

Impact of brexit on hate crime rates



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The increases in hate crime following the EU referendum represents merely the tip of the iceberg for hate crime. These increases come at a time when the police and the CPS are already failing to deliver an effective service to hate crime victims. Critically evaluate.

Hatecrime is a criminal offence which is motivated either entirely or partly by the fact or perception that a victim is different from the perpetrator.

[1]According to the UK Home Office, hate crime is defined as any criminal offence committed against a person or property that is motivated by an offender's hatred of someone because of their race, religion, gender, sexual orientation and or their disability.[2]Hate-crime is a crime that should be taken very seriously, this is because everyone is entitled to live their lives free from bullying and harassment.[3]It is believed that hate crimes hurt more and are more likely to involve excessive violence.[4]It extends further to send out a terroristic message to the members of the victim's group.[5]

In recent light, the Home Office had set up an action plan which was purely designed to encourage people to report offences and boost support for victims.[6]Previous provisions from section 28 to section 32[7]states that there was an increase in sentences for racial or religious aggravation.[8]In addition to that, according to section 146[9]there was an increase in sentences for aggravation related to disability or sexual orientation and this categories fall under hate crime.[10]A Disability Rights Commission spokesman said that it has been way too long these devastating crimes have not been recognised in law or treated with the seriousness they deserve to be by the police, prosecutors or the courts.[11]Henceforth, it may be safe to say

that there is a proactive step by the police and the CPS [12] to increase the sentencing for crimes related to hate-crime.

However, it can be observed that there are several challenges with hate-crime that will be carefully examined. Amongst the many problems, Bourne [13] identified that not too many hate crimes incidents are finding their way into hate crime statistics due to the under-reporting by the victims and the under-recording by the police. [14] There are two main methods for testing the amount of hate crime each year, with one of those being the offences recorded by the police and the other is the CSEW [15], which tries to gauge the number of crimes both reported and unreported. [16]

The fact that hate-crime is massively under-reported makes it more difficult for the police and the CPS to carry out any action against the perpetrator. [17] Victims often fail to report hate incidents either because they feel that whatever happened to them isn't serious enough to be reported. [18] This in turn causes more harm as the victim just lays in bearing all the hatred projected towards them. In 2013, the CSEW discovered that the level of reporting had declined mainly due to the fact that most victims felt that the police could not or would not do much about it. [19]

Moving on, a government study shows that the proportion of hate-crimes being recorded by police in England and Wales has fallen by almost 20 percent in the past three years. [20] This can be observed as such that the police records just under 43, 000 hate crimes a year which is only about 1% of the total amount of crimes, the CSEW suggests that there is actually about 278, 000 hate crimes a year which is way above the number recorded by the

police.[21]In 2015 and 2016, there was a decrease by 10% in the police action against hatecrime which can be justified by a number of possible reasons such as the cutsin police budgets, the new CPS guidance covering crimes related to social mediaand the lack of officer training on how to deal with hate crime.[22]It was held that the police only record a ‘ hate crime’ if they think somethingillegal has happened regardless of fact that it has been reported to thepolice.[23]In addition, hate-crimes are recorded based on perception that they are only prosecutedon the basis of clear evidence of hostility which may leave some victims havingtheir expectations confounded.[24]Some police officers themselves do not want to invest extensive time and energyinvestigating hate crimes because of personal prejudices.[25]

Meanwhile, research from the Bureauof Investigate Journalists showed that despite the numbers of recorded hatecrimes soaring “ positive” outcomes for victims are falling.[26]Despite the increase in the number of reported hate-crimes, the police and prosecutorstook action in fewer cases last year than previously with a record of only 27%of the hate crimes recorded resulted in a “ positive” outcome un 2015/2016compared with 35% the years before. [27]To actually prosecute a crime as a hate-crime, it requires the police toestablish hostility on the part of the perpetrator based on one of theprotected characteristics.[28]This requirement means that the police has to try to establish hostility andgather evidence of probative value in this regard.[29]Some of the problems for the police therefore lie in obtaining sufficientevidence to establish hostility, as although something might be

recorded as a hate crime, unless clear evidence is available then the CPS will often not be able to prosecute as hate-crime.[30]

Additionally, the overriding police culture of ensuring consistency in the way the officers carry out their policing practice appears to be restricting officers from being aware that a knowledge of social context is necessary to understand the impact of such incidents on a particular community and to further offer a far more responsive service.[31] In 2016 it was reported that hate crime prosecutions in England and Wales fell by almost 10% last year even though the number of recorded incidents increased.[32] Paul Giannasi[33] alleged that the gap could be the result of poor recording or because the hate-crime victims had not described their assault as a hate offence when they spoke to the police.[34] Steve White[35] said that crime victims don't trust police and thousands of offences are going unrecorded because people feel that nothing will be done regarding their report.[36]

This study will focus on hate crime towards Muslims, also known as Islamophobia.[37]

In late 1990s following the publications of the Runnymede Trust report on "Islamophobia: A Challenge for us all" defined Islamophobia as an unfounded hostility towards Islam.[38] The report also refers to the practical consequences of such hostility in unfair discrimination against Muslim individuals and communities and to the exclusion of Muslims from mainstream political and social affairs.[39] Whilst Islamophobia has existed for thousands of years, it has recently become a major problem in the society.[40]

Many incidents have clearly portrayed how Islamophobia is a type of hate-crime, one of which was reported in 2014 whereby a 31-year-old female student was repeatedly stabbed while walking alone in Colchester and this murder was said to have been because she was wearing a ' Muslim attire'.

