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'New directions in hate reporting research: agency, heterogeneity and relationality'

Key Words: Hate crime/incidents, sexuality and transgender identities, race/faith, disability, transformative identities, hate relationships.

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## Abstract

The third party hate reporting project Arch, based in the North East of England, has one of the largest datasets on third party reporting of hate incidents/crime in the UK. Spanning a 10 year period from 2005, this dataset, though limited, provides a unique opportunity to trace the patterns of those reporting hate, based on 'race' and faith, sexuality and transgender identity, and disability. Focussing on reports of hate, based on perceived sexuality and/or transgender identities, the article considers the timing, location and nature of hate crimes/incidents reported, as well as some of the patterns in the repeat reporting data. This is done to suggest three features of those who are victimised by hate crime/incidents. First, they can be understood as agentic, indeed, of inhabiting transformative identities: not only do they challenge their perceived stigmatised identities by reporting their hate experiences, but by doing so they reframe the identities of those normals who enact hate as stigmatised. Second, they are heterogeneous, with multiple, intersecting identities, different experiences of hate and responses to them. Third we suggest that, by drawing on the parallels between domestic violence and hate, it might be more fruitful to think of those who report repeat victimisations, especially of apparently 'low level' experiences, as being caught up in hate relationships. In conclusion, a new agenda is suggested for hate research to include a focus on agency, heterogeneity and relationality.

## Introduction

In this article we draw on our quantitative analysis of a 10 year data set from a third party hate reporting project in the North East of England to outline three features arising from the dataset that we believe point to future research agendas for the field of hate. In doing so we consider the data primarily of those reporting hate based on sexuality and transgender identities, but also draw on comparisons across the other protected strands to reinforce the points being made. The first feature is of the agency exercised by different reporters of hate crime/incidents. Here we take a sociological approach to theoretically challenge existing understandings of those victimised by hate as non-agentic. Instead we suggest that there is evidence that at least some of those who report hate crime/incidents might be exhibiting transformative identities, simultaneously resisting their own perceived identities as stigmatised and claiming that the identities of normals who enact hate are / should be stigmatised. The second feature is that those reporting experiences of hate are heterogeneous with multiple, intersecting identities, different experiences of hate and different responses to them; and that heterogeneity occurs both across and within those groups currently protected under hate crime legislation. A third feature of the data on repeat reporting leads us to suggest that it might be useful to draw on some of the parallels

that exist between hate and domestic violence, to consider 'hate relationships' in those instances where experiences of hate are characterised by repetition – either in association with an individual or a specific location.

In what follows there is first a very brief history of the way that hate legislation has appeared in the United Kingdom (UK) and a discussion about how hate has been conceptualised. Here we introduce a sociological take on stigma and Goffman's notion of transformative identities to point to the agency demonstrated by those reporting hate crime/incidences. A discussion about heterogeneity follows to highlight how different responses to hate might be shaped by resources that can be drawn on as a result of inhabiting multiple, intersecting identities as well as the targeted, stigmatised one. We also consider the utility of a focus on hate relationships rather than incidents of hate to facilitate a better understanding of the impacts of hate for some of those victimised. Throughout these discussions we refer primarily to the literature on hate based on sexuality and/or transgender identities (see Clayton, Donovan and Macdonald 2016, Macdonald, Donovan and Clayton 2017 for analysis focussing on 'race' and faith, and disability respectively). The methodology includes discussion about the limitations attached to using quantitative data not collected with a research agenda in mind. The findings focus on the types of hate reported, the locations and times in which hate crimes/incidents occurred and repeat reporting. This then allows us to discuss the heterogeneity of those victimised by hate, the agency of those victimised who, we argue enact transformative identities, and the importance of relationality for the impacts of hate crime/incidents for some of those victimised by what we call hate relationships. This is followed by the conclusion in which we return to considering the implications for future research.

