Hate Crime in the UK

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1 Understanding Hate Crime

1.1   Academic Definitions

Hate crime as a term is relatively new in both an academic and official capacity in the UK; the racially motivated killing of Stephen Lawrence in 1993 and the subsequent enquiry into the police handling of the case (Macpherson report, 1999), led to an increased recognition of crimes motivated by hate and prejudice (Hall, 2013; Chakraborti, 2014; Walters, 2014). The Lawrence case was pivotal in igniting discussion about the nature of racism in the UK and the extent of its embedment in government and private institutions (Chakraborti, and Garland, 2015). Racism became just one area of prejudice to be considered and other forms such as: sexuality, religion and gender were also brought into debates around specific hate legislation being created (Hurd, 2001; Iganski, 2001; Uhrich, 2009). Prior to this case in the UK crimes motivated by hostility and prejudice had been discussed under differing banners by preceding UK governments, evidenced by the lack of acts which specifically targeted this type of issue before the Crime and Disorder Act (1998).

Throughout the late 90's and early 2000's legislation was created to address hate crime and to protect certain victim characteristics, including; Crime and Disorder Act (1998), which created new offences aggravated by race, with religious aggravation added by the Anti-terrorism, Crime and Security Act (2001). The Criminal Justice Act (2003) was the first act to recognise the elevated seriousness of crimes motivated by prejudice towards sexuality, disability or transgender characteristics. Unlike race and religiously aggravated offences which were standalone offences, the Criminal Justice Act introduced enhance sentencing, which was considered by the judge during sentencing, after the offender had been found guilty of an offence (Chakraborti and Garland, 2015). Despite the disparity between the types of legislation, their introduction has led to an increase in awareness of crimes motivated by prejudice towards a characteristic of the victim and in the recording of these types of incidents and crimes. Furthermore, a consequence of the Macpherson report and the failings of the Metropolitan police in recognising and investigating Stephen Lawrence's

murder as racially motivated, the power of interpreting if an incident was racially or religiously motivated moved from the police to the victim. Should a victim believe an offence was motivated by prejudice against their race or religion the police were now duty bound to investigate it as such (McLaughlin, 2002). Whilst it did not guarantee the accused would be found guilty of this, it did lead to a greater level of clarity about the actual number of hate crimes occurring in the UK.

The police monitor five characteristics which are protected under hate crime legislation; race, religion, sexuality, disability and transgender (Corcoran and Smith, 2016). The police are also able to record other forms of crimes which are considered to have been motivated by hostility towards a certain characteristic of an individual or group, however these are not monitored through official statistics (CPS, 2018). Official records of offence numbers in all hate crime strands began in 2009, but racially aggravated offences were being documented from 1985, when 4,383 offences were recorded. This figure rose to 23,049 in 1999 possibly reflecting the changes in recording and the increased visibility of the issue (Phillips and Bowling, 2002). In 2016/17 the total number of hate crimes recorded by the police was 80,393, with racial hate motivating 62,685 of these offences (O'Neil, 2017). In 2016/17 there was a recorded increase in all five of the monitored strands on the previous year's figures. The rise is thought to reflect the improvements made to police recording procedures, but also to a genuine increase in the wake of the 2016 UK Referendum on leaving the European Union (EU) (Devine, 2018; O'Neil, 2017). There is some scope for reservation in making bold conclusions about the current state of hate crime in UK based on these figures. The year of 2017 saw a number of trigger events including; the Manchester arena bombings and the Westminster bridge attacks (Devine, 2018). According to Hanes and Machin (2014) events of this kind can lead to retaliatory reactions, which are then known to subside shortly after the event, but in some cases this can lead to a long term increase in the levels of hate crime, as witnessed in 2016 after the EU Referendum (O'Neil, 2017). However, it is necessary to consider the twin problem of under reporting and under recording of hate crime (Webster, 2007). The Crime Survey for England and Wales, which takes into account crimes not reported to the police, published figures of approximately 222,000 hate crimes reported every year

(Corcoran and Smith, 2016); clearly inconsistent with police figures and suggestive of a far greater social issue.

The rise in figures, along with increases in activist activity and policy making has also led to greater levels of academic investigation in an attempt to understand this complex social phenomenon (Chakraborti and Garland, 2012; Garland and Chakraborti, 2012; Perry, 2010; Chakraborti, 2009; Turner, 2009; Iganski, 2008; Mason, 2005; Perry, 2002; Byers, 1999; Herek et al, 1999; Iganski, 1999; Green et al, 1998). Hate crime commonly straddles a variety of areas of social scientific interest and in this respect can be considered interdisciplinary, with research coming from Psychology, Sociology and Criminology (Chakraborti, 2010; Meyer, 2010; Herek, 2000). Until recently research did not fall under the single umbrella of hate crime, but was alternatively researched in a number of topic areas including; race and racism, police and ethnic minorities, sexual and religious identity and victimology. Within each of these, crimes motivated by feelings towards; race (Bowling, 1999; Ray, 2000), sexuality (Cherney, 1999) or other characteristics, were considered alongside other areas of interest such as police culture. The heightened awareness of hate crime as a specific event has led to these forms of crimes and the reason behind them becoming a major point of interest for social science researchers; dictating a specialised branch of enquiry. (Chakraborti and Garland, 2015).

