



**POLICE  
SCOTLAND**  
Keeping people safe



**Scottish Government**  
Riaghaltas na h-Alba



# Hate Crime Strategy for Scotland

March 2023

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# 1. Ministerial Foreword



## **Hate crime and prejudice have a harmful impact on individuals, communities and wider society and they are never acceptable.**

We continue to be resolute in our determination to prevent and tackle hatred and prejudice in all of its forms in order to build a more a cohesive society where everyone feels they belong; a society in which the diversity of people's backgrounds, beliefs and circumstances are appreciated and valued, and similar life opportunities are available to all.

New hate crime legislation will provide an essential element of our ambitious programme of work to tackle hate crime and build community cohesion by ensuring the law is fit for 21st century Scotland and, most importantly, affords sufficient protection to those that need it.

However, we know that legislation in and of itself is not enough to build the inclusive and equal society we aspire to. We need to work together to prevent hate crime from happening in the first place, including by changing attitudes and behaviours. We also need to ensure there are robust processes in place where people can report a hate crime when it happens and receive the support they need.

I recognise that the landscape has changed significantly in the past few years. COVID-19 brought with it a heightened awareness of exacerbated inequalities in Scotland. People across the country are now facing one of the toughest costs of living situations we have seen. Particular challenges around structural inequalities, including institutional racism and discrimination, have been increasingly brought to our attention, and have been discussed throughout the development of this strategy.

Including the voices of those with lived experience of hate crime has been central to our approach and I am grateful to those individuals who have taken the time to share their experiences. I was struck by the devastating impact hate crime has had on individuals, their families and their communities and the frustration people feel at the pace of change.

Our engagement has reinforced our understanding that hate crime does not affect all communities equally and that there is a geographic difference in hate crime rates. We also know people with shared characteristics can experience hate crime differently – and for some people, intersecting characteristics can amplify experiences of prejudice and hate crime.

I am committed to continuing meaningful engagement as we move towards delivery, to ensure that people see and feel a positive change as a result of this strategy.

This strategy has been developed in partnership with organisations with expertise in tackling prejudice, building cohesive communities and advancing human rights. I would like to express my thanks to the Hate Crime Strategic Partnership Group for their collective leadership in supporting its development, and to the many other individuals and organisations who have shared their views.

Preventing and tackling hate crime is the responsibility of us all. It is only through working together that we will create the inclusive society we want to see.

**Christina McKelvie**  
**Minister for Equalities and Older People**

## 2. Police Scotland Foreword



### **Policing has a major role in ensuring Scotland is a safe, secure and welcoming place for all.**

Hate crime is one of the most insidious crimes. To target a person, a group or a community because of who they are, how they look, or how they choose to live their lives, goes against everything our society holds dear.

Its impact on a victim cannot be underestimated. It can decimate confidence and leave people feeling isolated. This can spread through their family and into the wider community, creating pockets of people who may feel unwelcome or rejected.

We know it can be hard for people to report a hate crime, and in some cases to even recognise or acknowledge that they have been a victim.

This is an issue that also affects our officers and staff with around one in four reported hate crimes in Scotland targeted at a police officer.

We want everyone targeted by hate crime or who witnesses it to have confidence to come forward, with the assurance that they will be treated with respect and the circumstances investigated professionally.

That's why we are driving action under our Policing Together initiative to build a Service where everyone is able to thrive and flourish knowing they are valued for their true and authentic selves and which better reflects and represents all our communities.

Providing everyone with a fair, just and effective policing response is not only an operational requirement but also our moral responsibility and legal duty.

We are working hard to play our part in the implementation of the Hate Crime and Public Order (Scotland) Act, which will increase our ability to bring perpetrators to justice.

At the same time, we are driving progress in how we record and manage information so that we build deeper knowledge and understanding of trends in hate crime and the impact it has on communities.

This crucial work is supported by proactive communications campaigns that have sought to help people identify and report hate crime and, in future, will challenge people to reflect on their own behaviours and attitudes to stop hate crime before it happens.

We are committed to continually listening to the communities we serve and taking action to constantly improve our response to hate crime.

Everyone has a right to live safely and happily as their true and authentic selves, without fear of prejudice. No one should suffer in silence or deal with the impact of hate crime alone.

**Gary Ritchie**  
**Assistant Chief Constable**

## 3. What is hate crime?



**Hate crime is the term used to describe behaviour which is both criminal and rooted in prejudice. This means that the law has been broken, and the offender’s actions were driven by hatred towards a particular group. Prejudice is not in itself criminal; rather it is a preconceived opinion or attitude towards a particular group.**

Different prejudice-driven conduct will have a different response and not all amounts to hate crime. There are some expressions of prejudice that, while harmful, are not criminal offences. For example, in the workplace, the civil law has a role in addressing discrimination under the Equality Act 2010. However, some prejudicial conduct requires a criminal law response and hate crime legislation ensures that the criminal law can address such conduct.<sup>1</sup>

In Scotland, the law currently recognises hate crime based on prejudice towards the following groups:

- disability
- race
- religion
- sexual orientation
- transgender identity.

The Hate Crime and Public Order (Scotland) Act 2021 will extend protection to include prejudice against age. It also updates the definition of transgender identity including by removing the outdated term ‘intersexuality’ given the clear differences between intersex and transgender identities. However, so as not to lose protection for this group of people, the Act includes ‘variations in sex characteristics’ as a separate characteristic within hate crime law.

Hate crime can target a particular person or an entire group. You don’t have to be a member of the targeted group/s to be a victim of hate crime, as the law applies to crimes based on someone’s belief about your identity, even if that is incorrect. It also applies to crimes based on an association with a particular group/s. Some people will belong to or identify with more than one protected group. For some, a combination of characteristics will mean that they experience hate crime in a specific way – what is referred to as intersectionality. Intersectionality can significantly impact how people experience hate crime.

Hate crime can be verbal or physical and can take place anywhere – including online.

<sup>1</sup> [Independent Review of Hate Crime Legislation in Scotland, Final Report](#)

## Reporting hate crime to the police

Reporting hate crime is important. We encourage anyone who has experienced or witnessed a potential hate crime to report it to Police Scotland in person, by telephone, online or via one of the third party reporting centres listed on their website.<sup>2</sup>

The police record incidents reported with a prejudice element. If in the investigation of the reported incident sufficient evidence exists to suggest the accused has committed an offence, then the police can report a hate crime to Crown Office and Procurator Fiscal Service (COPFS). COPFS will determine if charges are brought forward.

There is a general consensus that hate crime is underreported and that some people have concerns about approaching the police to report it. This strategy seeks to increase the use of hate crime reporting mechanisms.

## Hate crime toolkit

Victim Support Scotland and Police Scotland have produced a toolkit for anyone affected by hate crime which outlines how to report a hate crime and the support available.<sup>3</sup>

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<sup>2</sup> See Commitment 3 for plans to renew and improve third party reporting structures.

<sup>3</sup> [Victim Support Scotland and Police Scotland Toolkit](#)

## 4. Why do we need a new hate crime strategy?



### We know all too well the devastating impact that hatred and prejudice can have on individuals, communities and wider society.

The voices of people with lived experience of hate crime have been central to the development of this strategy and members of the Hate Crime Strategic Partnership Group – who have specific expertise in championing equality, inclusion and human rights – designed and led a human rights-based,<sup>4</sup> trauma-informed approach to engagement.<sup>5</sup>

Engagement took place between September 2022 and January 2023 and was led by Age Scotland, BEMIS Scotland (Empowering Scotland's Ethnic and Cultural Minority Communities), CEMVO Scotland, Equality Network, Glasgow Disability Alliance, Interfaith Scotland, and YouthLink Scotland.<sup>6</sup>

As we developed this strategy, we heard some harrowing examples of the types of abuse people have faced, and the impact it has had on them. Experiences of hate crime can feel different for different people, especially when a combination of characteristics interact and amplify its impact. For example, a young person from an ethnic minority group or a disabled person who also identifies as LGBT+ could be said to have intersecting characteristics. Hate crime can also feel different for someone who visibly belongs to a protected group.

At an engagement with Sikh and Muslim women, we heard that there are people who feel scared to leave their homes, avoid public places and public transport, and who have significantly altered how they live their life in order to avoid certain interactions.

“ I definitely won't go out after 6pm now.”

**Source: Interfaith Scotland engagement, September 2022**

“ I have changed my lifestyle and will not go on buses now, and will wait hours for a lift rather than catching a bus.”

**Source: Interfaith Scotland engagement, September 2022**

A young woman from a minority ethnic group talked about how experiencing prejudice made her think twice about wearing traditional dress due to fears of attracting further abuse.

“ I sometimes feel uncomfortable wearing the hijab. It has impacted my confidence a lot.”

**Source: CEMVO Scotland engagement, October 2022**

<sup>4</sup> See Chapter 4 for human-rights based approach.

<sup>5</sup> [Terms of Reference for the Hate Crime Strategic Partnership Group](#)

<sup>6</sup> A full list of organisations that participated in lived experience engagement can be found at Appendix 1.

Shockingly, for some people, experiencing a hate crime is considered a normal part of daily life. Often, it is the culmination of abuse and prejudice experienced that can compound the feeling of not being welcome in a community - as identified by a disabled participant during a Glasgow Disability Alliance led engagement session in October.

“The way it impacted my health is, you get it so much that you just don't want to live no more.”

**Disabled person**

**Source: Glasgow Disability Alliance engagement, October 2022**

It is widely accepted that hate crime is underreported for a range of reasons – including the perception it won't be treated seriously, fear someone will not be believed, having to repeat traumatic experiences, and fear of escalation. Many participants told us about their mistrust of police and the criminal justice system. For some people in the LGBT+ community, historic criminalisation is a deterring factor in reporting hate crime to the police.

