi-agency partnerships between Third Sector and public sector crime reduction agencies, this report aims to take the first step. The project is run by Race on the Agenda (ROTA), a social policy think-tank that has been active since 1986. ROTA works with London's Black, Asian and minority

ethnic (BAME) communities[4] towards achieving social justice by the elimination of discrimination and promotion of human rights, diversity and equality of opportunity. ROTA achieves these aims by informing London's strategic decision-makers about the issues affecting the BAME Third Sector and the communities it serves and by making government policy more accessible to London's BAME organisations.

ROTA will use this report's findings to bridge gaps in the hate crime policy and practice through:

- Its three year programme due to start in September 2008 and which has just received funding from London Councils. It focuses on increasing partnership activities between Third Sector organisations representing communities disproportionately affected by crime and statutory bodies
- An awareness raising programme which will include events such as conferences, focus group discussions and training
- Membership of expert groups and policy forums
- Submissions to consultation papers, Bills and policy documents
- Further publications in different formats (e.g. newsletters, website, fliers).

Key findings and recommendations

1. Defining and understanding "hate crime"

It is widely accepted that the fight against hate crime is faced with some serious definitional problems with real life implications such as ability to prosecute, convict and record this type of violence for statistical purposes. ROTA's project tried to reach a consensus among the interviewed practitioners and policymakers that would allow a common starting point in understanding and dealing with "hate crime"[5].

The majority of respondents agreed on the fundamental components of **prejudice and difference**, but the focus differed between criminal justice interpretations at the high end of the scale and small community level conflicts and discrimination at the high bottom. The main differences are that the former are codified in the law and attach an extra penalty to a crime where a hate motivated element can be proved. The other main difference is one of visibility. The former are recorded by the police while the latter are largely not, which can lead to the false impression that all hate crime is of a "serious" nature.

To address hate crime, whether narrowly or broadly defined, first there needs to be an acknowledgement of its fluid nature. This is particularly important for preventative initiatives since the underlying reasons that lead to "hate crime incidents" (e.g. egg throwing) and "serious hate crime" (e.g. murder) are not always different. It is the outcome that differs and this is where the traditional criminal justice system often fails to respond. This report has produced a schematic way of understanding what it calls "the spectrum of hate crime" allowing for a common ground in the search for solutions.

2. Victims of hate crime

The project confirmed previous studies which showed that hate crimes committed with race as the motivating factor are the most prevalent. However, as it was noted by the project's Youth Advisory Group (YAG), while most hate crime perpetrators are White and victims BAME, this type of violence can occur in any direction, for instance Black on White and Asians on Blacks. Most hate crimes are spatially determined, occurring more frequently in some areas of the city particularly where deprivation and poverty thrive.

Asylum seekers were also thought to be highly vulnerable due to ignorance as to the real reason for them being here and an equating of immigrants and asylum seekers in the popular imagination. The YAG members were also sensitive to the complex situations refugees face in London. They criticised the negative stereotyping of refugees and blamed this on the way the media conflated certain issues such as their use of public funds and labour competition, while ignoring others such as their poor living conditions.

A member of the project's YAG also noted that "hate crime as a majority happens among young people … generally of the secondary school age up until about the age of going to university".

However, to gain a clear picture of the impact of hate crime on victims, the problem of under-reporting will need to be addressed. Interestingly, according to our findings, underreporting is particularly problematic among BAME victims who are lesbian, gay, bisexual or transgender (LGBT). **Third party reporting** has proved to be a successful method but more needs to be done for its consistent application throughout London[6].

3. Perpetrators of hate crime

The project's findings on perpetrators were rather groundbreaking as they contradicted previous claims about the profile of potential perpetrators of hate crime. Whereas traditionally this was associated with White males from working class or poor backgrounds, this study has shown that anyone can potentially become a hate crime perpetrator.

As we become more honest about our biases and underlying attitudes towards difference, the spectrum of "hate crime" becomes a responsibility for all members of society irrespective of their class, race, gender, sexual orientation, age, disability or faith. The focus of preventative work should therefore be shifted from the "who" to the "why" paying attention to changing the circumstances that lead to "hate crime" rather than targeting certain profiles of individuals.

4. What is causing hate crime in London?

There was a general consensus among the interviewees that ignorance, deprivation, misunderstanding, ignorance, isolation and unwillingness to engage with community are at the core of most hate crime.

The issue of London being a racially, ethnically, faith and linguistically rich place was thought by the project's YAG to be a strength but also a challenge for addressing hate crime. It also highlighted the ways in which hate crime varies spatially and is concentrated in particular areas, taking place as minorities enter areas where people of a different colour predominate. Hate crime also tends to be more visible in deprived areas of London, whereas it may take a different, more subtle form in other settings including the work environment, institutions such as schools, health services and the police and in everyday life.

Although London is perceived as being a very mixed city, it was described by the YAG as a segregated place, characterised by a non-mixed multiculturalism and by a lack of community feel. Factors such as race, disability, faith and sexual orientation perpetuate people's ignorance about other people and other communities. According to the YAG, this lack of education was blamed on the media, the government and schools that continue to exclude Black history, among other cultural awareness topics from the curriculum. This non-mixing was experienced at a young age particularly in schools, housing arrangements and between different boroughs or areas of London and was thought to continue throughout adult life. The YAG posited possible solutions, ranging from encouraging mixing in schools to mixed social housing, although opinions on the effectiveness of the latter varied.

5. Building and sourcing cross-sector multi-agency partnerships

The project's success stories of dealing with hate crime have the common element of reaching out and linking with cross-sector agencies and organisations and the community. The complexity, seriousness and sensitivity of hate crime means that it cannot be addressed by statutory bodies or community organisations working in silos. As argued by this report, the wide spectrum of "hate crime" is not just a criminal justice problem, it is a community problem. It is a problem of society, one of deprivation, education and misunderstanding and there is much that can and should be done before it enters, if it enters, the legal system.

Working together may sound easy but in fact it can be challenging, time consuming and risky. Capacity building and more infrastructure support is needed to enable Third Sector organisations to forge relationships and work in partnership with others from the same sector and beyond. Simple tasks such as preparing a partnership agreement and devising budgets that take into consideration partnership implications are often seen by small groups as insurmountable difficulties. Moreover, the Third Sector has often been accused of being fragmented and disorganised and this is a view shared by many civil servants. To some extent this may be true, but there is responsibility to dispel the myths where we can. Increasing awareness about the Third Sector cannot happen overnight, while frontline approaches such as training are not enough. A pan-London,

strategic approach that will allow consistency and long term solutions to multi-agency partnerships between the statutory sector and the Third Sector is needed.

6. Supporting community based restorative justice programmes

One of the key messages of the project is that both "hate crime incidents" at the lower spectrum as well as "serious hate crime" happen primarily because of fear and lack of acceptance of each others' differences. Stereotypes, biases and bigotry combined with a number of other factors such as jealousy and deprivation make everyone, particularly those from disadvantaged groups, exposed to the phenomenon of hate crime. Restorative justice offers one form of dialogue to tackle the root of this problem.

Restorative justice happens mainly because of the passion and dedication of practitioners working in the Third Sector. These small community projects that operate at the local level are important in providing a way for those who will not trust the criminal justice system to seek justice. Evidence from ROTA's work with BAME communities has illustrated that the implications of crime particularly with regards to young people are very complex, leaving victims from BAME communities without the option of pursuing justice through the traditional criminal justice system. It is within the hands of their local group that they will entrust their case as they will be able to associate with the two or three staff that are running that local project. This is generally true about crime prevention work that is carried out at the neighbourhood level by small Third Sector organisations.

The local impact of these projects can be maximised by **linking them with existing structures** such as the Police and their local authority. ROTA's training programme will provide the paradigm for future work in this area.

However, there is also a need to protect these projects. Recently, projects supporting the victims of hate crimes and promoting social cohesion have been given an £800,000 boost by London Councils. This is encouraging news but there are still some policy gaps that need to be addressed. For instance, the recent recommendation of the Commission on Integration and Cohesion directed that 'single groups (e.g. Black, Asian and minority ethnic organisations and other organisations supporting specific equality communities) should be funded as an exception and that where such groups are funded "the provider should demonstrate clearly how its policies will promote community integration and cohesion" (Commission on Integration and Cohesion 2007). Cases are beginning to emerge suggesting that local authorities are already using the guidance to justify funding cuts. This is despite the fact that the government's position on this is still at the consultation stage[7].

Practitioners at local community projects are **specialists meeting a desperate and specific need**. "Such campaigners have a view from the inside", know all too well the lies and secrets of BAME communities, speak all the relevant languages and understand the laws and their impact on these communities. "Their clients will not, cannot use generic services and so will be left to the hounds"[8].

7. Prevention – the key to combating hate crime

Many battles have been won in the past as hate crime incidents were contained; but to win the war against this multi-dimensional crime there needs to be a holistic approach that recognises the significance of long term preventative programmes. It is not with quick fix solutions that the problem of hate crime will be addressed.

For young people in their formative years, lack of cultural awareness, misunderstanding and biases can have a devastating effect and organisations and **initiatives focusing on prevention** are necessary for a long term impact on hate crime. For example, in 2006 City Parochial Foundation introduced a three year special initiative titled "Preventive Racist Violence Programme". The programme aims to develop and/or strengthen preventive work with potential perpetrators to help reduce the level of racial incidents and race hate crime in specific geographical areas in London. The findings from this programme will need to feed into hate crime prevention policy and practice and hence it is important to ensure transferability of the lessons while the funded projects are carried out.

Moreover, education was claimed by some of the interviewees to be an effective preventative measure of hate crime. This is based on the premise that the cause of the majority of hate crime is misunderstanding and ignorance. The best place where this can be done is in schools, youth clubs and youth led institutions as children's minds are most susceptible to new ideas[9].

An additional component that a few YAG members felt could have positive effects was sport. In terms of tackling hate crime, sport can be viewed as an approach outside of the mainstream. There was a belief that through various types of sport, people can come and work together. One YAG member describes how by playing football with people of different ethnic backgrounds, a situation where he felt he was the victim of hate crime was transformed into amenable set of relations.

The Equality and Human Rights Commission has a specific obligation under the Equality Act to help combat hate crime, encourage community cohesion and promote good community relations. It is recommended that next year's Grant Programme prioritises **prevention programmes** focusing on hate crime. **Capacity building and mediation** should also be included in the Commission's funded activities.

Introduction

Background to the project

The Restoring Relationships Project (RRP) is a London-wide cooperative initiative, which aims to help reduce hate crime and its impact. The project started in June 2006 and is run by Race on the Agenda (ROTA), a social policy think-tank that has been active since 1986. ROTA works with London's Black, Asian and minority ethnic (BAME) communities towards achieving social justice by the elimination of discrimination and promotion of human rights, diversity and equality of opportunity. ROTA achieves these aims by informing London's strategic decision-makers about the issues affecting the BAME Third Sector and the communities it serves and by making government policy more accessible to London's BAME organisations.

The overall objective of the project is to help reduce hate crime in London through the use of restorative justice and the encouragement of multi-agency partnerships between the Third Sector and crime reduction agencies. In particular:

- To reduce the potential for hate crime in London boroughs by encouraging stakeholders (e.g. Safer Neighbourhood Teams, criminal justice agencies, Victim Support, Third Sector bodies and faith-based organisations) to concentrate resources on (a) types of hate crime (b) types of victims and perpetrators and (c) geographical areas that are experiencing an increase in hate crime
- To produce models for short-term conflict resolution and long-term prevention of hate crime.

The project is split into four phases:

Phase 1 (June 2006 – June 2007) carried out desk research to construct the definitional and conceptual framework of the project. The findings were published in Gavrielides, T et al (2007) Restoring Relationships, London: ROTA[10] and included recommendations on current gaps in policy and practice.

Phase 2 (June 2007 – February 2008) built on the findings of Phase 1 following them up with original fieldwork with face to face in-depth interviews with Third Sector organisations, regional decision makers, criminal justice practitioners and government. The Youth Advisory Group was also set up.

Phase 3 (February 2008 - ongoing) uses the findings of the previous two phases to deliver training and increase awareness on:

- Dealing with victims and potential victims and perpetrators of hate crime
- Best practice examples of how to divert resources into preventing potential perpetrators of hate crime
- Forging and maintaining multi-agency partnerships

- Applying models of short-term conflict resolution and longer-term prevention for hate crime in London areas.

Phase 4 (February 2008 - ongoing) uses the findings from all phases to influence policy and practice through outreach work, face to face meetings and membership to expert groups, advisory boards and forums. Some examples include: the Metropolitan Police Authority Hate Crime Forum, the campaign *Combating Racism within the Criminal Justice System: Strengthening the Voice of the Third Sector*, Fear and Fashion, the London Resettlement Board and the Race Equality Action Group of HM Prison Service.

This report aims to present the key themes, findings, conclusions and recommendations from all project phases. The report also aims to construct a platform on which further work can be built to achieve the long term objectives of the Restoring Relationships Project (RRP). Hate crime is a reality and a complex sociological and criminological phenomenon which requires continuous attention and commitment by an array of stakeholders. Therefore, although this report concludes the bulk of the research element of the project, ROTA will continue to work on the topic through its policy, training and awareness raising programme.

Funders and partners

Phase 1 of the project was funded by City Parochial Foundation and Safer London Foundation. Phase 2, 3 and 4 were funded by Safer London Foundation and the Equality and Human Rights Commission.

Phase 1 and Phase 2 of the project were carried out in partnership with Independent Academic Research Studies (IARS)[11], which also provided the training for the YAG. Phase 3 is commissioned from London Action Trust (LAT)[12].

Methodology

ROTA believes in evidence-based policy and hence this project was designed so that it builds on existing evidence on hate crime, and also produces new data through a combination of qualitative methodologies.

In particular, during June 2006 – June 2007, detailed desk research was carried out to construct the definitional and conceptual framework of the project. The review identified pockets of international, national and London based examples where local restorative justice projects were successfully used to address hate crime. It also identified gaps and scope for further work as well as themes that needed to be followed up with action research. The report identified London areas where hate crime is a prominent issue as well as key stakeholders working in the field in London.

Consequently, qualitative fieldwork involving face to face in-depth interviews was carried out with twenty practitioners and policy makers in the area of hate crime and/ or restorative justice. In total, the views of eighteen organisations were recorded most of which are entirely London-focused.

Aik Saath	Metropolitan Police Authority
CALM Mediation	NACRO
Camden LGBT Forum	London Probation Service
London Borough of Enfield, Community Safety Unit	Prison Reform Trust
Equality and Human Rights Commission	Phull Ltd
Government Office for London	Safer London Foundation
Greater London Authority	Southwark Mediation Centre, Hate Crimes Project
London Borough of Lambeth, Children and Young People's Service	Transforming Conflict
Lothian and Borders Police	Youth Justice Board

Table 1: List of interviewed organisations[13]

For its sampling methodology, the study applied the rules of *convenience sampling*, which is one of the three main types of 'non-probability sampling' (Bryman 2004: 100). C*onvenience sample* is one that "is simply available to the researcher by virtue of its accessibility" (Bryman 2004: 100). According to Gray, this methodology allows the sample to be self-selected. In particular, the method of 'self-selection' permits "respondents themselves to decide that they would like to take part in the survey" (Gray 2004). Bryman confirms that: "Most writers on sampling in qualitative research based on interviews and questionnaires recommend that convenience sampling is conducted...the researcher samples on the basis of wanting to interview people who are relevant to the research questions" (Bryman 2004: 333).

