



## **Item 8**

13th June 2024

### **Glasgow Community Planning Partnership**

#### **Safe Glasgow Partnership**

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### **Glasgow Hate Crime Working Group Report**

#### **Purpose of Report:**

To advise the Partnership on:

- Progress of new Scottish hate crime legislation
- Circumstances surrounding Third Party Reporting

#### **Recommendations:**

- To note the changes to national hate crime legislation and policy as a result of new hate crime legislation implemented in April 2024
- To recognise the input of Third Party Reporting sites in Glasgow and be aware of the harassment targeted at Third Party Reporting sites.

## **1 Introduction**

- 1.1 This report provides the Safe Glasgow Partnership with a progress report on delivery of the Hate Crime Working Group's thematic Action Plans: Preventing, Reporting, and Responding.
- 1.2 Glasgow Hate Crime Working Group (HCWG) is a multi-agency group that is embedded within Glasgow Community Planning Partnership structures and reports to the Safe Glasgow Partnership. Its purpose is to encourage and coordinate partnership approaches to hate crime.
- 1.3 The HCWG's aims are:
  - To take a strategic overview of activity to address hate crime citywide.
  - Hold partners accountable for delivery.
  - Develop a co-ordinated approach to hate crime.
- 1.4 The HCWG's membership includes:
  - Glasgow City Council (GCC) Neighbourhood, Regeneration and Sustainability (NRS)
  - GCC Education Services
  - GCC Social Work/ Adult Protection Committee
  - GCC Corporate Policy
  - Police Scotland
  - Health and Social Care Partnership
  - Crown Office and Procurator Fiscal Services (COPFS)
  - Scottish Fire and Rescue Service
  - Wheatley Group
  - Glasgow Disability Alliance
  - West of Scotland Regional Equality Council (WSREC)
  - Coalition for Racial Equality and Rights (CRER)
  - Equality Network/Scottish Trans
  - The Advocacy Project
- 1.5 Additionally, the HCWG contains within its sub-groups a focus on training, Third Party Reporting and the delivery of activity for the National Hate Crime Awareness Week.
- 1.6 The HCWG has been chaired by Cllr Elaine McSporran since January 2023.

## **2 Progress of new Scottish hate crime legislation**

- 2.1 Hate crime in Scotland is defined as any crime perceived as motivated by malice towards a social group. The Hate Crime and Public Order (Scotland) Act, passed in 2021, consolidates and modernizes hate crime laws. It came into force in April 2024.
- 2.2 The Act adds age and variations in sex characteristics to the list of protected characteristics, covering intersex conditions. It extends existing laws to criminalize 'stirring up hatred' broadly, protecting all specified characteristics. This mirrors the 'stirring up racial hatred' provision in the Public Order Act 1986 and includes protections for freedom of expression. A potential new

protected characteristic of sex will be addressed separately to manage crimes amplified by misogyny. The Act also abolishes the common law of blasphemy and mandates more detailed annual reporting of hate crimes by Police Scotland, with greater detail on victims and perpetrators.

- 2.3 Reporting methods, including Third Party Reporting, remain unchanged. The Scottish Government plans to review these procedures with Police Scotland and this work is currently ongoing.
- 2.4 Protection still applies regardless of the victim's actual membership in or affiliation with the targeted group. For example, a homophobic crime remains as such even if the victim is not gay.
- 2.5 Hate crimes remain aggravated offenses, where the prejudicial motive increases severity. A criminal act must still occur for it to be classified as a hate crime. Police will continue to record hate incidents, which involve prejudice but do not meet the criminal threshold.
- 2.6 Glasgow continues to employ a dedicated hate crime policy officer, addressing hate crime through statutory services and community efforts. The city's comprehensive approach covers education, infrastructure, housing, and third-sector partnerships. The city's approach to tackling hate crime also involves a multi-sector hate crime working group and a [three-pronged strategic approach](#) aimed at preventing, reporting, and responding to hate crime.

### **3 Circumstances surrounding Third Party Reporting**

- 3.1 Since the implementation of the Hate Crime and Public Order (Scotland) Act 2021, certain elements of hate crime policy in Scotland have been the subject of increased scrutiny in the media and on social media. Much of this attention has been centred on specific Third Party Reporting sites in Glasgow and further afield and some misinformation has been in circulation.
- 3.2 Third Party Reporting has been in place throughout the UK for more than twenty years, having been suggested in the MacPherson enquiry into the racist murder of Stephen Lawrence as a potential solution to underreporting caused by mistrust of Police. There are 40 Third Party Reporting locations in Glasgow, all of which were recruited prior to 2024. Third Party Reporting allows people to report a hate crime they have experienced or witnessed without approaching the Police directly, which can be helpful in circumstances such as mistrust of the Police, specialised assistance such as translation services, and confidentiality.
- 3.3 There are currently no national guidelines for which types of organisations can become Third Party Reporting sites and as such in Glasgow these sites include charities, housing associations, and retail premises.
- 3.4 Third Party Reporting centres undertake this work voluntarily alongside their ordinary duties and though some organisations seek separate funding for supporting the victims of hate crime there is no specific funding stream for

delivering Third Party Reporting services administered by Police Scotland, the Scottish Government, or Glasgow City Council.

- 3.5 Third Party Reporting sites are not required to store any information from people who choose to use the service to report crime. Reports are typically filed via a secure form on the Police Scotland website to avoid implicating sites in complicated GDPR processes unnecessarily.
- 3.6 Unfortunately, the misinformation which circulated primarily on social media, but also in major national media outlets has led to an increased level of mistrust in Third Party Reporting, as critics fear that it can financially incentivise organisations to report fatuous crimes, that sensitive data may be mishandled, and that Third Party Reporting privileges certain victims of crime over others. This misinformation has led to some sites being the target of nuisance reports and harassment directed at the staff. Some of the harassment has been homophobic and transphobic in its nature.
- 3.7 At present, Police Scotland and the Scottish Government are seeking input from a variety of organisations across the country to ensure that Third Party Reporting is administered efficiently and equally across the country. This will include implementing guidelines as to the role profile of Third Party Reporting sites and concrete processes that sites will have to follow. There is not currently an expected end date for this work however, it is a commitment outlined in the Scottish Government's [Hate Crime Strategy for Scotland](#).

#### **4 Recommendations**

- 4.1 To note the changes to national hate crime legislation and policy as a result of new hate crime legislation implemented in April 2024; and
- 4.2 To recognise the input of Third Party Reporting sites in Glasgow and be aware of the harassment targeted at Third Party Reporting sites