A recent report 'Life in Scotland for LGBT+ Young People' found that just 17% of young people surveyed reported that they would feel confident reporting a hate crime to the police if they experienced one.<sup>7</sup>

“I don't feel I would be believed, and even if I was it's really hard to actually get any action taken against someone, especially when you have no proof. The process can be horrific for victims, and I cannot handle that.”

**LGBT+ young person**

**Source: LBGT Youth Report, April 2022**

We heard that the nature of hate crime has evolved. Increased social media use over the past decade has changed how people and communities experience hate crime, and that for some it can feel constant.

“The harassment is insidious.”

**Disabled person**

**Source: Glasgow Disability Alliance engagement, October 2022**

7 [Life in Scotland for LGBT Young People 2022, LGBT Youth](#)



“These days, people are clever how they harass you. There are many ways to set up anonymous accounts, multiple accounts, bots.”

**Disabled person**

**Source: Glasgow Disability Alliance engagement, October 2022**

We also heard that we need to do more to equip witnesses with the skills to support an individual when it is possible and safe to do so, including reporting what has happened.

Overwhelmingly, our engagement has told us that we need to do more to raise awareness of hate crime and prevent it from happening in the first place. We also need to do more to educate children and young people about what prejudice and hate crime are so that it can be addressed. One participant commented:

“A family friend had to move away from the area because the school did not resolve the problem, but the same problem is now occurring at the new school.”

**Chinese person**

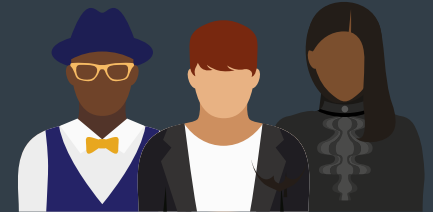
**Source: CEMVO Scotland engagement, September 2022**

We know that our engagement doesn't cover the experiences of everyone who has experienced hate crime in Scotland, and that there is more to do to capture the views of people who may not engage with stakeholder representative groups. We also acknowledge that people are frustrated at having shared their experiences in the past and feel nothing has changed, and we recognise that if we are to convince these communities that this is a renewed effort, they must see change.

Tackling hate crime is not the responsibility of those that are targeted, it is everyone's business. It will take a concerted effort to eradicate such behaviour, and that will take some time. It is only when everyone feels safe in their communities and is fully able to participate in public life that we can say we have fully achieved our aim.

We are clear that everyone should be able to live free from hatred and prejudice. This strategy sets out how we plan to work together to build on work to date, to both prevent and tackle hatred and prejudice in Scotland.

## 5. Where are we now?



### **Tackling Prejudice and Building Connected Communities Action Plan**

The Tackling Prejudice and Building Connected Communities Action Plan<sup>8</sup> was published in 2017 in response to recommendations made by Professor Duncan Morrow's Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion.<sup>9</sup>

We published a report on implementation in December 2021.<sup>10</sup> The report shows encouraging progress made towards tackling hate crime in Scotland, including progress in a number of key areas, such as in raising awareness of hate crime and encouraging reporting, and ensuring the availability of better and more robust data and evidence on the characteristics of hate crime in Scotland.

### **Hate Crime and Public Order (Scotland) Act 2021**

Lord Bracadale led an Independent Review of Hate Crime Legislation in Scotland and his report, published in May 2018, contained 22 recommendations identifying aspects of existing hate crime law where changes would be beneficial for victims, vulnerable groups and wider society.

The 'One Scotland: Hate Has No Home Here' consultation<sup>11</sup> sought views on those recommendations including through public events across Scotland involving communities affected by hate crime, stakeholders representing equality groups and legal bodies.

Following almost a year of scrutiny, the Hate Crime and Public Order (Scotland) Act 2021 ("the Hate Crime Act") received Royal Assent on 23 April 2021.

8 [Scottish Government response to the report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion](#)

9 [Independent Advisory Group report on Hate Crime, Prejudice and Community Cohesion](#)

10 [Tackling Prejudice and Building Connected Communities Action Plan: Implementation Overview](#)

11 [One Scotland: Hate Has No Home Here consultation](#)

The Hate Crime Act will modernise, consolidate and extend existing hate crime law in Scotland. It will:

- maintain current legislative protections against offences aggravated by prejudice against disability, race, religion, sexual orientation, transgender identity and variations in sex characteristics;
- introduce new protections against offences aggravated by prejudice towards a person's age;
- provide new 'stirring up of hatred' offences covering all characteristics protected in the updated legislative framework. These will complement the existing offence of stirring up racial hatred that has been part of our criminal law for decades.
- require information about police recorded hate crime and convictions data to be published annually, and with greater detail where known. This provision was included following engagement with BEMIS Scotland and civic society organisations and in response to the 2016 recommendations of the UN Committee on the Elimination of all forms of Racial Discrimination (CERD).

In order to effectively implement the Hate Crime Act in full, a number of IT change programmes are required across all justice bodies in Scotland. These include:

- updating the data standard used to communicate and record charge aggravator codes across Police Scotland, Crown Office and Procurator Fiscal Service (COPFS) and the Scottish Courts and Tribunal Service (SCTS);
- the development of Police Scotland's new crime and case management system which will allow more information about hate crime to be recorded. Where recorded by the police, this will provide more detail about the groups targeted and the nature of the prejudice involved, including intersecting characteristics.

This rollout of the new IT systems is due to be completed by December 2023. Therefore, the Hate Crime Act is expected to take effect shortly after this in early 2024.

While legislation alone is not enough to build a safe, inclusive and equal society, it does form a basis for understanding the type of behaviour that is not acceptable in society and is an essential element in our wider approach to tackling hate crime.

## 6. Hate crime in Scotland

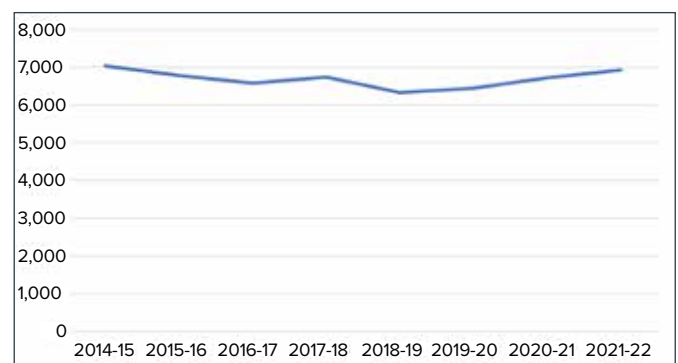


In order to demonstrate human rights compliance<sup>12</sup> by providing annual disaggregated hate crime reports, we have been working with Police Scotland as an interim measure to publish ‘Characteristics of Police Recorded Hate Crime in Scotland’.<sup>13</sup>

To date, there have been two published studies which present statistics on the number of hate crimes recorded by the police in Scotland over 2014-15 to 2021-22, and provide helpful insight into the nature of hate crimes and the characteristics of both victims and perpetrators.

The latest report shows that the police recorded 6,927 hate crimes in 2021-22 and that since 2014-15, the number of hate crimes recorded has remained relatively stable, fluctuating between 6,300 and 7,000 crimes a year.

**Police recorded hate crime has remained relatively stable since 2014-15**



It is important to bear in mind there are a range of factors that could influence the number of hate crimes recorded by the police. Whilst changes in the number of crimes recorded could reflect a change in the number of crimes experienced by the population of Scotland, other factors are also likely to have an impact.

Trends can be affected by public reporting practices; attitudes to certain behaviour may change over time and reporting rates may vary by the type of crime.

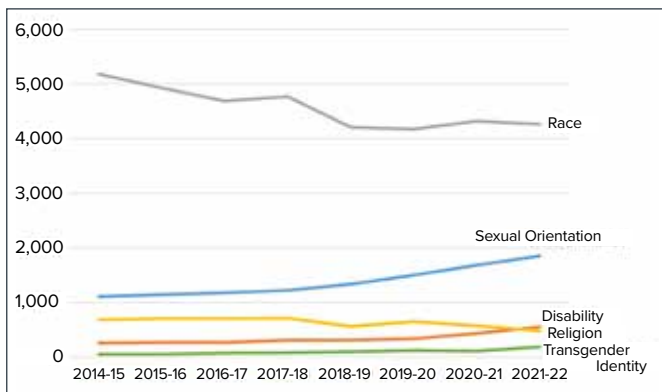
Under-reporting of hate crime is also recognised as a key factor, and it could be that different groups in society may be more or less likely to report to the police that they have been the victim of a hate crime.

<sup>12</sup> Specifically the 2016 recommendations of the UN Committee on the Elimination of all forms of Racial Discrimination (CERD)

<sup>13</sup> [Police Recorded Hate Crime Characteristics, updated study](#)

In 2021-22, just over three-fifths (62%) of hate crimes included a race aggravator, over a quarter (27%) included a sexual orientation aggravator, 8% a disability aggravator, 7% a religion aggravator and 3% a transgender identity aggravator. Any individual crime can include multiple aggravators. In 2021-22, 5% of hate crimes included more than one aggravator.

