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Executive Summary

Data on hate crime is necessary for: the development of informed policy to tackle hate crime; an increased awareness of hate crime in social conscience generally and promoting investigation and prosecution of hate crimes.

In 2009, participating states of the Organization for Security and Co-operation in Europe (OSCE) made a commitment to "collect and keep records on reliable information and statistics on hate crimes, including on forms of violent manifestations of racism, xenophobia, discrimination, and anti-Semitism" (OSCE 2003: 2). Whine (2019b) observes that the EU Framework Decision on Racism and Xenophobia, and the EU Victims’ Directive, also place such obligations on Member States to accurately record levels of hate crime.

Civil society organisations (CSOs) have a particularly significant role to play in respect of the collection of data on hate crime. CSOs may provide for the collection of data on hate crime where the state does not, or for recording categories of bias motivation which the state does not provide for (Haynes and Schweppe forthcoming). CSOs provide an alternative means of reporting for communities who may distrust and even have been victimised by police (Hall 2013, p. 126). As such, CSO data on hate crime is important to both identifying and addressing gaps in official data.

The purpose of this project was to advance cross-community co-operation in the collection of data on hate crime in Ireland by civil society organisations. This has been achieved by bringing together the national civil society organisations currently engaged in collecting data on hate crime in this jurisdiction – the European Network Against Racism Ireland, Transgender Equality Network Ireland and Gay and Lesbian Equality Network Ireland to discuss the development and alignment of their monitoring systems.

This project involved:

- Face-to-face qualitative interviews with all four partner organisations to determine the purpose and functioning of their existing data collection mechanisms
- Desk-based research regarding standards of good practice in hate crime monitoring, with a particular focus on OSCE states.
- Comparison of the key elements of each partner organisation’s data collection instrument.
- Evaluation of the methodological advantages and disadvantages of common elements of each partner organisation’s data collection instrument, in the light of established good practice.
- An original statistical analysis of a complete year of data from all three partner organisations’ data collection mechanisms for the period of 2015.
- The organisation of a workshop, hosted at the University of Limerick, to discuss the project’s preliminary findings and receive feedback.

Chapter 2 of this report provides an analysis of international requirements and good practice regarding the monitoring of hate crime, to inform legislative and policy change to tackle hate crime.

Chapter 3 describes the genesis of the data collection systems. The CSO partners identified the impetus behind all three systems as the perceived failure of official recording mechanisms to provide a valid account of hate crime.

Chapter 4 outlines the purposes of CSO data collection as identified by CSO partners, i.e. to give victims a voice, and to allow their experience to be acknowledged; to inform legislative and policy change to tackle hate crime; to force the State to address the shortfalls in official recording mechanisms; and to encourage the development of policing policy and police engagement with the issue of hate crime.

Chapter 5 presents an analysis of data gathered by the CSO partners’ reporting mechanisms for 2015.

- The analysis identified 87 incidents bearing the characteristics of hate crimes reported to partner CSOs as occurring in 2015. Logged via 172 individual reports, the 87 crimes consisted of 25 racist and/or religiously aggravated hate crimes, 19 transphobic crimes and 11 homophobic crimes (2 of which may have also involved transphobic motivations).
- These crimes included 67 public order offences, 38 instances of criminal damage, 35 assaults and 29 cases of harassment, as well as other offences such as robberies, assault causing harm, sexual assaults and violent disorder.
- Only 20% of reports state that the offences they log were reported to An Garda Síochána: 35 of 143 reports of racist and religiously aggravated hate crimes; 1 of 18 reports relating to transphobic hate crime; and 3 of 11 reports relating to homophobic crimes.
- 64% of reports cite the language used by the offender as an indicator of their bias motivation. This figure increases to 83% among crimes reported to TENI.
- Offences were as likely to be committed by single offenders as by groups. Transgender and gender variant victims were the most likely to be attacked by groups rather than single offenders.
- Respondents frequently reported negative impacts and most commonly talked about being afraid, scared or anxious in the aftermath of their victimisation; smaller numbers of respondents described the effects of their victimisation in terms of depression. One person, who had been subject to harassment, reported feeling suicidal.

Chapter 6 presents an analysis of the data collection instruments employed by partner organisations and recommendations for their development.

Chapter 7 reviews the outcomes of the workshop that facilitated discussion of the potential for a uniform mechanism. This event identified a number of grounds for developing the comparability of partner CSOs’ data, i.e. solidarity between communities who are commonly targeted by hate motivated offenders; an increasing consciousness of intersectionality in experiences of hate crime; and the recognition of commonalities among the experiences of victims regardless of the identity for which they were targeted. The workshop also identified organisation-specific priorities and concerns which require some organisational autonomy and flexibility when designing questions asked of victims.

Chapter 8 presents an overview of data protection considerations relevant to third party hate crime monitoring.

Chapters 9 and 10 present recommendations for the alignment of data collection practices, which include establishing a core set of shared questions applicable to all three community groups and to other civil society organisations which may choose to develop similar recording systems.

We conclude that a single uniform data collection mechanism would be ideal but, acknowledging the existence of organization-specific priorities, we also provide the alternative option of adopting a common set of core questions which would allow comparison of the most salient points of information.
Acknowledgements

The authors of this report are grateful to all the civil society organisations, academics and international experts who have taken time out of their busy schedules to share their experiences, perspectives and expertise with us.

We are particularly indebted to our partner organisations ENAR Ireland, TENI, Inclusion Ireland, and GLEN for their enthusiastic engagement with this undertaking.

We also want to express our thanks to Paul Giannasi, Police Superintendent with the Ministry of Justice in the United Kingdom, Joanna Perry, independent hate crime consultant, research fellow and associate lecturer on hate crime, and Rosemary Simkins, Chief Executive of Stop Hate UK, for attending our Monitoring Hate Crime Workshop in the University of Limerick. We would like to thank Dr. Lucy Michael, University of Ulster, for her time and contributions.

We want to acknowledge the support of the Irish Research Council for funding for this project under the New Foundations Scheme. Without their support this research would not have been possible.

We want to thank Dearbhail Flynn, Dr. Amy Erbe Healy, and Dr Kay Goodall for their valued insights.

About the Partners

Hate and Hostility Research Group

The Hate and Hostility Research Group is the only research group in Ireland dedicated to the study of hate crime. Conducting translational research on hostility towards difference, it is an interdisciplinary group led by Dr Amanda Haynes of the Department of Sociology and Jennifer Schweppe from the School of Law. We work closely with a number of NGO partners to progress policy and legislative change in hate crime in Ireland as well as being affiliated with the International Network for Hate Studies.

Inclusion Ireland

Inclusion Ireland provides a central forum for its members to identify priorities and formulate nationally agreed policies to present to government, statutory bodies, other relevant groups as well as the general public. Inclusion Ireland campaigns for changes in services and legislation that will improve the quality of life and participation of people with an intellectual disability in Irish Society.

Transgender Equality Network Ireland (TENI)

TENI seeks to improve conditions and advance the rights and equality of trans people and their families. TENI engages in activities that promote the equality and well-being of trans people in Ireland. It works nationally in four main areas: healthcare, employment, education and legislation.

GLEN (Gay and Lesbian Equality Network)

GLEN is a Policy and Strategy focused NGO which aims to deliver ambitious and positive change for lesbian, gay, bisexual, trans and intersex (LGBTI) people in Ireland, ensuring full equality, inclusion and protection from all forms of discrimination.