The discussion guide was based on the findings of Phase 1 and was used consistently with all interviewees. As the methodology was qualitative and the discussion open-ended additional themes that were not originally included in the discussion guide were raised. The raw data from the survey are presented in the Data Display section of this report. The Data Analysis chapter proceeds to critically examine the themes that emerged from the data, putting them in the context of the project and other available data.

The findings from Phase 1 and 2 were used to devise training manuals and a toolkit to be used in face to face and online training for agencies working to combat hate crime including Third Sector, public and private sector organisations.

The Youth Advisory Group (YAG)

Due to the preventative targets of the RRP, a number of factors led us to believe that its structure, methodology and findings should be youth proofed so that they can resonate with young people. High rates of hate crime offences are believed to be committed by people of a young age, particularly under the age of 25, while it is also felt that it is at a young age when many prejudices are formed (Levin & McDevitt, 2002). Moreover, preventative work has always been recorded to have higher success rates with young people rather than adults (Runnymede 2005).

To this end, the project established a standing Youth Advisory Group (YAG) consisting of 12 London based young people (16-25). The primary role of the YAG was to scrutinise the project thus allowing an opportunity to explore how the views of young people may differ from more mainstream and orthodox views (see Appendix III for the YAG's Terms of Reference). Each youth led discussion gauged on important themes that have arisen out of Phase 1 and 2 of the project. The Group was provided with tailored training on human rights values and equality legislation that is relevant to young people and the way they interact with each other[14].

Bearing in mind the high numbers of racist violence within hate crime statistics, but also the multi-dimensional nature of this sociological problem, the project aimed to create a mixture among the YAG members both in terms of ethnic composition and exposure to hate crime incidents. The YAG included an even mix of males (6) and females (6), people of mixed ethnicity (Black Caribbean, Black British, White British, Indian and Bangladeshis) and people who had been the victims of various forms of hate crime (e.g. racist, homophobic and gender related). A detailed list of YAG members is found in Appendix III, while the detailed findings from the YAG meetings are found in Appendix II. The YAG findings were used to inform the Data Analysis section of the report.

Reviewing and Analysing the Literature

The desk research analysis and review of the extant literature was carried out in Phase 1 of the project (June 2006 – June 2007), and the detailed findings are included in Gavrielides, T et al (2007) *Restoring Relationships*, London: ROTA. The key conclusions and recommendations from the review are:

Hate crime falls within a special category of criminological interest due to the complex sociological, psychological, biological and economic reasons that create it. Its impact on victims and the society, and the methods that need to be employed to address it make it distinct to other types of crime. Hate crime has appeared relatively late on the political and policy agendas, and then onto the agenda of various statutory agencies, and it is not until recently that criminologists started to seriously think about the definitional issues surrounding it. Its definitional ambiguity has led to problems in real-world application such as inconsistency in public policy and judicial decisions. In addition, research on hate crime is relatively underdeveloped and hence that aspect of criminological knowledge is limited. For instance, the way hate crime is recorded and dealt with by the Metropolitan Police Service (MPS) and the Crown Prosecution Service (CPS)[15] needs to be improved and further research needs to be carried out in relation to potential perpetrators.

Recent reports show that the criminal justice system often fails victims of hate crime and the society at large, while statutory criminal justice agencies are usually faced with questions that they are unfamiliar with. Criminal justice practitioners and victim support workers are keen to explore the prospects of restorative justice with more serious crimes such as hate crime. However, little legislative or political support has been given for the use of restorative practices with hate crime cases.

Restorative justice has traditionally been deemed inappropriate for hate crime. There are fears that its practices, such as mediation and family group conferencing, could expose victims to further victimisation and trauma. The ability of hate crime perpetrators to engage in an honest dialogue has also been questioned. The reluctance on the part of victims and offenders to participate in restorative justice is also seen as another challenge, while there may be limitations with dealing with cross-cultural orientations where decidedly different ideas of what is required for restoration continue to prevail. The unlikelihood of inspiring moral reflection and development is also considered problematic as well as the fact that restorative justice may not have the capacity to address public interest in the way criminal law would.

There are a number of case studies that bare evidence to addressing hate crime in a restorative justice way. The majority of these success stories come from the community and from practices that are implemented by Third Sector organisations. Most often they are implemented in the shadow of the law and without the support of statutory agencies. Repeat evaluation shows that they do work and that when partnerships are formed between mainstream criminal justice agencies and community groups and projects the results are even more encouraging. With

particular reference to restorative justice programmes run by community organisations that focus on young people, both in and outside schools and other educational institutions, it has been shown that the effects can be life changing, targeting directly the root of the biases that lead to hate crime.

Although most of the case studies that were identified by the review were taken from London, Phase 1 advised not to jump to any hasty conclusions as to their transferability. It was recommended that Phase 2 should focus on understanding what makes a London-based restorative programme successful and what are the dangers associated with this process. This was hoped to allow the identification of the elements that may be used to construct models for both short term and long term conflict resolution and prevention of hate crime. The discussion guide should also help increase knowledge about the types of racist violence and hate crime that are more common in London as well as locations and individuals that are high in risk. The various types of intervention (mainstream or other) that play a role in preventing hate crime come from a variety of sources. Guidance is needed in order to link their work effectively, adopting a multi-agency approach. Models of effective partnership between public, private and voluntary organisations will need to be identified and investigated.

Although governmental agendas must set the guidelines for the provision of public resources, funding agencies should support creative implementation of this agenda that respond to the needs, expertise and successful work of grass root organisations. Funding agencies could take the lead in developing programmes that explicitly support creative and innovative work with potential perpetrators and victims of hate crime. Finally, funding for work to bring about attitude change should be long-term in order to allow for the change in attitudes to take root. Restorative justice does not offer quick-fix solutions. It is a long-term process which can gradually lead to healing and restoration. This needs to be appreciated and supported. Successful intervention projects, therefore, should be able to access ongoing funding beyond the short term.

Taking the Hate Crime Agenda Forward: The New Evidence

The new evidence that was collected through Phase 2 of the project and the YAG will be presented in this section of the report under two sub-headings. The first will provide a 'Data Display' of the main findings from the fieldwork of Phase 2. This sub-chapter will provide a snap shot of the interviewees' responses to the discussion guide. Contained within this chapter is some statistical representation of the data gathered and a number of direct quotes. The chapter is not meant to be analytical, but merely a presentation of the raw data gathered during the interview stage. In this way, the reader is left to draw their own conclusions before reading the project's critical interpretation of them. The detailed findings of the YAG are included in Appendix II.

Subsequently, the following sub-chapter will provide a 'Data Analysis' of the main data from Phase 2 and the YAG by highlighting the key themes that emerge from them. Since the methodology was qualitative and the discussion guide open-ended, new themes emerged that were not originally included in the study.

Findings from phase 2: data display

Table 2 provides a breakdown of the sector and area to which the interviewees belonged. As per the Phase 1 recommendations, the fieldwork ensured that both key regional decision makers but also practitioners from the Third Sector are included.

	Practitioner	Policy	Strategy	Other	Total
Third Sector	4	2	0	2	8
Public Sector	2	3	5	0	10
Private Sector	2	0	0	0	2

Table 2: Breakdown of interviewees' sector and area of expertise

Eight of the interviewees were from the Third Sector and included: community based organisations e.g. mediation centres dealing with incidents of hate crime, organisations campaigning for change in the criminal justice system through research and organisations providing support for individuals who pass through the criminal justice system.

Ten of the interviewees were from the public sector, representing key decision makers including local government e.g. Government Office for London, local authorities, the Metropolitan Police Authority, national and regional criminal justice agencies, and borough level restorative practitioners and coordinators.

The individuals interviewed had varying responsibilities, which have been categorised as either: practitioner, policy maker (i.e. those organisations both informing, whether through campaigning or research, and making government policies) and strategists (i.e. those individuals/organisations devising service delivery strategies at the top levels in local authorities/government/criminal justice agencies)[16].

How do you define hate crime?

The majority of the interviewees replied that when looking at racist violence they used the definition which arose out of the Stephen Lawrence Report: "any incident which is perceived to be racist by the victim or any other person" (McPherson 1999). Many of the interviewees focused on prejudice and difference. For example one respondent said that a hate crime is an incident where a "person or group are victimised because of their origin, faith, sexuality and so on". One respondent used the Scottish Executive's definition of a "crime motivated by malice or ill will towards a social group" (Scottish Executive 2004). One respondent classed it as "an irrational hate of people…based on misinformation". Another respondent said:

> *"Hate crime is normally predicated on difference, something which is not the norm in the perpetrator's mind".*

Some of the interviewees had difficulty in accepting the word "crime". In particular, one of the respondents whose work involved young people said, "within schools, the term 'hate crime' isn't appropriate; people would understand prejudice based bullying". Another respondent commented that it was "difficult to pin down in particular what constitutes a hate motivated crime". The respondent, using racial motivation as an example said that "there is blatant and malicious racism, direct discrimination and informal impartiality - for example favouritism".

How do you define restorative justice?

Nineteen of the respondents had at least a basic knowledge of restorative justice, while one was unaware of restorative justice prior to being involved in the project. Some interviewees focused on the understanding that restorative justice can achieve between a victim and a perpetrator through different forms of dialogue. One respondent said "it is a process…where the parties are brought together to increase levels of understanding". Another respondent said "it's about understanding the impact of what has been done and why it's been done".

Some of the interviewees understood restorative justice as a voluntary process of reaching an agreement between a victim and offender to a crime, which may include some reparation for the victim for the harm done. One respondent said "it's largely about making amends for something that a perpetrator has done". Another said "there is a mutual agreement as to how a person can redeem themselves, which the victim sees as appropriate". Another respondent said "the victim plays the role of getting some sort of reparation such as an apology or monetary gain, and the sense of knowing that they can move on with their lives".

A number of interviewees believed restorative justice was a process that involved not just the victim and offender, but the community also. One respondent said “it looks at what the emotional impact is on families, the local community and the wider community – anyone who has an interest in the conflict”. Another respondent said it is an “opportunity to engage with the victim, perpetrator and the community, to enhance community understanding. Another respondent said “it aims to bring about a more peaceful environment”.

Some participants felt that using the language of victim and offender could be problematic. In particular, one respondent said “If I use my own terms both parties may be victims. Social circumstances can lead someone to feel that they are not treated the same and they may therefore target somebody else. A lack of resources … makes them feel like a victim from their perspective”. One of the respondents working with young people said:

> *“We have to choose our words carefully… today’s bully is yesterday’s victim”.*

Some interviewees expressed the view that there was often a misunderstanding of restorative justice. One practitioner said “you can be very restorative but come out with really punitive outcomes that don’t restore the relationships. Your goal in the restorative way is to get people to cooperate in a non violent way”. Another respondent said “Some people don’t look enough at the harm done. They don’t grasp that when an offence occurs that harm is done. Or, if they do understand, they don’t see how it fits in with criminal justice, because they focus on breaching the law and punishment”.

What particular type of hate crime do you deal with and in what context?

There were 13 responses to the first part of the question. These came from the organisations that were involved with restorative justice, mediation and research and policy around criminal justice issues as opposed to the other bodies dealing with strategy and broader criminal justice issues. The primary focus of their efforts focused on race related hate crimes, which are statistically the most prevalent. This was also true for those organisations who said they dealt with all types of hate crime (Chart 1).

Some of the organisations did not answer this question because of the cross cutting nature of their work which does not solely focus on hate crime. For instance, the interviewees from the Youth Justice Board said that they “don’t deal with hate crime directly”. Similarly, the interviewee from the Greater London Authority felt “not having a [London Wide] hate crime strategy diminishes the level of importance it requires”. In a similar spirit, the interviewee from Government Office for London said “we were co-funding the MPA London-wide Hate Crime Forum, but due to new funding arrangements this had to be discontinued… Everything must be re-evaluated with what central government wants”.

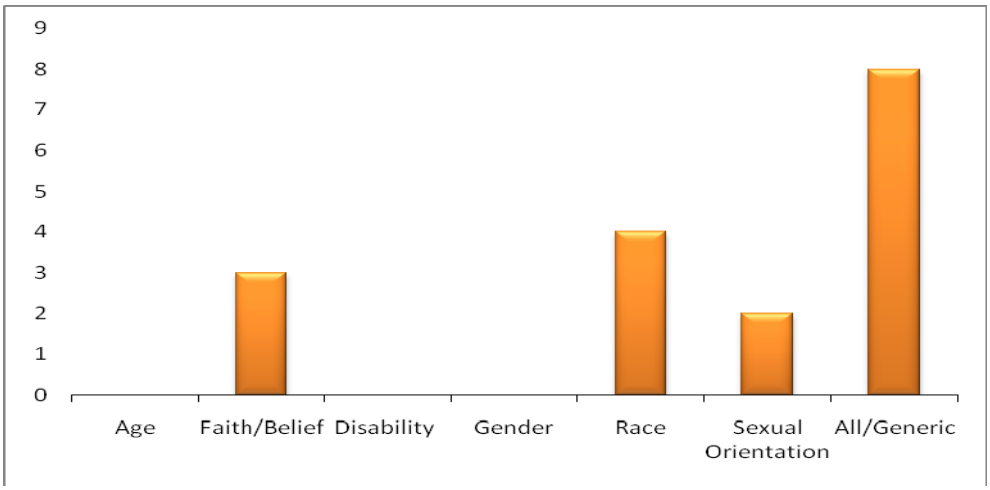


Chart 1: What particular type of hate crime do you deal with?

The second part of the question focused on the context of the organisations' work. Lambeth Children and Young People's Service and Aik Saath deal with incidents of hate crime, or what was termed "prejudice based bullying" with young people. The Lambeth service focuses on schools and Aik Saath also engage with schools, but work more generally with their local community in Slough. Southwark Mediation and CALM Mediation (based in Kensington & Chelsea, but also working within Hammersmith & Fulham) are both community based mediation centres. Both deal with hate crime and other conflicts within their boroughs. Both have strong links with other agencies in their area, such as housing and the local police and receive referrals. Camden LGBT Forum is a community organisation that acts as a support hub for victims of hate crime. They have set up third party reporting centres, carry out incident reporting, offer support to individuals and offer them guidance and information, and carry out research by mapping crimes involving LGBT people within Camden.

How do you deal with hate crime? Briefly explain the process you usually adopt in your practice/project.

The responses to this question can be broadly categorised into strategy, intervention and prevention. This question was not applicable to some organisations, for example Prison Reform Trust and Safer London Foundation, and some organisations said they did not deal specifically with hate crime. For instance the interviewees from the Youth Justice Board, Government Office for London and the Greater London Authority said that they did not have any policies or strategies for dealing with hate crime.

Strategy:

The Metropolitan Police Authority approaches hate crime through its multi-agency London Wide Race Hate Crime Forum. Members include: the Metropolitan Police Service, the Crown Prosecution Service, Government Office for London, the London Probation Service, the Greater London Authority and the Equality and Human Rights Commission, but also Third Sector organisations such as ROTA.

One of the targets of this partnership is to tackle the gaps in the "co-operation, sharing of information and learning between agencies" as highlighted by the Stephen Lawrence Report (Macpherson 1999). The Inquiry noted that such co-operation could generate trust and confidence of policing among BAME communities. The other respondent in this category was a part of Enfield's Community Safety Unit. It deals with hate crime strategically through a multi-agency approach where best practice is shared within the borough.

