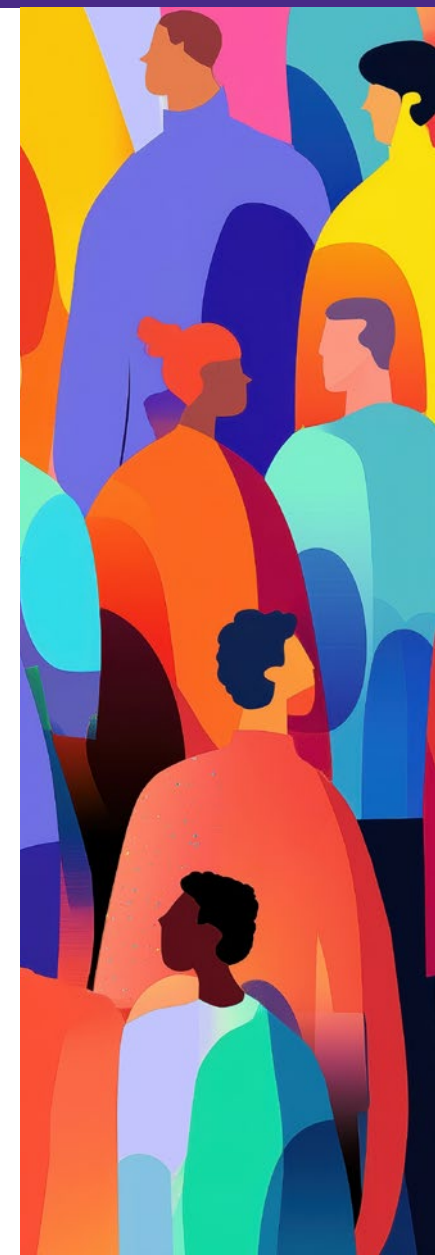




Hate Crime Toolkit

Contents

Foreword		page 3
One	Introduction	page 4
Two	Developing Understanding of Hate Crime	page 6
Three	Tackling Prejudice and the Public Sector Equality Duty	page 11
Four	How can this be applied locally?	page 14
Five	Supporting someone who has Experienced Hate Crime	page 18
Annex A	Local Authority Best Practice	page 20
Annex B	Where can I find out more Information about Equalities Characteristics?	page 23
Annex C	Additional Resources	page 24



Foreword

As smaller communities and across Scotland as a whole, we have reason to be proud of our history of a welcoming, supportive and diverse nation. Across Scotland, we are characterised by our reputation for kindness, a culture built over many generations and nourished by interaction and connection.

However, we must all be vigilant in our efforts to safeguard these values and foster a zero tolerance approach to hate. Both nationally and locally, we should actively challenge anyone who undermines them. We must also acknowledge that sadly, hatred and prejudice can be a daily reality for some people in Scotland.

Strong, safe and inclusive communities are not built by chance. We must never take them for granted, and there's no place for complacency. We need to work collaboratively to tackle the root causes of hatred and prejudice. Hate will not be tolerated in Scotland.

This toolkit forms part of the Hate Crime Strategy and its associated Delivery Plan, developed with the Hate Crime Strategic Partnership Group. The Hate Crime Strategy was informed by lived experience, which told us of the importance of joined-up local services to respond effectively to incidences of hate crime. We hope that this resource provides relevant information and approaches to support councils to recognise and address hate crime in their communities.

The most effective way to tackle hate crime is by preventing it from happening in the first place, and this is something that was heard consistently during engagement undertaken with local authorities to support the development of this toolkit. We are very grateful to councils and partners for their invaluable insights which informed this resource.

We will continue to undertake engagement, with communities and with councils, to understand how they can be best supported to implement this toolkit and provide further opportunities to share best practice. We will therefore update it as required, to ensure our response can be flexible and relevant to the current situation faced by communities, and to identify additional activity to be undertaken.

Standing for cohesion, kindness and safety and against hate and violence is for all of us across society to commit to at a national, local and individual level. We will continue to work in partnership to ensure everyone in Scotland has the opportunity to flourish, and build safer, more inclusive communities where everyone feels they belong.



**Minister for Victims and
Community Safety, Siobhian
Brown**



**CoSLA Community Wellbeing
Spokesperson, Councillor
Maureen Chalmers**

One

Introduction

Hate crime and prejudice have a harmful impact on individuals, communities and wider society: they are never acceptable. In 2022-23, Police Scotland recorded 6,257 hate crimes, although it is widely accepted that the numbers of reported hate crimes are a considerable underestimate of the actual numbers of hate crimes taking place in Scotland. The Scottish Crime and Justice Survey estimated that only 29% of all property and violent crime was reported to the police in 2021-22. It is also important therefore to remember that statistics won't capture crimes that are not reported as well as incidents that may not meet the crime threshold, but which can nonetheless have a deeply personal and long-lasting impact on those affected.

Hate crime targets a victim's identity and is highly corrosive to community cohesion. As was highlighted by the Equality and Human Rights Commission,¹ hate crime is: *"an abuse of power, used to intimidate and exclude. It targets a victim's identity and is highly corrosive to community cohesion. It is, consciously or otherwise, rooted in attitudes and values which hold that minority groups such as ethnic minorities, disabled people, and lesbian, gay, bisexual or transgender people do not deserve equal respect. It is situational and carries the weight of particular histories"*.

This toolkit has been co-produced by COSLA and Scottish Government and was informed by engagement with local authority representatives. It is designed to support local authorities in fostering safer, more inclusive communities by enhancing awareness and understanding of hate crime. For HR departments, the toolkit can serve as a practical resource to help identify, respond to, and prevent hate-motivated incidents within the workforce. It aims to help local authorities promote a culture of respect and zero tolerance for discrimination, equipping HR professionals with guidance on legislation and reporting mechanisms.