ENAR Ireland (European Network Against Racism Ireland)

ENAR Ireland is a national network of anti-racism civil society organisations which aims to work collectively to highlight and address the issue of racism in Ireland through the promotion and monitoring of EU and global anti-racist initiatives.
Chapter 1: Introduction and Methodology

A hate crime is a criminal offence committed with a bias motivation towards the victim. Hate speech, or incitement offences, occur where the use of particular forms of hateful speech are criminalized. Also significant are non-criminal expressions of hate which are directed towards individuals, known as "hate incidents" or "microaggressions". Recognising and recording hate incidents is vitally important, speaking as they do to the existence of a continuum of criminalised and non-criminalised hate incidents, both of which contribute to the exclusion of marginalised communities (Haynes, Schewepe, Carr, Carmody and Enright 2015).

Third party organisations (such as civil society organisations) are increasingly important as bodies to which individuals can report their experiences of crime. Thus, when we speak about the recording of hate crime, we refer both to making formal reports to the police, and logging incidents with third party organisations. Where any organisation records the testimony of a victim, this places an obligation on that organisation to accurately record data.

Official underreporting - that is, low levels in the recording and reporting of hate crimes to the police - is a problem acknowledged internationally. Ireland is no exception in this regard, and particularly given the absence of hate crime legislation, there exists what Taylor (2001) has referred to as an "expectations gap" and a "frustrations gap" in relation to the official reporting and recording of hate crime.

Although civil society hate crime monitoring systems are long established in other jurisdictions these are a new development in Ireland. In Ireland, three civil society organisations are currently monitoring the occurrence of hate crime and hate incidents:

- Gay and Lesbian Equality Network (GLEN) (homophobic and transphobic hate crime)
- Transgender Equality Network Ireland (TENI) (transphobic hate crime)
- European Network Against Racism Ireland (ENAR Ireland) (racist and religiously aggravated hate crime).

ENAR Ireland’s system, iReport, was launched in 2013, as was TENI’s STAD (Stop Transphobia and Discrimination) campaign. GLEN initiated its system in December 2014. Inclusion Ireland, a fourth partner to this research, is acutely aware of the increasing visibility of disablist hate crime and is a member of the National Steering Group on Hate Crime.

This research emanates from a growing awareness in Ireland of the importance of civil society hate crime monitoring systems and of cross-community co-operation in relation to tackling hate crime. The civil society organisation partners to this research are increasingly conscious of the necessity of producing data which is valid, reliable and comparable to that generated by other civil society monitoring systems in Ireland as well as across Europe.

Aims and objectives

The purpose of this project was to advance cross-community co-operation in the collection of data on hate crime in Ireland by civil society organisations. This was to be achieved through an analysis of the mechanisms currently employed by partner organisations (ENAR Ireland, Transgender Equality Network Ireland and the Gay and Lesbian Equality Network Ireland) to collect data on hate crime, with a view to making recommendations for their alignment, in line with international good practice.

Methodology

The aims and objectives of this research project were achieved through the completion of a number of distinct undertakings, the results of which are detailed in this report.

1. Establishing international requirements and international best practice with respect to the monitoring of hate crime;
2. Ascertaining partner organisations’ experiences of and perspectives on hate crime data collection;
3. Analysing data from the partners’ reporting systems to generate a cross-community analysis of recorded hate crime in an Irish context;
4. Analysing the data collection instruments employed by partner organisations in order to establish the comparability of current instruments across Irish monitoring systems;
5. Developing recommendations for the alignment of data collection practices, ideally by means of a uniform monitoring system which is applicable to all three community groups and other civil society organisations and which corresponds to European standards.

The means to completing these elements of this report included:

1. Face-to-face qualitative interviews with all four partner organisations to determine the purpose and functioning of their existing data collection mechanisms.
2. Desk-based research regarding standards of good practice in hate crime monitoring, with a particular focus on OSCE states.
3. Comparison of each partner organisation’s data collection instrument.
4. Evaluation of the methodological advantages and disadvantages of common elements of each partner organisation’s data collection instrument, in the light of established good practice.
5. An original statistical analysis of a complete year of data from all three partner organisations’ data collection mechanisms for the period of 2015.
6. The organisation of a workshop, hosted at the University of Limerick, to discuss the project’s preliminary findings and receive feedback.
7. Final adjustment to recommendations for the alignment of monitoring systems.

Impacts and benefits

High rates of reporting and accurate data are essential to support State and civil society initiatives to prevent and combat hate crime. Particularly in Ireland, where the absence of hate crime legislation represents an additional obstacle to reporting, civil society reporting mechanisms are an essential part of this process. While civil society organisations have begun to develop such mechanisms, these currently lack comparability nationally and internationally. This project has sought to intervene in the development of civil society reporting mechanisms in Ireland at an opportune moment, in the early stages of their development, to facilitate their alignment and robustness.
Chapter 2: Why Monitor Hate Crime?
Good Practice and International Obligations

Data on hate crime is important in a number of contexts: the development of informed policy to tackle hate crime; an increased awareness of hate crime in social conscience generally and promotion of investigation and prosecution of hate crimes. The reporting process can, in its optimal form, also be cathartic for the victim (Perry forthcoming) as part of the process of overcoming the trauma of their victimisation.

Hate crime data informs and assists “law enforcement agencies, the criminal justice system, policy makers and civil society organisations” in their approach to combating hate crime (FRA 2013). In short, the availability of hate crime data and the mechanisms employed to gather such data are a key component of EU member States’ obligation to ensure that hate crimes become visible and their motivations unmasked” (FRA 2013). Recording of hate crime data is necessary “to promote comprehensive, timely and impartial investigations of bias-motivated crimes” (ODIHR 2009). Thus, hate crime data can play a role in informing the active investigation and prosecution of hate crimes.

If we do not record instances of hate crime we, as a society, participate in their statistical erasure. The OSCE states that “[i]f crimes are not recorded, it allows state authorities to believe or assert that there are no hate crimes occurring” (ODIHR 2009). Hate crime data can illuminate “trends in victimisation . . . the most prevalent types of bias motivations” (ODIHR 2014, p.40).

Further, the availability of hate crime data not only allows criminal justice agencies and government departments to assess the full extent of the problem and decide upon action plans, it also facilitates society generally to become more aware of the impacts on victims of hate crime, as “[e]ven when particular communities face everyday violence driven by prejudice, the society as a whole may be largely unaware of its severity or the way it compounds other forms of discrimination” (ODIHR 2009, p.40).

It is important to note that high levels of hate crime reporting, and hate crime data recording, do not necessarily indicate that a particular State has higher rates of hate crime commission. Rather, this indicates that their hate crime recording mechanisms are more comprehensive and, perhaps consequentially, victim confidence in reporting is greater (Whine 2009, p.100). Recognising this, the Action Plan of the Government of the United Kingdom aims to increase reporting rates (Home Office 2014).

Barriers to official recording and reporting

The availability of hate crime data is impacted by both underrecording and underreporting.

The OSCE outlines several shortcomings within the criminal justice system that may result in hate crimes being underrecorded. These include gaps in policy for hate crime recording; the lack of formal recording mechanisms for hate crimes; a failure to prioritise hate crimes; and a lack of training in recognising and recording hate crime and prejudice. It states: “[A] de facto norm may exist that deters police personnel from responding adequately to members of minority groups who report crimes, denying them respect and equal protection. In this kind of environment, officers might not question victims and perpetrators appropriately about possible hate motivation in reported bias incidents, or might be reluctant to report that the crime involved hate motivation” (ODIHR 2009, p.28).

Underreporting of hate crimes is an equally significant barrier to hate crime data collection. The issues which prevent victims from coming forward to reporting hate crime are multifaceted but are often related to shortcomings in the criminal justice response. Perry (2001, p.12) argues that there may be an underlying distrust of law enforcement agencies, as victims of hate crime are often from marginalised groups that have historically had a difficult relationship with authority, and so doubt “the willingness of police officers to respond to their victimisation.” When victims encounter a failure on the part of police to recognise a hate motivation or there is no appropriate “recording mechanism” to log the hate element of the crime in question, communities are further discouraged from reporting a hate crime (ODIHR 2014, p.12).

