

ANNEXURE 6



Developing consensus amongst New South Wales (NSW) Police Officers (Sworn) for addressing Hate Crime – Report of Final Findings

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Report prepared for NSW Police Engagement and Hate Crime Unit

February 2022

Abstract

Globally, there has been a trend in rising levels of hate crime that scholars have argued is reflective of significant social problems within society. Research into hate crime has typically focused on the Police and their subsequent response to this crime type, with many findings reporting that the Police are racist, homophobic and Islamophobic, to name but a few. However, existing research seldom captures the insights and experiences of sworn Police officers, as much of the data is gathered from third parties. This final research report outlines the empirical findings from a Delphi study conducted with sworn New South Wales (NSW) Police officers between October 2020 and October 2021. The findings focus on four overarching areas: *defining hate crime*, *perpetrators of hate crime*, *victims of hate crime* and *responses to hate crime*. These themes capture the perspectives of NSW Police officers in relation to operational and organisational practice in respect of hate crime. Providing both quantitative and qualitative data, the report outlines Police perceptions of the nature of hate crime, as well as capturing how hate crime can be effectively reported, recorded, and responded to. Conclusions and recommendations are outlined. These include the requirement for a clearer definition and targeted education strategies aimed at improving knowledge and understanding relating to hate crime. Future directions include the development of a standardised approach to reporting, recording, and responding to hate crime. This research has also highlighted the need for a structured risk assessment tool, which can be utilised by Police officers in identifying likely perpetrators of hate crime and supporting the needs of victims and keeping them safe. Moreover, there is an identified need for the development and implementation of organisational policy capturing how both victims and perpetrators of hate crime can be systematically supported and managed by the Police.

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Section 1: Contextualising Hate Crime & Background to the study

To reflect on the findings of the Delphi study, the following section considers the existing literature on hate crime, with specific focus on themes that emerged from the current study: *definition of hate crime, perpetrators, victims and responses to hate crime*. First, section 1 considers definitions of hate crime.

Defining Hate Crime

Within the UK, the College of Policing (2014: 2) defined hate crime as any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. The College of Policing (2014) further identified five types of hate crime: disability; race; religion; sexual orientation and transgender status. The various forms of hate crime recognised by the UK College of Policing are also captured in the recent work of Hambly, Rixom, Singh, & Wedlake-James, (2018) who stated that:

'A hate crime is defined as any criminal offence, which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person's race, religion, sexual orientation, transgender identity or disability, or the perception of the person of having any of these characteristics' (pp.3).

Defining hate crime is a complex issue due the various behaviours that are captured within this crime type, and the lack of consensus relating to the key characteristics (Garland, 2011). This is compounded by the fact that different organisations and different jurisdictions often define hate crime differently (Department of Justice, Canada, 2015). Hate crimes are often misconceived as more extreme versions of other problematic behaviours and attitudes, such as prejudice, bias, racism, sexism, ageism, homophobia, and xenophobia (Rabrenovic, 2007). Moreover, 'lower-level' hate-crime, such as targeted harassment, can often be miscategorised as a more general type of crime, such as anti-social behaviour (Garland 2011).

Garland (2011) noted that the problems associated with defining hate crime may originate from theoretical explanations that one group is dominant over another group, who is deemed subordinate. Indeed, Gerstenfeld (2004) stated that hate crime is more likely to be motivated by perceived outgroup status, as opposed to hatred. Such hierarchical and dichotomous categorisations can result in misunderstanding regarding the true nature and context of hate

crime, and may result in issues that impact the recording, reporting, and societal responses to hate crime.

Further adding to the challenges in accurately defining hate crime is the misconception that it is solely a group or collective phenomena (Garland 2011). This conceptualisation fails to account for hate crime that may occur at an individual or micro level. Even when individual-level hate crime is recognised, the collective aim of sending a message to a wider audience is often emphasised (e.g., Perry, 2001). Due to the nature of hate crime, it is recognised that impacts can extend beyond an individual level, as such crimes often impact group/collective identity and wider societal constructs. Therefore, it has been argued that hate crime can be more impactful than general crimes where bias is a core feature (Iganski, 2008). Current definitions are arguably too simplistic, in that they fail to account for hate crime at a micro, meso, and macro level. Consequently, hate crime may not be identified as such, victims of hate crime may be further marginalised, and perpetrators may not be effectively managed, thus increasing the likelihood of recidivism.

Existing conceptualisations appear reductionist, in that they do not fully capture the range of behaviours that may fall under the category of hate crime. Moreover, whilst existing definitions may be intentionally broad, there appears to be greater emphasis on victim characteristics, as opposed to the motivation(s) and individual characteristics of the perpetrator. To enable accurate understanding and defining of hate crime, greater understanding is required regarding the vulnerability, risk, and protective factors for hate crime. This is arguably the first step and is fundamental in informing organisational policy and operational strategy, which aims to address hate crime. As such, this study aimed to implement a more holistic approach, addressing a range of relevant factors, as outlined in the literature base.

Perpetrators of Hate Crime

Existing research offers insight into several demographics relating to offenders of hate crime with gender, age, and ethnicity being the most cited.

Gender

Several studies identified that when gender of the perpetrator was reported, the offender tended to be male (e.g., Chakraborti, Garland & Hardy, 2014; Czajkoski, 1992; Dunbar, Quinones & Crevecoeur, 2005; Herek, Cogan & Gillis, 2002; Tibby, 2007). However, Chakraborti,

Garland & Hardy (2014) found that when hate crime is perpetrated within an educational setting such as a school, college or university, females are typically reported to be the offender.

Age

Perpetrator age has also been captured in existing hate crime research. In a sample of fifty-eight hate crime offences, Dunbar (2003) identified that the majority of hate crimes were perpetrated by young men. Similarly, in their study on sexual orientation hate crimes, Herek et al., (2002) found that most perpetrators were adolescents or young adults, with 61% of victims estimating that the perpetrator's age was in the range of 13 to 25 years.

Chakraborti, Garland & Hardy (2014) noted that offenders typically tend to be a younger age than their victims. They found that respondents were more likely to have experienced a hate crime involving offender(s) in the following ways:

- Respondents aged between 16 and 24 were more likely than respondents overall to say their most recent experience of hate crime had involved offender(s) aged between 13 and 19;
- Respondents aged between 25 and 34 were more likely than respondents overall to say their most recent experience of hate crime had involved offender(s) aged between 20 and 30;
- Respondents aged between 35 and 54 were more likely than respondents overall to say their most recent experience of hate crime had involved offender(s) aged between 31 and 40.

(pp. 56)

Ethnicity

Several studies have explored ethnicity and offenders of hate crime (e.g., Chakraborti et al., 2014, Czajkosk, 1992, Cheng, Ikes & Kenworthy, 2013, Herek et al., 2002). Whilst information about perpetrator race was often unknown or missing, when this information was available, offenders were more likely to be Caucasian.