### **Making sense of hate motivated crime/incidents and state responses**

The relatively recent enactment of hate crime legislation in the UK can be understood in at least two interconnected ways: as symbolic of an increasingly liberal and tolerant society; and as an attempt to address particular kinds of violent/abusive behaviours experienced by groups that are marginalised or stigmatised in society. This is unusual. Not because it is unusual for legislation to have multiple purposes but because the illiberalism and intolerance being addressed in hate legislation used to be supported, reinforced and embedded in discriminatory legislation against the same groups who, in the parlance of the legislation, display or inhabit the protected characteristics of 'race', faith, disability, 'sexual orientation', or transgender identity. For example, until the 1967 Sexual Offences Act, the state legitimised the persecution of, as they were termed then, homosexual men, not only by criminalising their sexual activities, but also by pronouncing on their moral degeneracy and the threat they posed to young boys and to society. Hate crime legislation can, therefore, be seen as enacted by a state explicitly wishing to atone for, as well as address, institutionalised discriminatory behaviours against these groups. Whilst this might be a welcome addition to the range of motives for criminalising behaviours, it also presents a

particular framework for understanding, defining, measuring and addressing the problem and opportunities for alliance or partnership building between groups representing the protected strands and the state.

Such debates and policy developments have been activated by key or fateful moments (Giddens 1992): events when extreme acts of hate have captured public attention and demanded state action. In the UK, the death of Stephen Lawrence and the subsequent Macpherson Report are credited by many as key moments in the beginning of the process (Chakraborti and Garland 2015) leading to racially aggregated offences being legislated for in the Crime and Disorder Act (1998). Later, the nail bomber attacks on 'gay' spaces and geographical areas associated with high proportions of residents from Black, Asian and other ethnic minority groups led to the identification of religion as a monitored strand (in the Anti-terrorism Crime and Security Act 2001), whilst, sexuality, transgender identity, and disability became monitored strands in section 146 of the Criminal Justice Act (2003). For the police this meant that lesbian, gay, bisexual and/or trans (LGB and/or T)<sup>i</sup> individuals, especially men who have sex with men, were to be seen, not as potential criminals, but potential victims of crime (see Donovan and Hester 2011). These key moments revealed what individuals within these communities have long understood and campaigned about: not just that they are vulnerable to being attacked but that their perceived vulnerability is the result of broader, socio-economic and heteronormative structures and ideological (moral, faith driven) factors, that, historically and cumulatively, have positioned their communities as subordinate to dominant social groups (Perry 2001; Chakraborti and Garland 2014). What has made matters worse, especially for addressing hate through the criminal justice system is that there are those representing the state who enact hate or discriminatory behaviours themselves. For example, James Anderton, Chief Constable of Greater Manchester between 1975-1991, was renowned for his Christian-fuelled homophobia. He began to use a Victorian law against 'licentious dancing' to criminalise gay men and lesbians who danced together and in 1986 at a seminar on how the police might treat those with Aids said:

Everywhere I go I see evidence of people swirling around in the cesspool of their own making. Why do homosexuals freely engage in sodomy and other obnoxious sexual practices knowing the dangers involved? (Clews 2014)

Later, in 2012, The Manchester Evening News reported on documents they had secured showing how much the then prime minister, Margaret Thatcher, intervened to protect Anderton from heavy criticism from Senior Civil Servants and Chief Constables who felt that he was threatening the reputation of the police (in The Telegraph 2012). With this social problem, perpetrators of hate crimes/incidents are not so easily isolated as being 'other' to, and therefore outside, so called 'respectable society'.

Those who identify as LGB and/or T have historically had a troubled relationship with the UK state. Legislated against as (legal, moral) outlaws, discrimination against them has not only

been legitimised but enacted by representatives of the state at every level. Thus whilst the legislative landscape has changed in ways that were unimaginable less than twenty years ago (Weeks, Heaphy and Donovan 2001), there remains what Donovan and Hester (2011) call a 'gap of trust' between mainstream agencies, particularly the police, and those identifying as LGB and/or T (see also Walters *et al.* 2017). As such there has been a debate about the extent to which LGB and/or T people should adopt the systems of the state, specifically the criminal justice system, to address hate crime/incidents (see Moran and Skeggs 2003; Moran 2004 for an overview of this discussion). Others, taking a view from outside the criminal justice system, argue that, rather than closing language down by designating it as 'hate speech', a better response might be to engage with language more fully, to put it 'to its communicative purpose so that it opens the subject [of homophobia] to the social world' (Harvey, 2012: 203) until hate speech becomes defunct (see Harvey 2012, for an overview of this debate). Browne *et al.* (2011) have also argued that focusing on what the *impacts* of hate crime/incidents are, rather than on what is *experienced*, would allow for a broader social, rather than a narrow criminal justice system response, prioritising the needs of the victimised alongside the societal need for perpetrator accountability. Such an approach would be aware that the reactions of those victimised are heterogeneous in order to avoid 'generalis[ing] victimisation to all LGBT people' (Brown *et al.* 2011: 745; see also Harvey 2012).

