



# A critical portrait of hate crime/incident reporting in North East England: The value of statistical data and the politics of recording in an age of austerity



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## ABSTRACT

This paper contributes to research on the reporting of hate crime/incidents from a critical socio-spatial perspective. It outlines an analysis of third party reporting of hate crimes/incidents in the North East of England, based upon the work of Arch (a third party hate crime/incident reporting system). The data set is one of the largest of its kind in the UK and therefore presents a unique opportunity to explore patterns of reporting across different types of hate crimes/incidents through a system designed to go beyond criminal justice responses. Whilst not downplaying the significance of the harmful experiences to which this data refers, we are very aware of the limitations of quantitative and de-humanised approaches to understanding forms of discrimination. Therefore the paper adopts a critical position, emphasising that interpretation of the data provides a partial, yet important, insight into everyday exclusions, but also cultures and politics of reporting. While the data records incidents across the main 'monitored strands', analysis here particularly focuses on those incidents recorded on the basis of 'race' and religion. Our analysis allows us to both cautiously consider the value of such data in understanding and addressing such damaging experiences - but also to appreciate how such an analysis may connect with the changing landscape of reporting and the politics of austerity.

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## 1. Introduction

This paper considers the value and limits of third party recording of hate crimes/incidents<sup>1</sup> and its fit with an approach which takes seriously both the social construction of knowledge and the human damage wrought by such incidents. We adopt a post-positivist, critical approach to quantitative data and draw upon recent action research carried out with a third party reporting agency in the North East of England (Arch). Comparatively speaking, the data referred to is substantial; 3908 incidents over the period 2005–2015. The data also references experiences not captured through other data sources. As such it offers a unique opportunity

to explore cultures of reporting through an analysis of the patterns in and between different categories of reported incidents in this geographic context. However, we argue that interpretation of such data also needs to be treated with caution given the limitations of quantitative approaches in appreciating the complex socio-spatial dynamics that surround these incidents. We also argue that such data collection, as a standalone exercise loses value if not developed in tandem with more pro-active approaches that look to directly tackle and respond to these incidents. The paper therefore begins to think through how the political context of austerity influences such activity in relation to both the problematisation of hate crime/incidents and possible responses.

The paper begins by setting the conceptual scene of 'hate studies' and by taking seriously the complex social and spatial character of such exclusionary practices. We then outline the historical context of third party recording more broadly and in relation to our case study area/project, before setting out our critical approach to the data collected through Arch. Following this we provide an analysis in two forms. Firstly, we outline what our statistical analysis might tell us about hate crimes/incidents in this part of the world by highlighting key patterns, relationships and trends in

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<sup>1</sup> In the UK, a 'Hate Incident' is any incident which the victim, or anyone else, thinks is based on someone's prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender. Not all hate incidents will amount to criminal offences, but those that do become Hate Crimes. We use the term 'hate crime/incident' in this paper to indicate that we refer here to incidents which may or may not amount to or in time become criminal offences.

relation to police involvement, incident types, geography, and reporting agencies involved. We then consider how the data may point towards, not just an indication of cultures of reporting, but also the politics of recording. In conclusion we suggest that our research is one illustration of a broader trend to downplay or shift the terms of data collection around issues of inequality and social justice. It is contended that the implications of this go beyond just a more accurate appreciation of societal trends.

## 2. Approaching hate socially and spatially

Whilst more established within a US context of ongoing civil rights struggles (Green et al., 2001), 'hate studies' is a relatively new area of enquiry within the UK (Chakraborti and Garland, 2015). The field broadly recognises the unique character of criminal offences (but also non-criminal incidents) committed against individuals on the basis of ascribed identities in the context of historical power imbalances, what Perry (2001:10) describes as "violence and intimidation toward already stigmatised and marginalised groups". While the experience of such violence is far from new, the establishment of a hate crime paradigm has emerged in response to more recent high profile events and political/legislative change. In relation to racist hate crime for example, landmark legislation such as the Crime and Disorder Act (1998) established racially aggregated offences and the Macpherson Inquiry (1999) into the murder of Stephen Lawrence (1993), set out the terms of an institutional response. In addition, other notable events such as the neo-Nazi inspired nail bombing campaign in April 1999 by David Copeland, targeting several minority communities in London, drew attention to the victimisation of other historically stigmatised and marginalised groups. The remit of legislation and police powers, as well as the scope of the academic field, has therefore expanded across what are known as the 'monitored strands' of religion (Anti-terrorism Crime and Security Act 2001), sexuality and disability (section 146 of the Criminal Justice Act 2003), in recognition of the breadth of victimisation.<sup>2</sup> Contentiously, some have argued for a consideration of hate crime beyond these 'over-generalised' groups (Chakraborti and Garland, 2012), illustrating the contested nature of this inter-disciplinary field in both conceptual and more practical terms (Ardley, 2005).