The increased interest in hate crime has led to a growth in academic attempts to produce a definitive definition of hate crime. This has led to a conflicted understanding, with a lack of consensus amongst academics about what factors are important to our understanding (Chakraborti and Garland, 2015; Hall, 2013). There are certain factors which contribute to the difficulty of establishing a universal definition, these include; the complex nature of the word hate (Hall, 2013), and the ever changing face of prejudice and social sentiment towards the expression of this, meaning those subject to hate crime and the way they are afflicted are liable to change and with it potentially the whole meaning of what hate crime is considered to be (Iganski, 1999)

Crime and also hate are relative and guided by historical, social and cultural contexts (Perry, 2003). Bowling (1993: 238) describes hate crime as 'dynamic' and 'in a state of constant movement', much as society is. An example is the

expression of racist sentiment, which has become increasingly undesirable over the last few decades. As a consequence the nature of racism has evolved to take on the form of a new kind of racism which expands beyond the traditional understanding of racism and also exists at a covert level (Barker, 1981). Racism is no longer merely associated with a traditional biological understanding of skin colour or some other visible trait which marks an individual as starkly 'different' from the observer but to one more clearly linked with ethnicity and nationality; both of which are flexible and a person can change. According to Cole (2009), this leads to a 'plethora of suitable enemies' in today's society, who are subject to this new form of racism. White immigrants and asylum seekers now find themselves in this category; exposed to prejudicial attitudes, behaviour and crimes motivated by prejudice (Feteke, 2009). The unstable nature of who is characterised as a victim of hate crime adds to the confusion around producing an academic definition, by leaving academics unable to accurately pinpoint who will be a victim. This led to Chakraborti and Garland (2012) suggesting the hate crime be associated with difference as opposed to one specific characteristic. There has been some progression with incorporating this suggestion into the official understanding of hate, as officers are now able to report any crime they believe to be motivated by hostility, whatever the reason, as highlighted earlier (CPS, 2018).

A further complication is the word hate itself. Hall (2013) suggests the use of the term hate can be misleading, with hate only being the extreme of a number of other factors. Gerstenfeld (2017: 11) states "A criminal act that is motivated, at least in part, by the group affiliations of the victim." here, the importance lies not with who the individual is but the group they are rightly or wrongly perceived to belong to. A perpetrator may feel no particular animosity toward the person but instead to what they signify to them. Furthermore, this does not need to be hate but could be; prejudice, bias, hostility, shame or anger. These are all emotions which can be linked with the commission of hate crimes and are neither interdependent nor mutually exclusive (Ray et al, 2000). According to Hall (2013) the emotion of hate which is a problematic term, may not even have to be present.

The crime can be described as the final action, but the emotions driving the action cannot be perceived as happening in a vacuum and is considered by

some to be a social process which develops and alters over time (Perry, 2003 and Chakraborti, 2015). It is from this shifting perspective that academics attempt to construct a working definition. Despite the difficulties a number of academics have taken on this challenge (Sheffield, 1995; Perry, 2001; Craig, 2002; Petrosino, 2003; Gerstenfeld, 2017; Chakraborti and Garland, 2015).

At the forefront are academics from North America. According to Chakraborti and Garland (2015), Perry (2001:10) offers one of the most comprehensive definitions:

> "Hate crime… involves acts of violence and intimidation, usually directed towards already stigmatised and marginalised groups. As such, it is a mechanism of power and oppression, intended to reaffirm the precarious hierarchies that characterise a given social order. It attempts to re-create simultaneously the threatened (real or imagined) hegemony of the perpetrator's group and the 'appropriate' subordinate identity of the victim's group. It is a means of marking both the Self and the Other in such a way as to re-establish their 'proper' relative positions, as given and reproduced by broader ideologies and patterns of social and political inequality."

There are a number of key points in Perry's definition which need to be considered and make the definition stand apart from those offered by other hate crime scholars. Hate crime Perry claims is directed at "stigmatised and marginalised groups". So, unlike other academics Perry does not limit the victims of hate to a specific group but instead introduces the idea of the victim pool in some manner being infinite and not bound by traditional understandings around race and ethnicity. Chakraborti and Garland (2012) extended this further by exploring how difference can make a person vulnerable to hate crime and challenged the idea of protecting only certain characteristics in society. However, introducing such a large victim pool into the discussion could lead to the terminology becoming coterminous with crime in general (Jacobs and Potter, 1998; Hall, 2013). To prevent this, further discussion is needed about how some group's characteristics come to be targets of negative prejudice and potentially protected by the hate crime remit.

Perry addresses this again in her definition "mechanism of power and oppression, intended to reaffirm the precarious hierarchies that characterise a given social order". The recognition given to power and oppression being an intrinsic part of hate crime takes heavily from Young's (1990) work on the five faces of oppression: Exploitation, marginalisation, powerlessness, cultural

imperialism, and violence. These types of oppression are not necessarily mutually exclusive nor experienced in isolation. A group which is oppressed through marginalisation, can find themselves powerless, thus exploited, and vulnerable to systematic violence. All five of the elements of oppression can be used to reassert power over a minority group.

Cultural imperialism as a form of oppression can be linked with the development of perceiving out-groups as a symbolic threat (Stephan and Stephan, 1996). Cultural norms are developed as those of the most powerful within that society, with 'other' values and beliefs being viewed with suspicion, hostility and presented as inferior. In Britain the cultural norms would be classed as white/anglicised values and beliefs. The Islamic faith is often considered to be alien to the British way of life (Poynting and Mason, 2007). The Sharia law is part of the Islamic faith and is used by Muslims to guide all areas of their life. There is widespread misunderstanding of the Sharia law in the UK, often fuelled by the British media who have rolled out stories linked to the imposing of Sharia law in the UK, its barbaric character and its incompatibility with the British way of life. In 2015 the Daily Mail published an article about the introduction of Sharia law in the UK. Throughout the article the tone was derogatory in nature. For example, the following quotes evidence the hostile feeling towards the sharia law: "This being the 21st century, the woman isn't prepared to play ball" and "This medieval-sounding procedure apparently derives from a passage in the Koran". The next quote demonstrates how some people see the laws as being incompatible to the British way of life (Adams, 2015):

> "Recent years have seen growing concerns that Britain's Sharia courts are fostering extremism, undermining human rights and creating a parallel justice system whose basic principles conflict with the law of the land. To this end, Home Secretary Theresa May recently promised a review of Sharia courts to ensure they support 'British values'."