**Hate crimes recorded by the police, by aggravator, 2014-15 to 2021-22**

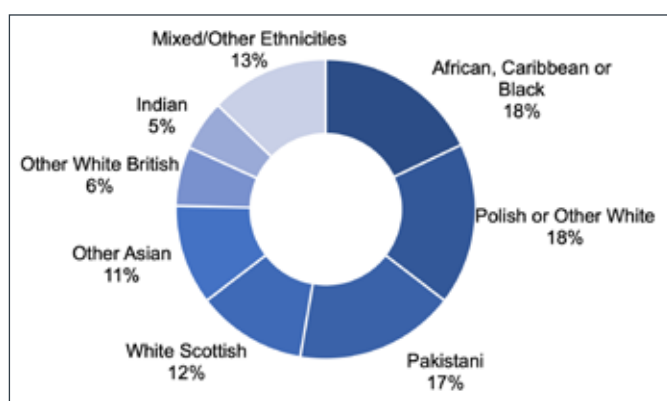


Since 2014-15 there has been a small fall in the overall number of recorded hate crimes, decreasing by 1%. There was also a decrease in the number of recorded hate crimes that included a race aggravator (down 18% from 5,178 crimes in 2014-15 to 4,263 crimes in 2021-22) as well as the number that included a religion aggravator (down 30% from 682 in 2014-15 to 478 in 2021-22). The number of recorded crimes with a sexual orientation aggravator increased over the same time frame (up 67% from 1,110 in 2014-15 to 1,855 in 2021-22). The number of crimes with a disability aggravator doubled (from 260 in 2014-15 to 552 in 2021-22), and the number of transgender identity-aggravated hate crimes has more than tripled, albeit from a relatively small base (from 53 to 185).

However, within these characteristics, we are able to gain further insight into the nature of hate crime.

- Where information was available on the ethnicity of victims, almost two-thirds (or 64%) of race aggravated hate crimes had a victim from a visible minority ethnic (non-white) group. This compares to 4% of Scotland’s population at the time of the last census in 2011.
- An estimated 18% of race aggravated hate crimes had a victim of African, Caribbean or Black ethnicity. This was followed by Polish or Other White and Pakistani, Pakistani British or Pakistani Scottish (with both groups accounting for 17% of cases each).

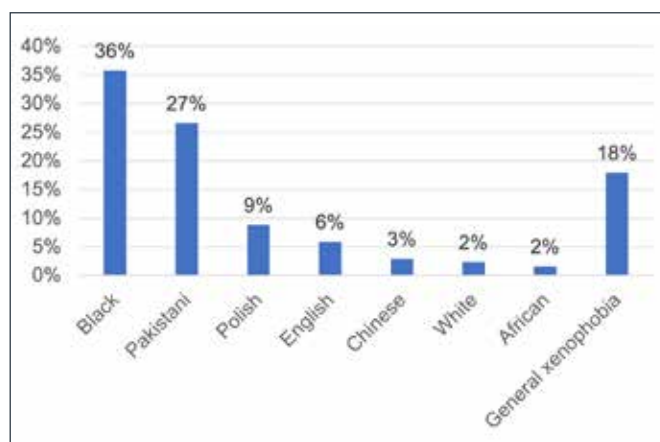
**Victim ethnicity for race-aggravated hate crimes, using census ethnicity categories, 2020-21 deep dive:**



At 12%, victims who were White Scottish made up the next largest group. However, it is worth noting that only 4% of all race aggravated hate crimes showed either anti-White or anti-Scottish prejudice. This is because cases are included where either the victim of the crime was different to the target of the hate, for example against a third party, or cases where the perpetrator’s perception did not align with the victim’s self-identified ethnicity, as well as those cases where anti-White or anti-Scottish prejudice was shown.

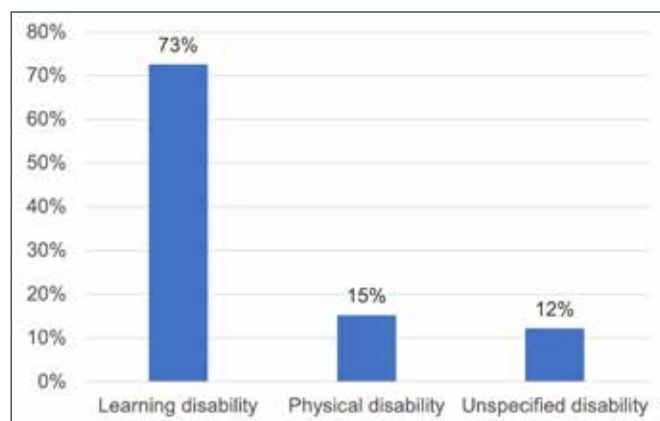
- In 36% of race-aggravated hate crimes, the words used or actions taken by the perpetrator suggested an anti-Black prejudice and in over a quarter of cases prejudice was shown towards the Pakistani community. In almost one in five crimes the perpetrator made general xenophobic remarks not directed at any one group.

**Type of prejudice shown by the perpetrator in race-aggravated hate crimes, 2020-21 deep dive:**



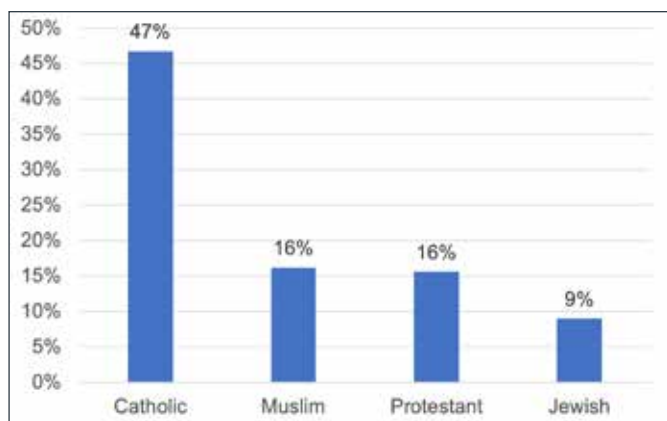
- A majority of disability-aggravated hate crimes included a prejudice against those with a learning disability (73%). Just under one in six (15%) showed a prejudice against those with a physical disability.

**Type of prejudice shown by the perpetrator in disability-aggravated hate crimes, 2020-21 deep dive:**



- In almost half of religion-aggravated hate crimes the perpetrator showed prejudice towards the Catholic community (47%). The next largest groups were the Muslim and Protestant communities, both accounting for 16% of cases each, 9% of crimes showed anti-Jewish prejudice.

### **Type of prejudice shown by the perpetrator in religion-aggravated hate crimes, 2020-21 deep dive:**



- In the vast majority of sexual orientation-aggravated hate crimes, the perpetrator showed prejudice towards the gay (77%) and lesbian (23%) community.
- In the vast majority (89%) of transgender identity-aggravated hate crimes, the perpetrator showed prejudice towards those from the transgender community.

### **High profile events**

We also know that experiences of hate crime can be impacted by national and global events which are not always identifiable in hate crime datasets. For example, we heard from partners and communities about increases in hate crime directed towards both Chinese and disabled communities as a result of the pandemic. We also know that terrorist events in the UK and further afield have a direct impact on communities in Scotland.

## 7. Key principles



### Protecting human rights is central to our approach

All human beings are entitled to basic rights and freedoms, which is why we strive to create an inclusive Scotland and realise our obligation to respect, protect, and fulfil rights recognised by international frameworks.

Hate crime and hate speech engages a number of rights protected by international treaties.

Article 8 of the European Convention on Human Rights (“ECHR”) (the right to respect for private and family life), article 3 (the prohibition on torture, inhuman or degrading treatment or punishment) and in some cases article 2 (the right to life), may be relevant to offences committed on the basis of hate and prejudice towards a particular group.

Article 14 requires that all of the rights and freedoms set out in the ECHR must be protected and applied without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Measures which prohibit hate speech may engage an individual’s Article 10 rights under the ECHR. These rights protect freedom of expression but are not absolute, and may be restricted to protect the rights of others. Article 10 requires for example that legislative measures criminalising hate speech must clearly and precisely define the scope of relevant offences, to minimise the potential for their discretionary application or abuse by authorities.<sup>14</sup>

Article 17 of the ECHR prevents people from using human rights to undermine the rights of others.

The ECHR is protected in domestic law by the Human Rights Act 1998 which incorporates rights protected by the Convention.

In addition there are several United Nations (“UN”) treaties that deal specifically with hate crime, for example:

- The UN International Covenant on Civil and Political Rights (ICCPR), places an obligation on States Parties to prohibit hate speech; Article 20(2) provides that: ‘any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.’
- The UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) directs signatory countries to eradicate incitement to racial hatred and discrimination; combat prejudices which lead to racial discrimination; and guarantee the enjoyment of civil, political, economic, social and cultural rights without discrimination on grounds of race, colour, or national or ethnic origin.
- The UN Convention of the Rights of Persons with Disabilities (CRPD) promotes, protects and ensures the full and equal enjoyment of all human rights and fundamental freedoms by all disabled people. Article 16 in particular directs that disabled people should live free from exploitation, violence and abuse.

<sup>14</sup> Savva Terentyev v. Russia – 10692/09 [2018]



Our approach to hate crime is rooted in human rights and we are committed to continuing to assess and develop this. A human rights approach means putting the rights and interest of people at the centre of our policies. The PANEL principles, which are endorsed by the Scottish Human Rights Commission (SHRC), are a useful framework to support a human rights approach in practice.

- **Participation:** People are involved and participate in decisions that affect their rights.
- **Accountability:** We are held accountable through monitoring of rights; if and how they are being affected and remedies when things go wrong.
- **Non-discrimination:** People who face the biggest barriers to realising their rights should be prioritised and all forms of discrimination eliminated.
- **Empowerment:** Everyone should understand their rights and be fully supported to participate and claim their rights.
- **Legality:** Adherence to domestic and international laws.

Children's rights are also an important element in order to ensure that action to tackle prejudice and hatred in Scotland is meaningful for all people of all ages. The intent behind the UNCRC (Incorporation) (Scotland) Bill is, within devolved competence, to deliver a proactive culture of everyday accountability for children's rights across public services in Scotland. The Bill, once it comes into force, will allow children, young people and their representatives to use the courts to enforce their rights. The articles to be incorporated by the UNCRC Bill

will include Article 2 (non-discrimination), Article 14 (freedom of thought, conscience and religion) and Article 19 (protection from all forms of violence).