### **Stigma, Transformative Identities and Agency**

The work of Link and Phelan (2001) provides a sociological take on stigma to conceptualise the ways in which hate crime/incidents are targeted at those with perceived stigmatised identities. Drawing from Goffman (1963) they argue what is important in defining stigma is its impact on those with perceived stigmatised identities and the operation of power within society that enables discrimination and status loss for those stigmatised; they say:

'stigmatization [sic] is entirely contingent on access to social, economic and political power that allows the identification of differentness, the construction of stereotypes, the separation of labeled [sic] persons into distinct categories, and the full execution of disapproval, rejection, exclusion, and discrimination.' (Link and Phelan 2001: 367)

Structural power is thus essential to understanding how behaviours that might be called hate crime/incidents can be considered otherwise by those perpetrating the behaviours. The latter might perceive their behaviours as resulting from entitlements accruing from their membership of social groups located in more privileged positions in the social structure of society generally, as well as in specific social and spatial contexts. Using Goffman's (1963) analysis of stigmatised identities we can see that perpetrators of hate believe themselves to be normals, whilst those they see as embodying stigmatised identities are not believed to be 'quite human' (Goffman 1963: 14).

We can see this playing out since the decriminalisation of homosexuality. Violence was historically enacted through the state, towards who we would now term gay men (and lesbians) i.e. imprisonment, chemical castration and aversion therapy; and legitimately reinforced in everyday life, particularly through violence. Normals enacting violence ('stigmaphobia' (Goffman 1963: 28)) on members of a stigmatised group, were without fear of prosecution and could understand themselves to be reinforcing moral values. Goffman also refers to 'atrocious tales' told by the professionally stigmatised. These are representatives of stigmatised groups who promote social justice for these groups. However, Goffman never unpacks either what 'stigmaphobia' or 'atrocious tales' might entail other than 'extreme mistreatment by normals' (Goffman 1963: 23). We are left to deduce that they include the range of behaviours we now call hate crimes/incidents.

Throughout his work Goffman (1963) suggests a fixedness in the stigmatised and normals' social positioning because the majority of the identities he refers to are those that are structurally rather than individually produced (see Tyler and Slater, 2018 for a discussion of this limitation of Goffman and a broader discussion of the need to understand stigma as a cultural and political economy). This, reflects the structural power relationships between social groups that Link and Phelan (2001) refer to as crucial in understanding stigma. Nevertheless, Goffman does leave open the possibility that relationships between the stigmatised and normals can change both at the group level over the history of a society and at the individual level over a lifetime. Legislation cementing the right to equal legal treatment of all, regardless of sexuality and/or transgender identity, evidences the ways in which these identities are being transformed and becoming 'respectable'. With respectability comes protection under the law and legitimate victim status which can act as an empowering process for some of this group to enact transformative identities in their use of hate legislation. Yet this transformative process is not linear. The dynamism and complexity of hate crimes/incidents illustrate this through the relative visibility of different stigmatised groups within specific social, spatial and, indeed, temporal contexts. We come back to this below.

Authors such as Orne (2013; and see Siegel *et al.* 1998) have been exploring the extent to which Goffman's (1963) stigmatised identities can illuminate the ways in which LGB and/or T people manage their identities in the face of varying degrees of hostility and/or homo-bi-transphobia. Orne argues that Goffman's offer of two responses from 'normals' – hostility and acceptance - is limited and that, in fact, LGB and/or T people face challenges or reactions lying somewhere in between. Likewise, he argues that Goffman's management strategies for those with stigmatized identities are also limited because they are all assumed to be motivated by a shared understanding between those with stigmatized identities and normals that the formers' identities *are* stigmatized. However, he found evidence of LGB and/or T people who have 'an alternative world view' (Orne 2013: 230). Rather than avoiding their identities being revealed (i.e. by 'passing' as Goffman would have it 1963: 57) some participants challenge others' worldviews of them as having stigmatized identities by

coming out. Such transformative strategies are what underpin the discussion of data in this article with respect to those reporting hate crime/incidents to a third party reporting project.

We suggest that two conditions are required to facilitate a process resulting in transformative identities. First, a formal process by which transformative identities are legitimised, for example, through hate crime legislation. Second, a transformation in the underlying assumptions made about the victimhood of stigmatised identities. Both processes are social and require some degree of structural change in the power relations in society in relation to subordinated groups.