Victims of hate crime may experience secondary victimisation when they report their crimes to law enforcement or other “representatives from broader society.” This secondary victimisation might take the form of an individual minimising or failing to recognise the gravity of the crimes that have been reported (ODIHR 2009, p.18). FRA notes, “[m]uch still needs doing to build trust among victims that reporting their experiences will lead to recognition of their suffering and the prosecution of perpetrators.” The OSCE asserts that States must recognise “that under-reporting of hate crimes prevents States from devising efficient policies . . .[and in this] regard, explore, as complementary measures, methods for facilitating, the contribution of civil society to combat hate crimes” (OSCE 2009).

International obligations

Regardless of the challenges involved in data collection, states are subject to international obligations to officially record hate crime. In 2003, participating states of the Organization for Security and Co-operation in Europe (OSCE) made a commitment to “collect and keep records on reliable information and statistics on hate crimes, including on forms of violent manifestations of racism, xenophobia, discrimination, and anti-Semitism” (OSCE 2003: 2). In 2012, FRA recommended the introduction of a policy which would oblige EU member states to collect and publish data on hate crime. Whine (2009b) observes that the EU Framework Decision on Racism and Xenophobia, and the EU Victims’ Directive, do place such obligations on Member States to accurately record levels of hate crime.

The role of CSO monitoring systems

Given the problems associated with official reporting, CSOs may enhance hate crime data collection in a number of ways. They are often closer to the victim groups in question than are the police or the state, and thus have may have a more comprehensive understanding of victims’ needs and requirements. As victims will not report to the police if they do not have confidence in law enforcement (Hall 2013, p.226), CSO data can shed light on instances of hate crimes which are not reported to the police (ODIHR 2009). As United for Intercultural Action (2013) observes, “[CSOs] cooperating with minority and vulnerable groups are often well placed to know of hate motivated incidents and crimes, hence they have access to information that law enforcement agents are not likely to find.” Given that they are, therefore, likely to have a more representative picture of hate crime prevalence than the police, CSO reporting mechanisms play an important role in assessing the efficacy of hate crime laws. Discrepancies between the numbers of crimes reported to CSO and the police shed light on both official underreporting and underrecording.

CSO data collection mechanisms may provide an alternative where there is no means of reporting to the police, thus highlighting crime which would otherwise be invisible. In an Irish context, TENI collected data on transphobic hate crime prior to the introduction for a flag for anti-transgender motivations by the Irish police (Haynes and Schweppe forthcoming).

Most importantly, while there are clear relationships between official and third party monitoring systems, it is vital to see CSO monitoring systems as “complementing official reporting, rather than duplicating or replicating it. CSOs may support victims in reporting to the police as a secondary role of monitoring; as the Community Security Trust observes “[w]ether the victim reports the hate crime directly to the Police, or indirectly via the NGO as a Third Party Reporter, there is an important role for the [CSO] to play in ensuring smooth and ongoing communication between the Police and the victim and supporting the Police investigation” (CST 2011, p.20). Thus, hate crime data collection and publication by CSOs is important to ensuring that victims’ experiences are recognized and can inform public policy.
Chapter 3: Genesis of Current Irish Mechanisms

In Ireland, three civil society organisations are currently monitoring the occurrence of hate crime and hate incidents:

- Gay and Lesbian Equality Network (GLEN) which gathers data on anti-LGB, anti-transgender and anti-intersex hate crime
- Transgender Equality Network Ireland (TENI) which gathers data on hate crime against gender variant persons, including trans, gender fluid, non-binary and intersex people
- European Network Against Racism Ireland (ENAR Ireland) which collects data on racist hate crime, including anti-Traveller hate crime and religiously aggravated hate crime against ethnic and racialized minorities.

Although civil society hate crime monitoring systems are long established in other jurisdictions they are a new development in Ireland. ENAR Ireland’s system, iReport, was launched in 2013, as was TENI’s STAD campaign. GLEN initiated its system in December 2014.

Inclusion Ireland, the national organisation for people with intellectual disability, and fourth partner in this project, does not officially monitor hate crime. However, given its purpose as an information and advocacy support service, Inclusion Ireland is in a position to provide valuable insights into the manner in which such monitoring systems might be made inclusive of people with disabilities. Furthermore, in an interview conducted with Jim Winters, advocacy and human rights officer with Inclusion Ireland, he said, “many of the people contacting us are victims or secondary victims of crime.”

Both ENAR Ireland and TENI have published reports outlining the findings of data gathered by their monitoring systems. ENAR Ireland publishes regular quarterly reports of data recorded on the iReport monitoring system, with the first of these reports being published for the July-September 2015 period. ENAR Ireland also publishes thematic reports, for example on experiences of “Afrophobia” in Ireland (ENAR Ireland 2015). TENI launched its first report, “STAD: Stop Transphobia and Discrimination in Ireland”, in 2014. These reports have already proved to be an important means of awareness raising among the general public, having received significant media coverage.

The genesis of the three monitoring systems is varied. The iReport system utilised by ENAR Ireland was established as a result of a seminar held with stakeholders and interested parties. Shane O’Curry, Director of ENAR Ireland explained the origins of the mechanism:

“... what emerged very strongly [from the seminar] is this notion of the silence around racism ... which is a symptom of under reporting or a reflection of the fact of under reporting and sort of drilling down into that problem. What emerged out of that seminar was a series of recommendations which included the setting up of an alternative data collection or alternative civic data collection facility.”

Similarly, the Transgender Equality Network Ireland (TENI) was aware that while members of its community experienced hate crime, such experiences were not being officially recorded - there was no facility to flag a transphobic motivation on the police crime database until November 2015. Thus, TENI felt obligated to initiate its own reporting system to make up for the failure of the State in this regard, and then to encourage the State to act on the evidence base TENI provided. As TENI observed:

“So we knew it was happening out there. But we also knew it wasn’t being effectively monitoring by the Guards at all. And there was no official statistics. So we didn’t really know the extent of the issue except we knew it was happening. So that gave us the idea we needed to figure out a way to record that or at least get a snapshot of what it might look like in a more formal way in the hopes we could get the Guards to start monitoring it more effectively.”

GLEN spoke about the context of anti-LGB hate crime in Ireland leading up to the initiation of the mechanism:

“... at one point there had been six murders across the 18 month period in the mid 2000's of gay men who were murdered at least in relation to their sexual orientation ... But I’m not necessarily sure that there’s a huge level of what we might normally term hate crime. There are I imagine a huge level of incidents of verbal harassment and so on and we see that in the research ... But in comparison of other countries it doesn’t feel like it was a huge issue. And therefore Stop Hate Crime was trying to understand that and feud it out.”

The establishment of the STOP LGBT Hate Crime system was informed by the 2009 LGBT Lives FRA report, as well as the LGBT Ireland report. The purpose of this monitoring mechanism was informed, “about trying to capture the more prosaic elements of what’s happening to people... the real experience” (Brian Sheehan, GLEN).

Thus, the impetus behind all three systems was initially the perceived failure of official recording mechanisms to provide a valid account of hate crime. For TENI in particular, given the absence of any official recognition of anti-transgender hate crime, they were for the first time naming and evidencing the phenomenon in an Irish context.