The toolkit is part of a range of activity being taken forward by partners to deliver Scotland's [Hate Crime Strategy](#), which was published in March 2023. An associated [delivery plan](#) followed in November 2023, outlining the Scottish Government's key priorities to tackle hate crime and prejudice in Scotland. The strategy was developed in partnership with organisations with expertise in tackling prejudice, advancing human rights and building cohesive communities including the Hate Crime Strategic Partnership Group. It was also informed by over 250 individuals and organisations with lived experience of hate crime and prejudice.

¹ [Consultation response: Hate Crime and Public Order Bill \(Scotland\) Bill \(2020\)](#)

As was highlighted by the Equality and Human Rights Commission, there is an obligation under the Equality Act 2010 for public authorities to address the needs of people who may become victims of hate crime. A joint Scottish Government and CoSLA workshop in September 2022 highlighted the range of activity undertaken by local authorities and partners, such as the NHS, housing associations, and those responsible for delivering Community Learning and Development, to tackle hatred and prejudice across the country. It was attended by Scottish Councils Equality Network members and other partner organisations including the Scottish Community Safety Network, Scottish Fire and Rescue Service and SACRO.

Since then, CoSLA and Scottish Government engaged with a wide range of partners where examples of good practice in tackling hatred and prejudice have been shared, where there are gaps in knowledge and skills, and finding out what partners would find helpful to inform policy and practice to best support the diverse communities across Scotland.

Activity to support and foster community cohesion at a local and national level is fundamental to ensuring everyone in our society feels safe and fully able to participate in public life and intersects with a range of other activity to support communities. You can see a full list of relevant strategies at Annex A.

Preventing and tackling hatred and prejudice is everyone's business. It will take a concerted effort to eradicate such behaviour, and we know that will take some time. We will ensure that this toolkit is continually informed and influenced by the experience shared by communities and local authorities.

The **Scottish Government** and **CoSLA** will continue to engage and update this toolkit after its publication, to understand how it is supporting authorities to recognise and address hatred within their communities, address any improvements that can be made to the information we have provided, as well as any opportunities to share best practice.

Thank you to the below partners for their input as part of the engagement process: Scottish Councils Equality Network, Scottish Community Safety Network, Community Safety, Justice and Planning Partnerships, Violence Against Women and Girls Partnership Network, Local Authority Gypsy/Traveller, Resettlement, ESOL, Unaccompanied Asylum-Seeking Children and Asylum leads, Association of Directors of Education, Association of Transport Coordinating Officers, Association of Local Authority Chief Housing Officers, Scottish Refugee Council, Hate Crime Strategic Partnership Group, YouthLink Scotland, and Education Scotland.

Two

Developing Understanding of Hate Crime

What is a hate crime?

To progress activity towards eliminating hate crime, it is key to understand and recognise what hate crime is and what it can represent.

Hate crime is the term used to describe behaviour that is both criminal and rooted in prejudice or intended to stir up hatred. This means that the law has been broken, and the offender's actions were driven by hatred towards a particular group.

Hate crimes can take place anywhere, including online. Hate crime can be verbal or physical and include threatening behaviour, verbal abuse, assault, robbery, damage to property, encouraging others to commit hate crimes, harassment and online abuse on websites such as Facebook.

We are clear that action must be taken when things that are criminal are posted online, as they are when they happen in person. As we increasingly live some aspects of our lives online, the ways in which prejudicial views and acts have been expressed and disseminated have changed. Online hate crime is a key concern, referring to criminal acts that are motivated by malice or ill-will which are carried out using digital platforms, for example hate speech targeting particular groups. Online hate crime, which may be fuelled by social media or inaccurate information found online, presents additional challenges as perpetrators often hide behind anonymous accounts and many victims do not report incidents.

Misinformation and disinformation can have a profound impact on hate crime and community cohesion. They can amplify existing prejudices and polarise public opinion.

Hate crime can target a particular person or an entire group, and the victim does not need to be a member of the targeted group, as the law applies to crimes based on the perpetrator's belief about the victim's identity (even if incorrect). It also applies to crimes based on an association with a particular group/s. Some people will belong to or identify with more than one protected group, for example, a disabled person from an ethnic minority background. For some, a combination of characteristics will mean that they experience hate crime in a specific way: what is referred to as intersectionality.

There are also links between hate crime and anti-social behaviour. While not all forms of anti-social behaviour (ASB) are criminal offences, certain actions can escalate into criminal activity. Anti-social behaviour incidents can escalate into hate crimes when individuals engage in harassment targeting someone's protected characteristics, such as race, religion, disability, sexual orientation, or transgender identity.

Two

Developing Understanding of Hate Crime

It is important to remember that prejudice in itself is not criminal; rather it is a pre-conceived opinion or attitude towards a particular group. Different prejudice-driven conduct will have a different response, and not all amounts to hate crime. I Am Me Scotland, as part of their 'You Judge' resources, have published videos on what a hate crime might look like. Further information on I Am Me can be found: [I Am Me Scotland | Resources | National Improvement Hub](#)

There are some examples of prejudice that, while harmful, are not criminal offences. For example, in the workplace, the civil law has a role in addressing discrimination under the Equality Act 2010. However, some prejudicial conduct requires a criminal law response and hate crime legislation ensures that the criminal law can address such conduct.

Impact of hate crime

Hate crime can have a devastating impact on victims, their families and wider communities. During development of Scotland's Hate Crime Strategy, the Scottish Government and members of the Hate Crime Strategic Partnership Group undertook a range of engagement with over 250 individuals and organisations affected by hate crime.

Some spoke of their fears to leave their home, avoidance of public places and transport. People highlighted fears they'd experienced during their tenancy within housing associations or with neighbours. Some shared experiences of hate crime, which they considered to be a normal part of their daily life (given culmination of abuse and feeling unwelcome in their communities). People who were visibly part of a protected characteristic group (for example, an individual in a wheelchair or someone wearing traditional dress) spoke of fears of attracting further abuse.

