Hate crime has become an increasingly familiar term in recent times as the harms associated with acts of bigotry and prejudice continue to pose complex challenges for societies across the world. However, despite the greater recognition now afforded to hate crimes by scholars, policy-makers and law enforcers, uncertainty continues to cloud the scope and legitimacy of existing policy frameworks.

This article draws from an emerging body of inter-disciplinary scholarship and empirical research to highlight a series of important realities about hate crime victimisation and perpetration that tend to remain peripheral to the process of policy-formation. It suggests that the focus upon particular strands of victims and particular sets of motivations has overshadowed a range of significant issues, including the experiences of ‘marginal’ groups of victims, and the way in which identity characteristics intersect with one other – and with other situational factors and context – to leave some targets of hate crime especially vulnerable. The article calls for a more fluid and multi-layered approach to policy-formation which engages with these realities, and which maximises the real-life value of hate crime discourse.

Key words: hate; victims; policy; marginalisation; vulnerability
Introduction

The way in which hate crimes are dealt with these days makes me feel a whole lot safer. If I think back 10 or 15 years ago – no-one would have taken me or my harassment seriously and I’d have to just put up with it. But now most people get it and know that it’s not acceptable.

What the f*** is a hate crime anyway? For me, this is something that happens to me every day, or every other day if I’m lucky. You people call it a ‘hate crime’ – what does that mean to me? Putting some fancy label on it isn’t going to make my problem go away.

These very different views on hate crime are taken from recent conversations I had with two victims of hate crime – Anthony and Anita[i] – as part of ongoing research. In many respects Anthony and Anita’s accounts shared a number of parallels. Both live in similar kinds of areas, are of a similar age and have the same kinds of socio-economic backgrounds; both had experienced similar forms of hate crime (repeat incidents of homophobic and racist harassment, respectively) over a protracted length of time; and both had suffered damaging emotional harms from their cumulative experiences of hate crime victimisation, the likes of which are now well-documented in the wider literature (see, inter alia, Iganski, 2001; Walters, 2011). However, both Anthony and Anita had markedly different opinions on the value, or otherwise, of hate crime as a concept. For the first respondent Anthony, hate crime was a term that he was very familiar with and one that he valued for its capacity to make people much more aware of the prejudice and bigotry that he felt had been all too invisible – or even tolerated – by wider society in years gone by. Anita, though, had little more than a very vague awareness of the concept of hate crime and certainly had not identified herself as a victim of hate crime. As her comments suggest, the creation of a ‘fancy label’ to describe her everyday victimisation – allied with the greater recognition now afforded to hate crimes within the domains of
scholarship, policy and law enforcement – had not in themselves made any practical difference to the levels of abuse she continued to encounter because of her ‘difference’.

To draw any firm conclusions about hate crime theory or policy on the basis of these two viewpoints alone would be both premature and counter-productive. But these two sets of comments do take us to the very heart of one of the key challenges facing those working within the field of hate crime: how can policy-makers and practitioners utilise the concept of hate crime in a way that maximises its ‘real-life’ value to those who are victims of hate crime? On the one hand, questioning the value of hate crime policy may feel counter-intuitive to many of us who continue to praise the underlying principles of the hate crime movement and to marvel at its strengths: both as an umbrella construct to connect various forms of bigotry and as a bureaucratic term for policy purposes. Hate crime has become a politically and socially significant term that cuts across disciplines, across communities and across borders.

At the same time, there remains much about hate crime that we do not know, and this has implications for the ‘real-life’ value of our theorising as it is used in policy. This has a great deal to do with how we frame the parameters of hate crime. A graphic illustration of this can be seen in the official hate crime figures that are presented by different countries in an attempt to understand the scale of the problem within the Organization for Security and Co-Operation in Europe (OSCE) region. Figures collated by the Office for Democratic Institutions and Human Rights show considerable variations between OSCE member states: for instance, the number of hate crimes recorded by police in England, Wales and Northern Ireland in 2011 – 44,519 – contrasts quite dramatically with the corresponding numbers for countries such as Germany (4,040), Poland (444), Spain (115) and Italy (68) (ODIHR, 2012: 23-25). Of course, these figures are not an accurate measure by which to gauge international comparisons; they are more a reflection of the way in which hate crimes are defined, publicized, recorded, reported and statistically collated by different countries, than of any genuine disparity in levels of hate crime. However, whilst this set of police-recorded figures from England and Wales paints a much more realistic picture than that offered by most other states, it does not
begin to paint anything like a full picture. Recent sweeps of the British Crime Survey – which accounts for experiences of victimization not necessarily reported to the police – indicate that approximately 260,000 hate crimes are committed each year (Smith, Lader, Hoare and Lau, 2012), a figure which is more than five times the ‘official’ number cited above. Moreover, I would argue that the ‘real’ figure of hate crimes taking place is likely to be higher still, as many cases of hate crime are simply not recognized as hate crimes by criminal justice agencies, non-governmental organizations or by victims themselves.