CSO monitoring systems are neither cost nor resource neutral. Thus the absence of start-up capital can prevent CSOs from engaging in data collection. TENI stated that while monitoring hate crime was always something TENI had wanted to do, it was not until the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) Europe initiated a call to document hate crimes and offered to provide some support to CSOs in instituting their own third party reporting mechanisms that it had the opportunity to “turn that anecdotal data into something more formal”. The Gay and Lesbian Equality Network (GLEN) also established its monitoring system with limited financial resources, though again, as GLEN observed, monitoring hate crime was “something [they] always wanted to do.” The appointment of Craig Dwyer, who had the skill set and experience to set up the system, was the key factor which enabled them to initiate the monitoring system. The maintenance of a system and the regular publication of data gathered requires an ongoing resource commitment. Once a system is initiated, it creates an expectation in the community that it will remain and continue.

Scope of the instruments: hate crime, hate incidents, discrimination

While this Report is aimed at understanding how to best record hate crime and hate incidents, two of the reporting mechanisms in this study also capture discrimination which is outside the competence of the criminal justice system and is a civil law issue and microaggressions which, although impactful for the victim, may not constitute either civil law or criminal offences.

ENAR Ireland suggest that the collection of data beyond criminal offences is perhaps inevitable, as those reporting do not differentiate between criminal acts and non-criminal ones: rather this is part of their experience and they wish to have it recorded:

“I think that’s part of the difficulty or part of the challenge is that people inflate all forms of racism ... In the first instance people don’t tend to think about the specifics of what it is that happened to them so much as how it left them feeling, what it taps into. Which is kind of a broader racism ... I think the slight tendency in people is that they’re so enraged that they tend to tick all boxes.” (Shane O’Curry, ENAR Ireland)

Inclusion Ireland observes that, in the context of disablism hate crime, this issue becomes more complex if there is no shared understanding of what hate crime is in this context:

“Some of it might be violence, it might be abuse and neglect ... So somebody might consider a call to do with neglect, some one might consider a call to do with abuse.” (Jim Winters, Inclusion Ireland)

TENI deliberately seeks to capture more than simply hate crime:

“And we say look we want incidents ... we’re not saying ‘we only want crimes’. So a lot of things people do put in are discrimination issues. Or not even [that] sometimes; just sort of shitty things that have happened.” (Broden Giambrone, TENI)

For the purposes of this Report we have extracted data which relate to hate crime only. However, the process of filtering out instances of discrimination in particular made it clear that CSO partner monitoring systems receive a significant number of reports of such incidents and that they are providing a necessary outlet for their client communities to share experiences of this nature. We suggest that in reporting data gathered through their monitoring systems CSOs will find it useful to distinguish between discrimination and crime, particularly as lobbying actions in respect of these different manifestations of prejudice will often be directed at different political and policy stakeholders.
Chapter 4: Purposes of Monitoring

In the Roundtable Workshop preceding the publication of this report, Joanna Perry, independent hate crime consultant, research fellow and associate lecturer on hate crime at Birkbeck College, University of London, noted that one of the key characteristics of successful monitoring systems is clarity around the purpose and capacity of the system. There are a number of reasons for this, not the least the fact that these considerations will:

- Inform the questions that are asked;
- Inform the format that is required of answers;
- Inform decisions regarding balancing length with detail.

Internationally, there are a number of accepted purposes for third party monitoring, including: naming the problem and refuting arguments by the State that there are no hate crimes occurring (ODIHR 2009: p.34); assessing levels of confidence of victims in the police (ODIHR 2009: p.38); development of informed policy to tackle hate crime; increasing awareness of the problem among the general public; the promotion of police policies (investigation, recording) which assist in combating hate crime (Whine, 2015a); and as part of a cathartic process for the victim to process the trauma of their victimisation.

Further, it is also acknowledged nationally (Haynes et al. 2015) and internationally (Fra 2014) that underreporting of hate crime is a major obstacle to ascertaining the extent of the problem of hate crime. Third party monitoring can both fill the gaps in official data and provide a safe space for victims to have their experiences heard and validated.

In interviews with representatives of civil society organisations, many of these purposes were cited as informing the development and use of third party monitoring mechanisms in place in Ireland today. The first purpose identified by partner CSOs was to give victims a voice, and to allow their experience to be acknowledged.

"... it would be a platform where people could have their voices heard" (ENAR Ireland)

"One is to allow people a way of expressing what has happened to them... so it’s about creating an outlet for people... We’re trying to help people understand that it’s okay to log this. It’s okay to rethink how you do this and say actually it was a hate crime or whatever language and I should log it." (GLEN)

Any data collection instrument which would serve this purpose must be victim-focused, and must ensure that victims have an opportunity to articulate their experience.

In an Irish context, given the absence of hate crime laws, a particularly important purpose for the monitoring systems was to inform legislative and policy change to tackle hate crime:

"... more specifically we want plenty of change. So we want hate crime legislation. And we want a national action plan against racism. And we want an independent body with a function akin to that of the [National Consultative Committee on Racism and Interculturalism] that could you know... which would have a high level of expertise which would be a statutory body but which would have a firewalls from the State so it would be independent so that it would have a monitoring function and that could lead and advice and monitor anti-racism, intercultural and integration strategies by the State." (ENAR Ireland)

"... with STAD we were very conscious that hate crime is not... there is no legislation in Ireland around hate crime so we thought this would be another opportunity to engage with other civil society organisations and academics... politicians working on developing hate crime legislation." (TENI)

"So data collection for me is only valid if we lead to political change... We’re never convinced that it will be the great driver of change. But it will be an added ingredient that’ll be very important." (GLEN)

As well as ensuring that victims feel safe reporting their experiences, the system must also then be capable of speaking to gaps in legislation and policy.

The third purpose articulated by CSO representatives was to force the State to address the shortfalls in official recording mechanisms and thus the official invisibility of the phenomenon:

"I think what there was, was this kind of combined frustration of this is happening to us, but... we’re not believed, we’re dismissed. Which has this compounding effect and this alienating effect on people." (ENAR Ireland)

"You’ll see that the government has high level groups on everything. Has a national disability strategy. It’s consulting on a new national disability inclusion strategy – disability hate crime isn’t mentioned anywhere... disability hate crime does not exist in official Ireland. It’s not part of any discourse." (Inclusion Ireland)

"We want the state to do its own monitoring." (ENAR Ireland)

"Number one I think there should be a police [online] reporting system not a civil society report. We should be able to go on to the police website garda.ie and log the damn thing. That’s where it should be done actually. And that’s what my absolute preference is." (GLEN)

If a purpose of the monitoring system is to highlight official invisibility, by comparing CSO data with official data, then the two sets of data must be capable of speaking to one another. ODIHR (2009) concur that it is preferable if CSO data are comparable with official data and compatible with criminal justice standards.

Finally, and aligned to the third purpose, the fourth purpose which the CSOs felt their monitoring systems furthered was to encourage and develop policing policy and police engagement with the issue of hate crime:

"I think ultimately... at the moment it’s really for the Guards. To try and get the Guards trained up because I think they’re the ones that day in and day out are dealing with trans people, and people have that kind of secondary victimisation if they go to the Guards." (TENI)

"... our priority would be about political and institutional engagement by the Gardaí from the top level down on being proactive... It’s about the information that helps to drive change in the police..." (GLEN)

By evidencing gaps in policy, articulating reasons for non-reporting and experiences of reporting, third party data can inform and progress policing policy.

Conclusion

In summary, the purpose of the monitoring instruments as articulated by the four civil society organisations involved in this report is fourfold:

- Giving victims a voice;
- Generating evidence to drive legislative change;
- Prompting improvements in state recording mechanisms;
- Engaging and developing policy with An Garda Síochána.