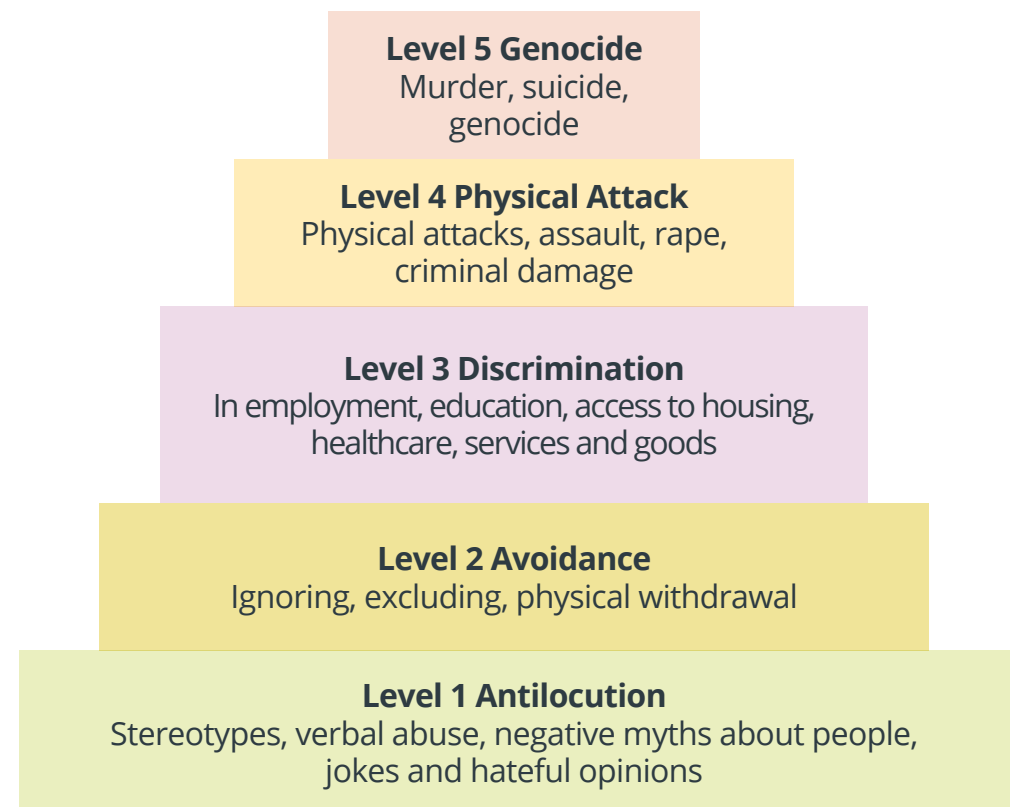
During sessions conducted by YouthLink Scotland to inform Scotland's Hate Crime Strategy, young people were asked about the impact of hate crime on the person causing harm and the person experiencing it.

With regard to the young person causing harm, there were a range of reflections including poor mental health, cyclical hatred, escalation and a potential criminal record. It is important to recognise these when considering how underlying issues can lead to hatred, prejudice and anti-social behaviour.

On the person experiencing harm, young people considered that individuals may suffer financial impacts, converting faith to avoid future hatred, potential to go on to cause harm themselves, feelings of isolation, financial impacts and poor mental health.

As was highlighted by a local authority representative during development of this toolkit, *'hate crime doesn't start with hate crime'*. Gordon Allport created Allport's Scale to illustrate the manifestation of prejudice in society, which contains 5 stages of prejudice and can be accessed: [Prejudice And Allport's Scale](#).

Allport's scale, adapted here, shows the increasingly harmful behaviours that contribute to societal violence. The five stages include antilocution, avoidance, discrimination, physical attacks and extermination. To prevent this progression in behaviour it is important that we address the low level, everyday prejudiced-based behaviours consistently.



Two

Developing understanding of Hate Crime

Hate crime legislation

In Scotland, the Hate Crime and Public Order (Scotland) Act 2021 ('The Act') criminalises behaviour motivated by prejudice towards individuals based on one or multiple of the below personal characteristics:

Age	Disability	Race
Religion	Sexual orientation	Transgender Identity
Variations in Sex characteristics	Sex (not yet in legislation)	

This legislation aims to address behaviour motivated by hatred or prejudice, ensuring that the law protects individuals against hate-motivated harm, both online and offline. The Act maintained prior legislative protections against offences aggravated by prejudice against disability, race, religion, sexual orientation and transgender identity, and added age.

The Act also provided for new 'stirring up of hatred' offences, covering all characteristics protected in the updated legislative framework, to complement the existing offence of stirring up racial hatred that has been part of our criminal law and the law of the whole of the UK for decades. Lord Bracadale's Independent Review into hate crime legislation highlights some examples of the seriousness of 'stirring up' offences² and what these might look like.

At the time of publication of this toolkit, the Scottish Government has recently consulted on a Scottish Statutory Instrument (SSI) to include sex as a characteristic within the Hate Crime and Public Order (Scotland) Act 2021 as announced in May. Women and girls will have greater protection against hate crimes under this legislation as we know that women and girls suffer significantly more from threats, abuse and harassment based on their sex, so are likely to benefit most from these new protections and be able to report matters to the police. The same protections are already in place in the Hate Crime Act for other characteristics such as religion, age and disability. This brings sex into the legislation.

The SSI will, if passed, enable the creation of two new criminal law protections for women and girls, as well as men and boys, because of their sex, which is defined as biological sex. These are the new offence of stirring up hatred based on the characteristic of sex, and a statutory aggravation for offences motivated by prejudice related to the characteristic of sex.

2 Independent Review of Hate Crime Legislation in Scotland – Final Report – 2018 – P.58: [Independent Review of Hate Crime Legislation in Scotland: Final Report](#)

Two

Developing understanding of Hate Crime

The power to add the characteristic of sex was included in the Act so it could be used if required. It is subject to the 'super-affirmative' process where a draft version of the SSI must be laid in Parliament for at least 40 days to allow for consultation. The responses will inform the final SSI which will be laid later this year and this will include a commencement date. This will be agreed with Police Scotland and other justice agencies to ensure that there is time for them to carry out the necessary training and changes to IT systems and guidance.