A clear message in the discussions surrounding this is that Sharia law is inferior and abnormal. As stipulated in the above quote these ideas of abnormality were supported by the launch of an independent review in to the application of the Sharia Law in the UK by the then Home Secretary Theresa May (Home Office, 2016), who has been instrumental in developing an environment which cultivates hostility towards difference (Travis, 2013). These are examples of cultural imperialism in action. Oppression through cultural

imperialism leads to stereotyping and groups of individuals being presented as a homogenous group. In doing so this turns the people outside of the cultural norm into a 'mass of others' and the inferiority levelled at the 'other' further marginalises minority groups (Young, 2000)

What is interesting is Perry's recognition that these forms of oppression are not simply conducted on an individual basis, as the above example demonstrates, but are most often reflected through social and political actions, which communicate and "reaffirm the precarious hierarchies that characterise a given social order". A point also highlighted by Sheffield (1995:438) "Hate violence is motivated by social and political factors and is bolstered by belief systems which attempt to legitimate such violence". Like Perry, Sheffield recognises the importance of the political in communicating beliefs and values and suggests this not only creates violence but presents it as rational. A consequence of this being the potential validation of hostility to minorities and the denial of responsibility amongst those who engage in hostile behaviour to re-establish an accepted social hierarchy (Van Dijk, 1992).

Hierarchies are witnessed in our daily lives, and reaffirmed by government legislation and media portrayals (Perry, 2002). The Immigration and Asylum Act (1999) firmly placed asylum seekers near the bottom of the hierarchy with their rights to welfare removed or cut, their autonomy in making life choices was removed or constrained and their opportunities for progression almost completely taken from them. Sales (2002) claimed the legislation not only prevented asylum seekers from participating in the everyday activities of British life but also led to the stigmatisation of the asylum seeker and created a divide between 'good' immigrants and 'bad' immigrants (Schuster and Bloch, 2005). Asylum seekers were portrayed as 'pests' who were 'swarming' to the UK. This type of inflammatory language can regularly be seen to be used in British media. News headlines in the Express stated that "Migrants given the go-ahead to swarm into the UK" (Fagge, 2009), the use of this derogatory language is further endorsed by government officials; including the then prime minister David Cameron who told a British news channel that "you have got a swarm of people coming across the Mediterranean, seeking a better life, wanting to come to Britain" (Elgot and Taylor, 2015). New Labours immigration stance has continued to filter through progressive governments and has led to the creation

of an increasingly hostile environment, which sends a clear message about the social positioning of certain types of immigrants in Britain. This corresponds with Perry's (2001: 10) perceptions of hate crimes as 'message crimes' and her definition finishes by saying

> "marking both the Self and the Other in such a way as to re-establish their 'proper' relative positions, as given and reproduced by broader ideologies and patterns of social and political inequality."

For Perry hate crime is not aimed at an individual, but towards a group and so the victim is incidental and interchangeable. It is an interesting concept, but one that also invites greater levels of fear amongst minority groups, who must accept that their group affiliation may lead to them being victimised. The past and present status of Asylum seeker and other forms of immigrants in the UK provide evidence of the relevance of Perry's definition in understanding the nature of hate crime.

The definitions offered by academics in the hate crime field are enlightening, offering guidance on how to approach the study of hate crime. Chakraborti and Garland (2015) highlight the complex and layered character of hate crime and suggest that despite the enduring influence of Perry's definition, researchers should not be afraid to move outside of the present boundaries of hate crime scholarship. They respond to this by presenting their own definition "A hate crime refers to acts of violence, hostility and intimidation directed at towards people because of their identity or perceived difference" (Chakraborti et al, 2014: 8). This definition offers a level of clarity which is missing from Perry's work. Perry's work on hate crime is insightful, but as will be discussed in greater depth in the next section, it lacks a real world applicability. Hate crime is a contemporary problem, which governments around the world are attempting to understand and find a solution for. The rather complex definitions offered by academics do not provide a succinct enough description of the issue to allow policy and legislation to develop (Hall, 2013). Chakraborti et al (2014) definition is succinct but is also broad, it suggests anyone can be the victim of hate crime. While Chakraborti may argue this is the case, visualising hate crime in this way makes it almost impossible to know who is in the greatest need of protection. There is insufficient space in this review to cover the spectrum of debate around the validity and ethics of protecting only certain characteristics (Levin, 1992;

Weinstein, 1992; Jacobs, 1993; Hentoff, 1996; Jenness and Grattet, 1996; Jacobs and Potter, 1998; Iganski, 1999; Lawrence, 1999; Hurd, 2001; Mason-Bish, 2017) but it must be noted that in the UK under official definitions only five characteristics are currently protected under specific legislation; highlighted previously.