This strategy has been developed with the participation of communities affected by hate crime, and we are committed to ensuring people are supported to participate in on-going engagement as we work to take forward the commitments outlined in this strategy. We are clear that people should be able to live free from fear and supported to understand how they are protected under hate crime legislation, including how they can access justice through legal frameworks if they experience hate crime. The commitments in this strategy set out which organisations are accountable for delivery of this strategy.

While we need to act now to ensure we prevent hate crime and hold people accountable for crimes committed, the commitments set out in this strategy will be strengthened by our proposed Human Rights Bill. When passed into law, this Bill will further people's ability to assert their rights, through incorporating specific UN treaties, including for the protection of women, disabled people and minority ethnic people into Scots law, within the limits of devolved competence. In addition, we will take into account links to the work of the UN Open-Ended Working Group which is preparing a new UN treaty on the rights of older persons.

## Equality and inclusion

In addition to, and as part of, respecting, protecting and fulfilling human rights, promoting equality and inclusion underpin our approach to tackling prejudice and hate crime.

The Equality Act 2010<sup>15</sup> places a duty on public authorities to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and to foster good relations between persons who share a protected characteristic and those who do not. This is known as the Public Sector Equality Duty (PSED).

Although the 2010 Act is largely reserved, Scottish Ministers have used their powers to support compliance with the general duty by placing detailed requirements on Scottish public authorities through the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The 2012 Regulations, are aimed at supporting Scottish public authorities improve implementation of the PSED and includes requirements to: report progress on mainstreaming equality; propose and publish equality outcomes; and assess policies and practices from the perspective of equality.

We are considering proposals to strengthen the current PSED duty. This includes a proposal to help ensure people with lived experience, or organisations who represent them, can be more involved in policy development and for more rigorous assessment and testing at earlier stages of policy development. This will help to implement real change in furthering equality and human rights and tackling prejudice and hate crime.

As well as the review of the operation of the PSED in Scotland, we have an ambitious and progressive agenda to ensure equality and human rights are embedded into everything we do. To support this, we are developing an equality and human rights mainstreaming strategy. The strategy will aim to improve data collation and analysis, and will ensure that the voices of those impacted shape our approach and policies. It will cover both Scottish Government and the wider public sector, including those who are at the forefront of tackling hate crime such as Police Scotland.

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<sup>15</sup> Characteristics included in the Act are: age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; sexual orientation.

## Tackling prejudice

We are taking forward a range of activity aimed at tackling prejudice and promoting equality and inclusion across government, including:

- Undertaking a programme of work to bring about systemic change, whilst continuing to implement the Race Equality Framework for Scotland 2016-30.<sup>16</sup> The short-term independently chaired Anti-Racism Interim Governance Group to Develop National Anti-Racism Infrastructure<sup>17</sup> will provide initial recommendations on how the Scottish Government can embed anti-racism into its infrastructure. This group will conclude in May 2023 with the establishment of an Observatory to provide a range of functions to support the advancement of anti-racism.
- Taking forward a range of activity to improve outcomes for Gypsy/Travellers through our joint action plan.<sup>18</sup> Addressing hate crime is a priority under both the Race Equality Framework and the Gypsy/Traveller Action Plan.
- Taking forward actions to support the implementation of our anti-racist employment strategy. The strategy provides steps for employers to build an inclusive and safe workplace culture, including developing an anti-racist culture; raising awareness of the harms of racism, including hate crime and supporting and promoting anti-racist campaigns.
- Establishment of the Anti-Racism in Education Programme<sup>19</sup> in response to the public discourse around the Black Lives Matter movement and in recognition that a range of existing projects require a more strategic approach in order to deliver ambitions coherently. As part of this, the new Building Racial Literacy Programme aims to address the race evasiveness which educators find limits their ability to be pro-actively anti-racist in education settings. Draft Principles for an Anti-Racist Curriculum articulate the importance of children and young people experiencing a curriculum that meaningfully recognises and fairly represents the rich and diverse communities in Scotland and beyond. They include the ambition that children and young people will be critical thinking global citizens that can challenge discrimination and prejudice through an understanding and awareness of the behaviours, practices and processes that create injustice in the world.
- Implementation of LGBT+ inclusive education in schools across Scotland, ensuring themes related to lives, histories, and experiences of lesbian, gay, bisexual, and transgender people are included across all curriculum areas.
- Publishing the Supporting Transgender Young People in Schools guidance to support schools to deliver a safe, supportive learning environment for all pupils, regardless of gender, and ensure everyone's rights are respected.

<sup>16</sup> [Race Equality Framework for Scotland, 2016–2030](#)

<sup>17</sup> [Developing National Anti-Racism Infrastructure Interim Governance Group](#)

<sup>18</sup> [Improving the Lives of Scotland's Gypsy/ Travellers: 2019-2021](#)

<sup>19</sup> [Anti-Racism in Education Programme](#)

- Publishing a new faith and belief engagement strategy, which will strengthen communication and collaboration between the Scottish Government and Scotland's diverse faith and belief communities.
- Taking forward a range of work to improve the lives of LGBT+ people in Scotland, including reform to the Gender Recognition Act; progressing the recommendations made by the Ending Conversion Practices Expert Advisory Group; bringing forward legislation to end conversion practices in Scotland by the end of 2023; and establishing a programme of work to improve the rights and wellbeing of non-binary people, informed by the recommendations of the Non-Binary Working Group.<sup>20</sup>
- Investing over £15.5 million since 2012 to tackle sectarianism which has delivered the broadest and most comprehensive set of activities in response to this issue that there has ever been, with a strong focus on working with children, young people and adults in schools, workplaces and communities.<sup>21</sup>
- Co-designing our new Disability Equality Strategy with Disabled People's Organisations and their members to ensure that the priorities for grass-roots disabled people inform the development of the strategy.
- Continuing to work with our trusted partners in the Older People's Strategic Action Forum on a range of priorities for advancing age equality, developing our intelligence on ageism and improving our understanding of age based hate crime.
- Working closely with the Social Isolation and Loneliness Advisory Group to establish a new delivery plan to tackle social isolation and loneliness in early 2023. The plan aims to realise the ambitions of our strategy 'A Connected Scotland', to build stronger social connections, and will outline a range of work across the Scottish Government which is helping to mitigate the impact of COVID-19 and the ongoing cost of living crisis on groups most adversely affected by social isolation and loneliness.
- Taking forward our commitment to support refugees, asylum seekers and our communities through the pioneering and collaborative approach of the New Scots refugee integration strategy.

20 [Non-Binary Equality Working Group: Report and Recommendations March 2022](#)

21 The Scottish Government accepted the definition of intra-Christian sectarianism which was set out by [The Advisory Group on Tackling Sectarianism in Scotland](#)

## Hate crime, prejudice and misogyny

We know that women's experiences of hate crime can be amplified by misogyny. Baroness Kennedy's Working Group on Misogyny<sup>22</sup> recommended reforming the criminal law to improve the justice system's response to misogynistic behaviour. We recognise that tackling misogyny requires a distinct approach in criminal law. Therefore, we will consult on draft laws to tackle misogynistic criminal behaviours with a view to introducing a Misogyny and Criminal Justice Bill later in this Parliament. We are also taking forward a number of other workstreams to improve equality for women and girls, including:

- Implementing Equally Safe,<sup>23</sup> Scotland's strategy for preventing and eradicating violence against women and girls. This includes addressing abuse and harassment and their underlying causes towards women in schools, universities and colleges, the workplace and the criminal justice system. Our Delivering Equally Safe fund supports the delivery of Equally Safe by providing £19m per year to support 121 projects from 112 organisations that focus on early intervention and prevention, as well as support services.
- Establishment of the Gender Equality Taskforce in Education and Learning which is taking forward a programme of work that aims to ensure that all girls and young women in Scotland will: be taught by gender competent, educational professionals; not experience sexism, sexual harassment, or gender-based violence in the classroom or other educational settings; and freely choose subjects and areas of study, including those traditionally dominated by boys and men.
- Commitment to developing a national framework for schools to help tackle sexual harassment and gender based violence. This framework will set out the range of support and practical prevention and intervention measures available which can be used to ensure the safety, health and wellbeing of children and young people.

22 [Misogyny and Criminal Justice in Scotland Working Group](#)

23 [Equally Safe: Scotland's strategy to prevent and eradicate violence against women and girls](#)

## 8. Our approach



### Lived experience is at the heart of our approach

“Nothing about us without us.”<sup>24</sup>

This strategy has been developed through direct participation of people with lived experience of hate crime. We have undertaken – and will continue to undertake – a range of engagement that seeks to empower communities across Scotland to understand and access their rights. Feedback will provide real time insight and allow us to flex our response as required.

Between September and January 2023, over 250 individuals and organisations attended 22 lived experience engagement sessions, exploring the impact of hate crime and what action we need to take collectively to address it.

Using the aforementioned principles, the Scottish Government will strategically link the delivery of the hate crime strategy to other key policy developments across government.

### Partnership and collaboration

We are committed to working in partnership to prevent and tackle hatred and prejudice in Scotland. The Hate Crime Strategic Partnership Group<sup>25</sup> was established to ensure a multi-agency strategic approach towards the development of this strategy that takes account of the needs of our diverse communities.<sup>26</sup> Members have specific expertise in tackling hate crime and prejudice and championing equality, inclusion and human rights. They

designed and led the lived experience engagement which has informed this strategy. We will continue to work in partnership with Strategic Partnership Group members as we develop a delivery plan to accompany this strategy.

There are a range of organisations beyond the Strategic Partnership Group that have supported the development of this strategy and we will continue to engage widely as we move into delivery.

