



Hate crime



EasyRead version of:
Hate Crime: Final Report Summary

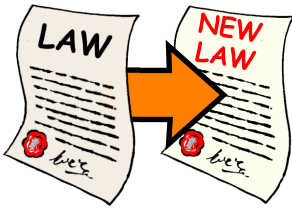
What is in this document?



**Law
Commission**
Reforming the law

Introduction

1



Our consultation about changing laws on hate crime and hate speech

3



What is hate crime?

6



The laws about hate crime

11



The 5 protected characteristics

12



Should there be more protected characteristics?

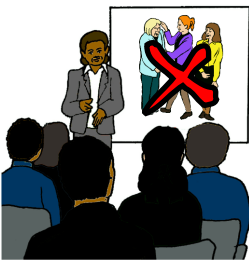
16



What the law says at the moment
about aggravated offences and
enhanced sentencing **23**



What the law says at the moment
about stirring up hate offences **27**



Hate crime commissioner **30**



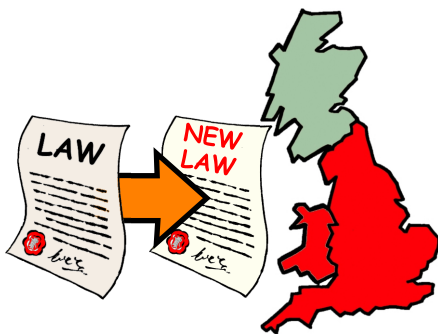
What the words mean **32**

Introduction



**Law
Commission**
Reforming the law

We are the Law Commission of England and Wales.



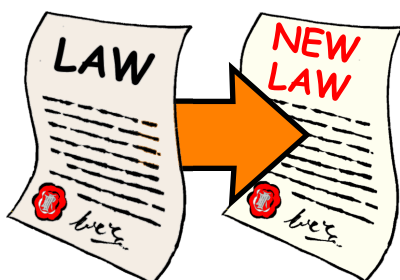
We make suggestions to the government about changing the law in England and Wales.

1993			
Jan	Feb	Mar	Apr
May	Jun	Jul	Aug
Sep	Oct	Nov	Dec

In 1993 a black teenager called Stephen Lawrence was killed in a **hate crime**.



A **hate crime** is when someone commits a **crime** against another person because of their disability, **race**, religion, **sexual orientation**, or if they are **transgender**.



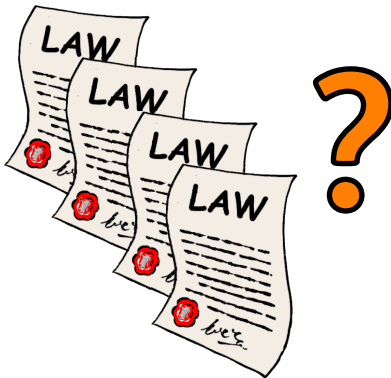
People wanted the law to change after Stephen's murder. Since then things have changed a lot.



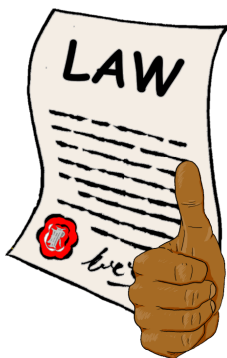
In 2018 the government asked us to look at **hate crime** and **hate speech** laws.



In 2019 and 2020 we looked at the **hate crime** and **hate speech** laws to see what changes they needed to be better.



We found 4 different laws and we said the 4 laws were not clear.



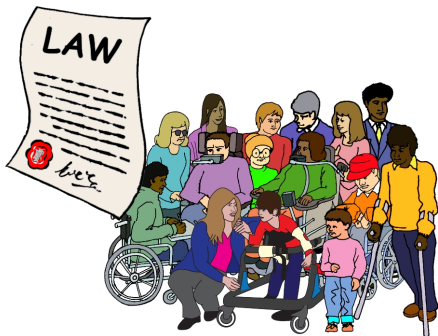
So we asked everyone to help us make the laws better.

Our consultation about changing laws on hate crime and hate speech



We **consulted** everyone.

Consulted means we asked everybody to help us make the laws better.



We asked you to tell us what you thought about these 2 things:

1. Who should be protected by **hate crime** laws? For example, are there certain groups of people who need more protection?