This consultation allowed for views to be offered on the approach taken to inform Scottish Government consideration for a finalised SSI which is soon to be laid which will, if agreed, result in new protections for women and girls being introduced. This SSI is subject to super affirmative process and will therefore be subject to consultation. As is highlighted within the introductory remarks, this toolkit will be reviewed and updated and further information can be provided should this SSI be implemented.

For more information on the Hate Crime and Public Order (Scotland) Act 2021, please see:

[Hate Crime and Public Order \(Scotland\) Act: Factsheet](#)

[Hate Crime and Public Order \(Scotland\) Act 2021: General Information Note](#)

The decision to record a hate crime lies with Police Scotland. You can find more information about their operating procedures for recording hate crimes and incidents: [Responding to Hate - Standard Operating Procedure](#). Crime recording and counting rules can be found: [Part One – Scottish Crime Recording Standard - Scottish Crime Recording Standard: crime recording and counting rules - gov.scot](#)

Freedom of expression

It is important to recognise the right to freedom of expression is not without limit and we must strike an appropriate balance between respecting freedom of expression and ensuring that victims are sufficiently protected through effective laws that protect people from the harm caused by, for example, stirring up hatred within communities.

The stirring up offences introduced by the Act has a higher threshold than the long-standing offence of stirring up racial hatred. Behaviour requires to be threatening or abusive and also needs to be intended to stir up hatred. This offence of stirring up racial hatred has been in Scots law since 1986, with insulting behaviour part of the threshold for that offence and a wider approach of behaviour likely to stir up hatred also included. This is not changed by the Act.

Hate crime legislation does not prevent people expressing controversial, challenging or offensive views. It does not seek to stifle criticism or debate, and there are explicit protections for freedom of expression for all characteristics - with the exception of the long-standing stirring up racial hatred offence - built into the Hate Crime and Public Order (Scotland) Act 2021. In addition, the Act overall is compatible with the European Convention on Human Rights (ECHR), which protects everyone's right to freedom of expression, including expressing views even if they shock, offend, or disturb others.

Three

Tackling Prejudice and the Public Sector Equality Duty

Hate crime and the public sector equality duty

The public sector equality duty (PSED) is a legal requirement for public authorities and organisations carrying out public functions, including local councils; and private businesses or volunteer organisations that are contracted to work on behalf of public authorities. The purpose of the PSED is to ensure that public authorities and those carrying out public functions consider how they can positively contribute to a more equal society through advancing equality and good relations in their day-to-day business, to:

- take effective action on equality
- make the right decisions, first time around
- develop better policies and practices, based on evidence
- procure goods and services
- be more transparent, accessible and accountable
- deliver improved outcomes for all.

The PSED consists of the general equality duty, and specific duties, which in Scotland are called the Scottish Specific Duties. The purpose of the specific duties is to help listed authorities in their performance of the general equality duty.

The three different aspects of the general equality duty are described as the 'three needs'. These require public authorities, in the exercise of their functions, to have due regard to the need to:

- **eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct**
- **advance equality of opportunity between people who share a relevant protected characteristic and those who do not**
- **foster good relations between people who share a protected characteristic and those who do not.**

Having 'due regard' means making yourself fully aware of, and understanding, what the PSED requires, and putting this knowledge into practice. There is no standard legal definition of 'due regard', although various court cases have clarified the general duty and what 'due regard' means.

The first need, "**eliminating unlawful conduct** prohibited by the act" means eliminating discrimination, harassment, victimisation, failure to make reasonable adjustments and any other conduct that is prohibited by or under the act.

The Equality Act explains that the second need, **advancing equality of opportunity**), involves having due regard to the need to:

- **remove or minimise disadvantage suffered by people due to their protected characteristics**

Three

Tackling Prejudice and the Public Sector Equality Duty

- take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

Based on individual characteristics (for example, an individual targeted for their sexual orientation may experience hatred and prejudice differently than someone targeted for their religion), hate crime may be experienced differently. Activity to prevent and tackle hate crime should have due regard to the wider social contexts, that local authorities have a role to shape. Councils may wish to seek specific advice on how to prevent and tackle hate crime against specific groups within their communities, by working closely with local or national equalities organisations. We have provided a list of national organisations who are represented on the Hate Crime Strategic Partnership Group.

Fostering good relations means tackling prejudice and promoting understanding between people from different groups. Local authorities' activity to tackle hatred and prejudice as part of their wider efforts to tackle hate crime could be an important contributor to this aspect of their work related to the equality duty.

When it comes to preventing and tackling hate crime, fostering good relations under the PSED can include: encouraging community engagement, supporting victims, promoting awareness and education, collaborating with law enforcement Monitoring and reporting. The Equality and Human Rights Commission regulates PSED compliance.

Scottish Specific Duties

The purpose of the specific duties is to help listed authorities in their performance of the general equality duty by ensuring that public authorities and those carrying out public functions consider how they can positively contribute to a more equal society. The Scottish Specific Duties do not change the general duty in and of itself but seek to support better performance of the PSED general duty in Scotland by supporting listed authorities to meet their obligations under the three needs of eliminating discrimination, advancing equality and fostering good relations. The following specific duties apply to Listed authorities in Scotland:

Regulation 3 – Duty to report progress on mainstreaming the equality duty

Regulation 4 – Duty to publish equality outcomes and report progress

Regulation 5 – Duty to assess and review policies and practices

Regulation 6 – Duty to gather and use employee information

Regulation 7 – Duty to publish gender pay gap information

Regulation 8 – Duty to publish statements on equal pay, etc.

Regulation 9 – Duty to consider award criteria and conditions in relation to public procurement

Regulation 10 – Duty to publish in a manner that is accessible, etc.

Three

Tackling Prejudice and the Public Sector Equality Duty

What is the role of local authorities?

Local authorities can play a substantial role in building community cohesion and helping to eradicate hatred and prejudice across Scotland. They are uniquely placed to understand, and work with, the diverse communities they serve and are well placed to take a place-based approach to tackling hate crime, including through awareness raising, encouraging reporting and support for victims. Such work is supported by local authorities' close relationships with partner organisations and community groups, including Community Planning Partnerships.