1.2   Official Definitions

Official definitions tend to be less intricate than academic definitions. Officials must be able to use the definitions to make clear and succinct legislation. In the UK hate crime legislation is still in a state of relative infancy. Until 2005 the Association of Chief Police Officers (ACPO) (2005: 9) offered the following definitions of hate incidents and hate crimes:

> "Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate"

> "Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate"

The ACPO distinguishes between an incident and a crime. According to guidelines all incidents of hate should be recorded, regardless of whether they are a notifiable offence (CPS, 2018). In doing this the police will be able to recognise patterns of incidents and repeat victims, who may be in need of additional support. There is however, a lack of recording of incidents, as they are often not deemed serious enough. Under recording in hand with under reporting, means that the true picture of hate in the UK may not be fully understood. A further distinction made by the ACPO is the victim's interpretation of the motivation for the offence as set out by the Macpherson report (Macpherson, 1999), any occurrence considered by the victim to be motivated by hate or prejudice should be investigated as such. This is an important distinction, as it removes the power from the investigator and places it with the victims. By 2005 legislation covered all five recognised strands of hate crime; race, religion, disability, sexuality and transgender.

In 2014 the college of policing offered a new definition which is the current definition which guides the police and the CPS (College of Policing, 2014: 3)

> "Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice"

The guidance applied to the five strands mentioned above but also gave police license to extend categories further, meaning people outside the traditional remit of hate crime legislation could also be protected. Each individual force is given the discretion to expand outside of the five strands; which are considered the minimum that must be recorded. As highlighted earlier some academics suggest that we are witnessing the creation of a 'new' kind of racism (Barker, 1989). Xenophobic hate crimes, which are motivated by prejudice towards somebody's nationality and constitutes a large number of immigrants and asylum seekers, are considered to be a new type of racism and this is reflected by the recording of these offences under the racist strand (Fekete, 2009; CPS, 2018). In recent years' anecdotal evidence has suggested we are witnessing a rise in prejudice towards immigrants and asylum seekers, particularly in light of the vote to leave the EU (Wadsworth et al, 2016; Goodwin and Milazzo, 2017). However, due to recording of racist hate occurrences being presented as one homogenous group, it is not possible to establish how significant this increase has been.

The two definitions from 2005 and 2014 are almost identical in nature. There is however, one key difference. In the updated guidelines the word hate has been removed and replaced by hostility. In this respect the official definitions appear to be in line with academic definitions by highlighting the unhelpful and potentially misleading use of the word hate. As the above discussions have suggested, hate crime is not always about hate per se. Instead, hate is only a small piece in the overall picture. Hall (2013: 80) suggests "offending isn't always about hate but rather it is predominately about prejudice". If this is true, then to understand hate crime we must develop a more intimate understanding of how prejudice is developed and sustained in the current political and social environment.

2 The development of prejudice

Over the course of the last thirty years' victims of crime have moved to the top of the political agenda, exposing the increasing victimisation of minority groups (Walklate, 2013). There has been a growing body of literature concerned with

the harms of hate to victims and the social consequences of this type of crime. This has come at the detriment of research into the perpetrators of hate crime and in particular those who hold and express prejudicial views (Hall, 2013). Failing to develop understanding about the creation of prejudice and the justification for its expression leaves a significant gap in the research which could have consequences on the ability to develop effective policies designed to respond to prejudice in society and to offer chances of educating and minimising prejudice (Iganski, 2001).

Bowling (1999: 305) accuses social scientists of operating with 'scant evidence' and calls for focus to be placed on the perpetrator; to develop a deeper understanding of the characteristics and social processes that drive the offender as opposed to the victim. Despite this call from Bowling being almost two decades old, Hall (2013) and Perry (2009) suggest the central, contemporary consideration is still focused on the victim. A further reason for this maybe the relatively new development of interest in this subject area. Whilst crimes of prejudice are not historically new, the negative connotations associated with being prejudice and the recognising of crimes driven by prejudice being distinct from other crimes is. Individuals, institutions in the public, private and third sectors, and the offices and structures of government are now aware that overt prejudice commentary is considered a social taboo (Garner, 2017). The recent case of Boris Johnson's choice of language when describing the burka worn by some Muslim women, where he labelled them as looking like letter boxes, is a demonstration of the public reaction to perceptions of prejudice. Johnson is currently facing a potential investigation into breaches of the Conservative Party code of conduct and has faced a barrage of criticism from public and political figures (BBC, 2018a). However, this is only one side of the story, with those who have criticised Johnson facing a backlash from those who claim society has become too politically correct and the criticisms are attempting to shut down freedom of expression (BBC, 2018a). These arguments have been used in previous and continuing debates about the validity of hate crime specific legislation (Jacobs and Potter, 1998). What this case evidences are the complexity related to prejudice and the debates that surround what is or is not acceptable to express in public. This confusion lies in all levels of society, and so the need to understand prejudice and more specifically where it develops from is ever pressing.

2.1 Prejudice and Social Psychology

There are multiple definitions and explanations for prejudice, which are dominated first and foremost by the field of social psychology. The seminal work of Allport (1954) has been the basis for theorising about prejudice over the last 60 years (Brewer, 1999; Pettigrew, 1999; Brown, 2010; Valentine, 2010; Reicher, 2012). Allport (1954: 10) defined prejudice as "an antipathy based upon a faulty and inflexible generalisation" and later definitions seem to be in agreement with Samson (1999: 4) stating that "prejudice involves an unjustified usually negative attitude towards others because of their social category or group membership". These two definitions imply four key points; prejudicial views are perceived to be negative, they are unchanging, unjustified and finally they are based on an individual's group membership. It is argued here that the first of these three points are incorrect and in fact dangerous to the ability to understand and to combat prejudice in society.