### Reviewing our progress

This strategy sets out a fresh approach to tackling hatred and prejudice in Scotland. Our commitments are bold and include implementing new legislation and associated data provisions as well as overhauling reporting mechanisms, which in time will allow us to more robustly measure progress.

We will review progress towards the aims set out in this strategy in five years' time, to ensure that the strategy is making the difference we hope to see and to identify any additional activity we should be undertaking.

A delivery plan will set out our immediate and medium-longer term activity in support of the commitments in this strategy. The delivery plan will be developed in partnership, will set out clear accountability and timeframes for delivery and how we will measure progress.

<sup>24</sup> Michael Masutha and William Rowland, *Disabled People South Africa*, 1993

<sup>25</sup> Appendix 3

<sup>26</sup> [Hate Crime Strategic Partnership Group: terms of reference](#)

## 9. What we want to achieve



### Our Vision

**Our vision is for a Scotland where everyone lives free from hatred and prejudice.**

We want to foster communities where everyone feels empowered, included and safe – and we want to address the societal attitudes that perpetuate hate crime. The term ‘community’ can mean many things to many people. Considering the fluidity of communities in practice means it is near impossible to define community in a static or all-encompassing way. Here, we view a ‘community’ as a group of people who are: in close geographical proximity or; who share a common interest or identity; or who are either physically or virtually engaged with one another.

It is unacceptable in a modern Scotland for anyone to live in fear or be made to feel like they don’t belong. Crucially, we emphasise that those who face prejudice and hatred are not expected to either be individually resilient to it or to tackle it – we all have a role to ensure our communities are truly inclusive. We are clear that preventative work that builds strong, respectful and cohesive communities can reduce the likelihood of narratives that foster prejudice from taking hold, and ultimately help us create inclusive and empowered communities.

This vision supports our common outcomes, as set out in the National Performance Framework, for how we will collectively improve the quality of life for the people of Scotland – with a focus on tackling inequalities so that no one is left behind.



‘We grow up loved, safe and respected so that we realise our full potential.’



‘We live in communities that are inclusive, empowered, resilient and safe.’



‘We are creative and our vibrant and diverse cultures are expressed and enjoyed widely.’



‘We respect, protect and fulfil human rights and live free from discrimination.’

The Scottish Government and other organisations such as Police Scotland and COPFS have particular responsibility to achieve this vision. However, this is not only a strategy for the Scottish Government – but for all of Scotland – because it is only by working together that we can tackle prejudicial attitudes and achieve our vision. We don’t underestimate the challenge – nor should communities across Scotland underestimate our ambition.

# 10. How we will get there



**To achieve our vision, we need to work together. No single agency or organisation can address the deep-rooted problem of hatred on its own, but by working together, and with wider society, we can make progress.**

Our aims set out in more detail what we want to achieve. They have been developed with organisations with expertise in tackling hate crime and following engagement with communities with lived experience of hate crime.

To support these aims, we have identified 14 commitments that will be taken forward in collaboration with a range of partners. These set the strategic priorities for tackling hatred and prejudice in Scotland over the coming years, yet, crucially give us the flexibility to respond to emerging issues as they arise.

A delivery plan will set out our immediate and medium-longer term priorities to support the commitments, with clear accountability and timelines for delivery.

**Aim 1: Victims of hate crime are treated with fairness, compassion and in a trauma-informed manner in which their safety and recovery is a priority.**

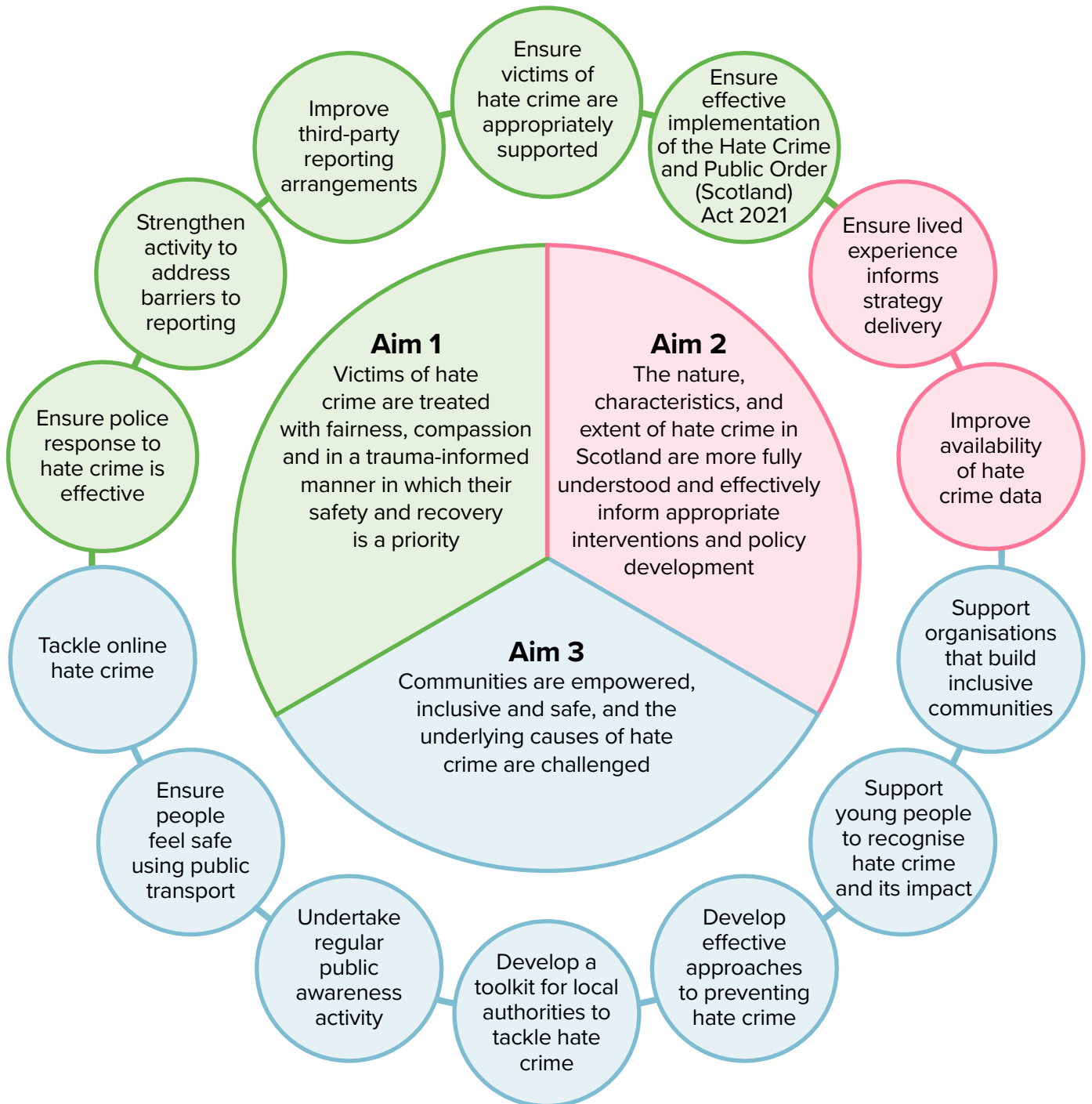
**Aim 2: The nature, characteristics, and extent of hate crime in Scotland are more fully understood and effectively inform appropriate interventions and policy development.**

**Aim 3: Communities are empowered, inclusive and safe, and the underlying causes of hate crime are challenged.**



## Our Vision and Aims

**Our vision is for a Scotland where everyone lives free from hatred and prejudice.**



## Aim 1



# **Victims of hate crime are treated with fairness, compassion and in a trauma-informed manner in which their safety and recovery is a priority.**

Experiencing a hate crime can be a traumatic experience and we want everyone to be treated in a way that recognises this, including as they interact with police and the criminal justice system.

We encourage everyone who experiences a hate crime to report it through the reporting mechanisms available and we want people to feel confident that their report will be taken seriously.

Witnessing a hate crime can also be a difficult experience and we want to ensure people know how to report a hate crime and access appropriate support.

## Commitment 1

**We will continue to seek views from all of our communities and stakeholders to ensure that the Police Scotland response to hate crime is both consistent and effective.**

### **Lead organisation: Police Scotland**

Tackling hate crime is a priority for Police Scotland. Police Scotland will continue to support those most at risk and the wider public whilst building trust with our communities and key stakeholders. Police Scotland will undertake meaningful and effective engagement at both a local and national level, including supporting lived experience engagement to support this.

Our lived experience engagement highlighted that some communities do not feel comfortable engaging with the police for a range of reasons including previous interactions and experiences others within their community have shared. It is important to individuals reporting that the incident is taken seriously, that people feel listened to, and are treated with empathy. The important role of effective and ongoing equalities training for officers was also raised.

The Thematic Inspection of Hate Crime,<sup>27</sup> published June 2021, focused on the standard of police investigations, procedures, policies and initiatives in place to engage with communities to ensure victims of hate have the confidence to come forward and report their

experiences. The report highlighted that the nature and scale of hate crime in Scotland is not currently understood by Police Scotland and identified 15 recommendations.

Police Scotland has committed to delivering on the recommendations made within the report. This will be delivered in a way that will incorporate the identified areas for improvement and will inform the development and evolution of our approach to tackling hate crime in the future. This will include the promotion of available reporting and recording mechanisms.

## Commitment 2

**We will regularly review and strengthen our activities that seek to address the various barriers to reporting.**

### **Lead organisations: Police Scotland, Scottish Government**

Reporting hate crime is important as it allows people to access effective justice. We know that not all incidents of hate crime come to the attention of the police and that hate crime continues to be underreported.