Strengthened preventative approaches are needed at a local level to target the underlying societal attitudes that lead to hate crime. There is also a need to ensure that there is accessible, adequate and quality information from trusted and informed sources, including written communication and signposting.

We would encourage local authorities to consider this toolkit and adapt it based upon local circumstance and need.



Four

How can this be applied locally?

How can I put this into practice?

Local authorities' activity to tackle prejudice as part of their wider efforts to tackle hate crime could be an important contributor to this aspect of their work related to the equality duty, as well as inform the direction and development of policymaking, including planning and outcomes.

Encouraging community engagement

Cohesive communities are able to reject divisive narratives and are places where everyone can contribute, exercise rights and live free from prejudice and hate crime.

Such engagement can be supported by the facilitation of dialogue and interaction between different community groups, which can be achieved through community events, forums and initiatives that bring people together to share experiences and build mutual respect and trust. Local authorities are best placed to understand and work with the diverse communities that they serve.

There are a number of useful resources that local authorities can refer to when planning community engagement locally. The [National Standards for Community Engagement](#), for example, describe the main elements of effective community engagement, and set out detailed performance statements that can be used to achieve the high-quality results and maximise impact.

Intangible Cultural Heritage (ICH) also plays an important role with respect to how communities interact with one another, including through music, language, song, food, dance, faith and other activities. Supporting and/or promoting this activity at a local level can contribute to the building of strong and inclusive communities, by helping to build mutual understanding.

Promoting awareness and education

Awareness raising and education can help victims to understand what a hate crime is and what to do if they experience it, as well as to reach potential perpetrators to ensure that people are aware of what a hate crime is and deter it from happening.

Initiatives should consider that many people may not know where and how to report a hate crime, so signposting within communities might help to support victims and witnesses to do so. Authorities could implement educational programmes that raise awareness about the impact of prejudice and hate crimes and the importance of community cohesion. This can help tackle the root causes of hate crimes. Awareness-raising initiatives should seek to reflect that there is no fixed profile of an individual who may perpetrate a hate crime, and a range of life experiences or situational factors may contribute towards increased risk of harm or prejudicial attitudes towards others.

Four

How can this be applied locally?

Local authorities may also consider coordinating local messaging with national events, including National Hate Crime Awareness Week, to raise awareness about hate crime and how to report it. Authorities may also wish to utilise days of national importance, such as St Andrew's Day, to build connections between a range of communities. Community cohesion is a multidimensional concept whose different aspects need various approaches, there is a need to foster positive relationships between communities, based on meaningful intergroup contact and education.

Education Scotland, with Scottish Government, RespectMe YouthLink Scotland, have developed a resource on hate crime for those working in education settings with young people and take-up of this in schools should be encouraged. The resource includes signposting to a range of training programmes and additional information toolkits. It can be found: [Skilled level | Inclusion, wellbeing and equalities framework | Leading professional learning | Professional Learning | Education Scotland](#)

Given the growing presence of online hatred and prejudice, Time for Inclusive Education have published the Digital Discourse Initiative, which is a free online professional learning module for Scottish teachers and educators. It seeks to provide teachers and school staff with improved knowledge and understanding of how modern social media platforms work and their role in facilitating online disinformation and prejudicial content. More information can be found: [Digital Discourse Initiative CPD - Time for Inclusive Education](#).

Supporting victims

Experiencing a hate crime can be traumatic, and everyone should be treated in a way that recognises this, including as they interact with the range of services available to them.

Local authorities can provide support for victims of hate crime, by developing strong networks and close partnership working with local and national services, such as housing. Some victims may present through housing associations following a dispute with their neighbour, and although not directly relevant to Scotland from a legislative perspective the Chartered Institute of Housing developed a guide on how housing associations can support hate crime victims: [How to support hate crime victims - Chartered Institute of Housing](#)

For a range of reasons, many people do not feel able to report directly to Police Scotland and may be more comfortable reporting to an organisation they are already familiar with, such as a housing association, third-sector charity or community centre. There are currently a network of third-party reporting centres operating across Scotland, where staff are trained to provide support and assistance in submitting a report of hate crime to Police Scotland on a victim or witnesses' behalf. Local authorities may wish to work closely with community policing and existing third-party reporting centres to understand which facilities communities are accessing to report incidences of hate crime.

Four

How can this be applied locally?

Police Scotland have published their [operating procedure for hate crime](#), which outlines the threshold for hate crime, how this is assessed, recorded and investigated, and what happens following a report. The police record incidents reported with a prejudice element. If in the investigation of the reported incident sufficient evidence exists to suggest the accused has committed a criminal offence, then the police can report a hate crime to Crown Office and Procurator Fiscal Service (COPFS). COPFS will determine if charges are brought forward.

Victim Support Scotland have developed a toolkit to help raise awareness of hate crime in Scotland, the support available and coping strategies that individuals may find useful should they be impacted by hate crime. Whilst the toolkit pre-dates the updated hate crime legislative framework and does not include the characteristic of 'Age', it provides a useful framework with respect to what a hate crime is, how to report, advice for professionals and support for victims. It can be accessed: [Hate Crime Toolkit | Victim Support Scotland](#). Local authorities may wish to engage with their local Victim Support Scotland service as well as other third-sector organisations providing support to victims across the range of characteristics protected under hate crime legislation.

In partnership with Police Scotland, Crown Office and Procurator Fiscal Service, Scottish Prison Service, Scottish Courts and Tribunal Service, and Parole Board for Scotland, the Scottish Government published a Victim's Code for Scotland, that sets out the rights of victims. [The Victim's Code for Scotland](#) clearly and simply puts the rights of the victim in one place, to ensure they feel supported and informed at every stage of the process. It includes a range of features, including:

- Right to minimum standards of service
- Right to information
- Right to participation
- Right to protection
- Right to support
- Right to compensation and expenses
- Who to contact and how to complain
- National support contacts, organisations and other authorities.