In devising recommendations for the enhancement of CSO reporting mechanisms in Ireland, these four purposes have guided and instructed our evaluative comments and proposals. That said, at all points, the individual reporting is the primary concern: our driving aim was to make the process of reporting experiences as straightforward as possible. This includes ensuring that the process of reporting does not place an inordinate burden on the respondents; that every question is relevant and drives the purpose of the system; and that the potential for revictimisation is minimized.
Chapter 5: Analysis of 2015 Data

In compiling this Report, we engaged in an original analysis of the data gathered by ENAR Ireland, TENI and GLEN for the period of 2015. In completing this undertaking, we extracted and restricted our analysis to data relating to incidents which bear the characteristics of criminal offences, in line with the focus of this Report on hate crime. In classifying incidents as crimes and in categorising by offence type, we relied primarily upon the narrative of the incident provided by the respondent, employing the respondents’ classification of the crime, and using lists of pre-determined categorisations only as a secondary source of information. We relied upon a strict legal definition of the crime category as the most objective means of classification.

The analysis of reports submitted in 2015 identified that in some cases respondents reported incidents which occurred in the previous calendar year and which might in the future be included in revisions of the 2014 data published by the HHRG in Out of the Shadows (Haynes et al. 2015). In other cases respondents reported incidents which occurred many years, even decades, previously. The reports of these historical incidents speak in particular to the need for an outlet by which victims can have their experiences of hate crime heard, even where a criminal justice response is unlikely. In this Report, however, only incident(s) reported as occurring in 2015 are the subject of analysis. In the small number of cases in which an incident is reported as spanning a number of years, the data are presented where 2015 is reported as the most recent year of occurrence. In cases where the respondent has failed to identify the year in which the crime(s) occurred, the events are presented as occurring within the year in which the report was made, unless there is evidence to the contrary within the narrative.

Headline results

• The analysis identified 187 incidents bearing the characteristics of hate crimes reported to partner CSOs as occurring in 2015: 157 racist and religiously aggravated hate crimes, 19 transphobic crimes and 11 homophobic crimes (2 of which may have also involved transphobic motivations).
• These crimes included 67 public order offences, 38 instances of criminal damage, 35 assaults and 29 cases of harassment; as well as other offences such as robberies, assault causing harm, sexual assaults and violent disorder.
• Only 20% of reports state that the crimes they log were reported to An Garda Síochána - 35 of 143 reports of racist and religiously aggravated hate crimes; 1 of 18 reports relating to transphobic hate crime; and 3 of 11 reports of homophobic crimes.
• 64% of reports cite the language used by the offender as an indicator of their bias motivation. This figure increases to 83% among crimes reported to TENI.
• Offences were as to be committed by single offenders as by groups. Gender variant victims were the most likely to be attacked by groups rather than single offenders.
• Respondents frequently reported negative impacts and most commonly talked about being afraid, scared or anxious in the aftermath of their victimisation. In smaller numbers of cases, respondents described the effects of their victimisation in terms of depression. One person, who had been subject to harassment, reported feeling suicidal.

ENAR Ireland 2015

In total, 143 reports relating to incidents occurring in 2015 which bore the characteristics of criminal offences were made to ENAR Ireland. 133 of these reports related to a single criminal offence, 7 involved 2 criminal offences, 2 involved 3 criminal offences and 1 involved 4 criminal offences. Thus, in total 177 crimes were reported as occurring in 2015.

The following table provides a breakdown of the specific criminal offences reported as having occurred in this period.
Chapter 5: Analysis of 2015 Data

Police reporting

Of the 143 reports to ENAR Ireland relating to crimes occurring in 2015, in only 35 cases did the respondent state that the crime or crimes had been reported to An Garda Síochána.

<table>
<thead>
<tr>
<th>Number of crimes</th>
<th>Number reported to AGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Sexual Assault 0</td>
<td>-</td>
</tr>
<tr>
<td>Arson                     0</td>
<td>-</td>
</tr>
<tr>
<td>Assault                   25</td>
<td>8 (36%)</td>
</tr>
<tr>
<td>Assault Causing Harm      1</td>
<td>1</td>
</tr>
<tr>
<td>Breaking and Entering     1</td>
<td>-</td>
</tr>
<tr>
<td>Burglary                  1</td>
<td>1</td>
</tr>
<tr>
<td>Communication Act         1</td>
<td>0</td>
</tr>
<tr>
<td>Control of Dogs           0</td>
<td>-</td>
</tr>
<tr>
<td>Criminal Damage           37</td>
<td>14 (41%)</td>
</tr>
<tr>
<td>Demanding Money           0</td>
<td>-</td>
</tr>
<tr>
<td>False Imprisonment        0</td>
<td>-</td>
</tr>
<tr>
<td>Harassment                24</td>
<td>6 (29%)</td>
</tr>
<tr>
<td>Injury to Animals         0</td>
<td>-</td>
</tr>
<tr>
<td>Kidnapping                0</td>
<td>-</td>
</tr>
<tr>
<td>Making a False Report     1</td>
<td>0</td>
</tr>
<tr>
<td>Possession of a Knife     1</td>
<td>0</td>
</tr>
<tr>
<td>Public Order              58</td>
<td>7 (13%)</td>
</tr>
<tr>
<td>Rape                      0</td>
<td>-</td>
</tr>
<tr>
<td>Robbery                   4</td>
<td>3 (75%)</td>
</tr>
<tr>
<td>Sexual Assault            0</td>
<td>-</td>
</tr>
<tr>
<td>Theft                     0</td>
<td>-</td>
</tr>
<tr>
<td>Threat to Kill or Injure  1</td>
<td>0</td>
</tr>
<tr>
<td>Trespass with a Knife     1</td>
<td>-</td>
</tr>
<tr>
<td>Violent Disorder          1</td>
<td>0</td>
</tr>
</tbody>
</table>

The reasons provided were:

- I did not think the police could or would do anything (42)
- I did not think it would be taken seriously (33)
- The incident was too common an occurrence to report (23)
- I didn't think that I would feel comfortable talking to the police about it (19)
- I didn't think that what happened was a crime (16)
- I didn't think it was serious enough to report (15)
- I thought it would be too much trouble to report (14)
- Other (please specify) (13)
- I didn't know how or where to report it (12)
- I was concerned of reprisals or retribution from the perpetrator(s) (11)
- I didn't think I would be believed (11)
- I would have had to disclose personal details about myself that I did not wish to make known (10)
- I have reported incidents previously to the police in Ireland and have had negative experiences (9)
- I felt ashamed or embarrassed (7)
- I thought I would be blamed for what had happened (5)
- I didn't want to get the person involved in trouble (3)
- I have had negative experiences with police in another country I lived in (2)

Only 3 of those reporting crimes stated that they were aware of having received a Crime Number (PULSE Number).

In 2015, ENAR requested a narrative description of respondents’ experiences with the police. In our analysis, we drew on a TENI response set (which focuses on the respondents perceptions of the police’s reaction to their experience) to code these qualitative descriptions expanding the available options to include “waiting for response” and “no response”. Noting that only a minority of respondents (35) stated that the crime(s) they logged with iReport had also been reported to the police, the majority provided a neutral description of their experiences, 3 stated that they had found the police to be dismissive, and 8 stated that they had either had no response from the police or were still awaiting a response.
**Victim and offender characteristics**

In 57% (81) of reports the respondent identified the crime as involving 1 victim, in 34% (48) 2-4 victims were reported and in 10% (14) of cases 5 or more victims were reported. Similarly 54% (77) of reports identified the involvement of only 1 offender, 29% (42) identified 2-4 offenders and 15% (21) identified 5 or more offenders.