Other Offender Characteristics

Of the evidence yielded from within the hate crime literature, perpetrators of hate crime typically present a range of criminogenic factors. Although generalisability is limited, in a study by Dunbar (2003), a review of probation records for hate crime offenders revealed a

variety of developmental problems these offenders had experienced, specifically with regards to general risk of violence and antisocial behaviour. For example, 58% of the sample had a history of substance abuse, whilst nearly 1 in 4 had a history of receiving psychiatric treatment. A similar number demonstrated educational problems. A family history of parental separation and/or domestic violence was also present for around one third of the offenders. At the time of the hate crime, 87% of the offenders had prior criminal convictions, and 60% had one or more prior violent convictions.

In another study by Dunbar, et al., (2005), it was reported that 59% of offenders had a prior history of arrest, 58% had a prior criminal conviction, and 33% had more than one prior conviction when the hate/bias crime was committed. 48% of the offenders had a prior arrest or conviction for a violent crime. Substance abuse and family histories marked by parental separation and/or domestic violence were also noted within nearly a quarter of the sample of offenders.

Nature of Offence

In relation to the nature of a hate crime offence, Barnes and Ephross (1994) found in their research that physical assault, verbal harassment, and mail or telephone threats were the most frequently reported hate crimes. There is some support for this in other studies, for example, Dunbar (2003) found that hate crimes also included physical assault (48.3%), attempted murder (5.2%), and homicide (3.4%), with only a minority of the offences (17.3%) relating to property. Czajkoski (1992) found that assault was the most dominant hate crime (43%) followed by damage to property (31%). In one study, Cheng et al., (2013) reported that compared to the overall hate crime pattern, anti-religious hate crimes were more likely to occur against property, whereas anti-racial and anti-sexual orientation hate crimes were more likely to occur against the person. Anti-sexual orientation crimes were also reportedly more severe.

Motivation

Motivation for offending is a well-considered area across a range of offending behaviours and hate crime forms part of that body of literature. According to Dunbar (2003), highly bias-motivated offenders engaged in more instrumental than reactive crimes. These offenders were also found to be more likely to engage in goal orientated behaviour and were less likely to have had a prior relationship with their victims (see below for consideration of perpetrator - victim relationship). In addition, these types of offenders often perpetrated racially motivated crimes,

rather than sexual-orientation or gender-motivated crimes. It was further noted that instrumentally aggressive bias offenders typically pursued social dominance rather than any financial or material gain.

Number of Perpetrators

According to evidence from a range of studies, (e.g., Chakraborti et al., 2014; Dunbar, 2003; and Herek et al., 2002) hate crimes were often committed by a number of different perpetrators. For example, as Chakraborti et al., (2014) noted:

- Victims of sexual violence (e.g., being sexually harassed, touched inappropriately and raped) – were more likely to say it had been perpetrated by one perpetrator;
- Victims of violence (e.g., being pushed, punched, kicked, mugged and hit with weapons) – were more likely to say there had been five or more perpetrator;
- Victims of property crime (including having car windows smashed, eggs thrown at the house, graffiti sprayed on the walls and fireworks pushed through the letterbox) – were more likely to say they did not know or could not remember how many perpetrators had been involved.

(pp. 55)

Perpetrator - Victim Relationship

A contradictory picture emerged when the relationship between perpetrators and their victims has been considered within the context of hate crime. Roxell (2011) found that when information on the relationship between the victim and the perpetrator was available, it was more common for the perpetrator to be known to the victim (43%) than to be unknown (34%). However, Williams and Tregidga (2014) found that the majority of respondents in their study were victimised by a stranger. In another study, Tiby (2007) found that it was just as common for the suspected offender to be acquainted with the victim as it was for the suspected offender to be someone unknown. More recently, Chakraborti et al., 2014 found that the perpetrator was a stranger in 49% of the most recent incidents of hate crime that victims had experienced, with 51% reflecting family, friends, neighbours, and work colleagues to name but a few. It is hypothesised that the differences found in the research may be due to sampling or may be reflective of cultural and/or other related factors, such as how a person defines a hate crime.

Location of Hate Crime

Of the research that has been conducted exploring the location of hate crime, it has found that the perpetration of a hate crime often takes place in public areas. Herek et al., (2002) reported that bias crimes against the person occurred disproportionately in public places, in comparison with non-bias crimes. Similarly, Chakraborti et al., (2014) found that a third of respondents had experienced their most recent hate crime in a public street or park (32%), with just under a quarter being targeted outside or near their home (22%). It was also found that 13% had been targeted in the city centre, whilst 10% had been targeted in school.

Risk Assessment

Risk assessment with regards to hate crime is lacking. There is currently no standard hate crime risk assessment across the forty-three Police Forces in England and Wales (Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services, 2018).

In the United States, the Vera Institute of Justice (Vera) has developed a Bias Crime Assessment Tool (BCAT). The aim is to capture victims' experiences more effectively, to increase confidence in the reporting process, and to record data more accurately (Simich & Kang-Brown, 2018). No further information about the implementation or reliability of this assessment has been found to date.

Victims of Hate Crime

The following section relates to hate crime from a victim perspective. Such information can be useful in supporting an informed, evidence-based approach to prevention, disruption and reduction strategies.

Victim Characteristics

Herek, Gillis, Coogan, (1999) found that men were more likely than women to experience a hate crime, while in terms of sexuality, gay men were more likely to experience a hate crime in comparison to other groups. Albeit this study is now over 20 years old and fails to take into account the transgender and transsexual communities. More recently, Cheng et al., (2013) found that gay men were consistently more likely to become a victim of a hate crime compared with other sexual orientation groups. Further exploration showed that anti-male homosexual hate crimes were significantly higher than anti-female homosexual hate crimes (Cheng et al., 2013).

In terms of victim characteristics, as summarised by Chakraborti et al., (2014), it has been found that:

- A third of victims had been targeted because of hostility towards their race.
- Dress and appearance were significant contributory factors in regard to targeted hostility.
- Half of all respondents had been victimised because of more than one aspect of their identity or perceived ‘difference’.

(pp. 19).

This final finding by Chakraborti et al (2014) indicates the need for hate crime to be considered through a lens of intersectionality in order to examine more accurately, and subsequently respond to, this crime type.

Victimisation Experienced

There is evidence that hate crime is a crime, which takes place on a continuum and can escalate if not addressed at first incident (see section 4 below for a more detailed consideration of this point). Chakraborti et al. (2014) stated that low-level incidents such as name calling and related verbal abuse that can take place as part of a person’s victimisation can escalate to more severe crimes, such as violence and property crime.

Chakraborti et al. (2014) stated that:

- 9 out of 10 victims had experienced verbal abuse;
- 7 out of 10 victims had experienced harassment;
- Disabled people were more likely to have experienced multiple forms of targeted hostility compared to other groups of victims.