This point is important because it shows that our understanding of hate crime is contingent upon the way in which we choose to frame the boundaries of hate crime. This article calls for re-think in how we frame these boundaries, and challenges the way in which narrow constructions of identity and community have led us to overlook a range of significant issues. As long as such issues remain peripheral to the ‘hate debate’ we risk marginalizing the experiences of many victims, and thereby reducing the ‘real-life’ impact of hate crime policy-formation. Before outlining those issues, the article first considers the key features that have shaped conventional responses to hate crime.

**Setting the boundaries: conventional frameworks**

Hate crime is a social construct which has multiple meanings to different actors and which is subject to a myriad of interpretations. There is therefore no single way in which we conceive of the problem, although some notable efforts have been made to develop a common understanding that can generate workable responses to hate crime. One such attempt has come from The Office for Democratic Institutions and Human Rights (ODIHR), whose guidance for OSCE states describes hate crimes as ‘criminal acts committed with a bias motive’ (2009: 16). For ODIHR, this bias does not have to manifest itself as hate for the offence to be thought of as a hate crime, nor does hate have to be the primary motive. Rather, it refers to acts where the victim is targeted deliberately because of a particular ‘protected characteristic … shared by a group, such as ‘race’, language, religion, ethnicity,
nationality, or any other similar common factor’ (2009: 16). Importantly, ODIHR’s guidance does not seek to specify which protected characteristics should form the basis of a member state’s hate crime policy, aside from making reference to aspects of identity that are ‘fundamental to a person’s sense of self’ and to the relevance of ‘current social problems as well as potential historical oppression and discrimination’ (2009: 38).

This broad, pan-national framework for understanding hate crime was developed in recognition of the significance of hate crime across Europe and the pressing need for states, statutory and non-governmental organisations to acknowledge and respond to the problem. However – and as illustrated by the divergence in hate crime figures collated by different countries referred to above – there is little evidence of a shared understanding of the concept across nations, and there remain vastly differing interpretations of what a hate crime is, who the potential victims are and what type of legislative response is most appropriate (for further discussion, see Garland and Chakraborti, 2012). To some extent, this is an inevitable and understandable result of the way in which different countries’ histories have shaped their prioritisation of different forms of hate crime. In countries such as Germany, Austria and Italy, for example, the connection of hate crime to right-wing extremism and anti-Semitism is clearly a legacy of events in the 20th century, although at the other end of the scale left-wing extremism is also a cause for concern in some states (FRA, 2013). Equally, an emphasis on challenging racism in the UK is perhaps attributable to the mass migrations from the Caribbean and south Asia to the UK from the late 1940s onwards. Although a universal consensus on the implementation and prioritisation of hate crime policy may be unfeasible, the significance of ODIHR’s guidance in the context of the discussion that follows lies in its broad interpretation of hate and the targets of hate.

A similarly broad interpretation is evident too within the hate crime policy framework of the UK where the key source of guidance comes from the Association of Chief Police Officers (ACPO), whose operational definition is enshrined within their guidelines for police forces in England, Wales and Northern Ireland (ACPO, 2000; 2005; 2013”). As with ODIHR’s hate crime guidance ACPO’s policy
framework makes specific reference to prejudice as well as hate, and it requires police forces to record not just hate crimes but all hate incidents, even if they lack the requisite elements to be classified as a notifiable offence later in the criminal justice process. In this context ACPO takes its lead from the landmark Macpherson Inquiry, whose attempts to address the deep-rooted institutional racism identified as being embedded within police culture by that Inquiry resulted in the adoption of a more flexible interpretation of a racist incident⁹. Accordingly, the hate crime guidance issued by ACPO stipulates that any hate incident, whether a prima facie ‘crime’ or not, should be recorded if it meets the threshold originally laid down by the Macpherson definition of a racist incident – namely, if it is perceived by the victim or any other person present as being motivated by prejudice or hate. As for the protected characteristics that give rise to a hate crime, ACPO’s guidance alludes to particular grounds for prejudice or hatred: namely, ‘race’, sexual orientation, transgender status, faith and disability. According to this interpretation of hate crime therefore, it is not just any prejudice that can form the basis of a hate crime, but rather prejudice based upon those particular strands.

