

## HATE CRIME CONSULTATION

EQIP (the Equality and Inclusion Partnership) recently responded to the Law Commission's consultation on hate crime as part of its remit to reform the current hate legislation.

[Hate Crime | Law Commission](#)

Hate crimes are acts of violence or hostility directed at people because of who they are. Hate crime laws in England and Wales have developed in various phases over the past two decades, and the law currently recognises five protected characteristics:

- race
- religion
- sexual orientation
- disability
- transgender status

But the criminal law does not treat all of those protected characteristics equally. This means that someone who is assaulted based on disability is not afforded the same protection as someone who is assaulted because of their race.

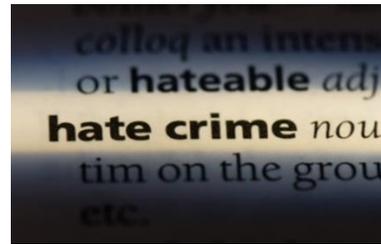
Other major concerns include:

The complexity and lack of clarity in the current laws which can make them hard to understand.

Concerns about the particular challenges in prosecuting disability hate crimes.

There have also been calls for hate crime laws to be expanded to include new protected characteristics to tackle hatred such as misogyny and ageism, and hostility towards other groups such as homeless people, sex workers, people who hold non-religious

philosophical beliefs (for example, humanists) and alternative subcultures (for example goths or punks).



The recent consultation asked for a number of comments from organisations and anyone with an interest in hate crime and will form the basis of changes to current legislation.

EQIP is pressing for:

- \* A single Hate Crime Act
- \* Definition of race in hate crime laws to include migration and asylum status and/or language
- \* The definition of transgender status to be widened to include trans, non-binary, cross dresser, intersex
- \* New protected characteristic of Misogyny be included (hatred for women)
- \* Gender and sex be included
- \* Age be recognised as a protected characteristic only if agreement can be made on an agreed definition of what older/elderly/retired actually means
- \* Include Alternative Sub Culture as a hate crime (Warwickshire Police currently recognise it in its hate crime statistics) and include within it a sub category of homelessness
- \* Property or fraud offences should be included within the specified aggravated offences.
- \* Clarification of legislation to include 'one or more' protected characteristic definition to cover the need to include intersectionality (ie people with more than one protected characteristic)

- \* That 'stirring up' offences in relation to 'written' material include all materials such as posters and videos.
- \* Offence under section 3 of the Football (Offences) Act 1991 of engaging in "chanting of an indecent or racist nature at a designated football match" be extended to cover chanting based on sexual orientation and that gestures and throwing of missiles also be added.
- \* Offence under section 3 of the Football (Offences) Act 1991 should be extended to cover journeys to and from a designated football match.
- \* Introduce a new role of Hate Crime Commissioner



Hate Crime is pernicious, it has a major impact on victims and their families. It often makes them change their whole lifestyle in order to 'stay safe' and can be an intolerable burden for the rest of their lives impacting on health, wellbeing, ability to work and mental health.

The fear of hate crime is even greater than the fear of crime generally, and often impacts on whole communities at any one time. A nationally coordinated approach is vital to tackle the lack of reporting, differences in approach of different police forces and local authorities, and lack of successful prosecutions, for a more inclusive and fairer society.

*EQuIP is the Equality and Inclusion Partnership, a Charity providing support, advice and training to people across different sectors to promote equality, diversity and inclusion and tackle discrimination and hate crime.*

*EQuIP provides a free confidential Discrimination and Hate Casework service, specialises in community engagement and promotes diversity through its Equality Network in Warwickshire*



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**Report any hate concerns or incidents in Warwickshire here:**

[Report a Hate Crime - Warwickshire Hate Crime Partnership](#)