(pp. 15).

From the same research by Chakraborti et al. (2014: 18), the most common forms of hate crime experienced were:

- Verbal abuse - 55%
- Harassment – 29%
- Property crime – 13%
- Violent crime – 9%

- Cyberbullying – 6%
- Sexual violence – 4%
- Other/Not stated – 16%

Victim Perception of Motivation

Chakraborti et al., (2014) reported that victims identified a range of motivating factors contributing to the hate crime they encountered. These factors included unfamiliarity, intolerance, and perceived vulnerability. Perry (2001) posits that hate crime is an extreme form of discrimination because of the marginalisation of those considered different. Social Learning Theory (Bandura, 1999) may also add value in understanding what social and psychological factors influence and motivate hate crime offenders. Such theory would argue that social behaviour is learnt by observing and replicating the behaviour of others. Thus, if an individual observes the behaviour (or attitudes) of someone they hold in high regard it can influence their own behavioural and attitudinal expressions. If this individual is involved in hate crime, then it could therefore influence others.

Victim Impact

The impact(s) of hate crime on victims can be wide-ranging and can affect an individual's physical, psychological and emotional wellbeing. Experiencing hate crime can have financial implications for victims, not only due to an impaired ability to work owing to physical injuries, but also due to fear of being alone in the community (Chakraborti et al., 2014). The following list outlines some of the reported outcomes of hate crime victimisation, presented in order of prevalence:

1. Avoidance of walking in certain areas/going to certain places
2. Avoidance of going out at night
3. Improved home security
4. Carrying personal security devices
5. Making changes to personal appearance and/or style of clothing
6. Changing of mobile phone number
7. Stopped using particular social networking sites
8. Concealing of sexual orientation
9. Change of address
10. Concealing of language/accent

11. Concealing of faith/religion
12. Concealing of disability/impairment
13. Concealing of nationality Hidden my race/ethnicity
14. Concealing of transgender status
15. Concealing of asylum seeker status

(Chakraborti et al., 2014: 52)

In summary, Chakraborti et al., (2014) stated that:

- 95% of victims felt that hate crime had detrimentally affected their quality of life, with feelings of depression and thoughts of suicide cited by high numbers of people targeted because of their mental ill-health, transgender status, and learning disabilities;
 - Hate crime victimisation had become a routine feature of everyday life for many participants, and particularly those who felt cut-off from ‘mainstream’ society;
 - Victims employed a range of strategies to feel safer and to reduce the risk of victimisation, including avoiding public spaces and attempting to conceal their identity;
- (pp. 35).

Responses to Hate Crime

This final section reflects on mechanisms for addressing hate crime. While the police are largely seen as the first responders, those affected by hate crime often believe that this should be dealt with outside of the criminal justice system.

Reporting Hate Crime

Research indicates that hate crime is both under reported and under recorded (Giannasi, 2015). More effective reporting of hate crime could enhance understanding about perpetrators and the risks associated with hate crime, thus supporting risk reduction. It could also increase victim confidence, supporting their recovery.

According to Chakraborti et al., (2014: 66):

- One in four victims had reported their most recent experience of hate crime to the police
- Over half of all respondents had not reported their experiences to anyone
- Low numbers of victims had reported to a third-party reporting organisation, or to professionals in a position to offer support

While the severity of the incident also influences whether a hate crime is reported, victims of verbal abuse were least likely to have reported the crime to the police (16%), followed by:

- 33% of victims of harassment;
- 36% of victims of cyberbullying;
- 41% of victims of sexual violence;
- 60% of victims of violent crime; and
- 62% of victims of property crime.

(Chakraborti et al., (2014: 67).

Arguably, reporting should be encouraged regardless of severity to engender a more accurate picture of the nature and extent of hate crime. Ultimately, this has implications for the reliability and validity for a hate crime assessment tool.

Of the hate crimes that are reported, the Police are often the first choice for reporting, with victim satisfaction regarding police response being typically strong. Chakraborti and colleagues (2014) identified factors that can influence reporting, as follows:

- Those aged 16 to 24 who had not reported their hate crime to the police were more likely than others to say that they had not because they dealt with it themselves/with the help of others (34% compared with 27% overall);
- Respondents who had known the offender(s) involved in their most recent experience of hate crime were more likely than others to say that they had not reported it to the police because it was a private matter (29% compared with 16%), for fear of retaliation (18% compared with 9%), or because they were too embarrassed (16% compared with 9%);
- Respondents whose most recent experience of hate crime had involved verbal abuse were more likely to say they had not reported it to the police because they did not think they would take it seriously (36% compared with 30% overall);
- Respondents with disabilities were more likely to say they had reported the crime to other authorities instead of the police (6% compared with 1% overall).

(Chakraborti et al., (2014: 72).

Finally, research offers an insight into the notion that hate crime could be addressed outside of criminal justice system. Educational approaches and restorative justice in the literature are

suggested as preferred responses to hate crime. The rationale for this lends itself to the origins of hate crime, which is characterised by low levels of understanding with regards to difference and diversity.

Background to the study

The final findings presented in this report follow a systematic literature review that examined the current scientific knowledge used to inform and understand hate crime. This systematic review resulted in the identification of several themes; some are reflected on above in this report. These themes offer insights into the context, setting, and prevalence of hate crime, as well as evidencing nuances that reveal the complex nature of hate crime. This further suggests that a 'one size fits all' approach is complex (Birch et al, 2019; Birch & Ireland 2021). It is evident that existing research does not capture the full breadth and depth of hate crime. Moreover, whilst perceptions on Police practice are often reported, seldom does the research employ a sample of rank-and-file Police officers. Indeed, this is a notable omission in most policing research (Birch et al, 2017). The findings presented for this Delphi study, which is a method specifically applied to establish consensus amongst 'expert' panel members, aims to extend the existing knowledge on hate crime by questioning experts, in this case sworn police officers of NSW Police Force. Beyond the identification of factors and motivations considered relevant to the occurrence of hate crime, the findings of this study enable insights into practical issues that require addressing, not only by the Police force, but by the wider criminal and community justice sector.

Section 2: Methodology

A Delphi approach was used to explore the views of experts regarding the nature of hate crime, and how this crime type should be addressed. This structured method sought to establish consensus amongst current sworn in Police officers in the NSW Police Force. The aim was to enhance understanding regarding hate crime, and to identify what should be done to prevent, minimise, and effectively manage hate crime.

Participants

The inclusion criteria specified that all participants were current sworn Police officers, with a minimum of 5 years' experience. 76 participants took part in round one, 79 participants in round two, and 158 participants in round three. Length of experience ranged from 5 years to over 25 years. Most experts in each round were of a Constable or Sergeant rank, with representation of higher ranked Police officers, including those of Superintendent level. Of those that took part in the study, metropolitan, regional, and rural based Police officers were represented in the sample.