### **Heterogeneity and Victimhood**

When expressions of hate target perceived stigmatised identities, there is an expectation that those victimised will conform to a stigmatised/victim identity. Victimology in its earliest incarnation focussed on victim-blaming presumptions. Whilst victimology has changed to include analyses that are more critical of such essentialist and individualistic approaches (e.g. Christie 1986; Walklate 2016), we would argue that there is still a dominant construction of victimhood associated with a particular construction of femininity: weak, vulnerable, without agency. Stigmatised identities can be socially and materially 'othered' and feminised by both normals seeking to enact hate and help providers after a hate crime/incident. Yet, what hate crime/incident reporting systems allow for and encourage is those being victimised to take action. Reporting then can be seen as evidence of those with stigmatised identities rejecting acceptance of stigmatised identities and instead framing those who have enacted hate as having a stigmatised identity: that of somebody who has potentially committed a crime. Of course the ability to report depends on the resources of the person victimised that accrue from the multiple identities they inhabit: for example, they might be a gay man but they might also be white and middle class.

The work of Meyer (2010) focusses on intersectionality to begin to unpack the heterogeneity of those victimised by hate crime/incidents based on sexuality and transgender identity. He found that 'race' and social class were key shapers not only of how LGB and/or T people made sense of their experiences but, importantly what they then did about them. Broadly speaking, those who were poor or working class LGB and/or T people of colour all experienced physical hate violence whilst those who were white and middle class LGB and/or T people mostly experienced verbal abuse (see also Browne *et al.* 2011), yet the latter were much more likely to report and/or seek help/support from mainstream agencies – and were encouraged to by their informal support networks. The former – the poor and working class - told friends and family but neither reported to any mainstream services nor received any support to do so. Meyer suggests that those who report might be characterised as having more social capital and a sense of entitlement to better treatment than those who do not (Meyer 2010).

## Hate Relationships

Hate crime/incidents have been theorised as emblematic of structurally embedded social inequalities and hierarchies of power and privilege. Perry (2001: 1-2) goes further arguing that hate is a mechanism of oppression. The broader social context (which is itself the product of its national, socio-economic and cultural history of hierarchical relationships with colonies and indigenous, minoritised groups) within which hate occurs is understood to be causally related to, and therefore in part responsible for, hate crime/incidents. In other words, hate crime/incidents are an almost inevitable outcome of societies in which structural differences shape, reflect and reinforce hierarchies of power based on 'Othering' minoritised groups. As Ahmed (2001) has cogently argued, hate does not reside in any one individual but is part of an affective economy based on historical attachments and relationships between individuals as members of social groups.

Such approaches to understanding hate have parallels in feminist approaches to understanding domestic violence. The definition of domestic violence used here is that of the Home Office definition: an incident or pattern of coercively controlling or threatening incidents exerted by an intimate partner or family member and which can include physical, emotional, sexual, psychological and economic violence (Home Office 2013). This definition has been influenced by feminist scholarship and activism (Donovan 2017) and emphasises the repeat victimisation that characterises the power dynamic in the relationship. Feminists have provided an analysis of these behaviours that focuses on the violence of the individual (man) as understood to be a result of a patriarchal and hierarchical social context in which women and dominant constructions of femininity have been positioned as subordinate to, and of less worth than, men and dominant constructions of masculinity (Donovan and Hester 2014). Thus male violence is understood to be the result of structural factors and everyday practices that reproduce and reinforce gendered inequalities within both public and private spheres and result in individual men being violent towards individual women. Hate crime is, thus, also as much a result of socio-historical-economic-cultural factors as it is the result of an individual's decision to enact hate.

Understanding the interconnectedness of violent behaviours and the socio-cultural support for violence is crucial in understanding that violence is socially performed and experienced. Much of the hate that is reported is enacted by people known to those victimised (Stanko 1997) and this in itself suggests social relationships yet these does not seem to be taken into account in studies that consider hate crime perpetrator typologies (McDeavitt *et al.* 2002; Roberts *et al.* 2013). Being 'known' covers a range of relationships from neighbours, shop keepers, other school students, to family members. In disability hate crime, 'mate hate' is a specific type of hate that those with learning disabilities might be particularly susceptible to (e.g. Thomas 2013) wherein the individual who would enact hate 'befriends' a person with learning disabilities and subsequently exploits them in financial, material and in other ways. This draws attention to specific and complex configurations of social and geographical

relationships and the manner in which individuals might be socially and spatially positioned in situations that facilitate or guard against potential victimisation. As Nayak (2017) has shown in his study of 'race encounters' in Sunderland, it is in the racist/hate encounter that stigmatised identities are produced rather than them pre-existing that encounter. Thus stigmatisation can be understood as a non-linear process that is context and relationship driven where the relationship between the stigmatised and normal is understood as a socially, culturally, and politically unequal one.