Intervention:

The respondents in this category become involved when an incident has occurred. However, some of the respondents from this category could also be categorised as using a preventative approach to reduce re-offending e.g. London Probation.

The respondent from Lambeth Children and Young People's Service described how they implement a range of restorative approaches, including peer mediation, staff mediation and restorative conferences in schools. They use these methodologies to help reduce bullying and conflict. The main aim of restorative approaches is to develop systems that focus on the inter-personal and social network damage that occurs when bullying takes place. This has meant facilitating a number of meetings in a restorative way to support pupils, parents and staff when in conflict. The Police, Youth Offending Team's educational psychologists, education consultants and advisors, Third Sector organisations and health specialists have all been involved.

The projects that CALM Mediation and Southwark Mediation Centre carry out use a similar approach. However, sometimes communication between the parties is not face to face, but through the mediator and writing letters. In particular, one of the most important aspects of these organisations' work is encouraging communication and dialogue where it has broken down[17].

London Probation has recently designed a Service's Diversity Training Programme which seeks to make perpetrators aware of their socialisation by explaining where their views towards certain groups originate. The respondent from the Probation service said "we want to develop their identity into something more positive and shift their perceptions. Our aim is not to transform people; we want them to manage their prejudice".

Prevention:

The respondents in this category aim to bring about a change in attitudes to prevent incidents occurring. The approach of Phull Ltd. is to make people aware of their racial prejudices by exploring their socialisation and the history of racism.

Aik Saath has been running a number of projects both preventative and intervening. One project sought to prevent any friction between children and young people from the newly arrived Eastern European community in Slough and the settled population. The school project involved bringing the children together to talk about what they thought of each other, and challenge their misconceptions. Both groups learnt about their respective lifestyles and experiences of coming to Britain. The respondent from Aik Saath said "these young people began to gel together

and develop friendships. There was a wider outreach because the parents got involved".

Have you been able to devise any theories on a typology of a potential hate crime offender?

As shown by chart 2, the majority of respondents did not have a typology of a typical hate crime offender. The majority of those respondents felt it very difficult to nominate groups of people or particular characteristics. One respondent said "hate crime offenders come in a range of guises". Another respondent said "Anybody in any social class can have the most ridiculous assumptions about other people. Prejudice is ubiquitous. It is unhelpful to stereotype one group". One practitioner noted:

> *"Hate crime can happen anywhere in any situation, everyone has prejudices. It's part of our socialisation process; we stereotype things".*

The negative responses focused on the type of person who used to be classified as the typical hate crime offender. Two respondents said:

> *"The typical hate crime offender has moved on from what we used to assume; the assumption has been a head shaved individual, brandishing swastikas and hurling abuse at those who are not their type".*

> *"We've been led to believe that it is a thuggish White working class lad".*

Another respondent said "typical hate crime offender would be, working class, uneducated, living in a deprived area, health problems, mental health problems, all those stereotypes, which I don't necessarily adhere to". Conversely two of those who replied positively to the question hinted at a typical offender being young, White, male and working class. One of the interviewees from the Youth justice Board said: "I might say young White male, but I don't really know" and the interviewee from Enfield Community Safety Unit said "I think a young White male will get flagged up…there haven't been many incidents between BAME communities, most incidents tended to be committed by White males".

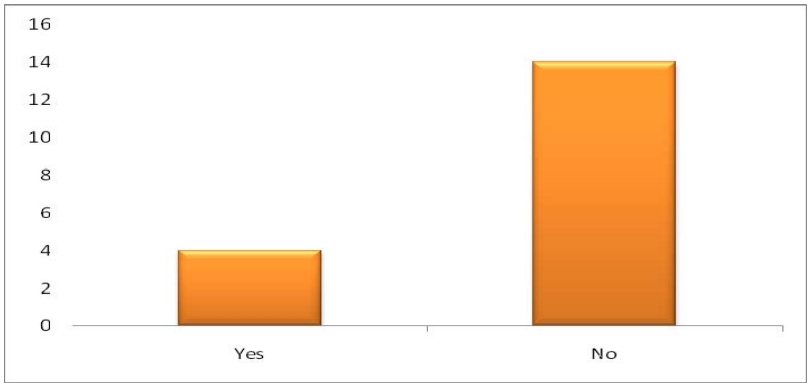


Chart 2: Is there a typical hate crime offender?

What are the three key challenges and successes of your practice/ project when dealing with hate crime?

Challenges:

The responses mainly focused on:

- Lack of funding
- Need for training
- The confidence of victims in the criminal justice system
- Perceptions of restorative justice
- Reporting of hate crime incidents.

Some of the respondents, in particular those who are practising mediators and restorative practitioners named funding as a major problem and barrier for their work. Also the interviewee from Camden LGBT Forum remarked on the lack of funding to deal with LGBT issues including hate crime; she said “we are an ideas rich, resource poor organisation”. The respondents from London Probation, Transforming Conflict and Lambeth Children and Young People’s Service remarked on the difficulty of providing comprehensive training, especially when there is a high staff turnover.

Some participants remarked that a challenge was getting a “buy in” and “confidence” from the victims of hate crimes that something effective would be done. One practitioner said that when the Crown Prosecution Service drops hate crime cases due to lack of evidence, this has an impact on victims and witnesses’ confidence. Other respondents noted some communities’ lack of confidence in the police and the criminal justice system at large. The respondents who are restorative practitioners including one from CALM mediation and one from Southwark mediation said that a key challenge was the negative perception that many people have about restorative justice. Many of the respondents said that there was a real problem with underreporting of hate crime incidents, which was linked to a lack of confidence in the criminal justice system.

Successes:

The respondents mainly focused on:

- The use of multi-agency partnership working
- Using restorative work and education to deal with hate crime
- The dedication and passion of people working in the Third Sector.

Seven of the respondents said that one of their biggest successes was being able to work with criminal justice agencies, other public authorities and the Third Sector to deal with hate crime. In particular, the respondents from Camden LGBT Forum and CALM Mediation said they had a very strong working relationship with their

local police. The respondent from the Southwark Mediation Centre said that one of their major successes was effectively using restorative methods with victims and perpetrators of hate crime. Also the interviewee from Lambeth Children and Young People's Service said "It's really powerful to see two people solve their differences and carry on with their academic life".

Respondent also commented on the positive effect that preventative work has in schools particularly in relieving tensions between pupils. The respondents from London Probation and Phull Ltd, who both use educative approaches in their work, noted the success of making people aware of their own prejudices thereby changing their attitude and the way they see themselves and others into something more positive.

What are the three key challenges and successes of working with mainstream criminal justice agencies to combat hate crime?

Challenges:

Some of the respondents felt that in the statutory sector there are some key misunderstandings of restorative justice. The interviewee from Lambeth Children and Young People's Service said there was a lack of a "Common definition of restorative justice". The interviewee from Prison Reform Trust said "The biggest negative is that fairly well informed prison managers may misunderstand restorative justice processes – they don't know what's being offered to know whether to take advantage of it or not". Furthermore, the interviewee from Transforming Conflict said, "in terms of Youth Offending Teams, they may go into schools looking for victims and offenders, which in the school setting does not work. Nine times out of ten it's a dispute where both parties might be offenders".

Some of the respondents also complained of communication problems with some criminal justice agencies. One interviewee said "links are strained with the Crown Prosecution Service and there are problems with information sharing; they don't want to pass things down to us. We need to learn from mistakes to understand how to improve case management in the future". Another interviewee said "we've found that it's been very time consuming to make links with London Probation. Partly it's because of the turnover of staff". The interviewee from Southwark Mediation Centre also noted that "there is a high turnover of staff which is a problem for training". Furthermore she added a lack of knowledge about the Third Sector was problematic, "Southwark is good, but working with the Third Sector is generally considered alien…it is misunderstood". Another participant said:

> *"There is an issue with getting the police to think proactively because traditionally their responses have been reactive".*

The interviewee from the Equality and Human Rights Commission said a major challenge was having the "public feel confident in using restorative justice". The interviewee from the Metropolitan Police Authority said "with statutory agencies it is a challenge to engage with them in such a way so that when issues arise from their own practices that they follow it up themselves". Finally, the interviewee from NACRO said "There are not enough offender behaviour programmes".

Successes:

The respondents to this question gave fewer examples of successes of working with statutory criminal justice agencies than challenges. The interviewee from Lambeth Children and Young People's Service said about the police and victim support, "They often inform me of restorative justice developing in the criminal justice setting". They went on to say "the police are supportive of what I'm doing; I'm getting officers to think about the language used when addressing young people". Someone else said:

> *"By working in a multidisciplinary way with the police, race action network, housing, victim support we have put together a set of tools to assess the likelihood of reoffending…We have managed to work more closely in partnerships to develop a multiagency perspective".*

What are the three key challenges in addressing hate crime in London?

Many of the interviewees identified overlapping or similar issues. The most cited challenge facing hate crime in London was underreporting from victims. Linked to this the interviewee from Lambeth Children and Young People's Service said that there is a lack of awareness of the support on offer for victims. The interviewee from the Equality and Human Rights Commission said there is an issue with "trust and confidence in reporting crime. Often it is reported to the police and there is a feeling that it isn't taken seriously, or the outcome isn't favourable to the victim. It is often felt that justice has not been done".

The respondents from Government Office for London and Metropolitan Police Authority felt that the scale of London and its constantly shifting population presents a major challenge to tackling hate crime. For example, there are negative perceptions due to ignorance and misunderstanding about immigration from Eastern Europe. The interviewees from the Metropolitan Police Authority and Prison Reform Trust said that people's stereotypical assumptions about different groups are problematic. Furthermore, the interviewee from CALM Mediation said that the media played a role in spreading cultural misunderstanding and causing hate crime. They said:

> *"I think the media is one of the biggest obstacles. I can't pick up a newspaper on a daily basis without some reference to asylum seekers and terrorism all rolled into one. There's no balance. It is fuelling hate".*

Some interviewees focused on the need for more cooperation between Third Sector organisations and local authorities. For instance someone said:

> *"A major challenge is where organisations do not join up their work effectively and do not engage appropriately with community based organisations that have expertise and knowledge of various community groups and have an awareness of what their needs are".*

Would you recommend restorative justice as an alternative way of dealing with hate crime?

The majority of participants answered positively. Only one respondent thought that restorative justice is not applicable and four were not completely convinced. The interviewee who responded negatively explained that "the majority of reported crimes are by gangs of youths … therefore, I don't think it would work". One other interviewee said: "we would need to see evidence of where it worked really well, concrete examples" and "we would be weary of the difference of the effect of restorative justice on low level and high level crimes". Similarly someone else said "I think there's some work to be done on [the perception of] restorative justice as the soft option". However, others felt that:

> *"Restorative justice can offer the most powerful way of dealing with hate crime – a better option than locking people up. If someone has committed a hate crime and goes to prison, how is that going to change their perceptions?"*

Someone else said "there is evidence to say that restorative justice works on really serious crime…the processes are very good at giving people who have had power stripped away from them the power back".

What challenges would restorative justice face if it were to be mainstreamed?

Some of the respondents thought that the misunderstanding that surrounds restorative justice might act as a barrier. One interviewee said that the public needs to be "aware of the successes [of restorative justice] so they know it's not just a soft option". Similarly the interviewee from the Equality and Human Rights Commission said we "need to make sure the media covers it effectively".

Some of the respondents were concerned that the quality of the work might drop if restorative justice was mainstreamed. The interviewee from Southwark mediation centre said "the worry is that there will need to be an adequate staff turnover otherwise it would lose its quality". The interviewees from the Youth Justice Board said "If it was mainstreamed I would be worried about standards of training". Furthermore, one of the interviewees from CALM Mediation said:

> *"It's the passion and dedication [of restorative justice practitioners] that brings the results. There are those who package restorative justice as a process, which doesn't work by itself, it's the passion of the individual that makes things happen".*

Finally, the interviewee from Government Office for London felt that the population of London's transient nature might be problematic. They said "Restorative Justice is predicated on communities which aren't transient. It can be used in communities which are solid and stable".

Data analysis: Bridging the gaps in the hate crime policy and practice

1. The phenomenon of "hate crime"

As illustrated by the Phase 1 report, the phenomenon of hate crime as well as its definitional ambiguity is complex with practical implications. Since 1986, all police forces have collected information on racist incidents on the basis of a common definition that covered: *Any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation; or any incident which includes an allegation of racial motivation made by any person* (Association of Chief Police Officers 1985).

This definition was changed in 1999 when the police adopted the proposed definition from the Stephen Lawrence Report: *A racist incident is any incident which is perceived to be racist by the victim or any other person.* (Macpherson 1999).

The fieldwork tried to reach a consensus among the interviewed practitioners and policymakers that would allow a common starting point in understanding and dealing with "hate crime". The majority of respondents agreed on the fundamental components of **prejudice and difference**, but the focus differed between criminal justice interpretations at the high end of the scale and small community level conflicts and discrimination at the bottom. The main differences are that the former are codified in the law and attach an extra penalty to a crime where a hate motivated element can be proved. The other main difference is one of visibility. The former are recorded by the police while the latter are largely not, which can lead to the false impression that all hate crime is of a "serious" nature.

This chimes with the findings of the YAG:

> *"Hate crime is when someone has hatred or prejudice against someone because of their race or ethnicity, or religion, sexuality, disability"* Black male, aged 25, Lewisham.

This statement acknowledges that hate crime does not come in one form. Hate crime is present within various dimensions, while the following comment draws light on the fact that hate crime does not have to be violent as is often thought to be the case.

> *"What we are taking about all falls under the broad umbrella of assault, whether its verbal assault or physical assault, but beyond that your prejudice can decide whether you are going to do harm against a certain group for example burgle someone's houses…because of who the owner is",* White male, aged 21, North London.

The main conclusion to be drawn from the evidence is that although one incident of "hate crime" may attract a criminal sanction and another may not, they are in principle the same. Their effect may be equally as devastating to the individual and

the community and the incidences of hate crime that go unrecorded need equal attention by policy makers.

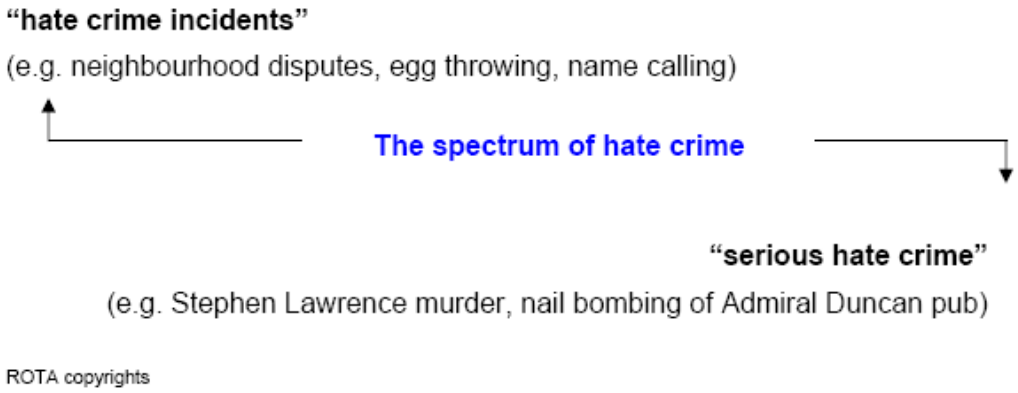


Figure 1: The spectrum of "hate crime"

To address hate crime, whether narrowly or broadly defined, first there needs to be an acknowledgement of its fluid nature. This is particularly important for **preventative initiatives** since the underlying reasons that lead to "hate crime incidents" (e.g. egg throwing) and "serious hate crime" (e.g. murder) are not always different. It is the outcome that differs and this is where the traditional criminal justice system often fails to respond. Consequently, this report concentrates on the spectral idea of hate crime rather than any static legal definition.