A range of organisations are operating across Scotland to provide support to victims of hate crime and prejudice, many of which can be found at: [Hate Crimes - Support - Safer.scot](#). Authorities may also wish to engage with local organisations representing different equalities characteristics within their communities.

Four

How can this be applied locally?



Monitoring and reporting

Regularly monitoring and reporting on hate crime can help authorities understand the extent of the problem and the effectiveness of their interventions. This data can be used to inform future policies across local government, and initiatives aimed at fostering good relations.

Local authorities may find annual publications on [Hate Crimes Recorded by the Police \(Scottish Government\)](#) and [Hate Crime in Scotland 2024-25 | COPFS](#) helpful. A key provision of the Hate Crime and Public Order (Scotland) Act 2021 is to ensure that the level and availability of hate crime data is improved, and the first annual report (post implementation of the Act) will be published as soon as reasonably practicable after receipt of the necessary data.



Multi-agency collaboration, including law enforcement

A multi-agency, strategic and partnership approach is required to tackle hate crime and prejudice, including public bodies and third-sector organisations. In order to ensure that hate crime is effectively identified, reported and prosecuted, close working with justice agencies including Police Scotland is key.

Approaches to preventing and tackling hatred and prejudice are a cross-portfolio issue and collaboration across a range of areas is important. This might include housing, social work, access to work, transport, wider equalities and justice.

We would also encourage, where appropriate, authorities to collaborate with other councils to share best practice and information on approaches to preventing hatred and prejudice.

Five

Supporting someone who has Experienced Hate Crime

Enabling, encouraging and empowering people to report

Reporting hate crime allows people to access effective justice, but we know that many incidents of hate crime do not come to the attention of the police and continue to be underreported.

Some communities face real and perceived barriers to reporting and these should be considered. Barriers may include concern that the incident wasn't 'serious enough', not knowing which of the many incidents to report or understanding the process, accessibility barriers such as language, lack of trust in authorities, feeling that the situation may get worse if a report is made or that little would happen, concerns about sharing personal details, fears around being outed, and accessibility. As was identified in Scotland's Hate Crime Strategy, there are communities who may not trust the police or criminal justice system and this may also prevent them from reporting hate crime.

Enabling, encouraging and empowering people to report their experiences within your community will not only support victims of hate crime, but will also help to build up a picture of what is really going on, including showing patterns of behaviour, informing local policy interventions and preventing escalation.

Reporting a hate crime

Reporting hate crime is important. We encourage anyone who has experienced or witnessed a potential hate crime to report it to Police Scotland in person, by telephone (999 in an emergency or 101 in a non-emergency) or [online through the reporting form](#) listed on their website.

We know that some people may not feel comfortable approaching Police Scotland directly, and may instead prefer to reach out to an organisation they are already familiar with. There is currently a network of third-party reporting (TPR) services across Scotland, where staff will provide support and assistance in submitting a report to Police Scotland on a victim or witnesses behalf, and we would encourage councils to familiarise themselves with centres local to them. Further information on this can be found:

[Hate Crime - Report - Safer.scot.](#)

Scotland's British Sign Language Interpreting Video Relay Service (VRS) - enables contact with all of Scotland's public bodies and third-sector organisations. British Sign Language (BSL) users can contact them directly by using: <https://contactscotland-bsl.org/>

Five

Supporting someone who has Experienced Hate Crime

In the case of emergencies, 999 BSL is a new Video Relay Service (VRS) for deaf BSL users which allows them to contact emergency services through a BSL interpreter. It should only be used in emergency situations and is available at all times. More information on how to access this service can be found: <https://www.scotland.police.uk/contact-us/british-sign-language/>

Should the person reporting the crime or incident wish to remain anonymous, they can call Crimestoppers at 0800 555 111 or use the [online reporting form](#). It should be noted however that anonymous reports may limit the extent of any investigation.

Council officers may receive reports from members of the public or colleagues of suspected hate crimes or incidents. These should be reported to Police Scotland.

What if I experience or witness a hate crime?

Should you feel you have witnessed a hate crime, we would encourage you to report this to Police Scotland using the aforementioned mechanisms. You can also do this if you are not sure whether what happened was a crime.

The 5Ds of Bystander Intervention ([Speak Up resource](#)) can be also used to help assess a live situation and choose an appropriate and safe action if intervention is an option. The 5Ds of Bystander Intervention (Delay, Delegate, Document, Distract and Direct) were designed for young people to assess how best to safely intervene when witnessing a prejudice-based behaviour or hate crime, but are equally as relevant for adults. The linked resource explains these interventions in more detail.

When considering the options for intervening it is important to **remember that being safe is key** to being able to successfully intervene: your safety, the safety of the victim(s), and the safety of those witnessing the incident should all be considered. Depending on the situation, you could seek support from Police Scotland, or other relevant colleagues. There are a number of factors to consider when assessing the potential harm of intervening and it may be beneficial to agree a local approach, if not already in place, on when and how to intervene in such incidents.

Annex A

Local Authority Best Practice

Best Practice Sharing

This section will provide a range of existing practice across local authorities across a range of recommendations, including:

- Encouraging Community Engagement
- Promoting Awareness and Education
- Multi-agency Collaboration

We will continue to engage following the publication of this toolkit, to build our understanding of how it is being implemented across local authorities and share further best practice.

Encouraging community engagement

West Lothian Council officers collaborated with West Lothian Race Forum and a range of other local organisations to host an event in 2024 in the Whitburn Partnership Centre. The event featured cultural performances from Slovakian, Scottish, Chinese, African, and Indian communities. A multi-agency working group was established to plan the event which was organised with the aim of bringing the diverse local community together. Council officers had a council services stall that offered advice on their Domestic Abuse and Sexual Assault Team (DASAT) services. Additionally, Police Scotland had a crime prevention stall and offered advice to members of attending communities and provided information on Third Party Reporting Centres for those who had witnessed or been a victim of a hate crime.