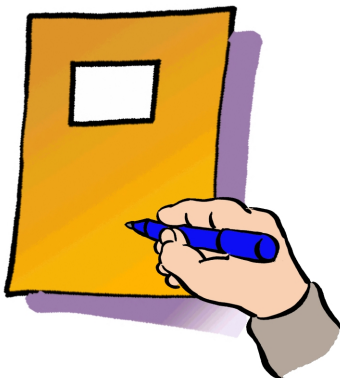
2. How should **hate crime** laws work? Are the laws working well?



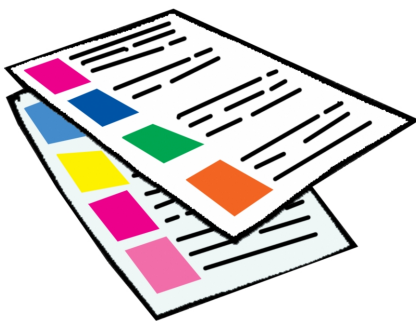
Nearly 3000 people told us what they thought about **hate crime** and **hate speech** laws.



People did not all say the same thing. Some people said they wanted to get rid of **hate crime** laws. Other people told us they wanted stronger laws.



We looked at what everyone told us and wrote a big report called the **Hate Crime Final Report**.



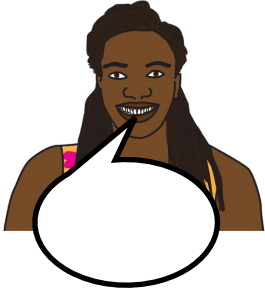
This document is an EasyRead of the **Hate Crime Final Report Summary**.

A **summary** gives you the most important parts of a bigger report.

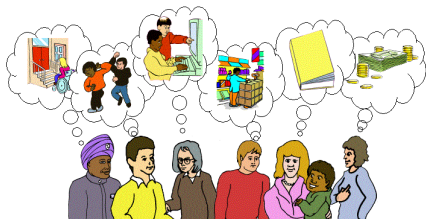


The **summary** tells you about:

- the questions we asked you



- what you told us



- how we used your answers to make some **recommendations**.

Recommendations are our ideas. When we say we **recommend** something it means we will ask the government to look at the idea.

recommendation

Our **recommendations** to the government are in **blue writing**.

What the words mean	
Abuse	Treat someone in a nasty or violent way.
Abusive speech	This is when mean or violent words are said or written.
Aggravated offences	These are more serious crimes that are done because of who the victims is.
Chanting	This is when words or sounds are repeated by one person or more than one person. For example, you might hear football chanting about a team of football matches.
Characteristic	This is a special quality or feature that makes a person or a group different from others. It might be that a group of people are gay or disabled for example.
Commissioner	A Commissioner decides who should get money to run public services.
Consultation	Talking or checking with people what they think about something.
Crime	When someone has broken the law and they are found guilty, they committed a crime.

Because this **summary** is about the law it still has many difficult words in it. These are in **bold** and a list of what they mean is at the back.

What is hate crime?



Hate crime is about the bad things someone does to another person, because of their **characteristics**.

A **characteristic** makes a person or a group different from others. It might be that a person is gay or disabled for example.



So **hate crime** is about the bad things someone does to another person because of who they are.



Hate crime is when one person attacks another person because the attacker hates their:

- disability



- race



- religion



- sexual orientation



- transgender identity.



The person who does the bad thing is called the **offender**. The bad thing they do is called the **offence**.



There are also **hate speech offences** when people **stir up hate**. This is when someone tries to make others hate a group of people because of who they are.



Many other countries have **hate crime** and **hate speech** laws but they are different in how they work.



In England and Wales, a **crime** can be prosecuted as a **hate crime** if the **offender** has either:

- **demonstrated hostility** based on **race**, religion, disability, **sexual orientation** or **transgender** identity.

or



- **been motivated by hostility** based on **race**, religion, disability, **sexual orientation** and/or **transgender** identity.