In an academic sense Barbara Perry’s (2001) conceptual framework is arguably the most influential. Whilst it is not the only one to have influenced the development of hate crime scholarship (see for example, Lawrence, 1999; Jacobs, 2002), it has left an indelible imprint upon contemporary hate crime discourse throughout the world (see, inter alia, Hall, 2005; Iganski, 2008; Chakraborti, 2010; Garland, 2012). It also offers much-needed theoretical substance to the more operationally-oriented frameworks described above. For Perry, hate crimes are acts of violence and intimidation directed towards marginalised communities, and therefore synonymous with the power dynamics present within modern societies that reinforce the ‘othering’ of those who are seen as different. Indeed, the process of ‘doing difference’ is a central theme of Perry’s framework which sees hate as rooted in the ideological structures of societal oppression that govern normative conceptions of identity. Within such a process, hate crime emerges as a response to the threats posed by ‘others’ when they attempt to step out of their ‘proper’ subordinate position within the structural order. It is, in other
words, a mechanism through which violence is used to sustain both the hegemonic identity of the perpetrator and to reinforce the boundaries between dominant and subordinate groups, reminding the victim that they are ‘different’ and that they ‘don’t belong’.

Perry’s framework has been of considerable value, not least because it helps us to think about hate crime within the broader psychological and socio-political contexts that condition hostile reactions to the ‘other’, and to recognise that hate crimes are part of a process of repeated or systematic victimisation shaped by context, structure and agency (Kelly, 1987; Bowling, 1993). But notwithstanding the significant advances made as a result of this framework – and through the operational guidance offered by ODIHR and ACPO – I would argue that there remains further scope to maximise the ‘real-life’ value of hate crime theorising to hate crime policy formation. There remains much about hate crime that remains un- or under-explored, and this is a result of the way in which conventional constructions have been used to shape the parameters of what is categorised as hate crime without giving due regard to whether this satisfactorily accounts for the experiences and motivations that are connected to various manifestations of hate. As a result, certain realities of hate crime victimisation and perpetration have remained peripheral to the ‘hate debate’, including the vulnerability of marginalised or less visible ‘others’, the interplay between multiple identity characteristics and situational factors, and the ‘ordinariness’ of much hate offending. In the section that follows I outline some of the most significant, yet peripheral issues which could, and should, be considered alongside the more familiar aspects of hate crime policy discourse.

**Extending boundaries: acknowledging hidden truths**

It is often said that hate crime policy creates and reinforces hierarchies of identity: some victims are deemed worthy of inclusion within hate crime frameworks whereas others invariably miss out. This is a now-familiar criticism of conventional hate crime policy (see, *inter alia*, Mason-Bish, 2010; Jacobs and Potter, 1998) but one which has not been adequately resolved. To some extent, this is an
unavoidable outcome of having policy which makes a qualitative distinction between ‘hate’-fuelled victimisation and ‘ordinary’ victimisation, where the needs and experiences of certain groups are prioritised over those of others. However, even if we accept that as a necessary, if uncomfortable, reality of hate crime policy, the process of deciding upon this ‘hierarchy’ is perhaps less palatable. As Mason-Bish (2010: 62) notes:

‘... hate crime policy has been formed through the work of lobbying and advisory groups who have had quite narrow remits, often focusing exclusively on one area of victimisation. This has contributed to a hierarchy within hate crime policy itself, whereby some identity groups seem to receive preferential treatment in criminal justice responses to hate crime’.

Whilst the role of activists and campaigners in pushing hate crime to the forefront of political and social agendas has been crucial to its development as an issue of international significance, there is a downside to this process too: namely, that the parameters of what we cover under the hate crime ‘umbrella’ can be contingent upon the capacity or willingness of campaign groups to lobby for recognition under this umbrella. Whether because of greater resources, a more powerful voice, public support for their cause or a more established history of stigma and discrimination, campaigners working to support certain strands of hate crime victim will invariably be able to lobby policy-makers harder than other potential claim-makers. It is that capacity to ‘shout louder’ which can sometimes influence who receives protection from hate crime laws and who does not, meaning that some victims of hate crime may not receive the recognition they expect or deserve.