2. Who are the victims of hate crime?

Hate crimes committed with race as the motivating factor are the most prevalent, followed by sexuality and then faith. However as it was stressed by the YAG, hate crime can occur in any direction, for instance White on Black, Asians on Blacks or Blacks on Asians. Most hate crimes are spatially determined, occurring more frequently in some areas of the city. The crime is more visible in deprived areas whereas more subtle in places such as schools, police stations, prisons, hospitals and care homes.

For instance, Kushnick (1998) argues that racial violence became an issue in England when African and Caribbean communities, along with other Commonwealth minority ethnic groups were invited to undertake unfilled low paying jobs in the booming post-war era. Kushnick argues that what followed these groups of various ethnic origins were increased prejudice, neighbourhood segregation, discrimination, and racism in the work place and other spheres of life. It should not come as a surprise, therefore, that in the UK the phenomenon of racist violence started to be discussed only after the Notting Hill Race Riots of 1958.

It is generally accepted however that until the problem of under-reporting is addressed, we will not be able to compile a clear picture of the impact hate crime has on victims and the community. The British Crime Survey, which annually asks

a random sample of the British population about their experiences of crime, has shown that the estimated number of incidents considered by victims to be racially motivated far exceeds the number recorded by the police. For 1999 the British Crime Survey estimated nearly six times as many racially motivated incidents as reported in the police statistics. It also clearly indicates the scale of the problem: racially motivated incidents accounted for one in forty of all crimes.

Specific hate crime	Victim 2006/07	Accused 2006/07	Victim 2005/06	Accused 2005/06
Anti-Semitic	211	24	200	17
Islamophobic	191	30	n/a	n/a
Faith	714	83	1004	105
Homophobic	1180	214	1319	197
Racist	9931	1878	11778	1745
Transphobic	50	6	85	16

Table 3: Hate crime in London (Source: MPS CRIS 2007)

CPS staff gather information on cases that the police have identified as racist incidents as defined by the Stephen Lawrence Inquiry criteria and also on those cases that their staff consider meet the criteria but have not been so identified by the police. From 1 April 1999, the CPS has additionally monitored racially aggravated offences and since December 2001 has collected statistics on religiously aggravated offences.

Nevertheless, due to a lack of confidence in many victims there is a persistent severe problem of under reporting of hate crime incidents. Data compiled in 2007 by the MPS (Figure 3) illustrates the reason why there is lack of confidence in reporting to the police. The statistics clearly show that the majority of hate crimes are unsuccessfully disposed of from the point of view of the victim.

Under-reporting seems to be even more serious among BAME communities[18]. This is backed up by evidence collected by the then Commission for Racial Equality which noted a "difficult social problem that continues to blight the lives of many of Britain's ethnic minorities … Until all victims and witnesses of these crimes have full confidence that the justice system will deal with them, we will never know the true extent of the problem". According to our findings, underreporting is particularly problematic among BAME victims who are lesbian, gay, bisexual or transgender (LGBT). This conclusion is backed up by a research report by the LGBT charity Galop which looked into hate crime against Black LGB people revealing that 26% of those interviews chose not to report a crime to the police because they thought it would not be taken seriously (Galop 2001). **Third party reporting** has proved to be a successful method but more needs to be done for its consistent application throughout London[19].

Moreover, as noted by the YAG "Asylum seekers are also thought to be highly vulnerable due to ignorance as to the real reason for them being here". Moreover, "incidents against immigrants are thought to be more common subsequent to the

expansion of the EU". The YAG members were sensitive to the complex situations refugees face in London. They criticized the negative stereotyping of refugees and blamed this on the way the media conflated certain issues such as their use of public funds and labour competition, while ignoring others such as their poor living conditions.

> *"Most racism is wrapped up in asylum issues" Black male, aged 25, Lewisham.*

The YAG also noted that the spectrum of hate crime particularly bullying is prevalent among young people.

> *"I think hate crime as a majority happens among young people…..generally of that secondary school age up till about the age of going to university. It does go up till about early 30's and there are people who go past that due to prejudices they have"* Black male, aged 25, Lewisham.

> *"Me personally when growing up I got hate crime from older people, old White people, when you've got your hood up, they pick you out stereotyping"* Black male, aged 18, Lewisham.

3. Who is committing hate crime?

One of the most thorough studies on profiling potential perpetrators of hate crime is J. Levin and McDevitt (1993) or as more commonly known "the McDevitt typology". Based on interviews with police officials, victims, and several hate crime offenders, Levin and McDevitt developed a typology that identified three primary motivations: offenders who commit their crimes for the excitement or the thrill, offenders who view themselves as defending their turf, and a small group of offenders whose life's mission is to rid the world of groups they consider evil or inferior. The target groups for the study were chosen because the offender perceived that the victim was in some way significantly different from the offender.

Traditionally, the question "who commits hate crime" has often been answered with a general observation that it is mostly young White males from working class or poor backgrounds. Presumptions about "potential perpetrators" can have practical consequences on the effectiveness of anti-hate crime policies and practices. For example, they direct policy makers and the Police to a type of person, rather than the circumstances and climate of the offence (e.g. these could lead a person to express themselves in a certain way). Moreover, they push out of focus the conflicts that occur between other individuals and groups who may not be White, poor or unemployed. They also make a correlation between lower social-class or income and incidence of hate crime. In reality the "who" and "why" of hate crime is incredibly complex and moves far beyond classical understandings of a White British reaction to immigration.

The findings of the RRP are in line with the *Preventing Racist Violence* report by Runnymede Trust, which also highlighted and refuted many of the presumptions about perpetrators. In most cases, offenders are part of the community in which they live, and not "mission offenders", and the incident often arises from a neighbourhood dispute. Furthermore, while most offenders are recorded as being

White British the report cites British Crime Survey statistics, which show that this is not always the case.

One interviewee captured the emerging view:

> *"Once upon a time, I would have told you [an offender] was young White and male. Now whether it's to do with migration and housing policy it's changed. The reality is that a community that is suffering from high levels of deprivation, with little integration is a breeding ground for hate crime."*

Most of the interviewees found it difficult to name one particular group of people that is prone to committing hate crime. Some of the interviewees such as the MPA and EHRC agreed that due to under-reporting, statistical representations can be misleading. For example it was noted that in many BAME communities there was a general mistrust of criminal justice processes, which they felt didn't serve their needs and impacted on their decision to report a hate crime incident. Furthermore, there was a sense from some of the interviewees that familiarity with conflict had bread a degree of complacency. This has an impact on the number of people reporting incidences or disturbances to the police. So, while there might be a relatively high recorded incidence of young White males committing hate crime, this does not represent reality where there is also conflict in and between African, Caribbean and Asian communities for instance.

A further myth of hate crime has been that it is a "working class" phenomenon. This is a vestige of the presumption that hate crime is merely a response to immigrants from outside the UK taking "local jobs". Clearly, the problem is far more complex than that. In fact, some of the interviewees agreed that in reality class was a distraction from the real causes of hate crime. It was said that "those who we might call middle class, including professionals are just as prone to committing or inciting hate crime as anyone else. It just happens that they are able to clothe their prejudice with a veneer of respectability". One interviewee gave the example of the scientist James Watson who in 2007 said that "he was inherently gloom about the prospect of Africa" because "all our social policies are based on the fact that their intelligence is the same as ours – whereas all the testing says not really"[20]. The incident sparked a great deal of anger and as one interviewee pointed out "garnered Watson's racism with the respect that his position in society afforded". Someone else said:

> *"Two groups outside a bar having a drink, having a cigarette, taking up the whole pavement. Outside a working class area it's a threatening gang, outside a middle class area it's a professional gathering".*

One YAG member noted:

> *Like middle classes it goes on but its more subtle, working class people are just more abrupt, F this, F that and the other, middle class give you looks"*
> Asian female, aged 23, South London.

To conclude, as we become more honest about our biases and underlying attitudes towards difference, the spectrum of "hate crime" becomes a responsibility for all members of society irrespective of their class, race, gender, sexual orientation, age or faith. The focus of preventative work should therefore be shifted

from the “who” to the “why” paying attention to changing the circumstances that lead to “hate crime” rather than targeting certain profiles of individuals.

4. The causes of hate crime in London

The criminological, sociological, psychological and biological theories around hate crime tell us that this phenomenon is attributed to a number of factors, some of which seem to be more prominent than others. The Phase 1 report analysed some of the most influential writings in this area. The fieldwork aimed at putting hate crime and its causes in the London context to better understand how current policy and practice can be improved to address them.

The most commonly cited causes were opportunism, a crisis of identity, misunderstandings, ignorance, isolation, and reactions to certain events. There was a general consensus among the interviewees that **ignorance, deprivation, misunderstanding** and unwillingness to engage with community are at the core of most hate crime.

For example, it was noted that after the 7/7 London bombings, hate crimes against anyone thought to be Muslim rose dramatically. It was clear that many people quickly made assumptions that because the terrorists were Muslim, all Muslims posed a threat. Other incidents as explained above can start from neighbourhood disputes and develop a racial element later on.

This statement is in line with the YAG’s conclusions:

> *“After September 11th I have been called a P** this and P** that on the bus”* Asian female, aged 23, South London.

The issue of London being a racially, ethnically and linguistically rich city was thought by the YAG to be a challenge for addressing hate crime. It also highlighted the ways in which hate crime varies spatially and is concentrated in particular areas, taking place as minorities enter areas where people of a different colour predominate.

> *"I know when I was younger it was going into specific areas, you know that going into specific areas, you could possibly be targeted by what class themselves as the NF (National Front) and these people, when me and a friend went to Romsford a guy literally held him up in front of a camera and kissed him and said if the camera weren't there I'd kill you"* Black male, aged 25, Lewisham.

London was described by the YAG as a segregated city, characterized by a non-mixed multiculturalism and by a lack of community feel. Differences in race, ethnicity and language were seen as important factors contributing to these misunderstandings. These factors perpetuate people's ignorance about other people and other communities. Furthermore this lack of education was blamed on the media, on the government and on schools that continue to exclude Black history, amongst other cultural awareness from the curriculum. This non-mixing was experienced at a young age particularly in schools, housing arrangements and

between different boroughs or areas of London and was thought to continue throughout adult life. Possible solutions were sought, ranging from encouraging mixing in schools to mixed social housing, although opinions on the effectiveness of the latter were mixed.

> *"I think housing is a good example, my area is predominantly one group of people, there has not been a mix... the council could make it out where you have a mixed variety of people, instead of having the same group of people in one block, so you get to meet your neighbours, get to know who they are, your kids can play together.."* Black male, aged 18, Lewisham

However, misunderstanding alone does not create hate crime incidents. One practitioner with long expertise in dealing hate crime incidents noted:

> *"High levels of deprivation, with little integration can lead people to commit hate crime by creating a negative local climate".*

Cohesion and deprivation are factors that have been linked with hate crime in the Government's 2007 report "What Works in Community Cohesion".

The interviewees also noted the role of the media for fanning the flames of hate crime; particularly hate crime motivated by a person or group's race, faith or belief. Some of the interviewees noted that the way the media reports crime and issues surrounding immigration are skewed and creates an irrational sense of fear and isolation. This is true of crime generally, "people, fed a diet of murders, muggings and rapes in newspapers and on television, are left with the impression that crime is rocketing"[21]. Furthermore, stories focusing on immigrants "swamping" the country and abusing the welfare state can create anger and frustration.

The findings of the YAG on the role of the media were revealing:

> *"You might be surprised that a lot of young people sit and watch the news, sit and watch things like CrimeWatch, so they are involved in that element, they are seeing things that are dropped in at them, and sometimes it's subliminal"* Black male, aged 25, Lewisham

> *"You don't know what type of person they are, but that's what you choose to do because the media has got control over that. As far as I'm concerned they're not reporting the truth, it's all lies really"...."It's the way we perceive all that we see and hear, it's in my head 24/7 from ten different newspapers and five different magazines, it's the way society is making us perceive it"..."Even if you don't watch the news all you need to do is walk down to the corner shops and there's a big sign saying 10 Muslims arrested for this suspicion"* Black female, aged 16, Lewisham.

The YAG also felt that "hate crime takes place because of a lack of understanding and the limited awareness people have of other people's history, background and culture". This was blamed on a lack of education concerning these issues, on parental prejudices and on influences from the media.

Conclusions and Recommendations: Sourcing the battle against hate crime

1. Building, maintaining and sourcing cross-sector, multi-agency partnerships

The RRP success stories of dealing with hate crime have the common element of reaching out and linking with cross-sector agencies and organisations and the community. The complexity, seriousness and sensitivity of hate crime means that it cannot be addressed by statutory bodies or Third Sector organisations working in silos. As argued by this report, the wide spectrum of "hate crime" is not just a criminal justice problem, it is a community problem. It is a problem of society, one of deprivation, education and misunderstanding and there is much that can and should be done before it enters, if it enters, the legal system.

According to the findings, cross-sector partnerships can help bridge the sometimes cavernous gap between the community and the criminal justice system. This gap has been considered by many to be one of the key reasons for the problem of under-reporting. This is of great importance if we consider the mistrust of many communities in the criminal justice system and its ability to serve their needs[22]. For instance, multi-agency partnerships between housing, local community groups and the police and victim support services can effectively detect, refer and deal with these incidents in a holistic approach. The fieldwork findings showed that many people from BAME and LGBT communities do not trust the criminal justice system while they may find police stations intimidating. It was noted that partnerships and local reporting centres with familiar friendly faces would encourage more people to report hate crime. The Third Sector organisations that were interviewed are of prime importance in these partnerships because they possess the expert knowledge and trust of their local communities.

Moreover, criminal justice agents need "community intelligence" to effectively deal with any type of crime particularly hate crime. Top down approaches tend to be blind to the complexities surrounding issues such as racist violence, gangs, guns and knives. The most effective interventions that were recorded by the RRP have consisted of a link between criminal justice agencies, housing, social services, the council, schools, other local authority services and those groups in the Third Sector which represent marginalised communities. The approach has not been top down but led or informed by what is happening on the ground. When local police and housing services link with local mediation centres, the results are particularly encouraging. They do so by sharing information and referring cases, which means that incidents can be dealt with effectively and efficiently. Such referrals can also mean that domestic disputes, neighbourhood disputes and other minor "hate crime incidents" that are found at the lower spectrum of hate crime can be defused by the local mediation centres before they escalate into something more serious.

A real concern from the findings is that while there are some examples of solid partnership working, some of the agencies interviewed identified key stakeholders that are not consistently promoting joined up or bottom up approaches to hate

crime. Further work needs to be done in creating and sustaining consistent pan-London strategies. For example, it was noted by the participants that there is no concrete London strategy against hate crime while London Boroughs tend to be less directed by Government Office for London.