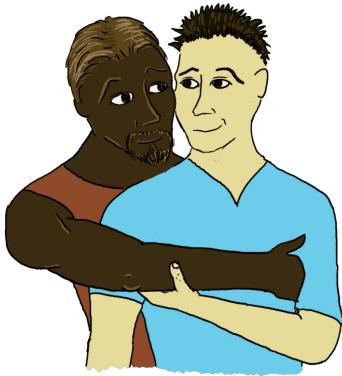


Hostility is about being really nasty or aggressive to someone. This can be saying or doing things that hurt others.



Here is an example of **demonstrated hostility**.

An **offender** attacks a **victim** and yells a rude name at the **victim** because they think the person is gay.



The **offender** is yelling about the **victim's sexual orientation**.

Sexual orientation is one of the things protected by **hate crime** laws.



This is a **hate crime**. It doesn't matter whether the **victim** identifies as gay.



We recommend this part of the test for **hate crime** should stay the same.



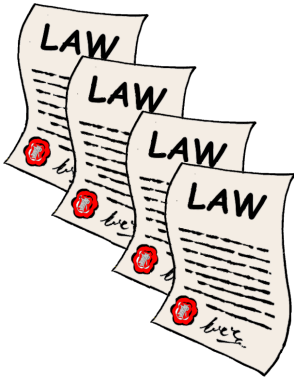
Here is an example of being **motivated by hostility**.

An offender punches a Jewish person. They don't say anything about the person being Jewish.



The police search the offender's home and find things that show they hate Jewish people. Religion is one of the things protected by **hate crime** laws. This is a **hate crime**.

The laws about hate crime

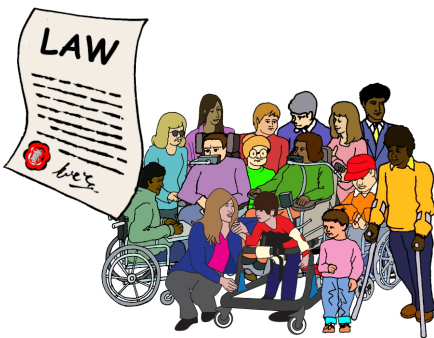


We found 4 different **hate crime** and **hate speech** laws and we said the 4 laws were not clear.



We said the 4 laws were hard to understand and sometimes **contradicted** each other.

Contradicted means they used different rules from each other.



In the **consultation** we wanted to find out 2 things:

1. Who should be protected by **hate crime** laws? For example, are there certain groups of people who need more protection?



2. How should **hate crime** laws work? Are there certain laws that are working well?

The 5 protected characteristics



At the moment the laws protect people from 5 groups. These are called **protected characteristics**.



We looked at the way the law describes the 5 protected **characteristics** and **recommended** – or said – if they should be changed.

1. Race



Race is about describing people by the country they are from or what they look like – especially their skin colour.



For example: if a **racist** person chooses to attack a **victim** because the **victim** is black, this is a **hate crime**.



We recommend the definition of 'race' in hate crime laws stays the same.



2. Religion

A person spray painting the wall of a Muslim place of worship is committing a **crime** as they are causing damage to the property. It becomes a **hate crime** if the person is spraying hate words about Muslim people.



We recommend the definition of 'religion' in hate crime laws stays the same.

3. Sexual orientation

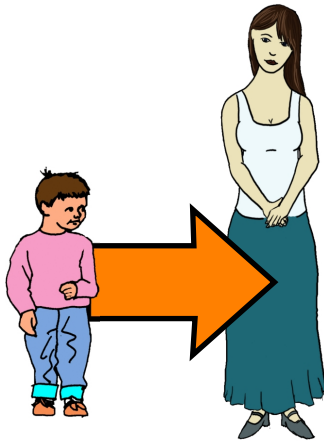


This is when someone is gay, straight or bisexual for example. Some people asked us to add a new protected group of 'asexual'.

Asexual is when a person does not have sexual feelings.

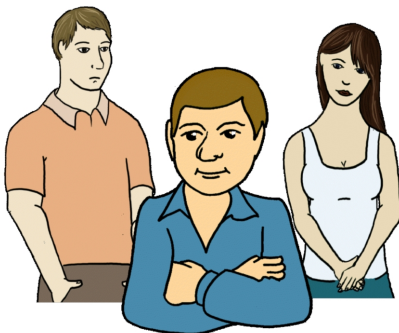


We recommend a change: that the definition of 'sexual orientation' for hate crime laws needs to add 'asexual'.