We understand that some communities face real and perceived barriers to reporting hate crime which often means that hate crimes will go unreported. Our lived experience engagement has highlighted some of these barriers, including: concern that the incident wasn't 'serious enough' to report; not knowing

27 [HMICS Thematic Inspection of Hate Crime](#)

which of many incidents experienced to report; feeling that the situation may get worse if a report was made; concern about having to share personal details; and a feeling that little would come from reporting based on previous experience. Some communities also talked about mistrust of the police and the criminal justice system and that this would prevent them from reporting. Concerns were also raised in terms of accessibility, particularly for those for whom English is not their first language.

We will build on this understanding by bringing together existing feedback and evidence, to enable us to identify activity to address these barriers. There are a range of organisations which provide support to people who have experienced hate crime that can help us develop our understanding and use that understanding to develop workable solutions.

Addressing these barriers may take time, but we are committed to working with communities to address them. This will include ensuring all means of reporting are fully accessible and supportive.

## Commitment 3

**We will review third-party reporting arrangements, with a view to making reporting easier.**

### **Lead organisations: Police Scotland, Scottish Government**

We want people to report all hate crimes to the police, and for them to feel that the report will be taken seriously when they do. However, we know that not everyone feels able to do so directly, and may be more comfortable reporting it to an organisation they are familiar with. There is currently a network of third-party reporting centres across Scotland, with staff specially trained to provide support and assistance in submitting a report of hate crime to Police Scotland on a victim or witnesses' behalf, but we acknowledge that it is not operating as effectively as it could be.

We know from our lived experience engagement that communities affected by hate crime value the opportunity to be able to report instances without having to contact the police directly, but are not necessarily aware they could report through a third-party reporting centre, indicating a need for wider promotion of the service.

The HMICS Thematic Review of Hate Crime<sup>28</sup> recognised difficulties with current third-party reporting arrangements and recommended Police Scotland accelerate its work with partners to make improvements, providing people with the opportunity to report a hate crime without talking to the police directly.

The delivery plan will set out how Police Scotland and the Scottish Government will lead a programme of work to renew and improve the effectiveness of third party reporting structures, to ensure that victims and witnesses using this service to report hate crime are supported as fully as possible.

## Commitment 4

**We will work to ensure person-centred and trauma-informed support for victims of hate crime, in line with the delivery of the Vision for Justice in Scotland.**

### **Lead organisations: Justice organisations, Scottish Government**

Reporting a hate crime and encountering the justice systems can be a daunting and sometimes retraumatising experience. The Vision for Justice in Scotland<sup>29</sup> sets out the ambition that those in contact with the justice system be supported to understand the processes of justice, be treated as a person first, experience joined-up services and timely communication

and ultimately be supported in their recovery.

We have heard that people often feel they do not receive enough information about what would happen next after reporting a hate crime, and that communication is not always accessible. Engagement also highlighted that people are not always offered support or aware of how to access it.

Ensuring the voices of those with lived experience of hate crime are reflected in policies and projects to improve the criminal justice system for victims and witnesses is crucial to ensuring a rights based approach.

To support victims in their journey to healing and recovery we must offer approaches to justice which place victims at the heart. This includes progressing forms of justice which allow victims to take a prominent role including, where appropriate and as services develop, using restorative justice.

We are working with NHS Education Scotland and the Criminal Justice Agencies to implement the Trauma Informed Justice for Victims and Witnesses Framework. This will support organisations to identify what their staff need to know to respond to victims and witnesses in a trauma-informed way and will inform development of consistent training in trauma-informed practice. We are also working with justice agencies to review and improve communications to be more person-centred.

<sup>28</sup> [HMICS Thematic Inspection of Hate Crime](#)

<sup>29</sup> [The Vision for Justice in Scotland](#)

The vision of a Bairns' Hoose in Scotland is that: "All children in Scotland who have been victims or witnesses to abuse or violence, as well as children under the age of criminal responsibility whose behaviour has caused significant harm or abuse will have access to trauma-informed recovery, support and justice." Bairns' Hoose will build on the work of the Scottish Child Interview Model (SCIM) for Joint Investigative Interviews, which aims to prevent re-traumatisation of child victims and witnesses when recounting their experiences; and will be a core component of the Bairns' Hoose model. SCIM is currently being rolled out across Scotland with £2 million funding support from Scottish Government.

We do however recognise that not everyone will report a hate crime and that it is important that support available is signposted and available for people to access.

Additionally, we understand that people impacted by hate crime may also need help and support for their mental health and wellbeing. The Scottish Government will publish a new Mental Health and Wellbeing Strategy in Spring 2023 which will set out plans for ensuring people across Scotland have access to the support they need to maintain good mental health. The strategy will also consider how the strategy can take account of social factors and inequalities that may impact a person's mental health and wellbeing.

Our delivery plan will set out in more detail how we will continue to support victims of hate crime.

## Commitment 5

**We will ensure clear guidance and consistent training across Scotland for police, COPFS and the courts to ensure effective implementation of the new Hate Crime and Public Order (Scotland) Act 2021.**

### **Lead organisations: Justice organisations, Scottish Government**

Hate crime legislation is an essential element of our wider approach to tackling hate crime. As well as recognising the harm that hate crime causes, legislation sends an important message to victims, offenders and wider society that there are consequences for those that commit such crimes.

Our lived experience engagement consistently highlighted the value of effective equalities training for police officers, and others that may interact with those who have experienced hate crime, including an understanding of different types of prejudice, and how this can manifest.

It is important that the Hate Crime Act is implemented effectively so that, once in force, it offers robust protections to victims of hate crime and our delivery plan will set out the actions we will take to support this. A collaborative approach to implementation readiness is essential, including working with equalities organisations and justice bodies, as we take steps to ensure clear guidance and consistent training is in place.

## Aim 2



# **The nature, characteristics, and extent of hate crime in Scotland are more fully understood and effectively inform appropriate interventions and policy development.**

In order to prevent and tackle hate crime in Scotland, we need to understand what is happening. This includes the collection and publication of data, including information on intersectionality.

Our commitment to continued meaningful and on-going lived experience engagement is another important tool in understanding the experiences of hate crime and shaping our interventions.

## Commitment 6

**We will ensure that what we have heard, and continue to hear, from lived experience engagement is taken into account in the delivery of the commitments.**

### **Lead organisations: Scottish Government, Police Scotland**

Lived experience engagement has been central to the development of this strategy and has allowed us to deepen our understanding of what it's like to experience hate crime in 2022. Unfortunately the experiences we are hearing about are not new, including the types of prejudice people face and the various barriers when it comes to reporting. We are committed to supporting a range of on-going, participatory engagement to help inform every stage of our delivery – and importantly, to understand if our interventions are making a positive difference.

We will work with partners, taking into account the views of people affected by hate crime, to develop a delivery plan which will set out immediate activity to be taken forward in 2023/24 as well as medium-longer term activity required to fulfil the new strategy over its lifetime. This includes working with organisations that support communities affected by hate crime to understand the issues, so as not to overburden individuals with requests to continually share their experiences.

We recognise that more can be done to hear from those who may not engage with stakeholder organisations, and we will work widely with our engagement partners and representative groups to understand more about these voices where possible.

Equality Impact Assessments undertaken to support the development of this strategy, and as we develop a delivery plan, will ensure that we are continually considering the effect of plans on as wide a range of people and communities as possible.

## Commitment 7

**We will work to ensure that the level and availability of disaggregated hate crime data is improved.**

### **Lead organisations: Scottish Government, Police Scotland, Crown Office and Procurator Fiscal Service**

We recognise that having robust data and evidence on hate crime is essential to help us more effectively prevent and tackle it in Scotland. It needs to show a greater level of disaggregation and tell us more about victims and perpetrators, including more information on when multiple characteristics are targeted or intersectionality and how this impacts people's experience of hate crime.



The need for improvements in hate crime data was recognised by the UN Committee on the Elimination of Racial Discrimination and we are determined to ensure compliance with its recommendations in this regard.<sup>30</sup>

The Hate Crime Act will require information about police recorded hate crime and convictions to be published annually, and with greater detail where known. In order to implement this, justice partners will be required to complete a number of IT change programmes in advance in order to comply. For example, Police Scotland systems will need to be updated to allow police officers to record more detailed information about the type of prejudice shown.

In the meantime, we have made significant progress in ensuring such data is available by publishing two studies into the 'Characteristics of Police Recorded Hate Crime in Scotland.' These studies present statistics on the number of hate crimes recorded by the police in Scotland over 2014-15 to 2021-22, and provide helpful insight as to the nature of hate crimes and characteristics of both victims and perpetrators.

In addition to improvements in hate crime data, the wide-ranging programme of work aimed at strengthening Scotland's equality evidence base, will provide additional information.

The Scottish Government funded qualitative study with people who encounter repeat experiences of violence, will further our understanding of some groups experiences of hate crime.<sup>31</sup> The study is being conducted by researchers at the University of Glasgow and findings are due to be published later this year.

A robust data and evidence base will allow us to effectively monitor our interventions and how they are working going forward.

Our commitment to meaningful on-going lived experience engagement will also provide us with a rich understanding of the experiences of those directly affected by hate crime beyond the provision of statistical publications.

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30 UN Committee on the Elimination of Racial Discrimination (CERD), Concluding observations on the combined twenty-first to twenty-third periodic reports of the United Kingdom of Great Britain and Northern Ireland, 3 October 2016, CERD/C/GBR/CO/21-23

31 [Repeat Violent Victimization Study, University of Glasgow](#)

## Aim 3



# Communities are empowered, inclusive and safe and the underlying causes of hate crime are challenged.

We want people to live in communities where equality, human rights and humanity are upheld, and where they feel they belong. Challenging prejudice and hate crime is not the responsibility of the communities that are targeted – it is for wider society.

In order to effectively prevent and tackle hate crime, people need to understand what hate crime is and the impact it can have.