Forging and sustaining healthy multi-agency partnerships in certain locations can maximise available sources. Neither the police nor the community alone can deal with this complex problem. The Phase 1 report provided data illustrating how overburdened the criminal justice system is, while it called for innovative ideas of dealing with hate crime. There are enough best practice examples – funders and public sector officials only need to research and reach them. This project has shed some light on some of them

Working together may sound easy but in fact it can be challenging, time consuming and risky. **Capacity building** and more **infrastructure support** is needed to enable Third Sector organisations to forge relationships and work in partnership with others from the same sector and beyond. Simple tasks such as preparing a partnership agreement and devising budgets that take into consideration partnership implications are often seen as insurmountable difficulties. Moreover, the Third Sector has often been accused of being fragmented and disorganised and this is a view shared by many civil servants. To some extent this may be true, but there is responsibility to **dispel the myths** where we can.

Tensions within the sector, however, are not the only explanation. In the Metropolitan Police Service alone, there are 30,871 police officers, 13,769 police staff, 400 traffic wardens, 2,308 police community support officers and 1,070 'specials'. **Increasing their awareness about the Third Sector** and how they can work with it cannot happen overnight, while frontline approaches such as **training** are not enough. **A pan-London, strategic approach** that will allow consistency and long term solution to multi-agency partnerships between the statutory sector and the Third Sector is needed.

Our research has shown that though there might be willingness to work together, **communication problems** often make the process too onerous and time consuming. For instance, one of our RRP interviewed practitioners said "*links are strained with the Crown Prosecution Service and there are problems with information sharing... We need to learn from mistakes to understand how to improve case management in the future".* Someone else said: *"we've found that it's been very time consuming to make links with London Probation. Partly it's because of the high turnover of staff".* London Councils has recently commissioned four organisations, including ROTA, to increase partnership activities between Third Sector organisations representing communities disproportionately affected by crime and statutory bodies (including MPS, local authorities, GLA etc). Although the service does not focus on hate crime alone, it is expected to have a positive impact in the way London's Third Sector understands the criminal justice system and its agents and vice versa. Initiatives such as these are encouraging but there is still a lot to be done both in terms of policy and legislation for the adequate support of Third Sector organisations.

For example, the introduction of Local Area Agreements[23] is expected to have a major impact on the way Local Authorities prioritise their spending and hence how they support Third Sector organisations working to combat hate crime. The National Audit Office noted that "Changes in public spending patterns could result in opportunities for the delivery of public services in new ways including the use of new suppliers, whether private or third sector (National Audit Office 2007). The report also noted: "Guidance issued by DCLG clearly emphasises the role of the third sector in representing and engaging with local communities in LAAs, and supporting their work in the community, but places very little emphasis on the third sector's potential to deliver public services. Almost no mention is made of the third sector-specific funding practices which government has adopted elsewhere, to remove barriers to Third Sector organisations' participation in public services". Local projects combating hate crime will undoubtedly be affected by LAAs and hence particular attention will need to be taken especially in the area of partnership working and capacity building. **Capacity building and awareness raising will be key in understanding and responding to this change**.

Finally, participants identified the need for the Crown Prosecution Service (CPS) to work more closely with Third Sector Organisations. Admittedly, over the last few years there have been some significant improvements in the CPS' approach to dealing with hate crime in London. For instance, they have updated their policy and guidance to prosecutors on racist and religious crime following changes in the law and the way it deals with victims and witnesses. Additional changes in the CPS's policy include:

- Racial and Religious Hatred Act 2006. This Act came into force on 1 October 2007 and created new offences of stirring up religious hatred.
- The obligations placed on prosecutors by the Attorney General's Guidelines On The Acceptance Of Pleas and The Prosecutor's Role In The Sentencing Exercise 2005.
- The sections on Victims and Witnesses have been redrafted to take into account the impact of the Prosecutor's Pledge and the Code of Practice for Victims of Crime.
- Section 2 of the Policy ('What We Mean By Racist and Religious Crime') has been redrafted to make clearer the distinction between a racist/religious incident and a racist/religious crime.

However, more needs to be done in reflecting communities' interests, fears and needs in the CPS' practice. London CPS has recently launched the Community Involvement Panel which is hoped to introduce some fresh thinking into CPS' businesses. This one step towards the right direction but more will need to be taken.

2. Supporting community based restorative justice programmes to deal with hate crime

Arguably, the English legal system has taken some steps in using restorative justice[24] for juveniles and minor crimes. For example, the Crime and Disorder Act 1998, the Youth Justice and Criminal Evidence Act 1999 and the Criminal Justice Act 2003 introduced a number of measures based on the philosophy of restorative

justice. The role of the Police, the Youth Offending Teams and Panels has been significant but as the restorative justice literature illustrates, restorative justice happens due to the passions and dedication of practitioners working in the Third Sector. With little support and in the shadow of the law, restorative justice is delivered on a daily basis in London by small community mediation centres, schools, youth clubs and faith institutions.

These small community projects that operate at the local level are important in providing a way for those who will not trust the criminal justice system to seek justice. Evidence from ROTA's work with BAME communities has illustrated that the implications of crime particularly with regards to young people are very complex, leaving victims from BAME communities without the option of pursuing justice through the traditional criminal justice system. It is within the hands of their local group they will entrust their case as they will be able to associate with the two or three staff that are running that local project.

As illustrated above, the local impact of these projects can be maximised by **linking them with existing structures** such as the Police and their local authority. But there is also a need to protect these projects. Recently, projects supporting the victims of hate crime and promoting social cohesion have been given an £800,000 boost by London Councils. This is encouraging news but there are still some gaps that need to be addressed in policy. For instance, the recent recommendation of the Commission on Integration and Cohesion[25] directed that 'single groups (e.g. Black, Asian and minority ethnic organisations and other organisations supporting specific equality communities) should be funded as an exception and that where such groups are funded "the provider should demonstrate clearly how its policies will promote community integration and cohesion". Cases are beginning to emerge suggesting that local authorities are already using the guidance to justify funding cuts. This is despite the fact that the government's position on this is still at the consultation stage[26].

For instance, the Southall Black Sisters (SBS), a tenacious and skilful organisation protecting Asian female victims of domestic violence, is facing drastic cuts from Ealing Council because SBS deals only with Asian women[27]. Practitioners at local community projects such as the Southall Black Sisters and the interviewed organisations are **specialists meeting a desperate and specific need.** "Such campaigners have a view from the inside", know all too well the lies and secrets of BAME communities (on this occasion Asian families) speak all the relevant languages and understand the laws and their impact on these communities. "Their clients will not, cannot use generic services and so will be left to the hounds"[28].

But there is another reason why restorative justice programmes are necessary in the fight against hate crime. Hate is perpetrated because of fear and misunderstanding and restorative methods offer an opportunity to engage in a **secure dialogue** that can gradually lead to healing and restoration. The process of establishing a dialogue also allows the offender to look past the victim as a stereotype to the victim as a human being.

Restorative justice practice has proved particularly successful in schools and in the youth context in general. Schools are effectively a microcosm of society and it is

important to monitor and tackle prejudice in a way that will prevent those young people from becoming the offenders and victim's of hate crime in the future. Restorative justice can be part of that by empowering the young people to resolve their own conflicts and deal with prejudice by encouraging a dialogue.

Undoubtedly, victims of hate crime experience a range of effects that can have a long-lasting or sometimes life-lasting impact. These include fear, particularly of repeat attacks, anger, illness including depression and physical ailments, trauma in children, restrictions in lifestyle and substantial financial loss. Statistics have shown that for various reasons nine out of ten victims had not gone to court although three-quarters said that they would be prepared to give evidence if the perpetrator were prosecuted (Victim Support 2006). Research has also shown that victims are often keen to move beyond "victimhood" and take a role in supporting other victims or changing/ engaging their communities. Survivors also want to see action taken to tackle the root causes of hate crime. Restorative justice processes empower victims and may give them the feeling of taking control of what has happened to them. In addition, even when a restorative meeting may fail to achieve its transformative purpose, an apology and meaningful remorse on behalf of the offender can have a significant impact on the victim and their family.

According to the YAG, restorative justice can, not only act as a deterrent for potential re-offenders but also create a feeling of apology and reconciliation, addressing the prejudice that leads to the crime. It was also felt that restorative justice can play a role in educating and helping people understand others, and with community involvement it may serve to tackle fundamental problems of racism. Restorative justice was deemed inefficient and inappropriate for certain crimes, revealing the complexities and problems of applying restorative justice.

> *"It depends, it might be a mother who wants an answer for what has happened to her son, it's the different side of the coin, if it was my brother that had been killed, I wouldn't want to sit in the same room as the person that killed him, whereas my mother might want to sit in the room and see why this guy has taken her son away"* Asian male, aged 25, Bethnal Green.

From the interviews and the YAG meetings, there was general consensus that restorative justice works well when it is properly applied respecting its key principles. Some concerns were expressed with the use of mediation with incidences of LGBT hate crime. It was noted that reported crime against LGBT people is of an opportune nature. The YAG expressed concerns about the use of mediation with hate crime incidences against the elderly or the disabled. In particular:

> *"Restorative justice isn't always going to work, if you've got somebody who is a racist then their views are based on what they have learnt from members of their family, how can they sit down in front of you, it is only going to be something drummed into them and its going to take a long time for that to be emptied out of them and to start afresh"* Black male, aged 25, Lewisham.

Reservations were also expressed about the use of restorative justice with transient communities. One participant noted that "restorative justice works best at

the local community level and since those communities are in a constant state of flux, then the long term possibilities are hindered".

Some of the interviewees stressed the need for the victim to feel some emotional pain or sensitivity around the event(s) for some restorative practices such as conferences and mediation to work. Bringing two people together when neither side has any need to reconcile an emotional deficit is unlikely to change behaviour. An example would be casual racial slurs where the "perpetrator" doesn't intend to cause any pain and he may have been acting in good humour, and the "victim" does not feel any upset. The interviewee from Prison Reform Trust gave an example of a man stealing a tin of beans from a supermarket. A restorative conference between the manager of the supermarket and the thief is unlikely to have any affect because the manager in all likelihood won't care about such a small loss, and the thief is unable to see what damage or pain this has caused and will not feel any remorse.

The views of the YAG were illuminating particularly since most of them had a very basic or no knowledge of restorative justice and hence gave their comments purely as young people who may have been victims of hate crime.

> *"I've been the victim of just regular crime, being robbed and that like most people in London and I was hurt about that and restorative justice is something that wouldn't appeal to me as much as the victim, but when it comes to hate crime, I've been assaulted because people thought I was homosexual and in that case the reason I would have restorative justice is because that crime happened due to ignorance; the one way you can stop that crime from happening is to change that person's mentality about somebody. I can't see any better way to deal with it than having you confronted in that way. Sending someone to jail doesn't stop them being a criminal, but sitting down with someone and changing their prejudice will stop them being perpetrators"* White male, aged 21, North London.

> *"People may find it hard to speak so that would be their punishment and to get across why they've done it. Couple of years back, I heard that if you did a crime you had to see the family and talk to them why you've done the crime on their daughter, and I thought … that would be very hard because you have to get the guts and courage and everything back up"* Black male, aged 18, Lewisham.

While RRP may have unearthed a number of examples of where restorative practices have effectively dealt with hate crime, there is a general suspicion and negativity towards it by statutory agencies. The awareness and definitional issues surrounding restorative justice have been analysed elsewhere and it is not the intention of this paper to engage in this debate[29].

Misunderstanding is generally a problem about crime prevention work that is carried out at the local level by small Third Sector organisations. ROTA through the RRP and other criminal justice projects[30] has evidence to suggest that BAME communities, particularly BAME young people have more faith in small local initiatives particularly if they are run by other BAME people rather than mainstream

services. The reality of crime and deprivation is that it disengages individuals from their communities and existing structures. Those who are indeed willing to think about what happened and put things right will seek to do it in a safe and controlled way through dialogue with their peers.

The restorative justice movement has its own battles to fight in today's criminal justice system. The power-interest battles within and outside the movement have been covered elsewhere and there is an obligation on government to support a constructive way out (Gavrielides 2007)[31]. What is important to stress here is the significant role small, local restorative justice projects play in the fight against hate crime and the impact they have in balancing justice for communities that are less engaged with the criminal justice system. At the time of writing, London Councils has published an audit which it carried out in December 2007 to highlight the scope of activities currently being led by local authorities, which range from early interventions with young victims to restorative justice projects for young offenders. These findings point to a number of different approaches reflecting local needs and complexities. They also highlight the significant role the Third Sector plays in delivering this service. This is a good starting point and a comprehensive contact list for future **partnership and awareness raising activities**[32].

3. Prevention – the key to combating hate crime

One of the key messages of the RRP is that both "hate crime incidents" at the lower spectrum as well as "serious hate crime" happen primarily because of fear and lack of acceptance of each others' differences. Stereotypes, biases and bigotry combined with a number of other factors such as jealousy and deprivation make everyone, particularly those from disadvantage groups, exposed to the phenomenon of hate crime.

Many battles have been won in the past as hate crime incidents were contained; but to win the war against this multi-dimensional crime there needs to be a holistic approach that recognises the significance of long term preventative programmes. It is not with quick fix solutions that the problem of hate crime will be addressed.

For such a diverse city as London, the propagation of misunderstanding and confusion can cause communities to be isolated and shunned. In any London street, it may be possible for every household to be of a different ethnic or cultural origin and yet have complete misunderstanding of their values due to negative stereotypes.

For young people in their formative years, this can have a devastating effect and organisations and **initiatives focusing on prevention** are necessary for a long term impact on hate crime. For example, in 2006 City Parochial Foundation introduced a three year special initiative titled "Preventive Racist Violence Programme". In particular, the programme aims to develop and/or strengthen preventive work with potential perpetrators to help reduce the level of racial incidents and race hate crime in specific geographical areas in London[33]. The findings from this programme will need to feed into hate crime prevention policy and practice and hence it is important to ensure transferability of the lessons while the projects are carried out.

Education, particularly human rights education, was also claimed by some of the interviewees to be an effective preventative measure of hate crime. This is based on the premise that the cause of the majority of hate crime is misunderstanding and ignorance. The best place where this can be done is in schools, youth clubs and youth led institutions as children's minds are most susceptible to new ideas. As noted in the MPA 2007 report "There is the need for concerted work to take place in schools to address hate crimes and bullying, which has negative impacts on the behaviour of young people and their ability to achieve success" (Metropolitan Police Authority 2007).

Education can also carry on through adulthood in order to keep prejudice in check. For instance, one of the interviewees uses a direct approach to explore the origins of racism. To this end, common cultural reference points are explored in a historical context to understand where certain attitudes originate and how they are built on ignorance. This can be very provocative as it picks up on things we may say or do unconsciously realising our innate prejudices. In some ways adults present a greater challenge because they are more likely to have deep-seated prejudice. Furthermore, unlike children who are easily accessible in schools getting through to older people can be more of a challenge. Working with adults is a challenge particularly for London Probation as they work directly with adult offenders. In light of the findings of the RRP findings, it is recommended that London Probation works closely with the Third Sector to inform its Diversity Training programme.

The YAG identified **human rights education and cultural awareness activities as an obvious actor** in addressing hate crime. It was believed that part of the problem amongst some young people is their lack of awareness as to what hate crime actually is. As one group member asserted:

> *"People need information on hate crime, they [need to] know what it is and do it on a daily basis"* Black male, aged 25, Lewisham.

This awareness was seen as important, since identifying and subsequently reporting such incidents might help with tackling the problem at an earlier age before it develops further. Moreover, it was felt that teachers should actively seek to identify children with hostile behaviour. However, since labelling children as hate crime perpetrators might be extreme, a systematic, comprehensive and sensitive approach to dealing with this issue is essential.