[41]The leading cause for Islamophobia is usually misinformation or complete lack of information regarding the religion.[42]There is often misrepresentation of Muslims in the media which then causes an inflating in the number of Islamophobic incidences.[43]Studies have shown that the media plays a significant role for its negative reporting and association of Islam with terrorism.[44]In addition, recent research by the University of Cambridge has shown that mainstream media reporting about Muslim communities is contributing to an atmosphere of rising hostility toward Muslims in Britain.

[45]The media opposed this statement by saying that they are only reporting the facts and are not responsible for the consequences, however it was argued by the opposition that the media have a huge responsibility when it comes to reporting these issues.[46]There were three main problems identified by Fiyaz Mughal[47], first being that there is a lack of understanding the language of Islamophobia thrown at victims in any incidents.[48]Secondly, there is very little training on how to ask relevant questions to pull out anti-Muslim cases.[49]Finally, the recoding processes are not in line with each other; different forces flag it as different categories such as one, anti-Muslim and other religious hate-crime, thus this shows a lack of uniformity.[50]

It is to be noted that based on Tell MAMA[51], about 60 percent of the hatred were directed towards Muslim women and are more likely to occur on the

street.[52]This is based on an assumption that Muslim women are much more likely to be targeted due to the visibility of their headscarf.[53]Thus, making them stand out in the crowd allowing attackers to spot them based on their appearance. In 2015, a pregnant Muslim woman was verbally abused on a bus in London, her attacker kept yelling ISIS and claimed that she shouldn't be in this country since she is Muslim.[54]Additionally, in 2016, a Muslim student had her face veil ripped off in a racist attack outside King's College London.[55]Such immense hatred towards Muslim women along the years has been a clear indication that Islamophobia has been and still is a major concern. There has been a high profile of anti-Muslim hatred incidents on public transport which concerned the communities.[56]BTP[57]recorded racially motivated hate crimes across railways in 2015 has increased 37% over the previous five years.[58]

Many monitoring groups and campaigners pointed out that hate crime is often under-reported with Muslims in particular as they are reluctant to contact the police for fear they won't be taken seriously.[59]According to Leon Moosavi, "A lot of people think Islamophobia is exaggerated but actually minorities generally under-report; someone might be called a Pakior terrorist but won't even tell anyone." [60]This is a general problem for all types of hate-crime as the victims feel that their complaints won't be taken seriously.

It can be observed that previously, Islamophobic reports were not taken seriously. Home Office analysis of police recorded crime data and the CSEW show that in 2015, only 43 percent of hate crime offences came to the attention of the police.[61]However, Theresa May has now made it mandatory for police to record anti-Muslim incidents and take it on par to

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anti-Semitism.[62]This is an important step to give local communities a voice in addressing localpolicing needs for victims of Islamophobic attacks and also to effectively andinevitably render Tell MAMA obsolete.[63]The police force needs to take a step forward towards recording all crimes thatare reported regardless of its seriousness, as this can be seen to be a majorproblem in other hate crime categories as well.

In 2005, The Guardian commissionedan ICM poll which indicated an increase in anti-Muslim incidents, particularlyafter the London bombings in July.

[64]Besides, one of the directors of Faith Matters who also runs Tell MAMA claimedthat the murder of Lee Rigby by two extremists in Woolwich had also caused thenumber of Islamophobia crimes to jump significantly.[65]Tell MAMA reckoned Islamophobia crimes to a 373% increase in the week afterRigby’s murder.[66]The third incident was the Rochdale child grooming scandal which was believedto be accountable for the rise of crimes due to Islamophobia.[67]Last but not least, it was held in a speech by Dr Imran Awan that Brexit hadhelped fuel and empower the British public to be more Islamophobic. In light ofthe rise in hate-crime following Britain’s decision to leave the EU[68]the UK Home Office launched an anti-hate crime campaign after the spike inattacks.[69]Therewas undeniably a sharp increase in the number of racially or religiouslyaggravated crimes recorded by the police in England and Wales following the EUReferendum.[70]This can be seen based on the fact that the reports of hate crime have risen 57percent after the EU Referendum vote[71]Police believe that this was the worst on record.[72]

Some claim that the anti-Muslimhatred only begun after the EU Referendum, Tell MAMA however argued by statingthat its annual report showed the surge

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in anti-Muslim hatred, fuelled by terrorist incidents, was happening well before the EU Referendum.[73] The number of religious motivated hate crimes were mounting at 3, 293 in 2014/2015 to 4, 400 in 2015/2016 which is an increase of 34%.[74] In addition, the racial motivated hate crime also increased from 42, 862 to 49, 419, showing an increase of 15% change from years 2014/2015 to 2015/2016.[75] It was affirmed in the research conducted by Tell Mama that every week there are roughly about 40 to 50 reports on Islamophobic incidences, however after the EU Referendum, they recorded 30 such incidents in three days alone.[76] Some events recorded were directly related to Brexit as such that people were telling Muslim women ' We voted you out, you shouldn't be here'. [77] To summarise, Brexit has contributed a significant amount of the hatred towards Muslims in this country.