Moreover, some groups may be denied altogether the benefit of having any campaign or advocacy groups lobbying on their behalf. This is especially true for certain ‘others’ who can find themselves marginal to or excluded from hate crime policy and scholarship despite being targeted because of characteristics fundamental to perceptions of who they are or their sense of self. Wachholz (2009), for instance, questions the failure to recognise the all-too-common acts of violence and intimidation directed towards the homeless within the US as hate crime, whilst in the UK similar points could be
made in relation to the targeted victimisation suffered by elderly and isolated victims (Meikle, 2011); by those with mental health issues or drug and alcohol dependency (Doward, 2010); by members of alternative subcultures (Garland, 2010); by sex workers (Campbell, 2013); and by foreign nationals, refugees, asylum seekers, migrant workers and overseas students (Athwal, Bourne and Wood, 2010; Fekete and Webber, 2010).

These groups have much in common with the more established victim groups within hate crime discourse, in that they too are often singled out as targets of hate, hostility or prejudice specifically because of their ‘difference’. However, lacking either the support of lobby groups or political representation, and typically seen as ‘undesirables’, criminogenic or less worthy than other more ‘legitimate’ or historically oppressed victim groups, they are commonly excluded from conventional frameworks. This process of inclusion and exclusion has significant implications for the legitimacy of the hate crime movement. If hate crime policies are to provide effective protection against harm and injustice to especially disadvantaged or vulnerable individuals then it is crucial for policy-makers and enforcers not to exclude those most at risk. For those ‘marginal’ victims referred to above, this is much more than simply a thorny conceptual challenge; it is a fundamental human rights and equality issue which has life-changing consequences in the context of experiences of targeted violence that go unnoticed and unchallenged in the absence of policy recognition.

Understanding the interplay between ‘difference’, vulnerability and hate crime is important if the concept is to have ‘real-life’ value beyond its existing confines. Of course, being ‘different’ does not automatically mean that someone will be singled out for harassment or abuse. Nor is it the case that all crimes against people who are ‘different’ will invariably be hate crimes as that would require bias motivation against the victim, whether this takes the form of hostility, prejudice, bigotry or hate, in conjunction with the crime itself (ODIHR, 2009). However, we know both from contemporary research, and from simply opening our eyes to the world around us, that there are some ‘others’ in especially vulnerable situations who are at heightened risk of being victimised because of who they are – and this victimisation is likely to ‘hurt’ every bit as much as that suffered by the more
established hate crime victim groups, and in some senses much more so (Chakraborti and Garland, 2012). And yet, to ‘marginalise the marginalised’ within our studies of hate we have little understanding of the victimisation directed towards these less visible targets who lack the power of class or language, the privilege of advocacy groups and support networks, or the bargaining clout of political, economic or social mobility to draw from.

At present these experiences of victimisation tends to fall between the cracks of existing scholarship and policy frameworks, as does another dynamic pivotal to our understanding of hate crime: the intersectionality of identity characteristics that can be targeted by perpetrators of hate crime. Conceiving of hate crimes simply as offences directed towards individual strands of a person’s identity fails to give adequate recognition to the interplay of identities with one another and with other personal, social and situational characteristics. Broadening our lines of enquiry beyond conventional singular constructions of identity has two key advantages. First, it acknowledges the intersections between a range of identity characteristics – including sexual orientation, ethnicity, disability, age, class, mental health, material deprivation or bodily shape and appearance (to name but some) – thereby exposing what Moran and Sharpe (2004: 400) describe as ‘the differences, the heterogeneity, within what are assumed to be homogeneous identity categories and groups’. In reality, these are not homogeneous categories and groups consisting of people with uniform characteristics and perceptions (see also Garland, 2012; Goodey, 1998). Just as none of us should be defined exclusively by any one single identity characteristic (by being an ethnic minority, by having a disability, by being gay, for instance), nor should hate crime scholars and policy-makers automatically assume that perpetrators target their victims exclusively because of a single identity characteristic.