Procedure

The research was approved by a university ethics panel. The lead researcher emailed the NSW Police Engagement and Hate Crime Team information about the study and a link to the online data collection platform used to host the questions. This email was then forwarded onto NSW Police Officers through the NSW Police internal email system.

Approach to Measurement

A Delphi is a structured communication technique where experts are asked to answer questions via a series of rounds. After each round, a summary of provided views are fed back to participants, who are then encouraged to revise their earlier answers, based on the responses of other members of the panel. The process ends when consensus or theoretical saturation is achieved (Skulmoski et al., 2007). The current study held three rounds in order to form consensus.

Approach to Analysis

Responses from each round of the Delphi were analysed using both quantitative and qualitative methods of analysis. Once each round of the Delphi study had been completed, quantitative

responses were statistically analysed using SPSS. Due to the nature of this data, the analysis drew on non-parametric procedures for analysis. Qualitative data was analysed using thematic analysis. Thematic analysis was used to determine, analyse, and report themes (patterns) within the data (Braun & Clarke, 2006).

This final report outlines the statistical findings yielded from the third and final round of data collection, which had an expert panel of 158, and the qualitative findings used to illustrate the consensus yielded from the approach to data collection.

Section 3: Findings from the Delphi: Establishing Consensus

The data presented in this report reflect the four central themes that emerged in all three rounds of data collection. These themes are: 1. Defining Hate Crime, 2. Perpetrators of hate crime, 3. Victims of hate crime, and 4. Responses to hate crime.

Theme 1: Defining hate crime

A significant proportion of participants felt, in some way, knowledgeable with regards to understanding what constituted hate crime. However, unclarity on the definition of this crime type was a common theme that emerged. A broad definition of what hate crime is made understanding this crime type an issue. Some participants considered the term ‘hate’ as an important aspect that needs to be included in a definition, it was noted that a clear definition of hate should be provided. For example, participant 18 noted that the definition should capture “*what constitutes hate*”. It was also noted that hate crime should be distinguished from where individuals merely disagree with others, with participant 20 stating, “*That it is clearly different to words, which people do not like*”. A salient theme that participants perceived as being an important aspect of hate crime and that should be captured in a definition, was motivation or intent of the perpetrator, as illustrated by participants noting “*The intent or motive for the act, not just the act itself*” (Participant 13). The majority noted that the definition of hate crime should clearly outline what evidence is required to determine the motivation of hate crime, for example “*The requirements to evidence the crime an act of bias need to be clear*” (Participant 39). Moreover, the importance of creating a definition, which can assist officers to determine “*the likelihood that an offender was motivated by hate, bias, or prejudice*” (Participant 65) was emphasised.

Over half of the participants noted that the definition of hate crime should include reference to a range of targeted individuals and/or groups. A range of target characteristics were identified as important, which formed 13 subthemes: (1) minority groups, (2) vulnerable and/or marginalised individuals, (3) LGBTQI+ community, (4) racial/ethnic background, (5) religious or political affiliations, (6) gender, (7) physical appearance, (8) socioeconomic status (9) immigration status, (10) employment type/status, (11) disability, (12) age, (13) personal beliefs.

Notably, a small cohort of participants stated that individuals were not targeted because of specific reasons and that anyone could be a victim of hate crime. This position was not reflective of the majority of those who took part in the study.

A range of participants believed the definition of hate crime should include specific reference to a criminal element or offence. For example, participant 25 stated: *“There needs to be an actual criminal offence”*. Further to this, it was emphasised that hate crime should be considered a police matter owing to the criminal nature, and that this should be included in the definition to avoid other agencies addressing hate crime. Participant 3 noted, *“There must be a criminal offense that is done in public and not being addressed by other agencies”* (Participant 3). It was further stated that there should be reference to the types and severity of crimes, which are captured as hate crime. For example, *“What crime does it include”* (Participant 29) and this should capture *“the extremity of the act/crime”* (Participant 71). Several participants extended this position stating that hate crime has to involve an action, such as physical violence. For example, Participant 7 stated that the definition needs to, *“reference actions, not just words used by [the] offender”*. While another participant reported that a victim being offended should not be seen as a hate crime, stating: *“Being offended by what someone say online or in person should not constitute a hate crime”* (Participant 25). Conversely, several participants regarded offensive behaviour as a hate crime, illustrated by participant 54 who noted: *“being called a “fucking pig” should not be offensive behaviour, but a hate crime”* (Participant 46). Another participant referred to *“harassment”* (Participant 16), noting that this should also be considered a hate crime.

Overall, the need for inclusion of accessible and appropriate terminology that can be operationalised within policing practice in the definition of hate crime, was a common theme. One participant, for example, stated that the definition of hate crime should include *“easily defined terms that operational police can use and understand”* (Participant 40), with another participant expressing that ‘hate crime’ should be labelled differently, stating *“I think bias is more suitable than ‘hate’ as a choice of word”* (Participant 39). Conversely, participant 41 stated *“If the terms prejudice or bias are used in the definition this will broaden the category. Bias is a very broad concept i.e., unconscious bias, systemic bias, institutional bias. Such concepts, if incorporated into the definition have the effect of removing the nexus between mens rea and the offence committed”*.

Some participants stated that hate crime does not need to be defined owing to their belief that it does not exist, as noted earlier this position was only reflective of a small proportion of the cohort and not reflective of the overall consensus. One participant, however, described hate crime as “*a fiction*” (Participant 72), while another participant described hate crime as being a term solely used for identifying victims, noting, “*Hate crime is a made-up term to identify victims by their group identity*” (Participant 68).

In sum, while the cohort had an understanding of what hate crime encompasses, there was a belief that this could be improved on, by a clearer definition of the term.

Theme 2: Offenders of hate crime

The following findings relate to those who commit acts of hate crime, as well as consideration of their motivation(s). Consequently, leading to reflections on how hate crime is understood and defined.

Police officers rated the following reasons as the main motivations for hate crime:

1. Prejudice and Bias (93%)
2. Intolerance (91%)
3. Religion/ Religious views (90%)
4. Political views and upbringing (88%)
5. Emotions: Anger (86%)
6. Retaliation for terrorism (85%)
7. Emotions: Fear (80%)
8. Anti-social attitudes (72%)
9. Low economic status (66%)
10. Poor educational background (62%)

The qualitative data expanded on these motivations, revealing the nuances behind the raw figures. For example, offenders’ anti-social attitudes were considered by some participants as a cause of hate crime (e.g., Participant 42, 57, 62, 68). Participant 42, as an illustration noted such offenders had a “*disregard of the law*”, while some participants were less gracious in their consideration e.g., “*people are just grubs*” (Participant 57). Furthermore, participant 62 stated “*...there is the special case of total psychos who like inflicting pain or hurt. They may choose their victims based on difference. (But some do not.)*” (Participant 62).