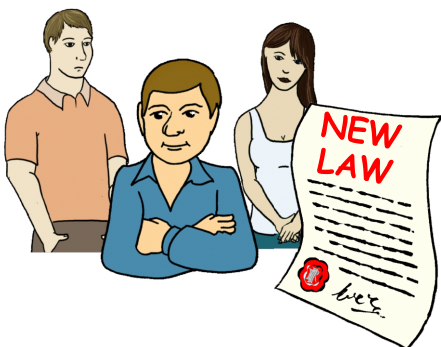


4. Transgender identity

This is when someone is born a man and living as a woman or is born a woman and living as a man.



People told us they want to add more ways to describe **transgender** identity. For example, people who do not see themselves as male or female are **non-binary**. People who **cross-dress** wear clothes of the opposite **gender**.



We recommend that the term 'transgender identity' in hate crime laws is changed to 'transgender or gender diverse identity'.

5. Disability



The law says disability is about mental or physical **impairment**.

Impairment means a person may need support in everyday life.



We recommend that the definition of 'disability' in **hate crime** laws stays the same.

Should there be more protected characteristic groups?



The 5 protected **characteristic** groups are:

- disability



- race



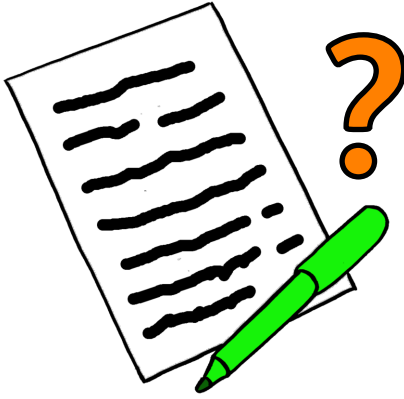
- religion



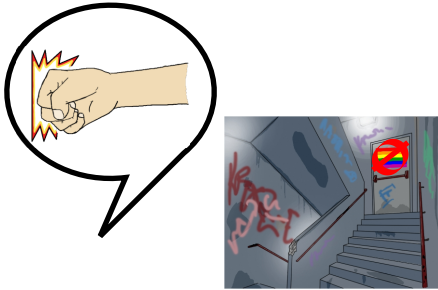
- sexual orientation



- transgender identity.



We want to know if there are more groups to add to this list.



We said that 3 things are important to decide if a person's **characteristic** means they should be protected:

1. Need: there must be proof that a group is experiencing a lot of **crime** based on hate and **prejudice**.



2. Extra harm: there must be proof that this **crime** causes extra harm to the **victim**, to other people in that group and to society.



3. The protection of their **characteristic** must fit in with other **crimes** and the rights of others. It should be a good use of money and staff time.

You asked us to think about these people:



1. People who are friends with someone from a protected group. This is called **association**.



2. People who are hurt because of their sex or **gender**.



3. People who are attacked because of their age.



4. People who:

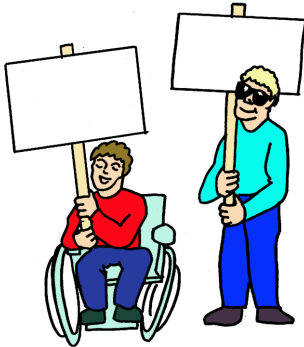
- are sex workers



- follow an alternative sub culture. This means people with different values and dress such as **Goths**



- are homeless



- have important beliefs that are not religious.



This is what you told us.

1. People who are friends with someone from a protected group.



At the moment there is a law that protects people if they are friends with someone from another **race** or **religion**.



There is no protection for people who are friends with someone who is disabled, **gay** or **lesbian, transgender** or **gender diverse**.



You said you want the laws to also protect people who are friends with someone who is disabled, **gay or lesbian, transgender or gender diverse**.

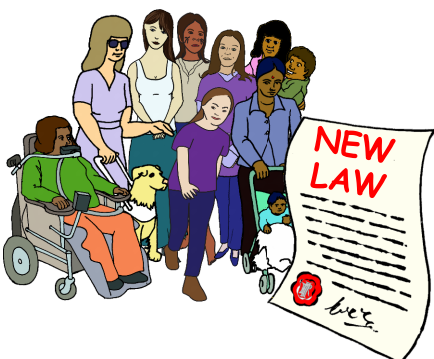


We recommend that the **association** laws need to cover all 5 protected groups.