Brown (2010) states that prejudicial views should be seen as both positive and negative. By neglecting positive prejudice, we are failing to acknowledge its insidious nature and its use to subordinate marginalised group's further (Jackman, 1994; Glick et al, 2000; Glick and Fiske, 1996, 2001). Glick and Fiske (2001) explored benevolent sexism, which when embraced by women who perceive this as male protection, is then linked to greater levels of hostile sexism. Positive discrimination is not only used by the majority to create submission but is accepted by the minority, who collude in the maintaining of their own submissive role (Perry, 2002). As Perry (2009) would claim, positive prejudice is utilised to fuel the 'us' and 'them' normative state. It is this normative state that must be challenged, yet if we are guided by Allport and Samson it would appear that challenging prejudice is superfluous.

 A key reason why prejudice is presented as unmovable is rooted in social psychologies assertion that prejudice is developed through individual psychology (Duckitt, 1992; Turner, 2001; Reynolds et al, 2012). Prejudice as a field of study only began in the 1920's, it has of course been in existence for a far greater period of time than this, but the term was not needed prior to this time due to these attitudes not being considered irrational nor problematic (Reynolds et al. 2012). Original theorising and as Turner (2001) would contest, contemporary theorising is dominated by the believe that prejudice develops in

the individual. The work of Adorno et al (1950) outlined the first concept of the prejudice personality, with the claims of the existence of an authoritarian personality. Interestingly this notion has also been used to explain hate crime and is further evidence of the intertwining of prejudice and hate (Gerstenfeld, 2017).

People subject to an authoritative parenting style developed frustration and anger which it is claimed by Adorno, was displaced on to weaker members of society. Adorno conducted large scale research; developing the fascism scale (F-scale) to measure the level of authoritarian personality in an individual. The findings were seemingly positive and in the following 8 years over 200 studies based their investigations on Adorno's work (Christie and Cook, 1958). Jost et al (2003) identified 88 studies in a meta-analysis, which investigated the link between authoritarianism and cognitive styles. The more authoritarian people did appear to have a tendency to think in a certain way. Clearly this does not necessarily mean an authoritarian personality means prejudicial views, although some studies have suggested this (Campbell and McCandless, 1951; Pettigrew, 1958; Cohen and Streuning, 1962; Meleon et al, 1988; Witt, 1989). Brown (2010) states that the correlations in studies supporting the authoritarian personality often only explain less than half of the variance found, which points to other factors being involved. Adorno and his F-Scale have been heavily critiqued for; unrepresentative samples, the leading wording of statements on the scale, and validating procedures being flawed, with interviewer bias. There are substantive arguments against the validity of the work and the F-Scale and this also raises serious questions over the findings of the large body of research which utilised the F-Scale (Christie and Jahoda, 1954; Bass, 1955; Rokeach, 1956; Martin, 2001). It was due to this that notion of the prejudice personality lost its appeal in the decades that followed the 1950's until it was resurrected by Altemeyer (1988).

A further theory proposed in the vein of individual psychology is social dominance theory (Sidanius and Pratto, 1999). The theory stated that all humans place themselves into groups and all groups are hierarchically ordered, with some having more power over others. One element of the theory was social dominance orientation, this is the extent to which a person desires their in-group dominate and be superior to out-groups. It was this individual

characteristics relationship with prejudice that was tested by a number of academics. As with the authoritarian personality, there was strong evidence that those who held prejudicial views scored highly on levels of social dominance (Pratto et al, 1994; Whitley, 1999; Duckitt, 2001). Despite the positive findings for social psychological theories of personality and the relationship with prejudice, they are still only personality variables and not true indications of a person's complete personality. Valentine (2010) notes that by conceptualising prejudice in the two ways highlighted here; individual personality type and socialisation, there is a suggestion of an inevitability for prejudice to be produced and diminishes children to passive sponges of adult society.

Brown (2010) and Turner (2001) have also highlighted a number of issues associated with explaining prejudice through individual differences in personality. One of these being an underestimation of the importance of the social situation. It seems naïve to dismiss the power of the social to impact the opinion of the individual. As stated by Reicher et al (2012) prejudicial viewpoints are not arrived at spontaneously but are mobilised by leaders, journalist and activists. Prejudice is mobilised to reach a certain goal and in doing so becomes a collective action, driven by an understanding of what 'they' mean for 'us' and 'them' as a problem for 'us'. The social feeds in to the understanding of the problematic 'them'. Take for example the coverage of Brexit; The Leave campaign played on the fears of a large section of society by using stories of Turkish admission to the EU; with the potential of 75 million Turks being able to gain entry to the UK or posing in front of images of refugees to highlight the 'plague' of people 'flocking' to the UK shores (Bush, 2016). This coverage led to increased interest and visibility of the 'threat' posed by outgroups, in the case of Brexit; immigrants and refugees.

2.2   Prejudice, Sociology and Criminology

Sociological and criminological understanding surrounding the development of prejudice and violence which follows is limited. The work that has been done in this field has led to a small number of varying possible explanations (Iganski, 2008). No one explanation can account for all incidents of prejudice and violence; the factors that lead to an incident may be markedly different in each case (Craig, 2002). From a macro perspective the motivation for prejudice and

violence may be understood as being a combination of a number of social, cultural and economic factors. Key academics have attempted to theorise in light of these factors, using past criminological and sociological theories and also developing new and unique theories (Perry, 2009).

