 

Hate Crime and Prejudice-Based Behaviours

# Aims of the resource

This resource provides an opportunity to:

* Raise awareness of prejudice-based behaviours and hate crime in education settings.
* Increase confidence in identifying early signs of prejudice-based behaviours and hate crime.
* Develop an understanding of what to do when prejudice-based behaviours and hate crime occur, including how to report them and support those affected.

# Bullying, prejudice-based behaviours and hate crime

Bullying is face-to-face and/or online behaviours which impacts on a person’s sense of physical and emotional safety, their capacity to feel in control of their life and their ability to respond effectively to the situation they are in. Bullying behaviours can be physical, emotional or verbal and can cause people to feel hurt, threatened, frightened and left out.

Prejudice based bullying is when bullying behaviours is motivated by prejudice, based on dislike of an individual’s actual or perceived identity and reflects wider societal trends of inequality and power. Prejudice comes in a variety of distinct forms and prejudice-based bullying can have wide-ranging impacts on children and young people’s health and wellbeing. A person commits a hate crime when a statutory aggravation is established in relation to an offence, under certain circumstances based on conduct and motivation. While bullying is not itself a crime, some bullying behaviours may be - such as threatening communications or assault.

Hate crime describes behaviour that is both criminal and rooted in prejudice, or which is intended to stir up hatred against people by reason of them possessing or appearing to possess one of the below characteristics. This includes in relation to online communications.

In Scotland, the Hate Crime and Public Order (Scotland) Act 2021 criminalises behaviour based on prejudice towards those with the following characteristics:

1. race
2. religion or belief
3. sexual orientation
4. disability
5. transgender identity
6. age
7. variations in sex characteristics

# Why it is important to identify, report and prevent prejudice-based behaviours and hate crime

Being able to recognise and report hate crime is crucial to making a change in society. Experiencing hate crime has a detrimental effect on physical and mental health, it can lead to increased conflict in communities and if it goes unreported it is as if the behaviour is acceptable and is therefore more likely to increase.

“The words they used have had a scarring effect on me, I’ve felt very threatened and vulnerable”

“My daughter repeatedly asked me, ‘Mum, can I scrub off my brown, can I scrub myself white?’”

These quotes are from real victims of hate crime, we can see that the impact of just the words alone can have a huge impact, for example making a young girl want to change the colour of her skin, thinking she is dirty. Reporting hate crime sends a message that all are included and valued, and that the behaviour is not acceptable.

A witness reporting a hate crime also helps victims see that they are not alone and that not everyone feels like their attacker does.

Hate crime is an attack on someone’s identity or perceived identity. It puts a negative label on them and can have a lifelong impact. Reporting it does not turn back time, but it does help to prevent it in future.

# Common misconceptions about hate crime

**It’s normal** – Many people who experience prejudice-based behaviour or hate crime normalise it. It is something they experience daily and feel there is nothing to be done about it. In some communities it has become normalised, and it is vital that we raise awareness of hate crime, its impacts and how to report it.

**Right to Free Speech** - Hate crime legislation does not pose a risk to freedom of speech, and it does not prevent people expressing controversial, challenging or offensive views. It does not seek to stifle criticism, or debate, in any way and there are protections for freedom of expression built into the Hate Crime and Public Order (Scotland) Act 2021. The Act is compatible with the European Convention on Human Rights, which protects everyone’s right to freedom of expression.

# Things to try

1. Education plays a key role in preventing prejudice-based behaviour through opportunities for children and young people to learn about the causes, manifestations, impacts and prevention of prejudice and the development of a curriculum which fosters good relations by including meaningful, integration of all protected characteristics and opportunities for organic learning about diverse people, families and communities in society.
2. If you witness prejudice-based behaviour or hate crime you can use the [5Ds of bystander intervention](https://www.actiononprejudice.info/library/speak-up/): Direct, Distract, Delegate, Document, Delay.
3. Create safe and brave spaces in your setting to allow young people to discuss hate crime and prejudice-based behaviour, forming part of an educational and preventative approach.
4. Help build connections in the communities you work with.
5. Approaches to preventing prejudice-based behaviours should align with the Getting it Right for Every Child (GIRFEC) approach and the National Child Protection Guidance.
6. A school’s relationships and behaviour policy should provide clarity on how it will respond to prejudice-based behaviours experienced by or displayed by children or young people.
7. All approaches should be trauma informed. Restorative approaches are normally outlined within relationships and behaviour policy; a restorative approach gives the person who has been harmed a voice.
8. Schools and settings should follow national child protection procedures in these cases.