2. Sex or **gender**



In question 2 we asked you a question about **hate crimes** that are about a person's sex or **gender**. After we listened to what everyone told us we decided that **crimes** against women and girls based on their **gender** did not fit well into the **hate crime** laws and that there were better ways to fix this problem.



We recommend that the government improve other laws about **crimes** based on a person's sex or **gender**. This might include making it a **crime** to sexually harass women and girls in public.



3. Age

In question 3 we asked you about **hate crime** based on a person's age. We found that **crimes** against older people are not normally driven by hate.



We do not think age should be a protected **characteristic**.



4. In question 4 we asked if there are some other groups of people who experience **hate crime** such as: sex workers, alternative subcultures, homeless people, people with different ways of thinking.



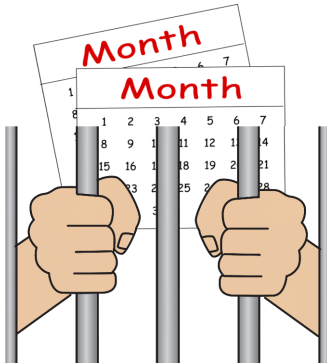
We do not think these groups fit well in **hate crime** laws. But they should still have strong protection from **crime** like everyone else.

What the law says at the moment about aggravated offences and enhanced sentencing



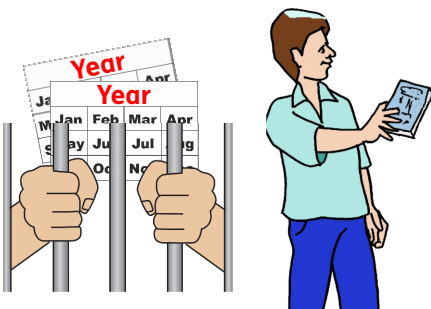
The law says hate crime makes offences more serious.

This means the offender can be punished more, for example, by having to stay in prison for longer.

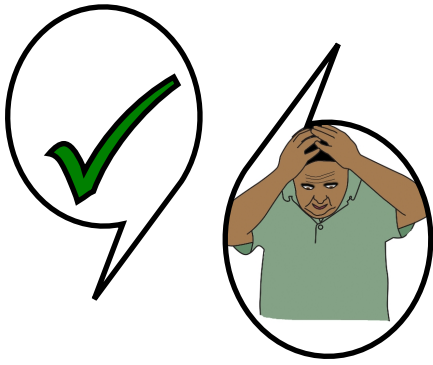


There are 2 ways **hate crime** laws make offences more serious:

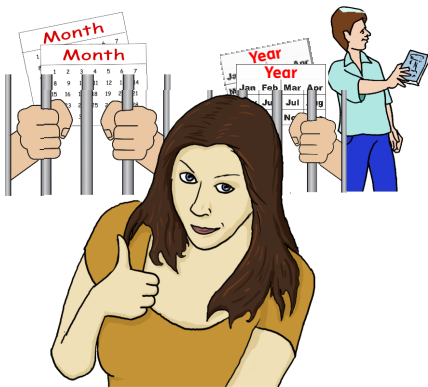
1. **Aggravated offences** means the offender gets a bigger punishment and the maximum penalty is longer.



2. **Enhanced sentencing** means the offender gets a bigger punishment but the maximum is the same.



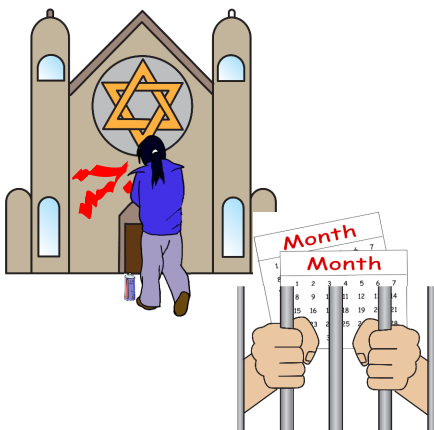
Some people said this is too complicated, and others said it works well.



In questions 7 and 8 we asked you about keeping **aggravated offences** and **enhanced sentencing**.