Where theoretical macro explanations can help in understanding the social and cultural milieu that surrounds and influences an offender; understanding why one individual may act on this when another who finds themselves in the same situation does not is not possible. Hence the need to engage with micro perspectives which have centred on individual differences, utilising social psychological explanations, with reference to the nature of a person's bias, prejudice and perception of threat in the commission of hate crime. Most academics recognise hate crime offending as an everyday crime, with offenders who are disconcerting in their ordinariness; but this is a crime which is pernicious in the damage it does to individuals, the community and the social fabric (Hopkins Burke and Pollock, 2004; Iganski, 2008). With this in mind the need to advance understanding is crucial to allow for the development of policies and programmes which may help offenders and communities to rethink the way they perceive and interact with minority groups (Iganski et al, 2011).

The macro view of offenders is one of being entrenched in social and cultural conflict with themselves and others; through the development of cultural norms which justify and exonerate prejudicial violence and through the impact of structural inequality (Perry, 2001; Gadd et al, 2005). It is to this structural inequality that the exploration of motivation will first turn, by utilising Merton's (1968) notion of strain to explore how prejudice can develop and lay dormant in an individual. Strain theory can also be used to expand the discussion beyond prejudice; highlighting why in some cases this dormant prejudice can become active.

The basis of Merton's theory rests on the premise that society prescribes to a specific set of social and economic goals. Strain occurs when an individual is denied the chance to reach institutionalised social goals of material success and status by the legitimately prescribed means. Social hierarchy dictates that those of a lower standing in society will find themselves blocked from accessing the wealth society now covets (Perry, 2001). Invariably individuals will become conscious of this disequilibrium and their inability to attain social status through

legitimate means. To combat this a person will adapt in one of four ways; they may conform, innovate, ritualise or retreat. According to Hopkins-Burke and Pollock (2004) latent prejudice may exist in all of the groups, but prejudice will only be actualised by those who are innovators or rebels. Latent prejudice is an important element in understanding how hate crime may occur and also in the recognition that even prejudice in a society that is not expressed nor acted upon can have consequences on the social fabric. The spike in hate crime after key social and political events such as 9/11 or the EU referendum are potential examples of hidden prejudice surfacing when the social environment is set to legitimate these actions (Disha et al 20011; Hanes and Machin, 2014; Devine, 2018). Since 9/11 we have witnessed an increasingly hostile environment being endorsed by influential figures; often justified in the name of security of the country (Lyon, 2003; Travis, 2013). These spikes raise important questions about the true depth of prejudice in the UK and the claims we live in a post racial society (Garner, 2017; Patel, 2017). Merton acknowledged the fluid potential of his theoretical categories; leaving room for the assertion that social and economic strain may lead to any person to engage in acts of prejudice.

The blaming of majority group members on minority groups for the woes that have befallen them and left them incapable of success is not a new phenomenon. Turpin-Petrosino (2009) catalogues the historical context of prejudicial violence going back to the 17th century. She claims a key similarity in the past and modern expressions of prejudice is the underlying fear of powerless groups and their impact on resources. The historical picture would suggest prejudice is deep rooted and has become a part of the social milieu. In the UK the traditional white worker irrationally perceives that their jobs have been taken by immigrants from other ethnic groups; the Jewish and Irish in the late 19th Century; Caribbean and Indian sub-continent in the 50's and 60's. In more recent times immigrants from the Eastern European block have been associated with high levels of unemployment, crime and the growing strain on public services, despite limited evidence to support this. The link has been created by politicians through legislation and policy and then communicated by the media (Hopkins Burke and Pollock, 2004).

Prejudicial views of minorities may develop when people perceive minorities to be invading their territory. Particularly, at a times when they may feel impotent

in their potential to improve their own lives, and so take to defending the only thing they feel able to control, the space around them (Sibbitt, 1997; Green, 1998; Levin and McDevitt, 2002; Ray et al, 2004). Anti-scrounger rhetoric in the wake of the 2008 financial crisis was thought to have contributed to a rise in recorded hate crimes against disabled individuals (Riley-Smith, 2012) and whilst it is difficult to ascertain if there was causal link between the variables, Butz and Yogeeswaran (2011) suggests the perceived threat of the disabled individual on resources may have had some impact. They found that when economic hardship was experienced by individual's levels of prejudice amongst white participants increased against Asian Americans but not against Black Americans. The authors surmised this was linked to Black Americans not being considered an economic threat, unlike Asian Americans, who were considered to be economically more capable and shrewd, however, this was not tested empirically.

Traditional threat theories suggest that when individuals and groups perceive the resources available to them as being scarce, the arrival of minority others may be considered a threat to what little is available (Stephan and Stephan, 1996; Stephan & Stephan, 2000; Stephan & Renfro, 2002). Unwilling to share their limited resources, people are propelled into action and actively engage in behaviours designed to let the 'other' know they are not welcome. These behaviours do not need to be of a criminal nature, but as suggested by Allport's Scale can be; antilocution (meaning to speak against), avoidance, discrimination, physical attacks (now covered by the term hate crime) and finally extermination (Allport, 1954). Allport's scale appears to concur with the earlier idea that hate crime is only the final act of prejudice in action and that the emotion of prejudice has the potential to be more extent and pernicious in nature than hate crime statistics may suggest.

Prejudice individuals may perceive their views and potentially their prejudice behaviour to be upheld by the community around them and so feel their actions are legitimised (Green, et al, 1998). In the UK Ray et al (2004) investigated racist violence in Greater Manchester, through the analysis of previously held interviews. They demonstrated how racist assumptions were upheld by the neighbourhood around the offender. In the predominately white deprived areas contact with different ethnic groups was limited to the Asian shopkeepers, who

were considered successful by the community and acted as a persistent reminder of the white man's failings. This led to resentment and as Ray et al would claim; unacknowledged shame. The transformation of this shame into fury led to violent expressions of contempt for minority groups.