On this point, it should be noted that the level of hate crime in the United States (US) was parallel to the hate crime rate in the United Kingdom (UK) more so after the election of Donald Trump as the president. This statement can be proven based on the hate crime complaints received between November 8 2016 to February 19 2017 which shows a 42% increase compared to the same period, the year before.[78] Subsequently, the hate crime incidents recorded post Brexit, in July 2016 had a 41% increase compared to the same month a year before.[79] It was held that the leave campaign for the EU Referendum changed its tack and shifted focus to immigration and precisely how to bring it to a screeching halt.[80] However, it was opposed as vote leave insisted that its campaign had always intended to focus hard on immigration particularly on its final phases.[81] It was held

that Europe's open door policy to Muslim immigrants has utterly failed.

[82]However, the refugee crisis, the perceived onslaught of Syrian immigration and Islamic immigration has made a bigger impact on perception of immigration in Europe than in the US.[83]On the other hand, Trumps' campaign focused heavily on immigration and scaling back environmental regulations.[84]There is a clear resemblance between these two campaigns as both focused on kicking out immigrants, but there is a greater theory behind each of it. In conclusion, it can be seen that in this current era, the presidency of Trump and Brexit has become one of the major contributing factors behind the rise in Islamophobia

Richard Cohen[85], blamed the recent surge in hate-crimes on Trump and his divisive language throughout the campaign.[86]It should be known that the number of hate groups specifically targeting Muslims in the US grew by 67% in 2015, the year Trump launched his campaign.[87]The report from a non-partisan centre examined a steep rise in hate crimes following Trump's calling for a ban on Muslims entering the US after the San Bernardino terror attack.[88]Research suggests that discrimination increases psychological distress, reduces level of happiness and worsens overall health for Muslims. [89]Although, this happens in the US, it is manifested in this country.

Moving on, regarding the focus of Brexit on bringing immigration to a stop was clarified by the labour's deputy leader who stated that there would still be migration to Britain from outside EU if Britain left.[90]On the contrary, most Brexit supporters voted to leave the EU to prevent Muslims from immigrating to Britain.[91]A Pew Research study conducted in 2015 found as of 2010, the EU was a home to 13 million Muslim immigrants.[92]A study in <https://assignbuster.com/impact-of-brexit-on-hate-crime-rates/>

the same year by YouGov found that 56% of British people think Islamstances a major threat to Western liberal democracy.[93]Thus, it is safe to say that there is equal amount of hostility shown by Trumpand EU citizens towards Muslims.[94]

In 2012, the government introduced a hate crime action plan which had amotto ‘ Challenge it, Report it, Stop it’.[95]The plan was brought together under three core principles, namely; to preventhate crime, to increase reporting and access to support and to improve theoperational response to hate-crimes.[96]A 2014 progress review of the 2012 action plan found that the reporting ofhate-crime and the understanding of police and communities of the impact ofhate crime had both improved.[97]It was 2012 plan had failed to reduce disability hate-crime, online hate-crimeand anti-Muslim-hatred.[98]The 2014 progress review had worked towards tackling anti-Muslim-hatred whichin turn lead to the rise of a number of projects including the launch of TellMama, the first third party reporting service to record incidents and supportvictims of anti-Muslim-hatred.[99]

In July 2016, the amount of hate-crimes increased tremendously afterBrexit, thus the government came up with a new action plan titled ‘ ActionAgainst Hate’ which was primarily to prevent and respond to hate-crime, increase reporting of hate-crime incidents, improve support for victims and tobuild an understanding of hate-crime.[100]The government is moving to recognise the seriousness of such crimes and whythere has to be a zero tolerance approach to any form of hate-crime.[101]The 2016 action plan is no where similar to the 2012 action plan as it focuseson five different areas, which are to prevent hate crime, to respond to hate-crimein our communities, to

increase the reporting of hate-crime, to improve support for the victims of hate crime and to build the understanding of hate crime.[102]The 2016 action plan which was deemed to lessen the amount of Islamophobic hate-crimes isn't working well enough as such stated that this hate-crime action plan fails to address Islamophobia.[103]Moreover, it was also held that the CPS will refresh its policy and legal guidance for prosecutors on racially and religiously aggravated crime as it wasn't effective in the 2012 plan.[104]

In conclusion, it is safe to say that hate crime was prevalent even before the EU Referendum, it has however been pushed forward in recent times.[105]It is submitted that one of the many strategies for combatting Islamophobia is to educate the general public about Islam and build personal relations with Muslims.[106]Besides, campaigns should be held in order to assure Muslim people that their voices will not fall on deaf ears, this will in turn cause the number of reported hate-crimes to rise.

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