Several participants reported “*bias*” and “*prejudice*” (e.g., Participant 18, 20) as the cause of hate crime. Participant 46 reported that this bias may be “*conscious or non-conscious*”, with many participants stating that this bias is often based on the offender’s limited past and negative experience with those who they target. For example, participant 20 stated, “*if you really break it down, actual hate crime relates to people’s own experience with that group*”, with participant 36 expanding on that by noting, “*people having an unjustified negative bias towards a group due to past experiences or ignorance*” (Participant 36). Similarly, participant 5 stated “*jumping to conclusions about every person of that culture based on one’s limited life experience*” leads to hate crime. Offender’s bias was, therefore, seen as being caused by one specific experience with an individual who is part of a group to, which the victim belongs, and the offender takes a dislike to. For example, “*The main cause of hate crime is, for whatever reason, the offender deciding to target a specific type of person. It could be because the offender was the victim of a crime committed by a similar type of person, the offender believes that the type of person the victim is has discriminated against them or is has harmed/discriminated against them.*” (Participant 52). This position was also reflected by other participants in the study, for example, participant 47 stated “*assigning blame for past injustices to a group of people, rather than the individual person*”, while participant 17 reflected on the notion that hate crime occurs as “*the individual is targeted for the actions or perceived actions of the whole and is assigned individual blame*”.

It was also reported that bias is a learned process, with participant 39 stating: “*ultimately bias is learned - not born into any human. I can't say I comprehend what takes a person from a set of beliefs or thoughts to the commission of crimes, but it ultimately is that 'something' in a person's life conditioned them, either suddenly (e.g., traumatic experience) or over an extended period (upbringing etc.) they come to believe that some subset/s of society have less value or less rights than them*”.

Religion and religious beliefs were another perceived motivation for why hate crime occurs. For example, participant 71 reported “*most hate crimes I have witnessed have been driven by religious views, which I believe come from a lack of understanding or knowledge*” Moreover, participant 17 emphasised “*I find religion is often the genesis of the hate crime, as opposed to the victim of it*”. Extending this position, Participant 54 reported “*There is no debate here. Christians are simply hated by radical Muslims, heathens, atheists, and all non-believers. If you identify as a Christian, you are painting a target on yourself and the virtue signalling*”

haters will immediately launch into an attack on Catholicism calling everyone who has faith a paedophile". While Participant 77 provided a specific example of a religiously motivated hate crime: *"the only hate crime I have seen was the Lindt Café siege where it was religiously motivated"*.

Associated with religion and religious views is that of Political views. It was reported that *"certain political views of the offender"* (Participant 15) can be a cause of hate crimes. Specifically, nationalism was identified as an important factor: *"Nationalism is now playing a part in hate crime, as people become more nationalistic, they close themselves off from acceptance of different cultures and ways of life"* (Participant 51).

Furthermore, left wing ideology was reported to be an inciting factor: *"Virtue signalling, left wing sympathisers who hate themselves so much they feel the need to incite anyone who is not on the same social justice agenda as they are"* (Participant 54). Other participants reported that extreme and radical ideologies were more influential in inciting hate crimes. For example, participant 65 stated *"extreme ideology support"*. Furthermore, participant 59 reported *"a radical ideology from either learnt behaviour or self-radicalisation based on false facts and fear"*. Such findings reflect and relate to the notion that intolerance of the views/beliefs of others also contributed to hate crimes being committed. Many participants focused on the idea of *"intolerance of difference"* between the offender and victim (e.g., Participant 2, 12, 23, 35, 56, 62, 64, 75 to name but a few). For example, participant 56 reported that *"The cause of hate crime is due to the perceptions of one person of another and the inability to understand how others do not share the same values/ideals of people who become hate crime perpetrators"*. This appeared to reflect an inability on behalf of the offender to accept that others are different and understand these differences, with participant 2 stating, *"people struggle to accept difference and diversity"*. Furthermore, participant 62 reported, *"my answer from first principles is that hate crime is caused at least to some extent by backward regression to some near universal human characteristics, which include: (i) Tribalism or recognition of in/out groups and a tendency to distrust the latter. (ii) A tendency to seek to ingratiate with an 'in' group"*, thus reflecting a non-acceptance of the outgroup, or those who are different.

One participant focused on intolerance towards a specific group as a cause for hate crime, rather than just all who are different, stating, *"In my experience the general cause of hate crime is driven by a dislike of a specific group to, which it is focused"* (Participant 17). Another

participant stated that this may be due to specific ideology of the offender, for example *“bigotry and certain political views of the offender”* (Participant 15). Participants reported varying reasons for the offender to hold such intolerance towards the victim, for example, participant 12 reported, *“a belief by the perpetrator that the inalienable characteristic of the victim needs to be punished”* and participant 66 reported *“ignorance of other. The want to delegitimise other people’s lifestyle, beliefs or background”*. A conflict of interest between the two groups was also reported, illustrated by participant 64 who reported: *“perceived conflict of interest between one’s own background and that of another person’s”* and participant 75 who noted: *“minorities who want to take over and control majorities”*.

Further to this those who took part in the final round of data collection reported the perception that the media also played an important role in the cause of hate crime (96%). For example, *“Media sensationalism”* and *“Politicians and media who are careless and inflammatory in terms of the comments they make”* (Participant 10 and 29 respectively) were noted to incite hate crimes. Furthermore, *“media agendas”*, *“media bias”* and *“media manipulation”* (Participant 63, 29 and 69 respectively) were reported to be important causes of hate crime. Participant 63 reflected on the fact that social media can also reinforce people’s beliefs, noting a causal factor to be, *“social media corporations feeding people an echo chamber of their own bias”*.

Of those who took part in the study recognised the following offender traits/characteristics:

1. Intolerance of difference (86%)
2. Maladaptive thinking styles (68%)
3. Difficulties with mental illness (50%)
4. Low level of self-esteem (50%)

Participants identified that perpetrators of hate crime included those who are intolerant to difference. For example, participant 2 stated, *“Persons who have a low tolerance or understanding of other cultures/countries/religions”*. One aspect of intolerance was described as originating from the fear of dissimilarity, as mentioned by participant 4: *“People who fear change, who fear anyone who is different to them to the extent that their differences”*.

Furthermore, some participants identified that this lack of understanding was directed towards those who were different to the perpetrator, for example, participant 8 reported hate crime to

be caused by *“groups or individuals who do not understand or accept another person who is different”*, similarly, participant 37 reported *“ignorance of others who are different”*. Participants also reported that this lack of knowledge causes fear, which in turn causes hate crime. As an illustration, both participant 9 and participant 22 reported: *“fear of the unknown”*. Conversely, one participant noted that ignorance is too simplistic an explanation for the cause of hate crime, stating: *“alternatively there is a school of thought that ignorance is the cause, rectified through education. I would argue that the latter is too simplistic an explanation.”* (Participant 41).