Secondly, recognising that hate crime can be the outcome of prejudice based upon multiple distinct yet connected lines is important not just for recognising the reality behind both the experience of victimisation and the commission of the offence, but for recognising the interplay between hate crime victimisation and socio-economic status. Many especially harrowing cases of hate crime take
place in areas on the economic margins – in areas that many of us reading this journal can conveniently avoid, ignore or write off – and yet the relevance of class and economic marginalisation to the commission of hate crime has rarely been a central line of enquiry to scholars and policymakers. To use one well-known UK-based example, the years of disablist harassment directed towards Fiona Pilkington and her family – which tragically led to her taking her own life and that of her daughter Francecca – has since been referred to as a watershed for the prioritisation of disablist victimisation. However, whilst the case serves as a powerful reminder of the nature and impact of prejudice directed towards disabled people, the relevance of related factors such as the family’s social isolation and their economically deprived locality should not be discounted. Hate crimes can often be triggered and exacerbated by socio-economic conditions, and some potential targets of hate crime will invariably be better placed than others to avoid persecution by virtue of living at a greater distance from prejudiced neighbours or in less overtly hostile environments (Walters and Hoyle, 2012). Again, understanding these realities should be much more of a central feature of contemporary hate crime discourse.

A related shortcoming of conventional policy frameworks has been a failure to recognise the ‘ordinariness’ of much hate crime: ordinary not in relation to its impact upon the victim but in the sense of how it is conceived of by the perpetrator, and sometimes by the victim too as discussed shortly (McDevitt et al., 2010; Iganski, 2008; McGhee, 2007). A consistent theme running through much of the hate crime literature is the association of hate with the prevailing power dynamics that reinforce the dominant position of the powerful and the marginal position of the ‘other’; the idea that hate crimes prop up the perceived superiority of the perpetrators whilst simultaneously keeping victims in their ‘proper’ subordinate place. But while this stance accounts for some expressions of hate crime, it obscures those more spontaneous actions which occur in the context of a highly individualised ‘trigger’ situation rather than being a result of entrenched prejudice (Iganski, 2008). While hate crimes are undeniably linked to the underlying structural and cultural processes that leave minorities susceptible to systemic violence, conceiving of these offences exclusively as a
mechanism of subordination overplays what for some perpetrators will be an act arising from more banal motivations, be it boredom, jealousy or unfamiliarity with ‘difference’.

This is another uncomfortable, and often overlooked reality of hate crime. Political, public and scholarly responses can still be governed by a tendency to conflate hate crimes with the ideology of organised hate groups, supremacists or far-right extremists. And yet the evidence would suggest that most hate crimes tend to be committed by relatively ‘ordinary’ people in the context of their ‘ordinary’ day-to-day lives (Iganski, 2008; Mason, 2005; Ray, Smith and Wastell, 2004). These offences may sometimes have little to do with any entrenched prejudice or hate on the part of the perpetrator but may instead arise as a departure from standard norms of behaviour; or through an inability to control language or behaviour in moments of stress, anger or inebriation; or from a sense of weakness or inadequacy that can stem from a range of subconscious emotional and psychological processes (Dixon and Gadd, 2006; Gadd, 2009). Equally, our reliance on the labels ‘victim’ and ‘offender’ assumes dichotomous roles in hate crime offences, but research has shown that this reinforces a de-contextualised picture of some cases, particularly neighbourhood conflicts, where both parties can share culpability for the anti-social acts which form the basis for the broader conflict and hate offence (Walters and Hoyle, 2012).

This has a number of practical implications for the way in which we frame the boundaries of hate crime. First, it tells us that hate crimes are not committed exclusively by obvious ‘haters’; by those whom one might immediately associate with ‘hate’-fuelled beliefs. Instead, we must look beyond the realms of convention and recognise the ‘everyday’ acts of prejudice that blight victims’ lives. The narrower our framework, the lower of chances of capturing these experiences. Secondly, it reminds us of the capacity for members of minority groups to be perpetrators as well as victims of hate crime. The kinds of biases, prejudices and stereotypes that form the basis of hate crimes are not the exclusive domain of any particular group, and yet the foundations of much hate crime policy have been built on or inspire assumptions that these are majority-versus-minority crimes. However well-intentioned, such an assumption fails to account for the acts of hate, prejudice and bigotry
committed by minorities against fellow minorities, or indeed against those who might be described as majority group members.