In addition, as Ahmed (2001) points out, some social groups come to be known in ways that reflect historical socio-cultural stories, that have accumulated and sedimented over time into 'truths', that then individual members are not only perceived to represent, but also be responsible for. Thus hate relationships might not only exist between individuals but with locations associated with individuals, such as gay pubs and clubs or local cruising areas, for what they are perceived to represent and/or provide a 'home' for. The research suggests that when hate incidents occur that are one-off and between strangers this is most often the case for those reporting hate based on sexuality and/or transgender identity (see Browne *et al.* 2011; Chakraborti *et al.* 2014; Walters *et al.* 2017); possibly the result, we suggest, of the hate relationship perpetrators have with a geographical location associated with LGB and/or T people. Naming these as hate *relationships* might enable a better understanding of what is being reported – that instead of focussing on apparently separate or isolated incidents that are typically 'low level' and beneath the threshold of a crime, the focus should be on a relationship of hate being constructed over time.

## **Methodology**

Arch is a third party reporting project based in the North East of England, originally set up in 2002 and funded by four of the local authorities in the Tyne and Wear area of the region as a 24-hour telephone racist incident reporting project. Later, the project expanded when faith, sexuality, disability and transgender identities became protected strands under hate crime legislation. By 2006 ninety-three reporting centres had been recruited as part of a model of working based on community engagement and community intelligence gathering that could allow 'hot spots' of hate incidents to be identified and addressed with training in conflict management. The database was developed to collect data on hate across the four authorities but the data from Sunderland and Newcastle, the two largest cities in the Tyne and Wear region, are the most carefully and consistently collected and this paper draws from an analysis of the data from those two cities, over ten years for Newcastle and over three years for Sunderland.

The Arch database was not set up with quantitative data analysis in mind and the partnership between Arch and the research team was based on an 'action oriented' piece of research (Pain 2003) intended to enable Arch to better develop and use the database as a tool of analysis as well as develop more qualitative research questions to make sense of the quantitative data. Unfortunately these aims could not be met because in 2015 the funding

for the project workers at Arch was cut. Whilst the Arch database remains and a telephone helpline exists to log third party reports of hate, the unique model of working that the Arch project had developed based on community engagement was ended.

Despite these caveats the data provide a unique, longitudinal profile of reporting across the main hate strands and form a database that is amongst the largest in the UK: the database holds data on 3,908 incidents of which just over a fifth (22%, n=860) are repeat incidents. Hate incidents motivated by 'race' and faith make up the largest proportion of the reports (82%) with those motivated by hate on the grounds of sexuality and transgender identity making up 10% (these groups were combined because there were only three cases of hate based on trans gender identity) and hate on the grounds of disability the remaining 8%.

Descriptive statistics were used in the form of cross-tabulation tests to examine the frequency distribution of cases when examining the correlation between two or more variables. Two or more variable frequency distributions were analysed using a chi-square statistic ( $\chi^2$ ) to discover whether variables are statistically independent or whether they are associated ( $P \leq .05$ ). Only statistically significant findings are used in this paper. Whilst the database is unique in its size it is also only able to give limited accounts of those willing to report their experiences to a third party reporting system; and the research is clear that most of those victimised by hate crime/incidents do not report either to the police or third party reporting agencies (e.g. Chakraborti *et al.* 2014; Williams and Tregidga 2013). Consequently the data underestimates the prevalence of hate crime/incidents being experienced in Newcastle and Sunderland during the periods of data collection. This is another reason why the key findings discussed in this article can only be suggestive and warrant more research to explore their validity.