The idea of the socially and economically deprived individual hoping to improve his powerless social status through subjugation of the less powerful minority is an appealing one, but it is not without fault. As Perry (2009) rightly points out, there is an intrinsic weakness in the basic premise of strain theory; those who feel the most strain are the most likely to experience feelings of prejudice and act upon these. In the UK, people from black and minority ethnic backgrounds are twice as likely to live in poverty as someone with a white background (Weekes-Bernard, 2018). By the logic of strain theory, these disadvantaged minority groups should be committing at least an equal share of hate crime, but academic profiles of hate crime offenders would suggest this is not the case. The 'typical' offender is thought to identify as ethnically white, be male and between the ages of 15 and 25 (Levin and McDevitt, 2002; Iganski, 2008). Those who identify as a member of the black and minority ethnic community find themselves disproportionately as the victims and not the perpetrators (Perry, 2001; Iganski et al, 2011).

Research by Green et al (1998) appears to support the relationship between economic hardships and prejudice (Sibbett, 1997; Ray et al. 2004; Gadd et al, 2005). Green et al (1998) discovered that whites became apprehensive when large numbers of minorities began settling in their neighbourhoods. However, Green stated that rather than hate hostility being linked to economic competition it was more greatly linked to a desire to preserve racial homogeneity. Only a weak association was found between racial motivation and economic conditions. Green et al argued that economic conditions shape the development of organised hate groups but not the unorganised masses, who display the majority of prejudice and violence in society (Levin and McDevitt, 2002). Strain theory offers some level of clarity about the causes of prejudice and violence. Yet the theory fails to explain what is underlying the strain in this case. As mentioned earlier Ray et al's (2004) research suggested a key emotion in the development of prejudice was resentment.

Prior to Ray, Levin and McDevitt (1993) also highlighted the importance of resentment and utilised Merton's strain theory in an attempt to understand offender motivation. Using a sample of 169 cases in the Boston US region they distinguished three types of offenders; the thrill seeker, the defensive offender, and the mission orientated offender. Distinct in all of these categories was a motivating emotion of resentment (Levin and McDevitt, 2002). Produced through economic deprivation and the perception of an invading minority, resentment fuelled expressions of frustration through hate violence. Whilst individually each category may be triggered by a different circumstance the underlying resentment was nevertheless present adding further evidence for the importance of emotions as a motivation and trigger to prejudice and violence (Levin and McDevitt, 2002; McDevitt et al, 2002).

Since conception the typology has received considerable attention from law enforcement and academics. The typology has been used to inform police training in; the United States, Bosnia and Herzegovina, Hungary, Poland, Northern Ireland, Croatia, the Ukraine, and the Czech Republic. It has also been used by the Office for Democratic Institutions and Human Rights in Europe to develop training for law enforcement officials from 59 nation states (Iganski, 2015). It is clear that from a practical view the ideas are considered to be a viable method for defining different types of hate offenders. However, from an academic stance the work has been subjected to much criticism, principally based on the lack of empirical research conducted to test the validity of the ideas, leading to questions about the generalisability of research based solely in Boston USA. Gerstenfeld (2004: 77) claimed "its utility and meaning remain to be found" and 13 years later her stance has not changed with a reiteration of the previous statement and a question about the robustness of the typology (Gerstenfeld, 2017). It is clear there are still a number of questions to be answered and that the typology would merit further investigation.

According to Perry the use of strain theory produces an image of a powerless, disenfranchised offender, who develops prejudice driven by their inability to attain social status and commits acts of hate to demonstrate their limited power over the even less powerful. This depiction fails to acknowledge that some of the most heinous examples of prejudice in action have been committed by the powerful elite and in doing so also fails to consider the institutionalised racism

which conveys messages of difference about minorities to society, communities and individuals (Perry, 2001; Craig, 2002; Walters, 2010; Walters et al, 2014). It has been mentioned earlier that the community legitimises the actions of offenders, but as Perry states legitimisation of prejudice and discrimination comes from the most powerful in society first. In this respect the message of prejudice and discrimination operates in a top down formation. A clear example of this exists in the presidential campaign of Donald Trump; with a key feature of his campaign being the creation of a wall between America and Mexico to keep out criminal immigrants (Smith, 2017). The continuing racial disparity which is evident in today's society offers further support for the ideas of Perry and demonstrates the continuing racism and expression of difference in many social settings with the consequences being the continuing marginalisation of minority groups (Joseph Rowntree Foundation, 2017).

In response to the inability of current theoretical ideas to effectively highlight the importance of structural inequality and oppression as a precursor to hate crime Perry (2001) puts forward the concept of 'doing difference'. Difference is socially structured and deeply embedded, categories are created and assigned. People are accountable to the categories they are assigned to and there is an expectation that they will stay within the boundaries of their category. For Perry (2001) moving outside of these boundaries is an expression of 'forgetting your place'. In doing so a person is perceived by those around them to be doing difference incorrectly and can be considered to be threatening socio-cultural arrangements. In response those in the dominant hegemonic group will attempt to suppress the deviator; thus sustaining the privilege position of the perpetrator and placing the victim back in the boundary lines (Perry, 2009).