And finally – but perhaps even more significantly – the ‘ordinariness’ of hate crime has important implications for what victims themselves see as hate crime. For many victims of hate crime, much of the harassment, bullying and violence that they are subjected to forms such an entrenched, routine part of their day-to-day lives that it becomes a normalised feature of being ‘different’, and not something that they would recognise or report as ‘hate crime’. Indeed, as noted earlier, there will invariably be high numbers of victims who not only are unfamiliar with the term hate crime, but who also may be reluctant or incapable of sharing their experiences because they do not recognise these as anything out of the ordinary. Unless we recognise the many and varied forms that hate crime can take, more experiences of hate crime victimisation will continue to slip under our radars.

Using research to examine hidden truths

As noted earlier, interpretations of hate crime vary considerably and some of the issues highlighted previously may be beyond the scope of policy-formation and law enforcement in certain countries. Moreover, calls to think more broadly about a notion already as conceptually ambiguous and diffuse as that of hate crime are unlikely to be welcomed by all. Nonetheless, I would content that thinking more broadly is an essential part of the process in understanding what hate crimes are, whom they affect and how they hurt.

More importantly still, it is key to maximising the real-life value of policy to those countless numbers of victims whose experiences of hate crime go unnoticed. To illustrate this point, let me refer back to the ongoing research mentioned at the start of this article. This UK-based two-year study of hate crime victimisation has adopted a deliberately broad interpretation of hate crime – acts of violence and intimidation targeted directly towards the victim because of their identity or perceived ‘difference’ – in order to help policy-makers and practitioners develop a more nuanced
understanding of victims’ experiences and expectations. At the time of writing the fieldwork still has several months to run but so far we have heard from in excess of 1,000 victims and four notable themes have started to emerge. First, as a research team we have heard numerous accounts detailing harrowing experiences of prejudice – including persistent physical attacks, harassment, criminal damage and online abuse – from victims who have tended to be excluded from conventional hate crime frameworks. Whether targeted because of their unusual appearance, their mental health issues, or their unconventional beliefs to name just some examples, these are groups of people who each have very different sets of identity characteristics and yet who share a form of ‘difference’ that gives rise to repeated acts of targeted violence and intimidation. Secondly, many of those we have engaged with so far are people who have little or no familiarity with the concept of hate crime, despite having suffered what most scholars and practitioners would automatically class as hate crime victimisation on a number of (or in some cases on countless) occasions. For these victims, experiences of hate crime are normalised as an everyday, unwanted but routine part of being ‘different’ rather than being seen as an act of a particular type of victimisation that should be reported. Moreover, many of these such victims will find themselves based on the margins of ‘mainstream’ society, where knowledge of hate crime policy and associated publicity campaigns and reporting structures is invariably low; where people are likely to feel less comfortable about sharing their experiences through official channels; and where the sense of bitterness, alienation and resentment that often fuel acts of hate crime is likely to be felt all the more as a result of prevailing economic conditions (see also Chakrabarti and Garland, 2012; Gadd, 2009).

Thirdly, we have started to see how it is not just someone’s identity per se (their ethnicity, their sexuality, their disability and so on) that makes them vulnerable to hate crimes, but rather the way that identity intersects with other aspects of self and with other situational factors and context. In this sense, the likelihood of being targeted is increased by the presence of factors that are distinct from an individual’s ‘main’ or visible identity characteristic. Certainly, within the context of our ongoing research, the process of victim selection appears to have been influenced by factors such as
the victim’s manner of dress, their command of English, their isolation, their routine activities, their lack of physical presence or the type of area they live in – and not exclusively what one might class as their main identity characteristic. Fourthly and finally, judging from the cases we have come across so far in our research it would seem that the notion of hate crimes being ‘majority versus minority’ crimes is much too simplistic. For instance, within our study some victims of racist and religiously motivated hate crimes described the perpetrators as being fellow ethnic minorities from different ethnic or faith backgrounds, while some victims of homophobic and transphobic hate encountered prejudice from within minority ethnic and faith communities and from within the LGBT community itself. Clearly, both victims and perpetrators of hate crime can belong to minority communities, and sometimes even to what might conventionally, and homogenously, be described as the same minority community.