Before discussing those findings it is important to also provide an account of some of the contours of the database and address ethical concerns. It was designed as a live tool that could be changed and amended over time. That this happened is evidenced by the different data collected by Sunderland (2009-2012) and Newcastle (2005-2015). In the latter's dataset there are important missing data about the gender of the person reporting but in both datasets there were other missing demographic variables such as sexuality and faith. However, as we argue elsewhere, 'this context did not just allow us to think through the value of the data itself but also what we might learn about the contexts through which this data (and our analysis) was being produced' (Clayton, Donovan and Macdonald 2016: 67). The database is large and as such presents unique opportunities to consider patterns and trends that can be read and interpreted in ways that are informed not just by our reading of the relevant literature but also by the professionals involved with Arch and the broader political funding context. Our final analysis is thus the consequence of a 'dialogue between the statistical, the experiential and the political' (Ibid: 73). The data used by the research team was anonymised and no qualitative data was available. This provided ethical assurance that no individual could be identified in the analysis; and the nature of Arch meant that

those who reported understood that the database was used to identify and report on patterns, hotspots and areas of concern.

## Key Findings

The data presented reflects what was collected in relation to four core features of the database: the kinds of hate crime/incident reported; the geographical area in which the reported hate crime/incident took place; the time at which the hate crime/incident took place; and who reported repeat victimisation for what kinds of hate crime/incidents.

Insert here Figure 1

### Figure 1: Types of hate crime/incidents reported across protected strands

The Arch data shows (Figure 1) that those reporting hate crime/incidents because of sexuality and gender identity were significantly more likely ( $P \leq 0.00$ ) to report offensive and/or abusive language (43%) than those reporting 'race' and faith or disability hate crime/incidents (both at 28%). Conversely, they were least likely to report hate crime/incidents that involved material and criminal damage (8% compared with 9.6% of those reporting disability hate and 18.8% reporting race/faith hate). Keeping this in mind, Figure 2 shows, in a map of electoral wards, where in Newcastle or Sunderland hate was reported. Here, for those reporting hate crime/incidents based on sexuality and gender identity, the electoral wards most often the location for the hate crime/incident being reported are the city centres – the area which in Newcastle houses the gay scene, known locally as the Gay Triangle (36.3%); and in the city centre of Sunderland (14.5%) where the main transport link by metro to Newcastle is located. We speculate that it is not just coincidence that these areas might also be the places that LGB and/or T people might be travelling within, to and from whilst engaging with the night-time economy.

Figure 2 here

### Figure 2: Map Showing Reported Incidents Of Hate Across Electoral Wards Of Newcastle And Sunderland

Finally, the data from Sunderland alone, which provides the time of day or night the reported hate crime/incident took place (Figure 3) indicates that those reporting sexuality and transgender identity hate crime/incidents were the group most likely to be reporting hate crimes/incidents taking place in the very early hours of the morning. Sunderland does not have as visible a gay scene as Newcastle and it is very common for LGB and/or T people to travel to participate in the Gay Triangle (Donovan and Williams 2008). Chakraborti *et al.* (2014) also found that those reporting hate crime/incidents on the grounds of sexuality were most likely than other groups to report their experiences occurring in public spaces, in/around pubs and clubs. The data thus suggests that coming home from nights out whether in Sunderland or Newcastle might be a time when hate crime/incidents might be reported. The other peak, during the time period 3-6pm, might be explained by being that time when schools, colleges and employment end. This may be a potentially risky time for

those who might be victimised for their sexuality and/or transgender identity as they make their way home.

Figure Three here

**Figure 3: Figure Showing Times of Day and Night Reported Incidents Of Hate Took Place in Sunderland**

In contrast, reporting of 'race'/faith and disability hate crimes/incidents appears to occur somewhat consistently across wards (with peaks in those neighbourhoods that are among the most socio-economically deprived (see Clayton, Donovan and Macdonald 2016 for a discussion about this) and at all times of the day and night. They are also more likely to report physical violence and material damage. Taken together this suggests that those reporting hate crimes/incidents on the basis of race/faith and disability are more likely to be experiencing this nearer to, or at, home.

Turning to the 22% of the reports of hate crime/incidents across the strands that constitute repeat victimisation, there are two findings of note. First is that most of those reporting repeat victimisation are those reporting hate crime/incidents on the grounds of sexuality and transgender identities (32% as opposed to 21% for those reporting race/faith hate and 17% for those reporting disability hate). Second, those who are reporting repeat victimisations of hate crime/incidents motivated by sexuality and transgender identities are most likely to be reporting to the police as well as Arch about verbal abuse. Fifty-seven percent of those reporting hate crimes/incidents motivated by sexuality and transgender identity to the police reported verbal abuse compared with 29% of those reporting 'race' and faith hate crimes/incidents and 24% of hate crimes/incidents motivated by disability. This pattern suggests that there is a group of people victimised by hate motivated by sexuality and trans identity who are determined to report to the police, even hate crimes/incidents typically regarded as low level.