Highland Council's Improving the Lives of Gypsy/Travellers Delivery Group, with NHS Highland organised a training session regarding Gypsy/Traveller communities in collaboration with Progress in Dialogue for front-line and strategic staff. Attendees included teachers, Community Liaison Officers and others who liaise with roadside camps and work with tenants who live on pitch sites. Attendance was particularly good from services with senior managers who actively champion the improving lives agenda and demonstrate leadership in this area. As well as building attendees understanding of the history and culture of Gypsy/Traveller communities, the event focused on issues such as discrimination and unconscious bias and their impact on behaviour and experiences.

This session was one of a number of actions helping to build cultural change across Highland, such as promoting an online learning module about engaging with Gypsy/Traveller communities and improving access to services.

Dundee City Council co-hosted a conference with Interfaith Scotland, encouraging people from different backgrounds, ethnicities and cultures to attend and undertake dialogue. Dundee is the first council in Scotland with a Faith Covenant.

Promoting awareness and education

Falkirk Council has devised and implemented a refugee resettlement workshop which is delivered in schools to primary aged children from P4 to P7 to help them understanding the experiences of refugees and the support provided to them. Through film, discussion, fact finding, and interactive tasks, children learn about displacement, the journey of refugees, and local resettlement efforts. The aim is to build empathy, raise awareness, and encourage thoughtful reflection on what it means to have, or lose, a home due to war, persecution or natural disaster. The workshops aim to combat myths and untruths around asylum and refugee resettlement which can lead to resentment, discrimination and bullying.

The Ayrshire Equality Partnership (AEP) has a strong history of partnership working across Ayrshire to promote equality, diversity and inclusion for all our communities. The AEP consists of the three Ayrshire Councils and HSCPs; Police Scotland; Scottish Fire and Rescue; NHS Ayrshire & Arran; Ayrshire College; University of the West of Scotland and the Ayrshire Joint Valuation Board. The main aims of the AEP are to:

- **Support the promotion of equality and diversity including encouragement of good relations across all protected characteristic groups in Ayrshire.**
- **Review and analyse hate crime incident monitoring data on an Ayrshire-wide basis and better understand the range and trends of hate crime across Ayrshire to assist members to address such issues.**

This approach allows partners across Ayrshire to collectively tackle hate crime in Ayrshire and supports the collective promotion of initiatives such as developing and organising webinars, events and conferences. For example, East Ayrshire Council led in partnership with AEP in organising a conference to empower communities in Ayrshire to end Hate Crime. The conference offered opportunities to support learning about hate crime through the lived experiences of its speakers and the good practice demonstrated across Ayrshire and beyond to tackle the issues related to hate crime and promote positive solutions. The event aimed to raise awareness and give people the chance to consider what they can do in their role and workplace to tackle hate crime. Ayrshire Council's also promote the annual National Hate Crime Awareness Week alongside various initiatives, for example Stop Hate UK and Police Scotland.

Annex A

Local Authority Best Practice

Moray Council received third-party reporting training from Police Scotland's North East Equality, Diversity and Inclusion Officer, which was interactive and pointed to a range of services.

West Lothian Council's equality outcome included *'There will be better understanding and intolerance of discrimination and violence against people with protected characteristics.'*

Aberdeen City Council established improved reporting in the Local Outcome Improvement Plan, usually focused on third-party reporting, which has been pivotal to increases in reporting (the majority of which were in areas where alcohol is consumed).

Multi-agency collaboration

Glasgow City Council's Hate Crime Working Group plays a central role in the city's efforts to combat hate crime and promote inclusivity. The group is part of the Council's broader zero tolerance approach to hate crime. The working group is chaired by an elected member and includes representatives from the third sector as well as Police

Scotland. The group works to raise awareness of hate crime; support victims; identify and remove barriers to reporting; and promote community engagement education. It supports Hate Crime Awareness Week, which includes events and campaigns to encourage reporting and educate the public. It also collaborates with Community Safety Glasgow and Third Party Reporting Centres across the city, including organisations such as Glasgow Disability Alliance, LGBT Youth Scotland and Victim Support Scotland. The Council also employs a dedicated Hate Crime Policy Officer.

South Lanarkshire Council has joint 'problem solving' groups including housing, social work, health, police and the anti-social behaviour team where there is intelligence gathering. In South Lanarkshire, any report relating to a hate incident or crime is immediately and automatically referred to the council's specialist Anti-Social Investigation Team to ensure a robust, consistent and speedy response and resolve. Within the unit they also have a dedicated Victim Support Officer and a Police Scotland Liaison Officer, both of whom would be brought into initial partnership working which would then be expanded to wider partners including housing as appropriate. Prior to the legislative changes, all policies, procedures and systems were updated for better reporting and monitoring and 'drilling down' trends and incidents at the Weekly Community Safety Partnership Hubs to ensure trends are addressed through communications, support, education and interventions and all incidents subject to robust formal action and enforcement where available.

Where can I find out more Information about Equalities Characteristics?

National organisations representing communities covered in hate crime legislation