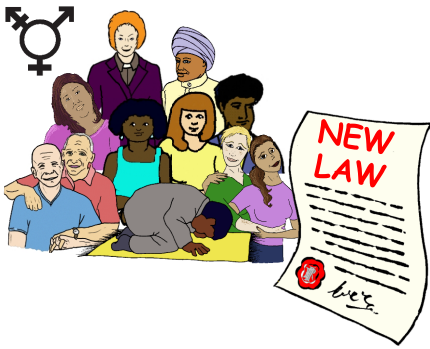


We recommend keeping both **aggravated offences** and **enhanced sentencing**.



At the moment, **aggravated offences** are only used for **racist** or religious **hostility** during a **crime**.

Hostile means being really nasty or aggressive to someone.



We recommend including all protected **characteristics** for **aggravated offences**.



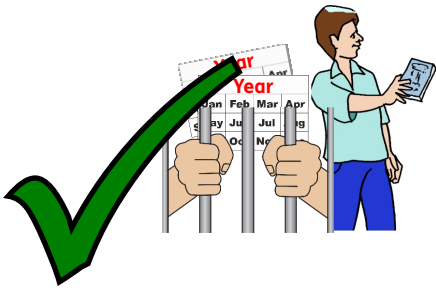
In questions 9 and 10 we asked you if any more **offences** should be added to the list of **aggravated offences**.



We found other laws that can deal with this.



Enhanced sentencing is used for all 5 protected **characteristics**: **race**, religion, **sexual orientation**, disability and **transgender** identity. Question 11 asked how this was working.



Most people told us this is working well.



We recommend keeping the current **enhanced sentencing** rules.

What the law says at the moment about stirring up hate offences



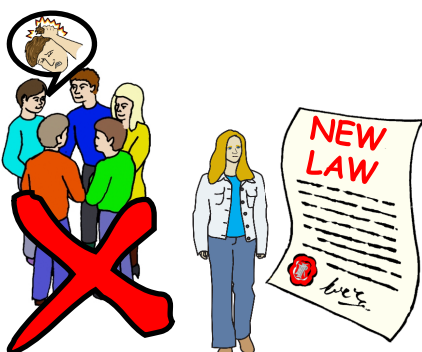
The law says it is okay to speak about religion and **sexual orientation**. This is freedom of speech.



We recommend that people should be able to speak freely about religion, **sexual orientation**, cultural practices, **gender** and **disability**.



The law says it is wrong to stir up **hate** about people's **race**, religion and **sexual orientation**.



We recommend the law should say it is wrong to stir up hate towards disabled, **transgender** or **gender diverse** people and women or men.



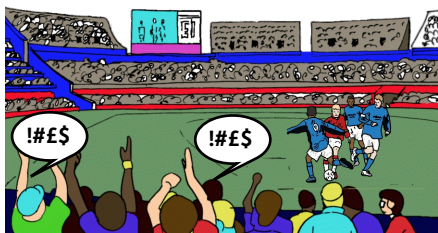
We asked you 3 questions about **stirring up hate offences**.



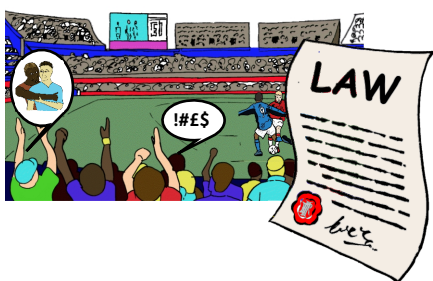
We think the law should say that:

- people can speak freely in private conversations
- news reporters are allowed to report **hate speech**
- The Director of Public Prosecutions should decide when a person is charged with **stirring up hatred**





In questions 17 to 19 we asked you about **racist** and other **chanting** at football matches.

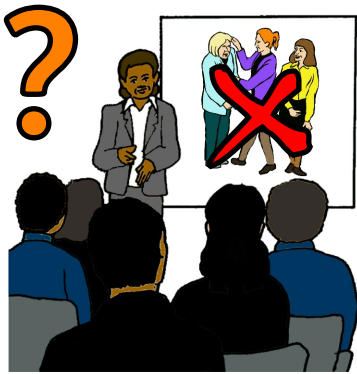


Chanting about other **characteristics** like a person's **sexual orientation** will be covered by other laws.