## **Discussion**

### *Heterogeneity, Agency and Relationality*

We would suggest that this analysis supports the findings of others (e.g. Browne et al. 2011; Meyer 2010) that those victimised by hate crime are heterogeneous both within and across the protected strands. Secondly, there is evidence that some, especially those victimised by hate based on sexuality and/or transgender identity, are enacting transformative identities: that of being an authentic and legitimate victim of a hate crime/ incident. Simultaneously, through their use of formal reporting systems, they are challenging the identity of the normal(s) who perpetrate hate crime/incidents as potential criminals. This is supported by the analysis showing evidence that there are those targeted by hate who are insisting on (repeat) reporting their experiences, even of apparently lower level expressions of hate (verbal abuse), and suggests, (as does, Meyer, 2010; Orne, 2013 and Siegal *et al.* 1998) that

stigmatised identities are not accepted, as Goffman would have it, but rejected and re-directed at the so-called normals who are expressing hate.

Perpetrators' perceptions of whether or not individuals belong to stigmatised groups might rely on contextual cues – partly taken from what somebody looks like, (do they *look* gay? Trans?), how they behave (are those two women/men holding hands?), what they sound like (if they are men do they sound 'effeminate'?), where they are and at what time of the day/night (might they have come out of a gay pub or club?). All of this relies on ideas about the potential target for hate being perceived as too different, in both the context and to the potential perpetrator and an 'easy' target, i.e. one who will behave as a victim and not do anything, or one for whom there might be doubt about their credibility as a witness. What the data suggests is that there is a group amongst those who are reporting hate crime/incidents based on sexuality and transgender identities, who do not conform to their expected role as (passive, discreditable) victims but instead are willing to report, even if their experience is 'only' of verbal abuse; and that they are willing to repeatedly report their experiences, not only to a third party reporting system, but in most of these cases to the police as well.

Many of those who report hate crime/incidents on the grounds of sexuality and/or transgender identity are out in the city centre and /or out accessing the night time economy which suggests that these are individuals with financial and social resources. This supports the findings of Meyer (2010) which points to middle class, white LGBT individuals being the most willing to report to mainstream organisations, even verbal hate, and who are also most likely to be supported by their informal support networks to do so. Whilst the data gives no information about the 'race', gender, or social class of those reporting to Arch, the patterns are suggestive of a group who are resourced enough to be out for the night and/or on the scene who are refusing to be positioned as victims and are instead reporting what might be seen as low threshold hate incidents.

### *Relationality*

The literature points to the ways in which hate crime/incidents are assessed by relying on a hierarchy of seriousness. As with domestic and sexual violence, seriousness tends to reflect a hierarchy of violence and abuse with physical violence at the top, whilst threats, verbal violence and online violence tend to be underplayed both by those victimised and service providers, including the police. Indeed the perceived 'trivial' nature of their experiences is often given as a reason not to report to the police (Bells *et al.* 2006; Guasp *et al.* 2013; Meyer 2010). Yet, what most people report to Arch, and surveys of hate crime/incidents, is verbal hate/incidents (e.g. Chakraborti *et al.* 2014) of which a high proportion are repeat incidents (Ibid). This suggests that such behaviours, especially when repeated, can be impactful in ways that need further research to understand.

Focussing on the parallels there are between hate crime/incidents and domestic violence, it might be of use to consider the impact of repeat victimisation of hate, regardless of the type of violence, particularly when that is happening in and/or around the home or locations associated with those victimised. It might be that some perpetrators of hate crime/incidents are exerting what those in the domestic violence and abuse field call coercive control in 'hate relationships' with an individual, household or family, or establishment or part of town (e.g. the 'gay scene', see Richardson and May 1999; Williams and Tregidga, 2013). On their own the discrete behaviours might not even be perceived as anything more than low level anti-social behaviour, normalised such that individuals are expected to become inured to them. Yet experienced with repetition over time the cumulative impact might parallel the impacts for survivors of coercive control in domestically violent relationships, i.e. increased vigilance, fear, a sense of being trapped, decreased confidence, a diminished sense of self, agency and liberty (see Stark 2007 in relation to these impacts for survivors of domestic violence). Further, all of these impacts might be exacerbated if, after seeking help, the response is to minimise experiences by isolating the behaviours and impacts and failing to see the relationships between the incidents; and between the perpetrators and those they victimise, including where they might go to victimise.