Suggestions were made for schools to have mission statements that various types of behaviour would not be tolerated, although there is a chance that impact might be minimal. It was felt that more knowledge and awareness should be developed within the curriculum, for example in texts or manuals. One member further stressed that education is important and called for more awareness-raising activities, as well as more pro-active roles by teachers.

> *"Often like the different races look upon one another as if they are different species, and I think at a younger age they need to be informed that is not the case, by deliberately mixing up seating in schools".* Black male, aged 18, South London.

Several group members believed that if people who were involved in hate crime shared their experiences, whether victim or perpetrator, it could have a positive influence and generate understanding of the hurt that can be caused. This was made clear by the following comment:

> *"Victims and perpetrators going into schools, awareness raising, these types of things just don't happen"* Black female, aged 16, Lewisham.

Greater levels of cooperation would also be required between agencies such as victim support, which could enter schools and raise awareness on hate crime issues. The YAG discussed the use of restorative justice within schools. For somewhat more innocuous crimes this was seen to be a positive move in comparison to other corrective measures such as exclusion. Despite RJ being seen as a valuable instrument it was thought that any implementation would have to be closely monitored as young people may seek revenge outside the RJ process and simply use RJ as a way to avoid unfavourable punishment.

> *"… young people can be vindictive, you've got to think how young people think, it's like a gun, if a boy knows he will get stopped and searched he will give it to his girl"* Black female, aged 16, Lewisham.

An additional component that a few group members felt could have positive effects was sport. In terms of tackling hate crime, sport can be viewed as an approach outside of the mainstream. There was a belief that through various types of sport people can work together while it may also serve as a mode of transmission for disseminating information. One group member describes how by playing football with people of different ethnic backgrounds, a situation where he felt he was the victim of hate crime was transformed into amenable set of relations:

> *"I really believe that about sports…it really breaks down identity till you see the person as a team member – there's an identity to that"* White female, aged 25, London.

Although sport appears to offer another possible solution for different groups to inter-mix, it was understood that it would not solve every problem, and in some instances might even create tensions. Blatantly there are risks as rivalries can be forged around opposing teams and this has the potential to result in inimical consequences. In particular, a White female member aged 23 stressed caution as she felt "people can congregate around sport".

Appendices

Appendix I: Detailed deliverables of ROTA's Restoring Relationships Project

Phase 1 (June 2006 – June 2007)

To carry out a literature review of the work that has already been done in the area of hate crime and restorative justice in the UK and abroad to:

- Construct the definitional and conceptual framework of the project.
- Understand causes that lead to hate crime.
- Identify pockets of international and domestic examples where restorative justice was successfully used to address hate crime. Explore the reasons behind their success and investigate whether there are any transferable lessons.
- Identify the gaps and scope for further work as well as themes that need to be complemented with action research.
- Identify key London areas where hate crime is a prominent issue.
- Posit recommendations on how restorative justice could be used to address hate crime in London and construct a questionnaire to be used during Phase 2 of the project (fieldwork).
- Identify the sample for Phase 2 of the project (fieldwork).

Phase 2 and 3 (June 2007 – June 2008, ongoing)

- Create a forum of young people from various racial, cultural and social backgrounds to act as an advisory group to the project. Forum members will be encouraged to take leadership and ownership over the project. The findings from their consultations will be fed into the fieldwork and final report to reflect the concerns of young people in addressing the outcome. The discussions will concentrate on methodologies that aim to reduce the potential for racial discrimination or harassment.
- Collect original data to produce evidence-based recommendations on how to reduce the potential for racial discrimination or harassment. The sample will include 20 practitioners with experience in addressing hate crime. The methodology will be based on qualitative interviews and questionnaires.
- Produce manuals for trainees and training providers on how to reduce the potential of racial discrimination by concentrating resources on specific types of racist violence, types of victims and perpetrators and geographical areas.
- Using the findings from the project (desk research and fieldwork) to provide face to face training to agencies such as local Safer Neighbourhood Teams, criminal justice agencies, Victim Support, Third Sector bodies and faith-based organisations on how to concentrate resources on (a) types of racist violence (b) types of victims and perpetrators and (c) geographical areas that the study will identify as being on the increase in hate crime statistics.

- Produce an evidence based report with policy recommendations to reduce the potential for hate crime and particularly racial harassment.
- Produce a toolkit with best practice examples and a directory of case studies of organisations that are working successfully in the community to reduce the potential for hate crime and racial discrimination.
- Organise a final event to share the findings of the project, increase awareness, disseminate the final report, training manuals & toolkit, and provide networking opportunities for organisations working in the area of reducing the potential for racial discrimination or harassment.
- To commission an external organisation specialising in restorative justice to assess the impact, methodology and product of the project in an independent fashion.
- Using the findings from the project (desk research, fieldwork, training and consultations) to influence policymaking by increasing awareness and providing expertise on how to address hate crime in London through restorative justice.

Appendix II: The Youth Advisory Group Report

1. General

The YAG is a forum of 12 young people aged 16-25 that have met on three separate occasions. The primary objective of the YAG is to create a diverse group, reflecting the views of London's youth on hate crime and on the potential for restorative justice to address and tackle its causes. To this end we aimed to create a mixture amongst participants in terms of ethnic composition and exposure to hate crime incidents. The YAG included an even mix of males (6) and females (6), people of mixed ethnicity (Black Caribbean, Black British, White British, Indian and Bangladeshis) and people who had been involved in various forms of hate crime (racial and gender oriented).

The YAG was set up to assess, monitor and critique the methodology, themes and findings of the project throughout its different stages, thus exploring how the views of youngsters differed or complemented those of academics, practitioners and policymakers. Following the Home Affairs committee (2007) recommendations to involve youth in the formation and evaluation of policy, the YAG aims to engage young people, and ultimately to use their opinions to inform the conclusions and policy recommendations of the final report. This is especially important in the case of hate crime where the highest rates of offences are believed to be committed by people of a young age; particularly under the age of 25, and where prejudices are formed at a young age (Hall, 2005; Levin & McDevitt, 2002). With this in mind the addition of the YAG is evidently crucial as it is possible to directly explore and evaluate the opinions of a group of London youths and voice their assessment of reality. The inclusion of the YAG adds another decisive dimension to the project as well as adopting an empowering bottom-up style approach. It creates a platform for a mixed group of young people in London to voice their opinions and to see uniting rather than dividing factors amongst them.

The first Advisory group meeting took place on the 14th December 2007 and included a discussion around the key issues relating to restorative justice and its applicability when dealing with hate crime. The group conceptualised hate crime and identified its likely victims and perpetrators. Through discussion it was possible to acquire a detailed account on the types of hate crime that will often take place in London whilst searching for explanations as to why such a crime occurs amongst young people. Most pertinent to the research project was the dialogue that focused on RJ's ability to function specifically in London and the surrounding factors that must be considered prior to implementation. Participants had only limited knowledge and a very general understanding of restorative justice. This was beneficial for the discussion as the opinions of group members could not be seen as influenced by previous knowledge of RJ's success or failure. A brief description and definition of hate crime and RJ was provided to group members before commencing discussion, together with an outline of the aims of the project.

The second meeting on the 28th February 2008 built on the prominent themes discussed at the first meeting, and provided an opportunity for an appraisal of the second phase of the project. The discussion aimed to gauge a greater understanding of the changes which the youth group deemed necessary in order to address and tackle hate crime in London. The group initially shared their thoughts on the applicability of RJ to various levels and types of crime and offender behaviour. Subsequently, the group was introduced to the concept of multi-agency and questioned on which statutory, voluntary and community organisations they felt could play a role in addressing hate crime in London.

The third and final meeting took place on the 1st March 2008 and involved an all-day Human Rights Training for the members of the group. The aim was to allow the group to increase awareness of and explore the ways in which Human Rights are vital to and play a part in young people's everyday lives. It aimed to promote human rights as an empowering tool which helps to open young people's minds and offers them a set of unifying principles.

Key findings from the YAG:

- Hate crime was identified as fundamentally different to other crimes because its causes were linked to deeply ingrained forms of hatred and prejudice, taking numerous forms thus impacting various groups in different ways
- Victims: Hate crime was understood as taking place throughout all levels of society and amongst all ages. In London it was identified as spatially determined, occurring more frequently in certain areas of the city.
- The group identified Muslims as a particularly vulnerable group, especially since recent events such as the London bombings. Asylum seekers were also thought to be highly vulnerable due to biases in public perception concerning their reasons for their presence.
- Perpetrators: Several of the participants defined the most likely perpetrator of hate crime as young, White and male. However hate crime was also thought to occur across age and gender. From a youth perspective some participants identified likely perpetrators as teenagers in secondary schools, as well as older people who, according to one participant were thought to hold more deeply-entrenched racial stereotypes compared to younger people.
- Hate crime takes place because of a lack of understanding and the limited awareness people have of other people's history and identity. This was blamed on a lack of education concerning these issues and parental prejudices.
- The media was identified as playing a crucial role in disseminating information to young people which can prove both detrimental and advantageous respectfully. It can construct false perceptions and stereotypes of various groups or act as a solution by fostering attitude change through awareness.
- Challenges for Addressing Hate Crime: The lack of community feel and a non-mixed multiculturalism limits intermixing and creates areas where certain groups predominate. This increases people's ignorance about others, perpetuating the likelihood of hate crime incidents. Encouraging mixing in schools and in housing arrangements were suggested as possible solutions.
- Police: The advisory group reported on negative experiences and perceptions of racist behaviour amongst the police whilst stressing greater levels of responsiveness and trust with the general public must be achieved.
- Restorative Justice: Discussions revealed a mixture of opinions concerning the applicability of RJ as some people favoured more orthodox avenues available through the criminal justice system. However, it was agreed RJ certainly has potential to deal with hate crime, particularly since it offers a mechanism for people to meet on their own terms.
- Education was identified as important in raising awareness and identifying and tackling hate crime and in deconstructing stereotypes through teaching approaches, curriculum and mission statements
- There is scope for initiating RJ measures from a young age within educational establishments. This would be a viable alternative to expulsion whilst it is a less

punitive method for setting a precedent that certain behaviours and attitudes will not be tolerated. Nevertheless, there were concerns that children may continue to pursue their victim during or following the RJ process.

- Community involvement, the option of a multi-agency approach and the inclusion of peer mediators were thought to hold beneficial features, although thoughts were mixed on the extent to which the police authority should be involved in the process of mediation.
- Suggestions were made from the group for the involvement of a variety of actors in tackling hate crime including community groups, local media, sports, arts, and the police

2. Detailed findings

Defining hate crime

Hate crime was identified as distinctly different from other forms of crime. Its causes were linked to deeply entrenched prejudices and ignorance about others. For these reasons, it was acknowledged that hate crime needed to be tackled differently. When conceptualising hate crime the group addressed the complexity and diversity of hate crime in London.

Black male, aged 25, Lewisham

> *"Hate crime is when someone has hatred or prejudice against someone because of their race or ethnicity, or religion, sexuality, disability".*

This statement acknowledges that hate crime does not only come in one form and is present within various dimensions, while the following comment draws light on the fact that hate crime does not have to be violent as is often thought to be the case.

White male, aged 21, North London

> *"What we are taking about all falls under the broad umbrella of assault, whether its verbal assault or physical assault, but beyond that your prejudice can decide whether you are going to do harm against a certain group for example burgle someone's houses…because of who the owner is"*

Victims

The group agreed that, despite popular beliefs, hate crime can occur any direction, for instance White on Black, Asians on Blacks or Blacks on Asians. Most hate crimes are spatially determined, occurring more frequently in some areas of the city.

White female, aged 23, South London

> *"some guy randomly came up one day and was being really abusive, shouted telling me I should go back home, I've never experienced something like this before, now in an area where I'm the minority"*

Muslims, or people perceived to be Muslim, were identified by the participants as a particularly vulnerable group who typically remain isolated and often are targeted. In addition, recent events such as 9/11 and the July bombings in London have increased people's inherent fear of Muslims, although this may not necessarily translate into an increase in hate crime.

Asian male, aged 25, Bethnal Green

"People staring, there are various examples of such incidents... you know if it wasn't for September 11th they wouldn't be looking like that"

Asian female, aged 23, South London

*"After September 11th I have been called a P** this and P** that on the bus"*

Asylum seekers were also thought to be highly vulnerable due to ignorance as to the real reason for them being here and an equating of immigrants and asylum seekers in the popular imagination. Incidents against these groups are thought to be more common subsequent to the expansion of the EU. The participants were sensitive to the complex situations refugees face in London. They criticized the negative stereotyping of refugees and blamed this on the way the media conflated certain issues such as their use of public funds and labour competition, whilst ignoring others such as their poor living conditions. Refugees were seen as under-represented in London and the participants agreed the government should be held accountable for this.

Black male, aged 25, Lewisham

"Most racism is wrapped up in asylum issues"

Perpetrators

The group identified potential perpetrators of hate crime as diverse in terms of age, class, race and gender. It was felt that young males can often be seen as most dangerous when arguably they are just more exposed because their crimes are more visible. However, the group thought young girls to be equally vindictive and to employ more creative and less visible techniques. The participants discussed the prevalence of hate crime amongst youth, especially between teenagers. Some described the fear of entering certain areas of the city, and their experiences of witnessing or being involved in hate crime such as burglary or assault on the street. Others discussed hate crime incidents occurring at school. One participant had been targeted by older White women, whom he felt lacked respect, were prejudiced and held deeply-entrenched stereotypes towards Black youth. The quotes below highlight these aspects as well as the diversity of opinions regarding likely perpetrators.

Black male, aged 25, Lewisham

"I think hate crime as a majority happens amongst young people…..generally of that secondary school age up till about the age of going to university. It does go up till about early 30's and there are people who go past that due to prejudices they have"

Black male, aged 18, Lewisham

"Me personally when growing up I got hate crime from older people, old White people, when you've got your hood up, they pick you out stereotyping"

Asian female, aged 23, South London

"Like middle classes it goes on but its more subtle, working class people are just more abrupt, F this, F that and the other, middle class give you looks"

Causes of hate crime

When entering dialogue in an attempt to search possible explanations for the prejudices people hold there were contrasting viewpoints, one being people's lack of awareness and knowledge. Whereas in certain circumstances there is the likelihood that people possess knowledge and information, this may be used to the detriment of other groups.

Asian female, aged 23, South London

> *"Its when you do understand differences and you're not completely ignorant … and you have the knowledge, and you use that knowledge particularly against Muslims now because we know what they're practising…because of the Koran"*

Furthermore it is a specific type of media that was identified as impacting most severely on youth, for example the newspaper and television rather than the internet and social networking sites. Evidently as highlighted below, young people mistrust the media as a source of information.

Black male, aged 25, Lewisham

> *"You might be surprised that a lot of young people sit and watch the news, sit and watch things like Crime Watch, so they are involved in that element, they are seeing things that are dropped in at them, and sometimes it's subliminal"*

Black female, aged 16, Lewisham

> *"You don't know what type of person they are, but that's what you choose to do because the media has got control over that. As far as I'm concerned they're not reporting the truth, it's all lies really"...."It's the way we perceive all that we see and hear, it's in my head 24/7 from ten different newspapers and five different magazines, it's the way society is making us perceive it"..."Even if you don't watch the news all you need to do is walk down to the corner shops and there's a big sign saying 10 Muslims arrested for this suspicion"*

The impact peers, elders, relatives and parents can have on the views of young people was also a point for discussion. One participant noted that parent's conversations and attitudes at home can have a ripple-down effect on youth and on their views concerning others. Youth often repeat what they have heard elsewhere, whilst lacking a full understanding of it. This highlights youth's concern and awareness of addressing hate crime not only in schools and amongst youth, but across generations and within other social spaces.