A related feature of ongoing debate is that of conceptual definition and the language of 'hate' (Perry, 2006). One dominant critique has been to suggest that the term 'hate crime' presents offences as psychological matters of personal prejudice or bias, thus pathologising offenders and their actions (Ray and Smith, 2001). This seems to be a consequence of the prevailing liberal legal discourse where the focus remains on the perpetrator as 'rational, autonomous, self-contained, self-possessed, self-sufficient' (Hunter, 2013:13). Seen in such a way, hate is possessed and then expressed by those who hold extreme views and whose actions are de-contextualised from both society and space. Another of the key challenges to the language of hate crime is that it can be seen as experienced in a generic sense, rather than differentiated across the experiences of different social groups (Sherry, 2010). Such a blanket term may also work to obscure the wide spectrum of violence that might constitute hate crimes/incidents (Bufacchi, 2005); but also the contingent and dynamic sense of what counts as a hate crime over time and space (Perry, 2003).

Whilst appreciating these critiques, there have also been efforts to understand the utility of such a term. As Perry (2003: 8) has argued, it is "possible to construct a conceptual definition which allows us to account for the predominant concerns of historical and social context; relationships between actors; and relationships between communities". This includes recognition of multiple forms of violence which are not necessarily limited to acts committed by 'extreme' individuals or even to illegal acts. In this sense violence, through the lens of hate crime, can be viewed as both extreme and shocking but also everyday and pervasive (Iganski and Sweiry, 2016). Perry (2003) also contends that despite the complexities and contingencies of experiences found under the banner of hate crime, there is uniqueness to such incidents which sets them apart. She suggests that the social relations and 'damage' which constitute these experiences go well beyond the incident itself and beyond the individual victims and perpetrators involved. Perry thus conceptualises hate crimes as a social means of not just reflecting differences, but actively constructing difference through a range of affective registers. She therefore refers to hate crimes as 'message crimes':

*Its dynamics both constitute and are constitutive of actors beyond the immediate victims and offenders. It is implicated not merely in the relationship between the direct "participants," but also in the relationship between the different communities to which they belong. The damage involved goes far beyond physical or financial damages. It reaches into the community to create fear, hostility and suspicion.*

[Perry, 2003, 9]

Scholars have extended these arguments to consider how hate crimes/incidents, particularly in relation to 'race', may also have key spatial dimensions. In addition to work which emphasises diverse national legislative cultures (Garland and Chakraborti, 2012), the spatial unevenness of recorded incidents in relation to demographic and socio-economic dimensions (Iganski, 2008) and the situational contexts in which hate crimes/incidents emerge (Clarke, 1995), others have set out in more theoretical terms the socio-spatial dynamics of 'hate'. Ahmed (2001), for example, highlights how hate as an emotion does not reside within the minds or bodies of individual perpetrators, but rather is part of an unstable emotional economy. As such, hate circulates and gains currency in particular space-times through attachment to particular bodies. In a similar vein to the idea expressed by Hesse (1993) that 'racism is spacism', she suggests that through dominant discourses of nationhood and belonging hate works to actively and affectively organise bodies in space. Figures of hate, such as the asylum seeker in Ahmed's account, are constructed through the stories we are told (by politicians and the media for example) about me/you and against us/them. She argues that "words work to produce ripples that seal the fate of some others, by enclosing them into figures that we then recognise as the cause of this hate" (Ahmed, 2001: 364). While such distinctions are re-produced and may become most apparent through inter-personal and hostile everyday encounters, they are also given legitimacy temporally and spatially beyond such events – those events which may be recorded as hate crimes.

## 3. A critical approach to hate/crime incident recording

The spatial, discursive and emotional dimensions outlined by Ahmed (2001) suggest a need to engage in theoretically informed qualitative approaches that focus on the re-production of stigmatisation and marginalisation through discourse and embodied experience. However, much of the research across the social sciences, as well as criminal justice and policy responses are based on what

<sup>2</sup> The term 'monitored strands' is used to refer to those offences targeting specific groups, which under UK legislation are monitored by criminal justice agencies. These include offences targeting any racial group or ethnic background or national origin, any religious group, including those who have no faith, any person's sexual orientation, any disability, including physical disability, learning disability and mental health and people who are transsexual, transgender, transvestite and those who hold a gender recognition certificate.

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