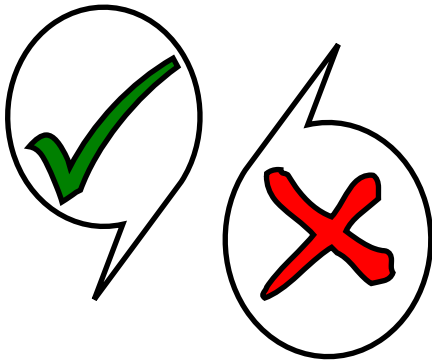


We recommend **racist chanting** will still be an **offence** under its current law.

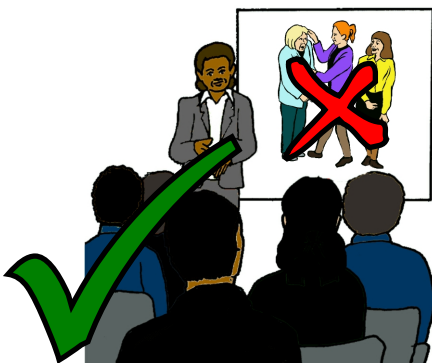
Hate crime commissioner



We asked you to say if there should be a **hate crime commissioner**. A **commissioner** oversees how public services are run.



Some people said yes and some people said no.

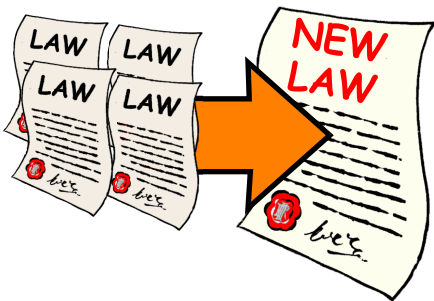


We recommend the government look at setting up a **hate crime commissioner**.

A hate crime law



At the moment there are 4 laws for dealing with **hate crime**.



We recommend we have 1 law dealing with **hate crime**.

What the words mean

Aggravated offences – These are more serious crimes that are done because of who the victim is.

Asexual – When a person does not have sexual feelings.

Association – Being friends and spending time with someone from a protected group.

Chanting – This is when words or sounds are repeated by one person or more than one person. For example, you might hear football chanting about a team at football matches.

Characteristic – This is a special quality or feature that makes a person or a group different from others. It might be that a group of people are gay or disabled for example.

Commissioner – A commissioner oversees how public services are run.

Consult, consultation – Talking or checking with people what they think about something.

Contradicted – Saying different things.

Crime – When someone has broken the law and they are found guilty, they committed a crime.

Cross dressers – These are people who wear clothes from the opposite gender to them. For example, men who dress as women.

Disability – When a person has an impairment which means they need support in everyday life.

Enhanced sentencing – This is when courts can give someone a longer time in prison or a bigger fine if it is a hate crime.

Gender – Gender is how male or female you do or do not feel.

Goth – This is a person who wears mostly black clothing, uses dark dramatic makeup, and often has dyed black hair.

Hate crime – This is when someone commits a crime against another person because of their disability, race, religion, sexual orientation or if they are transgender.

Hate speech – This is when someone says or writes something that expresses hate or encourages violence against others because of something like their disability, race, religion, sexual orientation or if they are transgender.

Hostility – Behaving badly towards another person. This can be saying or doing things that hurt others.

Hostile – To be really nasty, aggressive, or unfriendly to someone.

Non-binary – People who don't see themselves as any gender.

Offence – The crime someone is charged with.

Offender – A person who has done a crime and broken the law.

Prejudice – Prejudice is not liking someone before you even meet them because of who they are.

Race – This is when society groups together humans because of where they are from or what they look like – especially their skin colour.

Racist – Threatening, abusive or insulting to a person because of their race.

Recommend, recommendations – The ideas that we ask government to look at.

Sexual orientation – Whether someone is gay, straight or bisexual for example.

Stirring up hate offences – This is when someone tries to make others hate a group of people because of who they are. It can be through something they write, say, do, film or show.

Summary – The most important parts of a long document.

Transgender – Being born a man and living as a woman or being born a woman and living as a man.

Victim – This is someone harmed by a crime.



Credits

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