### Crime classification

<table>
<thead>
<tr>
<th>Crime Classification</th>
<th>Number of Perpetrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault</td>
<td>1 (11 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (7 crimes)</td>
</tr>
<tr>
<td></td>
<td>5+ (7 crimes)</td>
</tr>
<tr>
<td>Criminal Damage</td>
<td>1 (20 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (5 crimes)</td>
</tr>
<tr>
<td></td>
<td>5+ (9 crimes)</td>
</tr>
<tr>
<td>Harassment</td>
<td>1 (12 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (5 crimes)</td>
</tr>
<tr>
<td></td>
<td>5+ (3 crimes)</td>
</tr>
<tr>
<td>Public Order</td>
<td>1 (35 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (17 crimes)</td>
</tr>
<tr>
<td></td>
<td>5+ (6 crimes)</td>
</tr>
</tbody>
</table>

Given that the majority of offenders were strangers to victims, information on offenders, in particular, must be treated as estimates. However, where the offender(s)’s age was estimated by respondents, they were most likely to describe the offender as being middle-aged (36-55) or young (15 and under). While the majority of offenders are reported as falling equally into these two categories, respondents report crimes as being committed across all age groups.

Reports of victims’ ages are in contrast distributed quite evenly across the range. Of the 269 reports which estimate the victim’s age (and excluding the response “mixed age” where there was more than one victim), 15% were reported to be under 18; 15% were reported to be 18-25; 40% were 26-35; 27% were 36-55; and 3% were reported to be over 55.

A similar picture emerges when we examine these demographics across three of the most common types of crime:

<table>
<thead>
<tr>
<th>Age</th>
<th>Assault Victim</th>
<th>Assault Offender</th>
<th>Harassment Victim</th>
<th>Harassment Offender</th>
<th>Public Order Victim</th>
<th>Public Order Offender</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 18</td>
<td>1</td>
<td>7</td>
<td>2</td>
<td>5</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>18-25</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>26-35</td>
<td>11</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>24</td>
<td>8</td>
</tr>
<tr>
<td>36-55</td>
<td>5</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>55+</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

Victims infrequently described physical injuries; this, however may be a consequence of their interpretation of the question.
Offenders are broadly distributed across the categories of under-18, 18-35 and 36-55.

Where offenders’ gender was surmised, they were much more frequently identified as male (59%) than female (16%) or part of a mixed group (20%). Where victims’ gender was reported, respondents stated their gender to be male in 41% of reports, female in 27% of reports and part of a mixed group in 32% of reports.

Across three of the most commonly reported crimes, gender patterns are relatively similar with both offenders and victims more frequently identified as male than female.

However, we find that across all three types of crimes, respondents more frequently identified males in the role of offender compared to that of victim. In contrast, women were twice as frequently identified as victims compared to offenders when the crimes were assault and harassment.

Gender  Assault  Harassment  Public Order
Victim  Offender  Victim  Offender  Victim  Offender
Female  7  4  6  3  22  14
Male  14  19  11  13  26  36
Mixed  2  2  5  5  7  7

Location and region

The most common locations selected by respondents were at home, 21% (30 reports); on the street, road or in an alley, 21% (30 reports); public transport, 15% (21 reports) and place of leisure or entertainment, 11% (15 reports). The Other category was frequently selected in this category. In many cases this category was used by respondents to provide details of public and commercial locations and transport routes.

Where the region in which the incident(s) occurred is identified, 69% of reports identified Dublin as the location of the crime(s) reported. The next most frequently mentioned region was Cork, identified as the locus of 12% of reports. Only 12 counties were mentioned in total and it is arguable that these data are more indicative of the geographical reach of the iReport monitoring system than the geographical spread of racist crime.

Transgender Equality Network Ireland 2015

There is no official enumeration of trans people in Ireland and so we have no definitive estimation of the size of the trans community in the Republic. However, six months after Ireland’s Gender Recognition Act 2015 came into effect, 133 people, in a country of less than 5 million, had already used the legislation to have their gender identity legally recognised (TENI 2016).

In total, 18 reports relating to incidents occurring in 2015 which bear the characteristics of criminal offences were made to Transgender Equality Network Ireland. 17 of these Reports related to a single criminal offence and 1 involved 2 criminal offences. Thus, in total 19 crimes are presented as occurring in 2015.

The following table provides a breakdown of the specific criminal offences reported as having occurred in this period.
**Police Reporting**

Of the 18 reports relating to crimes occurring in 2015, in only 1 case did the respondent state that the crime or crimes had been reported to An Garda Síochána. One respondent, who had been subject to harassment in person and online, selected the option "not applicable" when asked if they had reported the incident(s) to the police. This response may speak to the need for awareness-raising to educate trans people regarding their rights and to denormalise hate crime.

### Crime classification

<table>
<thead>
<tr>
<th>Crime classification</th>
<th>Number of crimes</th>
<th>Number reported to AGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Sexual Assault</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Assault</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Assault Causing Harm</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Breaking and Entering</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Communication Act</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Control of Dogs</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Criminal Damage</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Demanding Money</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>False Imprisonment</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Harassment</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Injury to Animals</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Making a False Report</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Possession of a Knife</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Public Order</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Theft</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Threat to Kill or Injure</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Trespass with a Knife</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Violent Disorder</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Respondents were asked to provide details of their reasons for not reporting. The reasons for not reporting provided were coded by us as follows:

- I did not think it would be taken seriously: 5
- I did not think the police could or would do anything: 3
- I didn’t think it was serious enough to report: 2
- I thought it would be too much trouble to report: 1
- I have reported incidents previously to the police in Ireland and have had negative experiences: 1

One further person stated that they were still in the process of deciding whether to report or not.

Only one individual reported their experience of victimisation (sexual assault) to the police. This person classified the response of An Garda Síochána as supportive.

### Targeted characteristics and communities

The TENI instrument speaks to victims only and does not invite reports from witnesses or other third parties. One of the 18 victims reporting in 2015 identified themselves as a cisgender target of transphobia. The remaining 17 respondents identified themselves as trans, non-binary or agender.

11 of the victims identified themselves as trans only (3 as trans woman; 5 as trans man and 1 as trans masculine). 4 of the respondents identified themselves as non-binary only. 2 respondents selected multiple categories, one identifying as a trans man and non-binary, and the other as a trans woman and agender.

### Total number of reports in which gender identity is selected

<table>
<thead>
<tr>
<th>Gender Identity</th>
<th>Assault</th>
<th>Harassment</th>
<th>Public Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trans woman</td>
<td>6</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Trans man</td>
<td>3</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Non-binary/genderqueer</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Agender</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Cisgender</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

The numbers are small, but the proportion of those identifying as trans women who are victims of assault, relative to other identities, is notable given international evidence as to the increased risk of violence to this identity group (FRA 2014).

All of the respondents identified as white, and 16 of these as White Irish.
Motivations and bias indicators

The TENI instrument asked respondents to specify what they perceived to be the motivation for the attack. Respondents were invited to select multiple options from a predefined response set or to provide details of an "other" motivation.

<table>
<thead>
<tr>
<th>Perceived motivation</th>
<th>Number of respondents citing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender identity</td>
<td>14</td>
</tr>
<tr>
<td>Gender expression</td>
<td>14</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>11</td>
</tr>
<tr>
<td>Gender</td>
<td>5</td>
</tr>
<tr>
<td>Race or ethnicity</td>
<td>1</td>
</tr>
<tr>
<td>Age</td>
<td>1</td>
</tr>
<tr>
<td>Religion</td>
<td>1</td>
</tr>
</tbody>
</table>

The person who selected race or ethnicity identified as White Irish. The person who selected age was in their early twenties. Those who perceived sexual orientation to be a factor identified variously as gay, bisexual, straight, queer or asexual.