To ensure the safety and wellbeing of children, young people, and staff schools should work closely with their education authority and colleagues in the core agencies below:

* Pastoral care staff
* Senior colleagues
* Youth work managers
* HR colleagues
* Social work
* Health
* Police Scotland including Campus Officers

# Responding sensitively to disclosure

Even within a supportive environment, children and young people may find it very difficult to report prejudice-based behaviours and hate crime.

* Listen carefully to what they are saying.
* Let them know they've done the right thing by telling you.
* Do not promise to keep it a secret.
* Stay calm but express your concern for them and convey that you are taking what they are saying seriously.
* Be kind, caring and friendly.
* Be non-judgemental and tell them it's not their fault and they are not to blame in any way.
* Reflect to them what you hear them say, and the feelings being expressed. Do not ask ‘leading’ questions or become an investigator.
* Explain what you'll do next, ensuring the child’s views are sought on what is safe for them and their family.
* Follow your establishments safeguarding and child protection procedures as soon as possible.
* Reassure the child that there are places and people that can help.
* Let the child know that you will keep them informed at every stage about what you and your establishment are doing, in consultation with them about the safest way to do this.

# Further reading, resources and professional learning

There is a directory of organisations that support different communities facing hate crime on the [Action on Prejudice website](https://www.actiononprejudice.info/organisation-directory/).

## Prevention

1. There are resources to help prevent prejudice-based behaviours and hate crime on Education Scotland’s [Inclusion, Wellbeing and Equalities Professional Learning Framework](https://education.gov.scot/professional-learning/leading-professional-learning/inclusion-wellbeing-equalities-professional-learning-framework/informed-level/#Rights).
* [No Knives Better Lives](https://www.noknivesbetterlives.com/courses/restorative-approaches-and-hate-crime/) is a free course on restorative approaches and hate crime.
* [Promoting positive relationships and behaviour in educational settings (education.gov.scot)](https://education.gov.scot/resources/promoting-positive-relationships-and-behaviour-in-educational-settings/#:~:text=These%20reflective%20questions%20invite%20you%20to)
* [Preventing and responding to gender based violence (gov.scot)](https://www.gov.scot/publications/preventing-responding-gender-based-violence-whole-school-framework/)
* [LGBT inclusive education guidance (gov.scot)](https://www.gov.scot/publications/guidance-lgbt-inclusive-education/)
* [Equalities policy guide (education.gov.scot)](https://education.gov.scot/resources/equalities-policy-guide/)

## Intervention

* [Speak Up: the 5Ds of Bystander intervention](https://www.actiononprejudice.info/library/speak-up/)
* [The Digital Discourse Initiative](https://tie.scot/professional-learning/teachers/digital-discourse-initiative-cpd/) is a professional learning course for educators in Scotland. It provides the knowledge and tools to counter the effects of online hate in schools.
* [The SACRO STOP service](https://www.sacro.org.uk/services/justice/community-justice) is designed to educate and rehabilitate individuals to ensure positive, achievable and sustainable changes in attitudes and behaviours.
* [Criminal Justice Pathway (soldnetwork.org.uk)](https://soldnetwork.org.uk/criminal-justice-pathway/)
* [Time for Inclusive Education (TIE)](https://tie.scot/) provide [workshops for primary](https://tie.scot/primary/primary-workshops/) and [workshops for secondary](https://tie.scot/secondary/secondary-workshops/) schools. These cover themes including prejudice, stereotypes and inequality.