Hate crime was also reported to be caused by various psychological issues experienced by the offender. This included issues such as maladaptive thinking styles and mental illness. For example, participant 40 emphasised *“inflexible ways of thinking”* (Participant 40) as a cause of hate crime. Furthermore, it was reported that issues with disordered thinking and an inability to effectively discriminate and process information can cause hate crime. Participant 41 reported *“Hate crime can be the end result of people's propensity to discriminate. All humans discriminate, it is just a matter of degree. The brain operates to find patterns and processes that massive amounts of incoming data by sorting it into boxes. It could be argued that when this process goes awry and leads to Hate crime, the offender is suffering from mental illness due to disordered or illogical thinking”*.

Other participants reported mental illness to be a causal factor with participant 60 illustrating the point that offenders *“have their own psychological issues that they cover with hate crimes”*. Moreover, participant 68 referred to such individuals who are *“mad”*.

It was noted that reduced/impaired self-concept of the offender as a relevant cause of hate crime. For example, participant 15 noted the *“low self-esteem of the offender”*, while participant 76 stated that: *“people feel insecure or sometimes jealous of others who has different race, religion, sexual orientation etc.”*. More specifically, it was reported that hate crime is a result of the reaction of the offender to their reduced/impaired self-concept. Participant 62 reported that: *“a reaction on the part of the offender to a lack of self-confidence on their part”* to be a cause of hate crime. It was also recognized within the cohort that hate crime can be the result of a deeper and more severe insecurity, which occurs as a result of the offender experiencing hatred towards themselves. For example, participant 54 stated, *“Virtue*

signaling left wing sympathizers who hate themselves so much they feel the need to incite anyone who is not on the same social justice agenda as they are”.

Police officers noted that perpetrators of hate crime are only slightly more likely to be male (54%) and typically older, with only 18% of the sample reporting that young people (less than 25) were responsible for hate crime. Several officers did identify men as the main perpetrators of hate crime with participant 58 clearly stating it was *“predominately males”* and participant 48 noting it was *“usually male”*, but there was some diversity in this view. For example, while females were also considered perpetrators, when accounting for ethnicity men of all ethnic backgrounds were seen to be potential offenders, as participant 53 noted: *“not necessarily Caucasian males. Black young men can contribute to hate crimes”*. Further to this, some participants identified young adult males as the main group committing hate crimes. Participant 71 noted, this crime type was commonly committed by *“males aged 18-35”*.

Of interest was the fact some participants believed that hate crime was not just perpetrated towards minority groups, but that such groups could be responsible for committing hate crime. The misconception that hate crimes were not committed against majority groups was a common reported view, with participant 10 noting that *“persons of a majority social group can be victims of hate crime”*. Participant 54 also noted that hate crime is perpetrated by *“the minorities against white people and it is condoned and accepted. Being Caucasian is seen as privileged and they should accept that being white are the oppressors, so it is ok to hate the oppressor. White people are now the punching bag of the political left and police are in the direct firing line”*.

From the preliminary findings of the Delphi study, it was reported that those who perpetrated hate crimes were not specialists but generalists, when their offending profiles were considered. Around half of all respondents stated that hate crime perpetrators do not specialise in one type of hate crime but engage in several different types of hate crimes. For example, participant 21 stated *“hate crime can transcend multiple types of hate crimes”* and participant 51 empathised that *“extremism does not stop at one segment of hate”*. Similarly, participant 3 noted: *“perpetrators will take on any ideologies that they subscribe to”*.

Some participants linked the different components of hate crime together, such as religion and race. Participant 31, as an example, stated: *“persons who engage in race crime will usually*

also hold anti-religious group agendas as well”, with participant 39 noting: *“I really feel that bias of race, colour and creed are closely related”*. One participant reported that race motivated hate crimes are commonly expressed as hate crime against religious communities: *“I think race hate may be targeted at religion e.g., Muslims and while the hate is attached to a religion - by default it spills over into race e.g., more typically Muslim communities e.g., Mid-Eastern, Subcontinent India/Pakistan”* (Participant 48).

The combination of different hate crime types involving sexual identity and sexuality was also identified. For example, participant 31 stated *“...persons who target a particular sex group (women /transgender) will also target persons due to sexual identification (LGBTIQ+ status)”*. Extending this position was Participant 51 who stated, *“Persons that perpetrate hate crime against people based on sexuality will also target people for religion.”* It was noted that those who discriminate against one individual/group often discriminate in general, with participant 69 stating: *“I have found that those that are discriminatory towards race are often discriminatory towards other factors such as gender and socio-economic status, religion, etc.”*. Targeting the weak, which can cover several types of hate crime, was also reported. For example, Participant 29 posited: *“They [perpetrators] pick on the who they perceive as weak”* and Participant 60 reported: *“Hate crime perpetrators often target people they perceive as weak or different and can cross into different areas of hate crime accordingly”*.

Seventy percent of the sample reported the view that offenders of hate crime were also involved in other crimes, compared with just 12% who thought they were only involved with one type of crime. Malicious damage and Violence related offences including that of Domestic violence were identified. Theft and substance related offences (subtheme 4): included specific reference to *“alcohol and drug crimes”* (Participant 11) and Traffic offences were listed. It was also noted that sometimes hate crime perpetrators engage in more than one type of offending, as well as engaging in hate crime. For example, participant 17 stated *“often those involved in hate crime have had previous malicious damage and violence related offences”*.

Theme 3: Victims of hate crime

The following captures Police perceptions of reasons for victimisation, as well as the response for victims of this crime type.

Police officers reported that victims of hate crime may be targeted due to the following factors:

1. Race/ethnicity (91.5%)
2. Transgender status (78%)
3. Being employed as a Police officer (72%)
4. Being employed as a public servant/holder of office (68.5%)
5. Sexual orientation (50%)
6. Gender (40%)
7. Disability (31.5%)
8. Age (17%)

“Race” was commonly identified by participants as the primary victim characteristic of hate crime. For example, participant 24 stated: *“my experience leads me to view hate crimes as predominantly based on racial identity”*. More specifically, participant 54 reflected on the view that minority groups can target majority groups, reporting that: *“If you are white, you are the enemy and fair game. White people today are to pay for the injustices to people centuries ago”*. While Sexual orientation, was considered a contributing factor to a person’s victimisation, this occurred less frequently contemporaneously than once were e.g., in 1990s and early 2000s. For example, participant 6 stated *“Sexuality-related [hate] crimes seem much less common now than in the past”*

Other, less common, yet notable, victim characteristics identified by participants included *“gender, then age and “disability”* (Participant 28). However, as noted by participant 6: *“I can honestly say that I’ve never personally seen a disability-motivated offence. I have seen disabled people become victims because they were disabled, but they were victims because they were the easiest person to target, not because the offender hated disabled people”*.