Educating our children and young people will help set the agenda for our future society, foster community cohesion and support children and young people to develop critical thinking skills. We recognise the important role formal and informal education can play in supporting children and young people to understand prejudicial attitudes and how they can be supported to challenge them.

## Commitment 8

**We will support and fund organisations that work together to build more inclusive, supportive communities in Scotland.**

### **Lead organisation: Scottish Government**

Cohesive communities are able to reject divisive narratives and are places where everyone can contribute, exercise their rights, and live free from prejudice and hate crime.

Through our lived experience engagement we heard that communities value the opportunity to share their cultural heritage and that coming together can help to illuminate the similarities that bring communities together. We will explore initiatives where a diverse range of people from across Scotland's communities come together.

Our Culture Strategy for Scotland recognises the transformative and empowering role culture can play in supporting local communities distinct sense of place and identity.<sup>32</sup> The current review of Scotland's National Events Strategy provides the opportunity to further harness the significant potential of events to promote inclusive and supportive communities; to celebrate cultural diversity; and to showcase Scotland's core values of equality, fairness and inclusion across the country and internationally.

The Scottish Government funds a range of organisations across Scotland who are working to build inclusive, supportive communities and we want to champion that activity. We continue to recognise the work of organisations such as Interfaith Scotland, Holocaust Memorial Day Trust and Remembering Srebrenica. We will also build on the support offered to a range of civic society organisations, including through the Equality and Human Rights Fund.

## Commitment 9

**We will consider how education and youth work can support children and young people to recognise prejudice and hate crime and the devastating impact it has on individuals and their communities.**

### **Lead organisation(s): Scottish Government, Education bodies, YouthLink Scotland, *respectme*, Scotland's Anti-Bullying Service**

Prevention and education efforts are essential to ensure everybody thrives in our communities. Our Curriculum for Excellence promotes learning about respect, equality and good citizenship. Health and Wellbeing is a responsibility for all within the curriculum. It provides a framework within which children and young people learn about healthy relationships, to help address prejudicial attitudes. It also requires teachers to provide an inclusive environment that embraces diversity and upholds learners rights.

Feedback from our lived experience engagement highlighted just how important participants felt education was in terms of tackling hatred and prejudice in Scotland.<sup>33</sup> They were keen to see a range of educational inputs offered to children and young people.

Participants were also concerned about incidents happening between young people and were eager to ensure schools are properly equipped to respond to them. The importance of appropriate teacher training was also noted.

We know that there are concerns about the line between what constitutes bullying or a hate crime (and other forms of prejudice such as racism, homophobia and gender-based violence). This is something we will seek to provide clarity on in the review of our national anti-bullying guidance 'Respect for All' which is underway. Bullying can be motivated by prejudice similar to hate crime and so it is important that young people understand when bullying may become a hate crime. Incidents involving young people which don't constitute a crime still need to be taken seriously and addressed.

The forthcoming National Youth Work Strategy will also recognise the role that the youth work sector has to play in supporting young people's wellbeing.

We welcome the publication of the joint report from the Scottish Funding Council (SFC) and the Equalities and Human Rights Commission (EHRC), 'Tackling persistent inequalities together.' The report outlines persistent inequalities in the tertiary education system and asks institutions to address them by contributing to a set of National Equality Outcomes (NEOs), as part of their Public Sector Equality Duty. We will continue to work with the SFC, EHRC, and stakeholders in the tertiary education sector as this is put into practice.

<sup>33</sup> BEMIS facilitated multiple discussions on education and need for curriculum reform, in line with Concluding observations on the combined twenty-first to twenty-third periodic reports of the United Kingdom of Great Britain and Northern Ireland. [BEMIS Scotland Tackling Hate Crime Conference Report 2019](#)

## Commitment 10

**We will invest significant effort in the development of effective approaches to preventing hate crime, in line with other commitments set out in the strategy.**

### **Lead organisation: Scottish Government**

We want to create a Scotland that is inclusive, cohesive and fair, where all communities are valued and have equal belonging. We will continue to support a range of work that advances human rights, social justice and an inclusive national identity.

We are strongly committed to keeping Scotland safe and recognise the danger from people who seek to spread hate and disrupt our way of life. This includes those involved in and supportive of extremist and terrorist causes. The most effective way to tackle hate crime and extremism of any sort is through prevention and we will take action to identify and support activity and organisations that foster social cohesion and build resilience to divisive narratives.

In order to effectively tackle hate crime, it is important that we improve our understanding of why hate crime happens and use this to develop sustainable approaches to prevention. It is critical that preventative messages and activities undertaken to promote cohesive communities are accessible and reach those most at risk of developing or acting on prejudicial attitudes. We will work with a range of stakeholders to identify the most effective interventions.

We will support activity that encourages good relationships between the police – and other public bodies – and the community, while recognising that these relations have been challenging for some groups. We will also explore potential for greater collaboration between youth work organisations, schools and survivor organisations as a driver for rights-respecting practice and a way to drive cultural change.

In order to strengthen our focus to prevent and reduce the harm caused by violence, we are publishing a Violence Prevention Framework for Scotland, which will bring together the available evidence on violence, spotlight the wider cross government work to tackle various forms of violence, and will include a variety of actions to help tackle the underlying causes and behaviours that may lead to violence, helping to build safer communities.

## Commitment 11

**We will develop a toolkit of resources for local authorities and their partners to address hate crime and build community cohesion.**

### **Lead organisation: Convention of Scottish Local Authorities (COSLA), Scottish Government**

Local authorities can play a substantial role in building community cohesion and helping eradicate hatred and prejudice across Scotland. They are uniquely placed to understand – and work with – the diverse communities they serve.

Communities affected by hate crime told us it is important that local services are joined up and be able to effectively respond to instances of hate crime.

Strengthened preventative approaches are needed at a local level to target the underlying societal attitudes that lead to hate crime. Local authorities are well placed to take a place-based approach to tackling hate crime. They have an important role to play in education, awareness raising, encouraging reporting and supporting victims. This work is supported by local authorities' close relationships with partner organisations and community groups, including Community Planning Partnerships. There is a need to ensure that there is accessible, adequate and quality information from trusted and informed sources, including written communication and signposting.

A joint Scottish Government and COSLA workshop in September 2022 highlighted the range of activity undertaken by local authorities and partners, such as the NHS, housing associations, and those responsible for delivering Community Learning and Development, to tackle hatred and prejudice across the country. It was attended by Scottish Councils Equality Network members and other partner organisations including the Scottish Community Safety Network, Scottish Fire and Rescue Service and SACRO. So we know that a lot of good practice exists in tackling hate crime and building community cohesion and our delivery plan will consider how this could be developed into a toolkit to be shared to help inform and support local policy and practice across Scotland.

## Commitment 12

**We will undertake regular public awareness-raising activity.**

### **Lead organisation: Scottish Government, Police Scotland**

Undertaking effective awareness-raising activity that is informed by lived experience and is shaped with different audiences in mind is crucial.

In our engagement to date, we have heard that some people do not recognise their experiences as a potential hate crime. As such, we need to do more to explain what hate crime is and ensure people know what to do if they experience one. The delivery plan will set out activity to be taken forward.

We recognise that public awareness activity can be a helpful tool in reaching potential perpetrators of hate crime. We also recognise that many people who witness a hate crime may wish to intervene but do not know how to do so appropriately. It is important that everyone knows how to provide support to those who have experienced hate crime.

Scottish Government and Police Scotland will continue to work with partners to raise awareness of hate crime through the use of national hate crime campaigns whilst also supporting our partners' campaigns and initiatives.

We also recognise the importance of ensuring that national messaging includes the voices of those with lived experience, and to ensure that messaging does not reinforce stereotypes. Messages can be targeted and adapted for different groups or areas which may be dealing with particular issues.

The Scottish Government and partners also support National Hate Crime Awareness Week every October which provides an opportunity to reinforce awareness-raising messaging deployed throughout the year.

## Commitment 13

**We will work to ensure people feel safe using public transport.**

### **Lead organisation: Scottish Government**

We understand from our lived experience engagement that public transport can often be the scene of hate crime – and that some people choose not to use public transport because of fear they may be targeted. Public transport is often the only way for people to travel between one safe space and another and we heard of a number of appalling incidents on public transport where people were verbally or physically attacked.

It must be made clear that hatred will not be tolerated anywhere, including on public transport.

The Hate Crime Charter aims to encourage transport providers, members of the public and other services to support a zero-tolerance approach to hate crime on Scotland's public transport network. With an initial focus on disability hate crime (and intersecting characteristics), Disability Equality Scotland developed the Hate Crime Charter in partnership with Transport Scotland, the South-East Scotland Transport Partnership, People First (Scotland), Police Scotland and British Transport Police. The delivery plan will set out in more detail the activity to be taken forward.

Through our lived experience engagement we will seek to build our understanding of hate crime that takes place in other public spaces and what can be done to address that.

## Commitment 14

**We will ensure our approach to tackling hate crime recognises and addresses the challenges associated with online hate crime.**

### **Lead organisations: Scottish Government, Police Scotland**

We increasingly live our lives online and the increased social media use over the past decade has changed the means by which prejudicial views are expressed and disseminated. Our lived experience engagement demonstrated the harmful effect online hate crime can have on individuals and communities, with some groups reporting an increase in prevalence and a feeling that people are able to 'get away' with expressing hateful views online.

We are clear that action should be taken when things that are criminal or harmful are posted online, as they are when they happen in person.

Regulation of internet services is reserved to the UK Government and we will continue to engage with the UK Government as they progress the Online Safety Bill to ensure people are safe online.

However, regulation is not the only tool. We will consider how we discuss the impacts of online hate crime in our awareness raising activity and in developing preventative and educational approaches to tackling hate crime, recognising the need to adapt and react to the speed of change online. We also want to ensure people – including children and young people – know how to keep safe online, including on social media.