## **Conclusion**

The evidence that the reporting of hate crime/incidents is increasing both to the police, third party reporting agencies and in crime surveys (of reported and unreported criminal experiences) can be seen as a positive sign of growing confidence amongst targeted groups - that they can report and expect to be taken seriously. The fact that reports of hate crime/incidents saw a sharp increase in the three months following the result of the UK referendum on membership of the European Union, is also suggestive of this trend (BBC 2017). There is also some evidence that reporting is motivated by positive intentions to improve things not just for those victimised but also for others. In the All Wales Hate Crime Research Project (Williamson and Tregidga 2013), the three most often cited reasons for reporting were: because it was the right thing to do; to stop it happening again and in the hope that the offender would be brought to justice.

Discussions about the relative merits of adopting terms such as hate or bias to distinguish those behaviours apparently motivated by hate have illustrated the intricacies and challenges of using the law to both penalise such behaviour and send a 'symbolic message' (Perry 1981) reinforcing tolerance and inclusion. Moran (2004) queried the apparent growing alliance between LGB and/or T communities and the criminal justice system in criminalising hate on the grounds of sexuality. However, if reporting provides opportunities to experience agency (without necessarily leading to a criminal justice response) and provide socially transformative processes for those victimised, as well as for those considering enacting hate, then this might have impacts that are more wide-ranging than just for the individuals involved.

Those victimised by hate crime/incidents tend to be characterised by their lack of agency, as being individuals to whom bad things are done. Whilst our argument does rely on an analysis that structural factors can act to construct stigmatised groups as targets for hate, it does not accept a simple construction of passive victimhood. Instead, we argue that it is both power relationships (influenced by historical structural inequalities), as well as perpetrators' perceptions of power, as embodied in any particular member of a stigmatised group, that come together in an act of hate. Typically, hate crimes/incidents – as with domestic violence – take place when the perpetrator(s) believe there will probably be no retaliation (i.e. that they will not come to harm themselves) and when they believe they can act with impunity. For hate relationships to endure impunity must be relatively secure.

The latter is evidenced by the research that consistently shows most of those victimised do not report their experiences to the police (Corcoran *et al.* 2015). However, we can also look again at the patterns of reporting hate for what it might tell us about the heterogeneity amongst those victimised. It might be that the reporting of hate incidents that do not reach the threshold for a criminal justice outcome reflects an increased sense of agency and empowerment amongst some members of stigmatised groups which defies perceptions of them as passive victims who will put up with the misery they are experiencing. Perceptions of power might also be misunderstood by perpetrators of hate crime incidents when they believe that they can tell who the members are of minoritised groups and that all members are the same – passive victims who nobody will listen to and who can be victimised. Like the work of Meyer, (2010) the Arch database suggests that some of those reporting hate based on sexuality and/or trans identity might be those who have other resources resulting from their other identities.

We also suggest that considering the existence of hate relationships in some of those reporting repeat hate crimes/incidents might enable a better response to those victimised. Instead of responding to repeat incidents as if they are separate and discrete, understanding the impact of repeated incidents on those victimised as akin to those experienced in coercively controlling intimate relationships might result in a more appropriate response from help providers.

Finally, as stated at the outset, the conclusions we reach are suggestive but, we believe enough to support a different kind of research agenda in the field of hate that focuses on heterogeneity, agency and relationality. Research is needed to consider motivations for reporting, the demographic factors of those who report as well as those who do not report to the police, perceptions of and/or relationships with perpetrators, temporal and spatial aspects to hate relationships, and, importantly the impacts of repeated, and apparently low-level experiences of hate. Such research is necessary to further assist the development of policy and practice that is better able to understand and respond to the diversity of hate experiences.

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<sup>i</sup> The authors acknowledge that this acronym is becoming less and less accurate vis-a-vis a shorthand for the multiple identities about sexuality and gender identity that are emerging in many Western countries. However, for the sake of brevity this acronym will be used as it is still the one most recognised by mainstream academic, policy and practice audiences to whom this article is aimed.