Worthy of noting, within the data collected two participants specifically mentioned police officers as likely victims, for example, participant 54 stated: *“Any form of violence, threat, action because you are a police officer”* was a hate crime. While Participant 74 said: *“Social stature/holder of office”* was a relevant victim characteristic within the context of hate crime. Most Police officers reported the view that victims of hate crime often do not know the perpetrator (88.5%). For example, participant 31 stated *“The persons are generally not personally known to each other at all. The perpetrator would not generally associate with the targeted groups through deliberate act and perception of the victim and so is able to*

emotionally disconnect from the value of the victim in society and easily justify their action to each other”.

Regarding the victims and Police response, officers were of the following opinion:

1. Victims need to report all incidents to the police as soon as possible (91%)
2. Police need to intervene as soon as possible (88%)
3. Police investigations need to determine the motivation of the offender (82%)
4. Perpetrators of hate crime need to be prosecuted the same way as other offenders (81%)
5. Crimes with the aggravating factor of ‘hate’ need to be punished more severely (73%)
6. Victims of hate crime require ‘aftercare’ and support from investigating officers (64%)
7. A control order to restrict access to victim/s is an effective form of punishment for a perpetrator of hate crime (52%)
8. Perpetrators of hate crime should receive mandatory sentences (41%)

More than half of the officers stated that victims of hate crime require aftercare and support from investigating officers (64%). The engagement in victim aftercare focussed on maintaining communication with victims, informing them about the development of the investigation, and showing compassion. For example, participant 46 noted: *“Speak with the victim... Reassure the victim that this behaviour is neither tolerated nor acceptable”* were central to an officer’s role and duty. The importance of reassuring victims that the matter is being taken seriously and maintaining contact where distress occurs was also emphasised. As an illustration, participant 11 stated, *“Victim care and follow up as they fear further attacks”*. One participant reported the view that police officers lack knowledge on how to deal with hate crime, stating *“Not enough is being done to assist street level police in knowing how to react or deal with hate crime”*, which ultimately has an adverse effect on dealing with victims.

Theme 4: Response to hate crime

Those who took part in the study reported that crime prevention strategies are needed to further prevent, deter, and reduce hate crime. Almost all Police officers considered education to be at the forefront of this renewed crime prevention approach. It was noted that education is required for perpetrators (94%), at-risk individuals and groups (91%), the public (90%) and the Police themselves (86%).

Participants identified the importance of educating perpetrators, the public, and the police. Educating perpetrators was a salient theme with participant 56 noting *“Education of perpetrators. Mediation between perpetrators and victims”*. While other participants specifically noted the importance of educating groups at-risk of becoming perpetrators with participant 59 noting *“Forming a disengagement/deradicalization program to educate radical ideology people, to see why their thought process is extreme”*. One aspect of education related to deterrence, with participant 23 stating: *“Educate the public that it is not acceptable. Prevention through education of the public was further noted to be an appropriate response with participant 37 stating: “Liaison with the local community to encourage education so that ignorance can be reduced, and empathy developed”*. Educating police officers and implementing programmes, which aim to address bias was also noted to be an appropriate response. For example, participant 39 stated, *“I feel like education falls far short – if police do not have a thorough understanding of both the victim and offender experiences then they cannot adequately respond. Police are humans too and had their own conditioning..., which shape their belief system...Police need to have a deeper, more holistic understanding of human psychology and exposure to more factually accurate ‘history lessons”*.

Regarding the organisational response to hate crime, most officers regarded their organisation (64%) and middle management (76%) to deal with hate crime effectively and consistently. Indeed, over half of the Police officers who participated in the study noted that their organisation implemented effective practices when managing and responding to hate crime (63%). Such findings suggest a platform of existing good practice that NSW Police can build upon to further improve their response to hate crime. Several participants reported the most appropriate response to be with reference to hate crime is to take a report and intervene as soon as possible. For example, participant 34 stated: *“Record as accurately as possible and intervene early”*. Noting the motivation of the crime was also identified as an appropriate response, with participant 48 noting: *“Report it like all other crime although motivation should also be noted”*.

Some participants highlighted the significance of an effective and impartial investigation, with participants focussing on the minimisation of biases influencing the investigation, with participant 5 stating: *“Investigate it properly without allowing the officer’s own beliefs or prejudices to influence the investigation”*. The importance of determining the motivation as

part of the investigation was mentioned once again within this context, as participant 27 noted that the importance of *“determining the motives of the alleged offender”* was key.

A significant proportion of participants noted the most appropriate response in dealing with hate crime as charging perpetrators with the appropriate offences and prosecution. For example, participant 14 stated that hate crimes: *“should be investigated and prosecuted as any other crime”*. While several participants specified that the law must be followed, and decisions should not be influenced by the public opinion, as illustrated by participant 22 who noted that perpetrators should be prosecuted: *“within the confines of the law. It is a dangerous precedent to follow the wave of public opinion”*. Other participants noted that neither prosecution process nor penalties for hate crime should not be different to other crimes. For example, participant 14 stated that there: *“should not be any different penalties simply because it is classified as hate crime. This can lead to a perception of bias in the wider community. The motivations should be acknowledged but not more harshly punished”*.

Two participants reported what they considered to be appropriate punishments for the perpetrator. Participant 15 stated *“Mandatory minimum sentences where judicial officers can thus be held to account. Greater accountability of sentences imposed by judicial officers”*. While participant 31 commented that an appropriate consequence would include *“Control orders to restrict access to their victims. Incarceration of persons who are not responsive and continue to commit such crimes after initial detection”*.

Some participants reported that hate crime offences should receive harsher sentencing. Indeed, participant 47 stated: *“My colleagues have no capacity to affect that response – the lack of severity in penalties for crime at every level is a spectacular failing”*. Participant 27 stated that the importance of: *“determining the motives of the alleged offender”* was an important issue to consider with sentencing as did participant 40 who noted: *“It should be added to the circumstance and taken into account during sentencing”*. Moreover, there was call for harsher penalties where hate crime is considered a contributing factor with participant 32, for example, stating that there should be: *“harsher penalties from the judiciary where hate crime is identified as a contributing factor to the crime”*.

In regard to responding to hate crime, many felt there was an inaccurate narrative surrounding the police not responding appropriately to hate crime. It was claimed there were several

misconceptions related to the police response including claims the police did not taking allegations seriously, or not taking appropriate action. For example, participant 65 noted the misconception: *“that police will not take reports seriously or investigate with hate crime elements in mind and rather seek out easier convictions”*. Participants also reported the misconception that the police are not trustworthy with participant 15 stating: *“That certain victims don’t want to report this [hate crime], because they fear the police”*. In response to such misconceptions, participant 60 noted: *“Many people don’t realise that Hate Crimes are taken seriously by police”*.