-  **Scottish Refugee Council** is Scotland's national refugee charity and provides advice, support, and services to asylum seekers and refugees in Scotland.
-  **Interfaith Scotland** is the national interfaith organisation that promotes good relations, dialogue, and understanding between diverse religious and belief communities in Scotland.
-  **Age Scotland** is a charity dedicated to improving the lives of people over 50 in Scotland by providing support, promoting their rights, and delivering services.
-  **Black and Ethnic Minority Infrastructure in Scotland** (BEMIS) is the national umbrella body supporting the development of the Ethnic Minorities Voluntary Sector in Scotland. As a strategic partner to the Scottish Government, BEMIS is a member-led organisation focused on human rights and equalities, with particular expertise in the application of CERD in Scotland.
-  **Council of Ethnic Minority Voluntary Sector Organisations** (CEMVO Scotland) is a national intermediary organisation and strategic partner of the Scottish Government Equality Unit. Their aim is to build the capacity and sustainability of the ethnic minority voluntary sector and its communities.
-  **Equality Network** is a national charity that works for lesbian, gay, bisexual, transgender and intersex (LGBTI) equality and human rights in Scotland.
-  **Coalition for Racial Equality and Rights (CRER)** works to eliminate racial discrimination and harassment and to promote racial justice across Scotland.
-  **Glasgow Disability Alliance** is a disabled-people led organisation that supports 5500+ members across Greater Glasgow.
-  **Inclusion Scotland** is a charity working to achieve policy and practice changes to ensure that disabled people are fully included throughout Scottish society.
-  **Disability Equality Scotland** are working to support equality, inclusion and participation for disabled people in Scotland.
-  **Scottish Trans**, as part of the Equality Network, work to improve gender identity and gender reassignment equality, rights and inclusion in Scotland.
-  **LGBT Youth Scotland** is Scotland's national charity for LGBTQ+ young people aged 13-25.
-  **Stonewall Scotland** seeking to progress LGBTQ+ equality in Scotland through policy, public affairs and workplace programmes work.
-  **LGBT Health and Wellbeing** a charity supporting health and wellbeing for LGBTQ+ adults in Scotland.
-  **YouthLink Scotland** supporting young people and youthwork across Scotland.
-  **respectme | Scotland's anti-bullying service** supporting those who work with young people, parents and young people themselves to understand and deliver anti-bullying activities.

Annex C

Additional Resources

Resources

The [UNHCR Information Integrity Toolkit](#) helps humanitarians understand, respond to, and prevent misinformation, disinformation, and hate speech on digital platforms.

Education Scotland's [resource on hate crime and prejudice-based behaviour](#) provides guidance and support for addressing hate crime and prejudice-based behaviours in educational settings.

The [Digital Discourse Initiative](#) is a free online professional learning module for Scottish teachers and educators, developed by TIE and ISD, that provides tools and strategies to address online hate and disinformation affecting children and young people.

The Action on Prejudice [Speak Up resource](#) intends to help young people intervene in situations where someone is the target of hate behaviour. It is aimed at 11 to 16-year-olds but can be used as a training tool for peer educators and youth workers.

The [Victim Support Scotland Hate Crime Toolkit](#) provides comprehensive guidance and resources to help individuals understand, identify, and report hate crimes, while offering support to victims.

The [Safer Scotland page on reporting hate crime](#) provides information on how to report hate crimes to Police Scotland, Third Party Reporting Centres, and Crimestoppers.

The [Victims' Code for Scotland](#) outlines the rights of victims and details the support and information they are entitled to throughout the criminal justice process.

The [Hate Crime and Public Order \(Scotland\) Act factsheet](#) explains the Act's provisions to enhance protections against hate crimes, including new offences for stirring up hatred, and its implementation to safeguard affected communities.

[Police Scotland's Responding to Hate Standard Operating Procedure](#) provides information on their operating procedures for recording hate crimes and incidents.

Chartered Institute of Housing's [How to Support Hate Crime Victims guide](#) provides practical advice and resources for housing professionals to effectively support and assist victims of hate crimes.

The [Strong Cities Network Resource Hub](#) offers a comprehensive library of tools and guides to help cities tackle hate, extremism, and polarisation, and to strengthen social cohesion through practical, real-world examples and case studies from across the world.

The [National Standards for Community Engagement](#) are good-practice principles designed to improve and guide the process of community engagement.

Annex C

Additional Resources

National strategies and action/delivery plans

There are a range of national plans that support aims to tackle prejudice and promote equality and inclusion.

Scotland's [Hate Crime Strategy](#) sets out our approach to preventing, responding to and reducing hate crime and prejudice in Scotland. The associated [Hate Crime Strategy Delivery Plan](#) for Scotland details specific actions and initiatives to implement the Hate Crime Strategy.

Scotland's [New Scots Refugee Integration Strategy: 2024](#) aims to support the integration of refugees and people seeking asylum into Scottish communities. The [New Scots refugee integration strategy: delivery plan 2024-2026](#) sets out the actions that will be taken forward to support the integration of New Scots.

[Improving the Lives of Scotland's Gypsy/Travellers 2: action plan 2024-2026](#) sets out key actions to address the discrimination and disadvantage experienced by Gypsy/Traveller communities in Scotland.

[The Race Equality Framework](#) sets out the Scottish Government's approach to promoting race equality and tackling racism and inequality between 2016 and 2030.

[The Faith and Belief Engagement Strategy](#) sets out the Scottish Government's vision for engagement with Scotland's diverse faith and belief communities; the aims and outcomes of improved engagement; and the principles underpinning good engagement.

[The Non-Binary Equality Action Plan](#) sets out actions the Scottish Government will take to improve equality and bring about real, positive and lasting change to the lives of non-binary people in Scotland.

[Social isolation and loneliness: Recovering our Connections 2023 to 2026 - gov.scot](#) sets out the Scottish Government's strategy for tackling social isolation and loneliness and building stronger social connections.

[Scotland's National Events Strategy](#) aiming to build upon previous successes of the Scottish events industry.

[Equally Safe Strategy and Delivery Plan](#) containing the key deliverables and actions that will enable us to prevent and eradicate violence against women and girls and the underlying attitudes and systems that perpetuate it.

Embedding anti-racism within the curriculum through the [Anti-Racism in Education Programme](#), driven through the work of four workstreams: Education Leadership and Professional Learning (ELPL); Diversity in the Teaching Profession and Education Workforce (DiTPEW); Curriculum Reform; and Racism and Racist Incidents (RRI).

Annex C

Additional Resources

[Anti-bullying guidance for adults working with children and young people](#) sets out guidance for schools and organisations on preventing and responding to bullying between children and young people, including advice on online bullying and recording and monitoring incidents.

[Supporting transgender young people in schools](#) provides guidance for schools on supporting transgender young people.

[Preventing and responding to gender based violence: a whole school framework](#) provides support to those working with and in schools to develop and strengthen universal and targeted approaches to gender-based violence.