Challenges for addressing hate crime

The issue of London being a racially, ethnically and linguistically divided city was thought to be a challenge for addressing hate crime. It also highlighted the ways in which hate crime varies spatially and is concentrated in particular areas, taking place as minorities enter areas where people of a different colour predominate.

Black male, aged 25, Lewisham

> *"I know when I was younger it was going into specific areas, you know that going into specific areas, you could possibly be targeted by what class themselves as the NF {National Front} and these people, when me and a friend went to Romsford a guy literally held him up in front of a camera and kissed him and said if the camera weren't there I'd kill you"*

London was described as a segregated city, characterized by a non-mixed multiculturalism and by a lack of community feel. Differences in race, ethnicity and language were seen as important factors contributing to these divisions. These factors perpetuate people's ignorance about other people and other communities and fail to address the fundamental causes of hate crime. Furthermore this lack of education was blamed on the media, on the government and on school that continues to exclude Black history, amongst other cultural awareness from the curriculum. This non-mixing was experienced at a young age particularly in schools, housing arrangements and between different boroughs or areas of London and was thought to continue throughout adult life. Possible solutions were sought, ranging from encouraging mixing in schools to mixed social housing, although opinions on the effectiveness of the latter were mixed.

Black male, aged 18, Lewisham

> *"I think housing is a good example, my area is predominantly one group of people, there has not been a mix... the council could make it out where you have a mixed variety of people, instead of having the same group of people in one block, so you get to meet your neighbours, get to know who they are, your kids can play together.."*

Interactions with the police

The group also discussed racism within the police force and the effects this had on youth. Although not all participants were in agreement, several stressed the police's lack of respect and their ignorance of Black people's identities. One participant commented on how he had been subjected to racist comments by the police. This had, in turn influenced his propensity to commit hate crime as a vindictive response and forced him to mistrust the police. This example also highlighted the ways youth are more likely to be shaped by particular experiences of hate crime and not necessarily by incidents that occur over a prolonged period of time.

The group strongly agreed with the report findings relating to victim underreporting, a lack of confidence in the Criminal Justice System and a lack of faith that crimes will be adequately dealt with. This resulted from negative experiences and perceptions of the police, especially at community level. One participant described an incident where he had decided to report a crime to the police rather than deal with it himself. However, the police responded only 7 weeks later, rupturing his trust and confidence in the police thus reducing the likelihood he will turn to the police in the future.

Restorative justice in London

The group had little or no knowledge of RJ and was only provided with a brief description of it, which was used as a starting point for further discussion. Initially the participants scrutinised RJ's potential to deal with incidents of hate crime and whilst a number of experiences were mentioned the comment below illuminates the usefulness of RJ as an instrument for tackling hate crime.

White male, aged 21, North London

> *"I've been the victim of just regular crime, being robbed and that like most people in London and I was hurt about that and RJ is something that wouldn't appeal to me as much as the victim, but when it comes to hate crime, I've been assaulted because people thought I was homosexual and in that case the reason I would have RJ is because the reason that crime happened is because of ignorance the one way you can stop that crime from*

happening is to change that person's mentality about somebody. I can't see any better way to deal with it than having you confronted in that way. Sending someone to jail doesn't stop them being a criminal, but sitting down with someone and changing their prejudice will stop them being perpetrators".

Another important comment highlights not only the sensitivities that surround RJ but also the difficulties some people may encounter in the RJ process:

Black male, aged 18, Lewisham

"People may find it hard to speak so that would be their punishment and to get across why they done it. Couple of years back I heard if you did a crime you had to see the family and talk to them why you done the crime on their daughter, and I thought about it and thought, what, could I sit there with my family looking there speaking confidently and fully about what I did and why I did it, I think it would be very hard because you have to get the guts and courage and everything back up"

RJ can, not only act as a deterrent for potential re-offenders but also create a feeling of apology and reconciliation, addressing the prejudice that leads to the crime. It was also felt that RJ can play a role in educating and helping people understand others, and with community involvement it may serve to tackle fundamental problems of racism. RJ was deemed inefficient and inappropriate for certain crimes, especially more extreme ones, revealing the complexities and problems of applying RJ.

Asian male, aged 25, Bethnal Green

"It depends, it might be a mother who wants an answer for what has happened to her son, it's the different side of the coin, if it was my brother that had been killed, I wouldn't want to sit in the same room as the person that killed him, whereas my mother might want to sit in the room and see why this guy has taken her son away"

This comment did gather support from some of the younger members of the group as a general consensus was reached that older people may benefit from the process under certain circumstances, such as more severe crimes like murder. RJ was also thought by some participants to be ineffective when dealing with people who are older who have held prejudices for a long time as these thoughts they are believed to be too deeply ingrained.

Black male, aged 25, Lewisham

"RJ isn't always going to work, if you've got somebody who is a racist then their views are based on what they have learnt from members of their family, how can they sit down in front of you, it is only going to be something drummed into them and its going to take a long time for that to be emptied out of them and to start afresh"

Bearing this in mind it was mentioned earlier how RJ can play a part prior to people getting to this "ingrained stage" and therefore offers possibility as a preventive measure when applied at a young age. When discussing the type of prejudice restorative justice would be most useful in breaking down, some members of the group thought it may work differently dependent on the level of prejudice an offender holds. It was agreed RJ can work people with high prejudice although it was thought to be more effective for those with lower levels of prejudice. It was also believed that tackling low levels of prejudice at a young age to be vital as it may develop into something deeply rooted and detrimental in later years. Further, the following comment acknowledges that much arguably depends on the individual and the level of commitment by various parties to any process.

White female, aged 23, South London

> *"[RJ] may work for people with higher levels of prejudice that is strongly linked to the crime they commit…but more effort and more time will evidently be required for certain types of offenders".*

One group participant felt that people with deeply held prejudices may not benefit from RJ although as a reconciliation process it does hold certain features that may prove advantageous. A long-term process was deemed necessary in order to breakdown highly entrenched prejudices, as a one-off RJ meeting would not be sufficient.

Asian female, aged 23, South London

> *"RJ is good for disputes, building back up the community, RJ is not good for breaking down people who have ingrained prejudices"*

One member stressed that it may not be so productive attempting to use RJ between different racial gangs that fight with one another as these gangs have low prejudice levels. Evidently this statement is inextricably linked to his own experiences which did not fit the general direction of discussion, yet it does suffice to emphasise the dissimilar views apparent on this issue.

Black male, South London, aged 18.

> *"Violence that occurs between gangs is not that big an issue when we think about hate crime"*

Education and restorative justice

The youth group identified education as an obvious actor in addressing hate crime. It was believed that part of the problem amongst some young people is their lack of awareness as to what hate crime actually is. As one group member asserted:

Black male, aged 25, Lewisham

> *"People need information on hate crime, they [need to] know what it is and do it on a daily basis"*

This awareness was seen as important, since identifying and subsequently reporting such incidents might help with tackling the problem at an earlier age before it develops further. Moreover, it was felt that teachers should actively seek to identify children with hostile behaviour. However, since labelling children as hate crime perpetrators might be extreme, a systematic, comprehensive and sensitive approach to dealing with this issue is essential. Suggestions were made for schools to have mission statements that various types of behaviour would not be tolerated, although there is a chance that impact might be minimal. It was felt that more knowledge and awareness should be developed within the curriculum, for example in texts or manuals. One member further stressed that education is important and called for more awareness-raising activities, as well as more pro-active roles by teachers.

Black male, aged 18, South London

> *"Often like the different races look upon one another as if they are different species, and I think at a younger age they need to be informed that is not the case, by deliberately mixing up seating in schools".*

Several group members believed that if people who were involved in hate crime shared their experiences, whether victim or perpetrator, it could have a positive influence and

generate understanding of the hurt that can be caused. This was made clear by the following comment:

Black female, aged 16, Lewisham

> *"Victims and perpetrators going into schools, awareness raising, these types of things just don't happen"*

Greater levels of cooperation would also be required between agencies such as victim support, which could enter schools and raise awareness on hate crime issues. The groups discussed the use of RJ within schools. For somewhat more innocuous crimes this was seen to be a positive move in comparison to other corrective measures such as exclusion. Despite RJ being seen as a valuable instrument it was thought that any implementation would have to be closely monitored as young people may seek revenge outside the RJ process and simply use RJ as a way to avoid unfavourable punishment.

Black female, aged 16, Lewisham

> *"… Young people can be vindictive, you've got to think how young people think, it's like a gun, if a boy knows he will get stopped and searched he will give it to his girl".*

Youth ideas on a multi-agency solution

A final point to be addressed here is that of RJ being part of a multi-agency approach. After learning of an RJ case-study that used a multi-agency style approach, the group's overall response was to promote community involvement in addressing hate crime. Several participants agreed that training community members rather than bringing in 'outsiders' to administer the process would be more effective. The use of a peer mediator was seen as beneficial to the RJ process. Not only would this empower youth by giving them responsibilities within their communities, but a peer mediator would serve as a positive role model. Finally, a mediator may not be seen as an 'outsider' and be more likely to engage participants.

Another aspect within the multi-agency approach that appeared less clear was that of police involvement, where some participants felt that much depended on individual police officers and their ability to communicate with youth. Others felt that the police should be left out of the process altogether partly because their association with criminality could deter people from participating. It was clearly recognised from the varied responses made by the YAG that tackling issues associated with hate crime will involve layers of complex interaction. It was appreciated that such interaction will require cooperation between different actors from the community level through to government, leading to the following suggestions.

Community participation

Several group members believed that change at the local level could be achieved by greater use of community centres where events could be held to allow different groups residing in the same area to meet together. This could have a positive effect in breaking down stereotypes and prejudices, resulting in a "knock-on" effect to the wider community. It was felt local councils could play an active role in organising these activities. Some members held reservations about how effective this would be as it was expected that people with deeply held prejudices might not attend. Several participants mentioned the importance of community elders in delivering messages and driving change among certain groups. This was thought to be more effective for ethnic minority religions where certain individuals with authority may exert a greater influence within the community.

Asian male, age 18 Southwark

> *"Community elders do [have an influence], even if you don't hear the message yourself, you will hear it from some-one else… and this can influence".*

Media

During the first meeting, group members were adamant of the media's harmful effects on promoting stereotyping. At the second meeting, the group discussed ways in which the media could be appropriated and used–at a local and manageable level – to change attitudes and raise awareness of hate crime. The local media as well as other modes of transmission such as the internet or You-Tube should avoid stereotyping and instead highlight some of the problems associated with hate crime. It was judged by group members that there should be increased levels of connection between the media, MP's, schools, religious groups and voluntary organisations in dealing with hate crime.
The group thought that information exchanges between such agents could promote unity rather than division. For instance, an Asian female, aged 23 from South London highlighted the importance of local MPs in displaying a positive example through the media. Advertisements in the local press as well as displays of different groups working together were viewed as having the potential to create a new and more conducive atmosphere.

Black male, aged 25, Lewisham

> *"If the government pays someone like us…we can deliver a video which can go on youtube, we can deliver a video which can do on Channel You, we can deliver a video which can go on MTV…and that's reaching a lot of the youth population".*

It was also felt that people should be made more aware of the services available in the community. For example, after a case-study on the Southwark Mediation Centre, a Third sector organisation using mediation and counselling as a means to conflict resolution, one member said that he had never heard of the organisation despite living in Southwark.

Sport

An additional component that a few group members felt could have positive effects was sport. It terms of tackling hate crime, sport can be viewed as an approach outside of the mainstream. There was a belief that through various types of sport people can work together whilst it may also serve as a mode of transmission for disseminating information. One group member describes how by playing football with people of different ethnic backgrounds, a situation where he felt he was the victim of hate crime was transformed into amenable set of relations:

Asian male, age 18 Southwark

> *"Sports teams, clubs, football teams, having a team member and finding common ground, I have made mates with some people who were racist...and that was through me playing Rugby with them … they got to know me as a person, what they call P***, lets brick this P***'s house, they stopped doing this stuff now because they got to know me as a person, they got to know he can play rugby all this and that, if they get to know you they're fine with you, I think all youths do sports, that's one way of doing things"*

White female, aged 25, London

"I really believe that about sports…it really breaks down identity till you see the person as a team member – there's an identity to that".

Although sport appears to offer another possible solution for different groups to inter-mix, it was understood that it would not solve every problem, and in some instances might even create tensions. Blatantly there are risks as rivalries can be forged around opposing teams and this has the potential to result in inimical consequences. In particular, a White female member aged 23 stressed caution as she felt "people can congregate around sport".

Youth centres

The role of youth organisations was considered to be integral in any multi-agency partnership due to the informal atmosphere in which they can operate when dealing with young people. It was felt that youth workers are more closely linked with what is actually taking place at the ground level and therefore have the capability to collect important information. Such information could vary from the awareness of tensions that exist between different groups or even certain prejudices that people may hold. Sharing such information with other actors and working towards a remedy for these problems is an area where youth centres could play a central role.

Youth centres, through their base of young people, have the potential to work on innovative schemes that can raise awareness and harness the interest and involvement of young people. It was expressed by a few members that youth centres and other organisations could provide an environment where the arts and other methods could communicate social messages. For example, one participant mentioned the use of theatre productions that can be used to deliver messages about hate crime which could serve to raise awareness to a young audience.

Black male, aged 25, Lewisham

"A range of things, information is key and how you give that information is very important, can't be a single approach will tackle the problem single handed, may be sports, music, drama through the arts, changes people mindset and thought process about what people are like, sometimes it needs to blasted in people face in schools, helps people to visualise it".

Police

The discussion that surrounded the role of the police as part of a multi-agency partnership brought about mixed feelings. There were however changes at a youth level that YAG members would like to see take place. Some of these involved a point of contact for every borough and officers that are more closely linked with the community.

One group members, a Black male aged 17 from Lewisham expressed the following, "If people [police] regularly walked the streets in a particular area they can identify people who look shifty". There was a general feeling that the police response needs to be contactable, reliable and present and as people may resort to other tactics to retaliate. Based on feedback, the participants of the YAG expressed genuine appreciation at being able to hear various perspectives of people from a wide scope of people age groups and socio-economic backgrounds. It allowed them to gain awareness of hate crime and provide inputs and contributions which they would like to see result in policy changes. Participants were grateful to have explored and gained insight into the lives of young people's when interacting with hate crime

Appendix III: Terms of reference and membership of the Youth Advisory Group

Role of the Youth Advisory Group:

The YAG is set up as part of ROTA's two year project "Restoring relationships: addressing hate crime through restorative justice". The Group is set up to:

1 Scrutinise ROTA's project (e.g. methodology, findings, themes), and provide a youth perspective to the issues discussed

2 Engage in a wider discussion on issues and concerns pertinent to hate crime in London from a youth perspective

3 Feedback the views of London's youth into the project's final policy recommendations.

4 Create a platform for a mixed group of young people that will allow them to see what unites them rather than divides them.

The discussions of the group will build upon the extensive research already compiled from phase 1 of the project during June 2006 – November 2007. The timescale for the YAG is Nov 07 – June 08.