We understand that sometimes people may be reluctant to report online hate crime, because they feel further action may not be taken or that this report will not be taken seriously. As with in person hate crime, we encourage all online hate crimes to be reported to Police Scotland who will investigate. We will ensure our approach to encouraging reporting explains the process after the report of an online hate crime.



## 11. Next steps

**We will work with partners to develop a delivery plan which will set out immediate activity to be taken forward in 2023/24 as well as medium/longer-term activity required to fulfil the new strategy over its lifetime. What we hear through our lived experience engagement will be central to our activity.**

We will review progress towards the aims set out in this strategy in five years' time, to ensure that the strategy is making the difference we hope to see and to identify any additional activity we should be undertaking.



# Appendix 1

## **Organisations that participated in Hate Crime Strategy lived experience engagement sessions, September 2022 – January 2023**

2gether4better	Edinburgh and Lothians Regional Equality council (ELREC)
ACES – African & Caribbean Elders in Scotland	Empower Women for Change
African & Caribbean Women’s Association in Scotland	Feniks Counselling, Development and Support Services
Age Scotland	The Fair Justice System for Scotland Group (FJSS)
Age Scotland Ethnic Minority Older People’s Form	Freedom from Torture
Age Scotland LGBT+ Network	Glasgow Disability Alliance (GDA)
Al Masaar SCIO	Glasgow Jewish Representative Council
Ando Glaso	Govan Community Project
BEMIS Scotland (Empowering Scotland’s Ethnic and Cultural Minority Communities)	Grampian Regional Equality Council (GREC)
Black Professionals Scotland (BPS)	Healed Scars Trauma and Abuse Recovery SCIO (HSTAR)
CALL IT OUT (Campaign against anti Irish racism and anti-Catholic bigotry)	Inspiring Families Development Network Scotland
CEMVO Scotland (Strengthening Communities Tackling Inequalities)	Interfaith Scotland
Community Culture & Arts Association	ISARO Community Initiative
Central Scotland Regional Equality Council (CSREC)	Jhankar Beats
Deaf Action	Latin American Community Association of Edinburgh (LACAE)
Disability Equality Scotland (DES)	LGBT Health & Wellbeing
Dumfries and Galloway Multicultural Agency (DGMA)	LGBTQ Unity Scotland
East Dunbartonshire Council	LGBT Youth
Edinburgh Interfaith	Life Is Good
	Maryhill Integration Network

Methodist Church

Migrants Support Scotland

Mongol Identity

Muslim Engagement and Development (MEND)

Nepalese Himalayan Association Scotland

Nan McKay Hall

Poverty Alliance

Progress in Dialogue

SCORE Scotland

Scottish Association of Mosques

Scottish Council of Jewish Communities  
(SCoJeC)

Scottish Highlands and Islands and Moray  
Chinese Association (SHIMCA)

Scottish Indian Mahila Group

Scottish Pagan Federation

Scottish Refugee Council

Sikh Sanjog

Simon Community

Stonewall Scotland

The Christian Institute

West of Scotland Regional Equality Council  
(WSREC)

Wing Hong Group

Women in Action

Women of Faith

Yemeni Community Scotland

YouthLink Scotland

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## Appendix 2

### Research on hate crime in Scotland

The Scottish Household Survey (SHS) collects information on peoples' experiences of discrimination and harassment in the last 12 months, in addition to the perceived reasons for such experiences. In 2019, 8% of adults in Scotland reported having experienced discrimination in the last 12 months.<sup>34</sup> This rose to 22% for Lesbian, Gay or Bisexual adults, whilst 19% of ethnic minorities had experienced discrimination. The most common perceived reasons for discrimination were all experienced by at least 1 in every 10 adult that had been discriminated against: sex or gender (16%), nationality (16%), health problems or disability (14%), mental ill health (13%) and age (13%).<sup>35</sup>

In 2019, 6% of adults in Scotland had experienced harassment in the last 12 months.<sup>36</sup> The most common perceived reasons for harassment were all experienced by at least 1 in every 10 adult that had been harassed: nationality (13%), mental ill health (11%), sex or gender (11%), ethnicity (10%) and other health problems or disability (10%).<sup>37</sup>

Adults who belonged to a religion other than a Christian denomination experienced significantly higher levels of both discrimination and harassment.<sup>38</sup>

The Scottish Crime and Justice Survey (SCJS) also collects information on peoples' experiences of discrimination and harassment in the last 12 months, by examining whether they had experienced any incidents in which they were insulted, pestered or intimidated in any way. In 2019/20, 13% of adults said that they had been insulted, pestered or intimidated in the previous year, in line with the proportion of respondents who experienced such incidents in 2008/09 and 2018/19.

Across most of the population sub-groups the SCJS found that there were no differences in the proportion that said they had been insulted; pestered or intimidated in the previous year, however the proportion was higher among victims than non-victims (30% compared to 10%, respectively).

Around three-in-five (61%) did not think any of their characteristics were an influencing factor in their most recent (or only) experience of harassment. 11% thought that their gender, gender identity or perception of this was a possible motivating factor, while 9% believed their age and 8% believed their ethnic origin or race was a possible influence.

34 [Vision for Justice in Scotland: Evidence Supplement](#)

35 [Scottish Household Survey 2019: Key Findings](#)

36 Harassment occurs where a person is subjected to unwanted conduct related to a protected characteristic that violates their dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

37 [Scottish Household Survey 2019: Key Findings](#)

38 [Scottish Household Survey 2019: Key Findings](#)

In 2016, Maureen McBride conducted a review of the evidence on hate crime and violent prejudice in Scotland.<sup>39</sup> As part of this research, McBride surveyed a series of key stakeholders comprising national and local organisations to explore organisational data collection, usage, and perceived gaps in information. The study underscored the underreporting of hate crime in official data and emphasised problems associated with the aggregation of, and different definitions of, protected group characteristics. Aggregation of protected group categories was also considered to obscure underlying patterns and trends. The report observed: “while reported crimes related [to] race/ethnicity have declined in the most recent reporting year, there have been reported increases among some particular ethnic/national groups.”<sup>40</sup>

Stakeholder organisations taking part in McBride’s study reported many and widespread experiences of direct harm (direct experiences of being targeted and harmed through hate crime and discriminatory practices). They also emphasised that hate crimes perpetrated on the basis of multiple characteristics were typical; and that the contemporary focus on ‘hate crimes’ obscured the ordinariness of much of the prejudice that minority groups face. In addition, the research drew attention

to marginalised perspectives in hate crime research, noting that people with learning disabilities are less likely to take part in research due to accessibility issues, while people in prison may experience hate crime but lack the support to report or challenge it.<sup>41</sup>

Drawing on the wider academic literature on hate crime, Kevin Kane’s report for Victim Support Scotland similarly suggests that “some of the most vulnerable victims of hate crime are excluded from existing policy and legislative frameworks.”<sup>42</sup> These groups include: the elderly, homeless, asylum seekers/refugees, and Gypsy/Travellers. As noted in the Taking Stock of Violence in Scotland report, these groups are not identified using the protected characteristics from equality legislation but can conceivably be classed as “stigmatised and marginalised groups”, against whom there is evidence of longstanding violence and intimidation.<sup>43</sup>

The Taking Stock of Violence report notes that hate crime in Scotland should be a focus of future research, as it has received relatively little attention to date. Furthermore, future research needs to attend to the experiences of multiply marginalised groups, including those with learning disabilities.<sup>44</sup>

39 McBride, M. (2016). A Review of the Evidence on Hate Crime and Prejudice – Report for the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion. SCCJR Research Report, 07/2016.

40 McBride, M. (2016). A Review of the Evidence on Hate Crime and Prejudice – Report for the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion. SCCJR Research Report, 07/2016.

41 McBride, M. (2016). A Review of the Evidence on Hate Crime and Prejudice – Report for the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion. SCCJR Research Report, 07/2016.

42 Kane, K. (2017) Fostering a Victim Centred Approach to Hate Crime in Scotland. Edinburgh: Victim Support Scotland.

43 [Taking Stock of Violence in Scotland, Susan A. Batchelor, Sarah Armstrong and Donna MacLellan \(2019\)](#); see also: Kane, K. (2017) Fostering a Victim Centred Approach to Hate Crime in Scotland. Edinburgh: Victim Support Scotland.

44 [Taking Stock of Violence in Scotland, Susan A. Batchelor, Sarah Armstrong and Donna MacLellan \(2019\)](#)

Phillippa Wiseman and Nick Watson conducted qualitative research with 22 adults with learning difficulties from across Scotland to explore their views and experiences of hate crime.<sup>45</sup>

The study found that all participants had experienced violence in the course of their lives and in a range of settings. Participants reported violent incidents and experiences of hate crimes, linked to them having a learning disability, including: name calling, bullying, targeted harassment and physical violence, stalking, home invasion, theft, and financial crime/exploitation. While some participants identified violence specifically as hate crime, others talked about violence in more everyday general terms. For most participants, experience of violence was ongoing and weekly, if not every day. These experiences led some participants to be too afraid to leave the house, to go on public transport, to carry out essential tasks (e.g. get food shopping) and to take part in their everyday community activities.

Participants noted the detrimental effects this had on their health and wellbeing, with some having to move areas.<sup>46</sup>

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45 [Taking Stock of Violence in Scotland, Susan A. Batchelor, Sarah Armstrong and Donna MacLellan \(2019\)](#)

46 [Taking Stock of Violence in Scotland, Susan A. Batchelor, Sarah Armstrong and Donna MacLellan \(2019\)](#)

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# Appendix 3

## Hate Crime Strategic Partnership Group





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