A further closed question probed the reasons why the respondent considered the crime to be motivated by the factors named above. As with iReport, the options provided include language and words used but do not include other commonly recognised bias indicators such as location, sign, symbols, gestures or significant date.

Victim and offender characteristics

TENI does not ask about the number of victims involved in an incident. The narratives provided evidence that in only one case was more than one victim involved (a couple). In a second case the victim accompanied by another person during the incident.

Respondents to the TENI instrument were more likely to identify multiple offenders than respondents to iReport. 33% (6) of reports identified the involvement of only 1 offender, 50% (9) identified 2-4 offenders and 11% (2) identified 5 or more offenders.

<table>
<thead>
<tr>
<th>Crime classification</th>
<th>Number of perpetrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault</td>
<td>1 (2 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (2 crimes)</td>
</tr>
<tr>
<td>Harassment</td>
<td>1 (2 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (3 crimes)</td>
</tr>
<tr>
<td>Public Order</td>
<td>1 (1 crimes)</td>
</tr>
<tr>
<td></td>
<td>2-4 (3 crimes)</td>
</tr>
<tr>
<td></td>
<td>5+ (2 crimes)</td>
</tr>
</tbody>
</table>

5 out of 18 (28%) respondents to the TENI instrument had at least some familiarity with the person victimising them, compared to 20% of respondents to iReport.

Location and Region

Of the list of pre-determined locations provided, respondents were equally likely to select home, school, work and commercial store/shop (2 reports for each location). 1 respondent identified a club/bar/café as the location of the incident and 1 identified public transportation as the location. 7 respondents selected an "other" location. The Other category was frequently selected in this context, overwhelmingly to identify the location of the crime as a public street.

Where the region in which the incident(s) occurred was identified, 44% of reports identified Dublin as the location of the crime(s) reported. Only 7 counties were mentioned in total.

GLEN 2015

In total, 11 reports occurring in 2015 and relating to incidents bearing the characteristics of crimes were made to the Gay and Lesbian Equality Network Ireland. Each of these reports related to a single criminal offence.
Monitoring Hate Crime in Ireland: Towards a Uniform Reporting Mechanism?

Choosing from a selection of pre-determined responses, the reasons given by respondents for not reporting were as follows:

- I didn't think there was anything the police could do (5)
- I didn't feel like it was serious enough to report (5)
- I didn't think the police would take me seriously (3)
- Unsatisfied with previous experience with the police (1)
- I am not out/was not out at the time (1)
- The police are homophobic and/or transphobic (1)

Worryingly, it was an individual who was a victim of sexual assault who felt unable to report the crime to the police because they perceived them to be homophobic/transphobic.

Of the three individuals who did report their experience to the police, one stated that they were satisfied with the response of An Garda Síochána. In this instance, a commercial premises located near the site of the assault provided An Garda Síochána with CCTV footage and the respondent stated that the police pursued the assailants. Two individuals reported dissatisfaction with the response of An Garda Síochána. Both were writing within 48 hours of their experience of victimisation and both expressed frustration with the speed of the police response. The first respondent, who had been victimised at home, felt compelled to remain at the scene of the crime for an indeterminate length of time in order to be present for the police on their arrival. The victim stated “I am here on my own and they have offered to send someone sometime this evening. I don’t even want to be here this evening.” The second dissatisfied respondent, who had been the victim of an assault in which homophobic language was used the previous day and had sustained minor injuries, stated that they had received no response at all to their phone call to the emergency services.

Targeted characteristics and communities

Of the 11 respondents, 8 were the direct victims of the crime reported. Of the 3 remaining respondents, 1 was in the company of the victim at the time of the assault and 1 was in close proximity at the time that it occurred.

8 of the 11 victims were gay men, 1 identified as a lesbian woman, 1 as a bisexual man and 1 further victim self-identified as transgender without selecting a binary gender identity. (This case was not replicated in the reports to TENI relating to this period, thus the case has not been double-counted in this report.)

All 9 men were victimised in entertainment venues or on the street and all were less than 35 years of age. 5 were aged 25 to 34, and 4 were under the age of 25.

Bias indicators

The GLEN survey asked respondents to state their perception of the motivation for the attack. 9 respondents perceived the crime committed to have been motivated by homophobia. 1 victim perceived that the crime was motivated by both homophobia and transphobia. 1 further individual stated in response to a question as to why they perceived the incident to be homophobic and/or transphobic that there appeared to be no other motivation.

Bias indicators were present in the vast majority of cases. 6 of the 11 respondents stated that homophobic/transphobic language was used in the commission of the offence. In a seventh case the narrative relates that the offender verbalised prejudice against same-sex couples expressing affection towards one another in public. An eighth offence targeted a location commonly known to be frequented by LGBT people. A ninth offence was linked by the victim to their display of marriage equality posters.

### Crime classification

<table>
<thead>
<tr>
<th>Crime classification</th>
<th>Number of crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Sexual Assault</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
</tr>
<tr>
<td>Assault</td>
<td>5</td>
</tr>
<tr>
<td>Assault Causing Harm</td>
<td>1</td>
</tr>
<tr>
<td>Breaking and Entering</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
</tr>
<tr>
<td>Communication Act</td>
<td>0</td>
</tr>
<tr>
<td>Control of Dogs</td>
<td>0</td>
</tr>
<tr>
<td>Criminal Damage</td>
<td>1</td>
</tr>
<tr>
<td>Demanding Money</td>
<td>0</td>
</tr>
<tr>
<td>False Imprisonment</td>
<td>0</td>
</tr>
<tr>
<td>Harassment</td>
<td>0</td>
</tr>
<tr>
<td>Injury to Animals</td>
<td>0</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>0</td>
</tr>
<tr>
<td>Making a False Report</td>
<td>0</td>
</tr>
<tr>
<td>Possession of a Knife</td>
<td>0</td>
</tr>
<tr>
<td>Public Order</td>
<td>3</td>
</tr>
<tr>
<td>Rape</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>1</td>
</tr>
<tr>
<td>Theft</td>
<td>0</td>
</tr>
<tr>
<td>Threat to Kill or Injure</td>
<td>0</td>
</tr>
<tr>
<td>Trespass with a Knife</td>
<td>0</td>
</tr>
<tr>
<td>Violent Disorder</td>
<td>0</td>
</tr>
</tbody>
</table>
Impact

The GLEN instrument did not specifically probe the incidence of injury among victims reporting crimes occurring in 2015. However, the narratives provided by respondents mention a black eye, a swollen face, and in one case a lasting impairment. Damage to property included broken windows and graffiti.

Only one of the 11 respondents, a victim of a public order offence, stated that the experience did not affect them greatly. Another respondent, the victim of a sexual assault, chose not to answer the question probing impact. The remaining 9 respondents all describe negative emotional and psychological repercussions. 4 of the respondents, all of whom had experienced or been present at an incidence of assault or criminal damage, described themselves as frightened, anxious, nervous or feeling vulnerable or unsafe. Respondents also described themselves as shocked, humiliated and upset. One young respondent, in the process of coming out at the time of attack, described himself as depressed by the prospect that this hostility was his future.

Victim and offender characteristics

Reports to GLEN commonly highlighted the involvement of groups of offenders. 8 reports provided information on the numbers of perpetrators. Bearing similarities to the reports submitted to TENI, half identified the crime as committed by groups of 4 or more offenders. The remainder identified single offenders.

In contrast to reports submitted to by TENI and ENAR Ireland, not one respondent identified the offender as known to the victim.

Location and region

Of the 11 crimes reported, 1 victim's home was subject to criminal damage, 1 person was attacked at their workplace and 2 young men were victimised in entertainment venues.