Membership and responsibilities:

Membership of the advisory group

I. Youth Advisory Group leaders:

1. Chetna Mavadia, ROTA
2. Anthony Salla ROTA
3. Giulia Liberatore, ROTA

II. Members:

1. Allan Gay, - For-Real (youth led organisation)
2. Therryi Brown, - For-Real (youth led organisation)
3. Remmel McKenzie - For-Real (youth led organisation)
4. Ali Asfar, St Hindas Youth Club
5. Peter Currie London School of Economics
6. Lorna Roe - Student
7. Rochelle Sampy - Independent Academic Research Studies (youth led organisation)
8. Bhumika Patel - Law School
9. Jamexis Christian, ROTA
10. Tesfra Russell, Individual
11. Gloria Arjomand, Individual
12. Mohansin Shah, Individual
13. Basil Wagih, Individual

Objectives:

Fundamental aims of the discussion forum are to identify:

- Raise awareness about the thoughts and concerns of London's youth about hate crime
- The types of hate crime London's youth feel require policy focus,
- Types of victims and perpetrators who are most vulnerable and where most attention is needed, respectfully.
- Areas, districts or communities where youngsters feel hate crime incidents are on the increase,
- Whether the group feel restorative justice can be used as an effective mechanism outside of the criminal justice system,
- Possible methods youngsters feel have the potential to reduce racial discrimination or harassment
- Youth Perspectives on the scope for multi agency, cross-sector partnerships, such as housing trusts, youth organisations, to relieve racial tensions
- The requirements that would make a London restorative programme run successfully - in the short and long term.

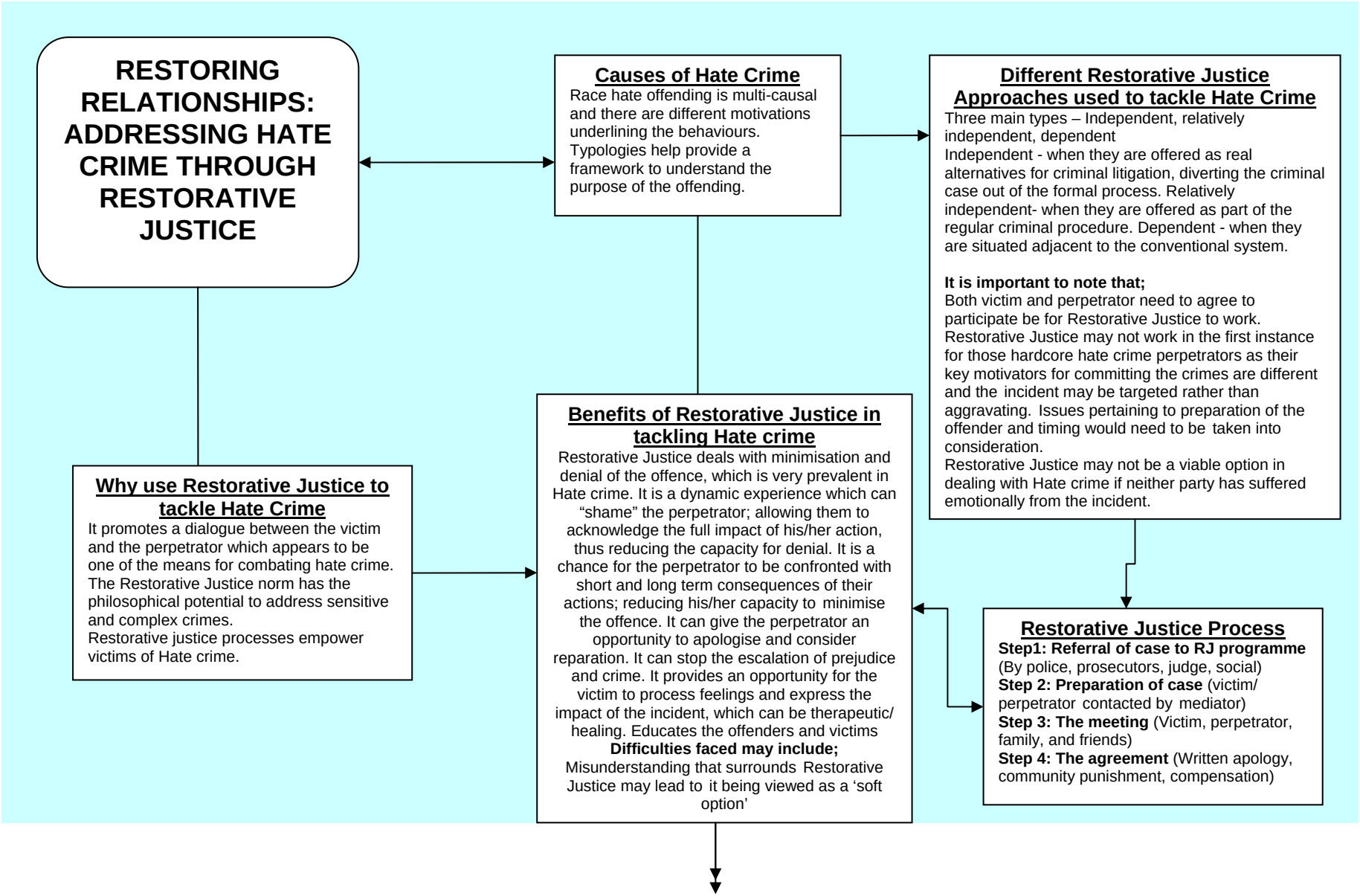
These objectives will be achieved within youth led discussions through:

- Creating a space for youngsters to voice their opinion and actively encouraging dialogue.
- Promoting and exploring key themes brought into discussion by each individual
- Investigating what are believed to be the key challenges to preventing and combating hate crime in London

Deliverables of the Youth Advisory Group includes:

- Hosting 3 meetings (December 07, January 08, February 08)
- Feeding back fully the opinions of participants into final report and recommendations
- Complete and conduct all necessary administrative tasks: note taking and distributing minutes
- Channel findings into ROTA'S publications (newsletter, website, policy briefings)

Appendix IV: Toolkit



RESTORING RELATIONSHIPS: ADDRESSING HATE CRIME THROUGH RESTORATIVE JUSTICE

Useful Definitions

Hate Crime - fundamentally different to other crimes because its causes were linked to deeply engrained forms of hatred and prejudice. Hate crime can take numerous forms (including assault, verbal and psychological violence) and impact various groups and populations in different ways

Victims - Hate crime can take place throughout all levels of society and amongst all ages. In London it was identified as spatially determined, occurring more frequently in certain areas of the city.

Perpetrators of Hate Crime - Four groups of offender have been identified;

The 'thrill seekers': Those who are 'attracted' to the offending because of the thrill/buzz it provides.

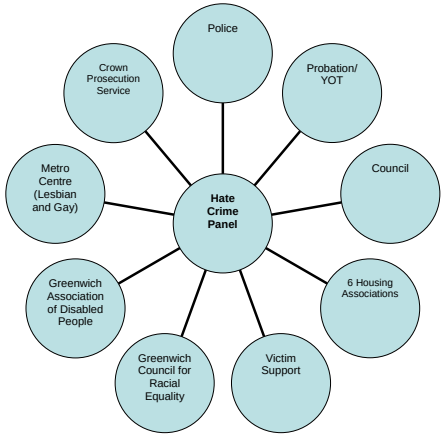
The 'reactive/defensive offenders': Usually older, frequently with few previous criminal convictions, members of this group will have a sense of grievance and believe that they are acting to protect a perceived threat to their way of life.

The 'retaliatory offender': This is the offender who reacts to the racial aggression he receives and 'hits' back.

The 'mission offenders': The offending of this group is premeditated and targeted.

Restorative Justice - has potential to deal with hate crime, particularly since it offers a mechanism for people to meet on their own terms. It provides the victims a space in which to change the perpetrators prejudice thereby addressing the causes of hate crime.

Creating and sustaining multi – agency partnerships to combat Hate crime (Greenwich Model – Example of Multi-agency panel approach)



Examples of existing Restorative Justice Schemes

Criminal Justice System -Race Hate Crime Forum
Schools - Lambeth Restorative Approaches in Schools Project
Neighbourhood/Community -Southwark Mediation Centre
Other Resources -Restorative Justice Consortium**,** Transforming Conflict
(Refer to Restoring Relationships Report – ROTA for a fuller list)

Benefits may include;
Assessment and Information sharing
Interventions (Restorative Justice)
Best Practice developed

Difficulties faced may include;
High staff turnover of statutory agencies
Misunderstanding around the success of Restorative Justice Work
Funding and Sustainability for VCS organisations
Lack of resources

Case Studies: SUCCESSES (Refer to Restoring Relationships report – ROTA)
UK successes:
LONDON – Southwark Mediation Centre: A Community based approach to Hate Crime
LONDON – The Metropolitan Police Authority – London Wide Race Hate Crime Forum
SLOUGH – Aik Saath: Promoting Racial Harmony Between Sikh and Muslim Young People
SOUTHWARK – Police, Partners and Community Partners and Community Together in Southwark (PPACTS): A multi – agency approach to Hate Crime in Southwark.
LAMBETH – Restorative Justice Approaches in Schools
CAMDEN – Camden LGBT Forum: Multi-agency partnership working
LONDON – CALM Mediation
LAMBETH – Lambeth Children and Young People's Service
LONDON – London Probation
LONDON – Phull Ltd

Greenwich Model sourced: Greenwich Council Race Equality Unit

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[1] London Councils Survey of Londoners 2007/8
[2] Mayor of London Community Safety Quarterly Report, Aug 2007
[3] http://www.met.police.uk/crimefigures/index.php
[4] ROTA uses the term BAME to refer to all groups who are discriminated against on the grounds of their race, culture, colour or nationality.
[5] Further on the definitional issues surrounding hate crime see Phase 1 report www.rota.org.uk
[6] Third party reporting involves reporting a crime to locations other than police stations. It was included in the recommendations of the Stephen Lawrence Inquiry report and includes racist violence, homophobic and hate crime in general.
[7] http://www.communities.gov.uk/archived/publications/communities/commissionintegration
[8] Alibhai-Brown, Yasmin (2008) *At risk – the haven for honour victims*, Evening Standard.
[9] More on this in the Youth Empowerment Project report www.iars.org.uk
[10] The report can be obtained from www.rota.org.uk or by contacting ROTA on 020 7729 1310.
[11] Independent Academic Research Studies (IARS) is a youth-led non-profit social policy think-tank that was set up in 2001 to give voice to young people to influence policies and practices that affect them and through their work to support youth-led organisations and groups in the Third Sector in achieving community cohesion, and promoting equality, human rights, restorative justice and alternative dispute resolution. We achieve this aim by providing direct services to disadvantaged young people, by acting as an independent consultancy, by carrying out research and by informing strategic decision makers about issues affecting youth groups that are easily exposed to discrimination (e.g., Black and minority ethnic groups, lesbian, gay, bisexual and transgender people, the disabled and the mentally ill). For more information www.iars.org.uk
[12] The London Action Trust is a charity dedicated to breaking the cycle of offending to create safer communities in Greater London. For more information www.lat.org.uk
[13] The Phase 1 report (www.rota.org.uk) provides detailed information on these organisations including a description of their work on hate crime.
[14] The tailored training was provided by the youth led organisation Independent Academic Research Studies www.iars.org.uk
[15] The Crown Prosecution Service is the Government Department responsible for prosecuting criminal cases investigated by the police in England and Wales. It is responsible for: Advising the police and reviewing the evidence on cases for possible prosecution, Deciding the charge where the decision is to prosecute, Preparing cases for court, Presentation of cases at court. The CPS published its Racist and Religious Incident Monitoring report in February 2008. It is available on the CPS website at http://www.cps.gov.uk/publications/docs/rims06-07.pdf
[16] It is important to note that some of the participants fall into multiple categories and have been counted more than once, for example Camden LGBT Forum not only carry out policy work, but also provide on the ground support for victims of hate crime.
[17] For a more detailed analysis of the various restorative justice models of dealing with hate crime see Phase 1 report.
[18] As noted by the Phase 1 Report, evidence from previous research, such as the latest British Crime Survey, continues to show that BAME communities are still more likely to be the victims of racist attacks and racially motivated crime.
[19] Third party reporting involves reporting a crime to locations other than police stations. It was included in the recommendations of the Stephen Lawrence Inquiry report and includes racist violence, homophobic and hate crime in general.
[20] See C. Milmo, Fury at DNA pioneer's theory: Africans are less intelligent than Westerners, The Independent (17/10/2007)
[21] See for example D. Shaw, *Crime perception contrasts with* figures, BBC Online (04/04/03) http://news.bbc.co.uk/1/hi/uk/2917345.stm
[22] See for example the 2006 Victim Support *Crime and Prejudice* report which details the gap between the current criminal justice system and the needs of victims.

[23] Local Area Agreements (LAAs) are due to come to force in April 2008, and the government's intention is to provide local authorities and partners with the flexibility and capacity to deliver the best solutions for their areas through a reformed relationship between central and local government. The 2007 National Audit Office report *Local Area Agreement and the Third Sector* noted that although LAAs originally were not thought to have an impact on the work of the Third Sector there is now recognition that the way funding will be prioritised and commissioned with influence work delivered at the local level by small frontline groups.

[24] "Restorative justice" is an ethos with practical goals, among which is to restore the harm done by including all affected parties in a process of understanding through voluntary and honest dialogue, and by adopting a fresh approach to conflicts and their control, retaining at the same time certain rehabilitative goals" (Gavrielides 2003, 2007).

[25] The Commission on Integration and Cohesion was established in August 2006 by the then Communities Secretary, Ruth Kelly as an independent body to consider how barriers to integration and cohesion might be overcome.

[26] For the government's response visit http://www.communities.gov.uk/documents/communities/pdf/681891

[27] Alibhai-Brown, Yasmin (2008) *At risk – the haven for honour victims*, Evening Standard.

[28] *Ibid.*

[29] See for instance Theo Gavrielides (2008) "Restorative justice: the perplexing concept. Conceptual fault lines and power battles within the restorative justice movement" 8:2 Criminology and Criminal Justice Journal.

[30] See for examples the Building Bridges Project which focuses on the gang, gun and knife culture in London.

[31] See Gavrielides T (2007) *Restorative Justice Theory and Practice: Addressing the Discrepancy*, Helsinki: HEUNI. The study examines the harmful gap between the theory of restorative justice and its application in programmes in Europe, the U.S and elsewhere. Data were obtained from four surveys of restorative justice practitioners, using a combination of qualitative methodologies, including questionnaire responses, interviews and focus groups. Restorative justice programs strive to "restore" peace after a crime has been committed by engaging victims, offenders and community representatives in dialogue and mediation. Compared to the criminal justice system, previous studies reviewed by the book have credited restorative justice programmes with such benefits as lower recidivism, and higher levels of satisfaction with outcomes among victims, offenders and community representatives. However, the author's seven-year research programme uncovered evidence of a pervasive gap between restorative justice principles and current restorative justice program operations. This "gap" is blamed for widespread difficulties such as insufficient funding for restorative justice programmes, inadequate training and accreditation of restorative justice practitioners, lack of faith and commitment among staff, and a tendency for restorative justice programmes over time to become increasingly similar to the standard criminal justice system. The book warns that if these problems are not corrected, restorative justice's original values and benefits may never be realised.

[32] The report can be downloaded from http://www.londoncouncils.gov.uk/doc.asp?doc=22028&cat=1018

[33] More information on the programme can be obtained from www.cityparochial.org.uk Currently the following preventative programmes are being funded under the programme: Working with Men – ID Project, Leap Confronting Conflict and Searchlight Educational Trust. The programme is supported by an Advisory Group of which ROTA is a member.