## Misinformation

* [The Southport Attack: From Rumours to Riots](https://www.actiononprejudice.info/library/the-southport-attack-rumours-to-riots/) is a resource on the impact of misinformation by Dundee International Women’s Centre
* [Misinformation and Disinformation resources](https://diwc.co.uk/topics/misinformation-and-disinformation/) from Dundee International Women’s Centre
* [Resources from BBC Teach](https://www.educateagainsthate.com/resources/online-misinformation-the-uk-riots/) on misinformation, fake news, and disinformation.

## Hate crime general information

* [Action on Prejudice](https://www.actiononprejudice.info/) offer resources for challenging inequality and hate
* [Information sheet on changes in hate crime legislation](https://www.actiononprejudice.info/wp-content/uploads/2024/05/Hate-Crime-and-Public-Order-Act-Info-Sheet-for-Youth-Workers-1.pdf)
* [Resources for schools from the crown office and procurator fiscal service (COPFS)](https://www.copfs.gov.uk/resources/for-schools/)
* [I Am Me Scotland Learning Platform](https://iammescotlandeducation.org.uk/)
* [Scottish Government’s Hate Crime Strategy](https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2023/03/hate-crime-strategy-scotland2/documents/hate-crime-strategy-scotland-march-2023/hate-crime-strategy-scotland-march-2023/govscot%3Adocument/hate-crime-strategy-scotland-march-2023.pdf)
* [Scottish Government’s Hate Crime Strategy Delivery Plan](https://www.gov.scot/publications/hate-crime-strategy-delivery-plan/documents/)
* [Hate Crime and Public Order (Scotland) Act 2021 – General information note](https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2023/11/hate-crime-public-order-scotland-act-2021-information-note/documents/hate-crime-public-order-scotland-act-2021-general-information-note/hate-crime-public-order-scotland-act-2021-general-information-note/govscot%3Adocument/hate-crime-public-order-scotland-act-2021-general-information-note.pdf)
* [Hate Crime and Public Order (Scotland) Act: factsheet - gov.scot (www.gov.scot)](https://www.gov.scot/publications/hate-crime-and-public-order-scotland-act-factsheet/)

## Reporting hate crime

The main ways to report to Police Scotland include:

* By phoning 999 (emergency) 101 (non-emergency)
* In person at any police station,
* By completing a [Hate Crime Reporting Form](https://www.scotland.police.uk/secureforms/c3/)
* At a [Third Party Reporting Centre](https://www.scotland.police.uk/contact-us/report-hate-crime-and-third-party-reporting/third-party-reporting-centres/https%3A/youthlinkscotland-my.sharepoint.com/personal/srobinson_youthlink_scot/Documents/Hate%20Crime%20resource%20-%20Education%20Scotland/Hate%20Crime%20-%20Facilitation%20Notes.docx)
* Text 999 (this is for registered users only)
* Contact [Scotland-BSL](https://www.scotland.police.uk/contact-us/british-sign-language/)
* [Keep Safe Scotland App](https://iammescotland.co.uk/about-keep-safe)
* Young People can report what they witness anonymously at [Fearless.](https://crimestoppers-uk.org/fearless/give-information-anonymously)

## Hateful behaviour online

* The [Digital Discourse Initiative](https://tie.scot/professional-learning/teachers/digital-discourse-initiative-cpd/) professional learning course aims to provide educators in Scotland with knowledge and tools to counter the effects of online hate in schools
* Connecting Scotland have [developed resources to build digital media literacy](https://connecting.scot/for-you/learner/media-literacy).
* [Cyber Resilience Toolkit for Teachers – DigiLearn (glowscotland.org.uk)](https://blogs.glowscotland.org.uk/glowblogs/digilearn/cyber-resilience-toolkit-for-teachers/)
* [Finding and checking – learner digital skills toolkit – DigiLearn (glowscotland.org.uk)](https://blogs.glowscotland.org.uk/glowblogs/digilearn/2022/12/20/finding-and-checking-learner-digital-literacy-toolkit/)
* [‘Think B4 You Type’](https://learning.nspcc.org.uk/media/2603/think-b4-you-type-campaign-toolkit.pdf) is a toolkit that helps educators to best support young people in your school to lead anti-bullying work and deliver a ‘Think B4 You Type’ campaign.