Principally 'doing difference' helps to develop the understanding of the implications structural inequality and prejudice has on communities and individuals. However, the concept is abstract in nature and fails to account for the connection between the structural contexts influence on developing prejudice views and these views been actualised into action. The deterministic nature of the theory fails to consider the autonomy of the offender or the situational context within which an offence has occurred (Iganski, 2008). Walters (2010) echoes Iganski's sentiments, adding that Perry also fails to actually explain why some will offend and some will not. Whilst acts of prejudice

are committed by those in powerful positions a large majority are committed by those under economic strain. It is important to acknowledge that this perception may be based on what is most readily reported and may not reflect the crimes of the powerful, which are often unreported.

Walters (2010) attempts to synthesis Merton's strain theory and Perry's doing difference to produce a more complete theoretical picture. He claims negative labels are attached to whole groups who are considered to pose a threat to dominant cultural normality and socio-economic security, thus the fear of economic insecurity is intensified by the messages being commuicated by social institutions. Walters synthesis appears to rest on two key points (1) Strain can be a fear as well as a reality and (2) Strain may be felt vicariously by those witnessing others experiencing economic marginalisation due to the 'other'. For these reasons the dominant group will use prejudice to suppress the other and limit their chances to climb the economic ladder. The powerful will manipulate fear and incite hatred by placing the blame for economic hardship on the other and in doing so deflect attention away from their own blame for the socio-economic situation. In bringing together these two ideas Walters (2010) is recognising the societal development of oppression and marginalisation (Perry, 2001) and the individual strain experienced by those in low economic standing (Merton, 1968).

3 Conclusion

The literature reviewed above has indicated that hate crime is a diverse and varied topic of research. A review of the literature has indicated that the story of hate is a far more complex puzzle than initially imagined. Hate is only a minor part of the story and the use of the term can in fact lead to more confusion than clarity (Hall, 2013).

Hall (2013) recognised the use of prejudice as a term does not mitigate all issues associated with hate, but a clear advantage is the deeper understanding of what prejudice actually means and the interesting suggestion that all members of society can be prone to development of prejudice; regardless of class, gender, sexuality or race (Sue et al 2007; Sue, 2010).

There is no clear distinction between those who do and those who do not feel prejudice. Hopkins Burke and Pollock (2004) state that latent prejudice can exist in everyone. It is only at certain times that this is potentially expressed. This leads to a key theoretical consideration in the research; the everyday ordinariness of crime motivated by prejudice as described by Iganski (2008). Evidence presented earlier implies that spikes in hate crimes are witnessed after a particular social or political event (Hanes and Machin, 2014). Iganski (2008) proposes we think more broadly and take into consideration the everyday occurrences of prejudice that are not motivated by a social, economic, or political factor but by the simple day to day activities of life. This is where the latent prejudice can surface subconsciously; a man shouts racist remarks after a car collision, a woman crosses to the other side of the street to avoid the black man walking in her direction or a couple discuss the drop in their house price being linked to the introduction of refugee families in to the estate. Iganski (2008) argues that understanding the situational foreground of everyday prejudice allows a deeper understanding of the link between the macro structural influences and the micro individual influences on prejudice in action.

Although the typology of Levin and McDevitt (2002), described earlier in this review, is somewhat of a blueprint for thinking about offending motivated by prejudice, even they clearly consider cases where prejudice is a peripheral factor. Only in the 'mission' category have the authors placed hatred at the heart of motivation. Only 1% of McDevitt et al's (2002, 2010) sample displayed this motivation. The thrill category was the largest category; this category is distinguished by a desire for excitement. Characterised by immaturity and boredom these young, often male adults use their crimes to get a thrill. Feelings of prejudice are frequently the least of their motivations, but are a subconscious force which guides them to a particular victim (Levin et al, 2002).

Prejudice individuals can also be conscious of their prejudice but aware of contemporary feelings of animosity towards the overt expression of prejudice; meaning they must deny the prejudice to preserve their public and self-image (Rattansi, 2007). The claims we now live in a society less willing to accept the expression of prejudice and discrimination, frame the prejudice in a negative light and means individuals will try to avoid being labelled through denial (Van

Dijk, 1992; Augoustinos and Every, 2007; Lentin, 2016; Kaplan, 2011). It has been argued that the expression of prejudice has evolved to meet the current social and political context (Bonilla-Silva and Ray, 2011; Babacan, 2008). Prejudicial views have not been abolished but simply pushed underground, becoming subtle and covert, in the face of criticism. (Sue, 2010). Those who are prejudice will now only reveal this in the correct company or present their prejudice as ground in rational and justified ideologies (Van Dijk, 1992; Nadal et al, 2011).

National identity and pride in being British is frequently used as justification for prejudice against immigrants by far right groups in the UK (Ford and Goodwin, 2010; Biggs and Knauss, 2011; Goodwin, 2011; Treadwell and Garland, 2011). Media depictions of immigrants and the consequences of their presence are almost always from a negative perspective. With reports suggesting immigration allows people to live in the country who threaten the economic and cultural stability of British people (Esses et al, 2013; Hogan and Haltinnger, 2015). Stephan and Stephan (1996) suggest real or imagined threats of these kind lead to increased prejudicial believes and behaviours, but in turn the threat is used as a form of justification. Although speech will still contain prejudice sentiment the negative element of this is downplayed by the pushing forward of legitimate concerns; 'I don't dislike the polish, but they come steal all our jobs'. These economic and cultural justifications can be considered one of many methods of denial used to, 'dodge the identity of prejudice' (Wetherell and Potter, 1992). This form of contemporary discourse is found in everyday conversations, formal institutional talk, and in political rhetoric.

4 References

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