This is just one but by no means the only example of current research which is seeking to shape policy responses to hate crime victimisation. For instance, the All-Wales Hate Crime Project has generated wide-ranging findings on the nature and impact of hate offences which are designed to support the development of policy and practice in Wales (Williams and Tredidga, 2013). Important research has also been undertaken in a European context, most notably by The European Union Agency for Fundamental Rights (FRA) whose studies of LGBT and minority ethnic groups’ experiences of victimisation, and of data collection mechanisms deployed by EU member states, have each made important recommendations to EU and national level policy on hate crime (FRA, 2013b, 2012a, 2012b). By using research evidence to make the case for strengthening systematic and coordinated responses to hate crime, studies such as these are paving the way for a more sophisticated process of policy formation, monitoring and evaluation; policy that is informed by the lived realities of hate crime victimisation and not by presumptions or stereotypes that can hamper its effectiveness.

Conclusion
The themes outlined in the preceding section offer further support for the central message of this article: namely, that thinking more broadly about hate crime enables us to recognise some important realities about hate crime victimisation and perpetration that would otherwise remain peripheral, at best, to the process of policy-formation. As we have seen, international and domestic policy guidance gives us scope to think broadly about which prejudices, which groups of victims and which types of experiences we might choose to classify as hate crime. While some countries’ policy and legislative frameworks can be too rigid or minimal, just as problematic is the way in which we collectively – as scholars, practitioners, campaigners and citizens – limit the parameters of what we categorise as hate crime without accounting for the experiences and motivations that are connected to various manifestations of hate.

As we all know, hate crime is an elastic concept which has multiple meanings for multiple audiences. Whilst this can be a source of frustration, it is also an inevitable consequence of using an umbrella term to cover a diverse and complex range of emotions and behaviours whose meanings are contingent upon contextual factors relevant to individual cases and are open to the interpretation of law enforcers. The search for a universally accepted, all-encompassing definition of hate crime may therefore be futile, but the search for greater operational clarity is not. Rather, this article has shown that the onus is on us to shape policy frameworks that capture the realities of hate crime victimisation and perpetration. Capturing those realities does not demand a common, static hate crime policy response across different countries, nor does it require priorities on hate crime prevention, punishment, reporting, monitoring or indeed on any other related issues to be uniform or unyielding. Instead, I would argue that policy responses to hate crime should invariably be plural, multi-layered and fluid if they are to fully engage with the problems posed by hate crime. The identity of victims and perpetrators will vary across time and space, as will many of the factors specific to the commission of hate crimes and their impact on wider communities. The challenge for all of us is to ensure that policy can be developed in a way that acknowledges these changes whilst remaining true to the underlying and shared goals of the hate crime movement viii.
Ultimately, policy must be informed by the advances in knowledge offered by hate crime scholars, researchers and activists if it to have substance, and in much the same way academic theorising should have one eye on the practical application of those conceptual ideas for it to have a sustained impact upon policy and practice. In so doing we can promote a common language of hate crime discourse – a language that is open to differences in interpretation across time, place and space but one that can shape more effective responses to both the familiar and the less familiar expressions of hate that surround us wherever we are.
References


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1 These are not the actual names of the research participants in question. Their real names have been anonymised to preserve their identities.
2 The ongoing research referred to here is a two-year study of hate crime victimisation funded by the Economic and Social Research Council which began in October 2012. More information about the research is available here: http://www2.le.ac.uk/departments/criminology/research/current-projects/hate-crime
3 In England & Wales, a hate crime is recorded if the victim or any other person feel a criminal offence is ‘motivated by prejudice or hate’ (ACPO, 2005: 9). This ‘victim-oriented’ approach results in higher numbers of hate crimes being recorded than in most other states. The post-Macpherson priority given by the police, Ministry of Justice and other bodies in England & Wales to tackling hate crimes has also been a significant factor in encouraging more victims to report them.
4 Whilst unavailable at the time of writing, an updated guidance manual on hate crime is reportedly due for publication in 2014.
5 Recommendation 12 of the Macpherson report defines a racist incident as ‘any incident which is perceived to be racist by the victim or any other person’ (Macpherson, 1999: para. 45.17).
6 Fiona, a 38 year old mother of Francecca, an 18 year old girl with learning difficulties, was driven to kill herself and her daughter in October 2007 by setting light to her car, with them both inside, near their home in Leicestershire, England, following years of disablist abuse from local youths directed at her family.
The full findings of this study will be published in September 2014, although emerging themes will be publicised at [http://www2.le.ac.uk/departments/criminology/research/current-projects/hate-crime](http://www2.le.ac.uk/departments/criminology/research/current-projects/hate-crime) and via the project Twitter account @HateCrime_Leics.

For a fuller discussion of this point see Brax and Munthe, 2013.