Several participants referred to the actions that are often taken by the organisation in response to hate crime. These included: education, community outreach, following the legislation, and establishing specialised hate crime units. Education was mentioned in several forms, with participant 48 noting: *“Awareness programs”* and participant 62 stated: *“Organisational response includes public relations work to encourage victims to report crimes”* (Participant 62). Community outreach was also identified, with participant 6 noting: *“I think that the NSWPF invest a significant amount of time and resources in community outreach and at a management level to ensure that hate-related crime is given an appropriate response”*. Furthermore, one participant noted the assistance provided to minority groups by the police, stating: *“There is a great emphasis on assisting minority groups with these crimes”* (Participant 11), this participant, however, criticised the organisational response in part, noting *“There appears to be no emphasis on far-left groups attacking persons of a different political thought”*. One participant reported their organisation to respond according to the legislation, noting: *“My organisation will respond to a hate crime in a manner, which is in line with the crime committed and ensure that the victim’s rights are preserved”* (Participant 12). Finally, participants also reported the establishing of specialised hate crime units. For example, participant 59 noted: *“There is a new engagement and hate crime unit established who oversights local police to investigate hate crime”*, thus offering insight, understanding and commitment for the prevention and reduction of hate crime.

Section 4: Summary and Conclusion

This report has examined hate crime through the lens of experts in the form of sworn police officers employed in NSW Police Force. In doing so, this body of evidence informs police practice with regards addressing such offending along with providing some direction concerning those involved in such offences. As a result, several themes of interest for the profession have emerged, which will be presented here. These include diversity, definition and reporting practice, a role for race, accounting for perpetrator and victim characteristics and the support required, remaining mindful that hate crime can occur anywhere and be motivated by several and sometimes shared reasons.

The key takeaway points from the Delphi study can be captured in the following ways:

- The term ‘hate crime’ needs to be reconsidered and better reflect the complexities of the issue. This crime seems to be driven by cognitions, which may well drive a range of different emotions.
- Participants considered themselves ‘*moderately*’ knowledgeable about hate crime on a 5-point Likert scale.
- Most Police officers expressed that hate crime is an *actual crime*.
- In contrast, some participants were clear in their view that there is no hate crime – only crime. This suggests that there is a need to clearly define how this differs from other crime/offending.
- While victims of hate crime were mainly associated with race or transgender status, some recognition of police officers and others in public office being primary victims of hate crime was provided.
- More than half of participating Police officers perceived that *expressing personal opinions* can be a hate crime.
- Almost all Police officers did believe that not all incidents against minority groups should be defined as a hate crime.
- More than half of the participating officers perceived that *hate crime is not rare*.
- Almost all believed that hate crime is *not only perpetrated against minority groups*, and that non-minority groups can also be victims of hate crime.
- More than half of the sample believed that individuals from *minority groups can be perpetrators of hate crime*.
- Most officers noted the importance of educating the perpetrators, at-risk individuals and groups, the public and the Police about hate crime.

- More than half participating officers regarded their *organisational response to hate crime as effective and consistent*.
- Over half of the Police officers were of the view that victims of hate crime *require aftercare from investigating officers*.

The results from the study reflect the diversity of hate crime and how *hate crime offences vary in nature*, there was also evidence highlighting differences in how hate crime is targeted, with particular consideration given to racial and sexual orientation and religious hate crimes. In terms of practice, it is important that those working with victims and perpetrators appreciate the subtleties and variety of forms that hate crime can comprise and, in doing so, can properly identify and address it. What is of significance is how such findings of the Delphi study reflect the broader evidence of the existing hate crime literature.

Race was reported as a significant factor informing *perpetration and/or victimisation* of hate crime. There are no clear explanations for this, although a range of factors including intolerance, perceived threat, and insecurity, as well as vulnerability were highlighted by participating officers. It is likely that the significance of race is multi-layered and as more is learned about hate crime perpetration and victimisation a better understanding may be gained. In the meantime, although the reasons why, race is significant may not be fully understood, it is important that this factor is accounted for since it has implications for the coordination of resources and the development of hate crime prevention strategies.

Being male, young, and white were highlighted as *perpetrator characteristics*. There is evidence that issues of substance misuse and poor mental health are important issues to consider when examining who perpetrates hate crime. In addition, there was a consensus that perpetrators were unlikely to be specialists in hate crime offences. It may therefore be useful to consider how resources can be utilised to target those at risk of perpetrating hate crime, to support deterrence and desistance. However, it is also important that in identifying prevalent or typical characteristics, less prevalent characteristics (i.e., females) are not overlooked.

With regards to *victim characteristics*, a more varied set of characteristics were presented. Evidence with regards to *pre-existing relationships between victims and perpetrators* is unclear in the existing literature. Some studies report that perpetrators of hate crime were likely to have some degree of acquaintance with the victim(s), whilst others reported perpetrators were more

likely to be strangers. This finding from the Delphi typically suggest that victims do not know the perpetrator. Nevertheless, problems with the defining, recording, and reporting of hate crimes including misreporting, may impact on an accurate understanding of such pre-existing relationships. Equally, there could just be diversity in the relationship that is not always accounted for. It is important that Police are sensitive to the potential impact any pre-existing relationship may have on victims and their willingness to report their experiences to an investigating officer.

The Delphi also identified a range of motivations for hate crime (e.g., anti-social attitudes, prejudice and bias). It is therefore likely that hate crime is *a multifaceted motivated event*, particularly as intersecting prejudices may be present. Establishing perpetrator motivation is likely difficult, particularly when the perpetrator(s) is unknown. However, awareness of these different typologies may support Police in their questioning of victim(s) and any suspected perpetrator(s), as they seek to support a potential prosecution.

Arguably, there are clear gaps within the literature around motivations for hate crime, the official response to hate crime and the treatment of hate crime perpetrators and victims that the current Delphi reflect in the findings presented in this report. In many cases the narrative and existing literature surrounding the police and their knowledge about hate crime, differs from the perception of the NSW Police. What remains clear is that the Police play a central role in addressing hate crime, in all aspects of prevention, disruption and reduction. It is important that they are appropriately resourced for dealing with hate crime, perhaps with specific police investigation teams dedicated to dealing with this. Furthermore, ensuring Police receive access to evidence-based training, and continuous professional development opportunities, and supervision is crucial in ensuring that Police officers have the necessary skills and support to effectively recognise and respond to hate crime. This could also extend to the development of an evidence-based risk assessment guide that outlines the range of factors important to remain mindful of when considering a suspected act of hate crime. This could ultimately assist with the refinement of risk factors and direct attention to salient areas of concern, including the needs of victims. This would further reflect risk assessments, such as those found in the interpersonal violence field, that account both for the risk factors of perpetrators but also the factors that we need to be particularly attuned to as we endeavour to protect victims and maintain their safety.

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