The majority of crimes (7) were identified as occurring in public. These 7 incidents relate to public order offences, assaults, and 1 assault causing harm. The narratives provided by respondents identified that the victim was commonly in transit at the time when they were attacked - 1 was cycling and 5 were walking down the street. None of these crimes occurred after midnight and the majority occurred before 7pm.

Just over half of the incidents were identified as occurring in the Dublin region. 5 counties were mentioned in total.

In 2015, all three partner organisations provided respondents with both the option of presenting a narrative of the event and one or more closed-ended questions seeking to classify the type of offence occurring. ENAR Ireland employed a series of detailed closed-ended questions, offering the respondent the opportunity to present a narrative of the event. Both options present challenges: on the one hand it is difficult to design questions which make crime classifications sufficiently accessible to permit respondents to accurately classify their own experiences; on the other hand CSOs may not possess the legal expertise required to inductively code narrative data according to such classificatory systems.

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Closed v open-ended questions: Advantages and disadvantages

Pre-determined answers lead to more efficient coding.
Pre-determined answers make the questions quicker to answer.
Pre-determined answers can help prompt respondents who are not very forward about answering, or where memory recall is involved.
Pre-determined answers can lead to false responses, either by making certain options look more acceptable or by providing insufficient responses.
Closed questions require pilot testing to ensure the list of responses is exhaustive, although "don't know" and "other" options can help in respect of this issue.
Open-ended questions are often used where the researcher cannot pre-determine what the potential responses are likely to be.
ENAR Ireland, which arguably has the most populous client community of the three partners, receives the largest number of reports. For this organization an exclusively inductive approach – i.e. where the crime classification is determined by an analyst based upon a narrative provided by the respondent, rather than being selected by the respondent from a list of pre-determined categories – the classification of offences would be significantly more resource intensive than for GLEN and TENI. Thus, when designing its mechanism, ENAR Ireland sought to provide a comprehensive list of possible incidents from which the respondent may select, with no “other” option, while TENI and GLEN provided a small sample of commonly occurring incidents - including physical assault, threats of physical violence, damage to property including graffiti, verbal harassment, strong language/shouting, sexual harassment, blackmail, being chased – along with the option of completing an “other” text box.

In determining how to present offence types in their data collection instruments, all three organisations have sought to find a balance between using labels that speak to police recorded data and those which are comprehensible to the public. This is a difficult compromise to achieve. In analysing partner organisations’ data, we also engaged in an original analysis where we carried out our own inductive classification of the incidents listed in all of the reports, relying primarily on the narrative, and drawing on closed-ended crime classification questions for clarification where required. This analysis raised a number of design issues that are worthy of consideration in any future development of the CSO instruments.

We found that respondents had in some cases misclassified offences they were reporting. We believe that the degree of legal expertise required to inform an accurate understanding of offence categories is too high to expect of respondents. Our analysis identified, in particular, gaps between common sense understandings of frequently occurring offence categories such as assault and harassment and the legal definition of these terms. The HHRG gave careful consideration to whether it might be possible to use pop-up information boxes relating to each offence type to increase the reliability of respondents to closed ended questions of this nature. However, this method would greatly increase the response burden, i.e. the time required to complete the questionnaire, as the respondents would have to read information on all possible offences to make an informed choice. The requirement to explain technical terms in common sense language would make the explanations particularly lengthy. Finally, we cannot be certain that respondents will engage with information boxes if they believe (possibly erroneously) they already possess an accurate understanding of an offence.

The second issue arising spoke to the typology of classifications used by organisations. In some cases pre-determined categories did not correlate to either a criminal offence or a civil wrong. For example, the category of “verbal abuse” constitutes neither a criminal offence nor a civil wrong. Depending on the character of the verbal abuse experienced, the incident might constitute a public order offence; harassment; a threat to kill; or a breach of Equality legislation.

In analysing the data, we found that the most reliable way of classifying offences was through the inductive coding of the narrative. We advocate for the blind coding of the narrative data by two separate individuals with legal expertise for additional reliability. Where inductive coding is the method of choice, the coder may choose between adhering to either a strict legal definition of the incident; or speculating on what the eventual outcome of the case may be, based on a guilty plea according to perceptions of prosecutional practice. We advocate for, and ourselves employ, a strict legal definition of the offence type, as this is the least subjective and variable standard. We appreciate that the additional resources required by this process may not currently be available to the partner organisations, given the current dearth of state support for their monitoring functions. We note that ENAR Ireland have a stated preference for categorizing incidents using closed ended questions and that they have stated that they check respondents’ own classification of the incident involved against the narrative provided.

“... we will confer and correct if something really stands out. In general, we would tend to go with however people self-report it. ... in a small number of cases we will look and go well actually yes, there was definitely an assault there... in the narratives we should definitely count an assault there. That comes up actually quite a lot around assault. Because people know, people don’t often understand that actually somebody blocking your way or stopping you from being able to leave a room constitutes an assault. Peoples’ perception is the common – you know – street understanding of what the word assault is.” (Shane O’Curry, ENAR Ireland).

The HHRG occasionally found the closed-ended questions to be useful as a means of informing classifications based on less detailed narratives. The value of closed-ended questions on this subject needs to be balanced against their contribution to the response burden, i.e. the amount of time the individual reporting has to spend on the form. While closed-ended questions can be more accessible to respondents with lower levels of literacy (Bryman 2012), the HHRG argue that this is unlikely to be the case where the pre-determined categories relate to legal concepts.

Inclusion Ireland, which as yet does not engage in monitoring, noted the commonality with which crimes against people with disability are euphemised as bullying or ill treatment and discussed the range of crime classifications that would need to be included in the specific context of disabling hate crime.

“...inclusion Ireland would confer and correct if something really stands out. You know. So it’s borderline... In terms of the person... ignoring them is a big issue. Overmedicating them, restricting their human rights. Depriving them of their liberty. There’s lots of different aspects of these calls that, if you were to gather the information forensically and then assess it, you would consider them to be hate incidents... We’ve had people who were being held against their will in living arrangements. People who have been exploited.” (Jim Winters, Inclusion Ireland)

It is a general principle of questionnaire design that one should position the most important questions in the first half of a questionnaire, as these are the questions which most respondents will answer and which respondents will answer in most depth. Certainly partner organisations raised non-completion as a problem. The HHRG asserts that the invitation for the respondent to narrate their experience should be placed early in the questionnaire. It can be argued that the early placement of an open ended question which requires more effort to complete might be off putting to respondents; however interest in the topic of a survey can offset this (Bryman 2012). The HHRG argue that the levels of narrative detail provided in most reports indicates a desire on the part of respondents for an opportunity to relate their experiences.

It is worth noting that some of our partner organisations have emphasized the value of the narrative description of the incident over the closed-ended question on type of offence. This is because of its persuasive power, particularly where numbers are small:

“[W]hat’s most useful for me with this is the narratives that people provide. The words they use to describe what happened to them. Ticking a box and saying it was an assault – ok, but we don’t really understand what that means. There’s no depth to it. There’s no complexity to it... Some of those for the last few years, whether it was the people who were chased with knives or whether it was various people getting phone calls and end up getting hung with electrical cord... It’s important for us to share these. I think that’s STAD at its best. STAD is where those experiences are teased out and show to people that this is what it really looks like... Just say we’ve had six assaults, yes that’s more than it should be but it’s the words that explain it.” (TENI)

“... it was going to be more about enabling us to assemble the information to encourage the Gardaí to be more proactive. That in effect was its goal. And... in the way that say ENAR or NCRI used to do, putting out the information that there were X serious assaults against an LGBT person... if we went down that route then in effect you would have enough information about it? But you wouldn’t necessarily need the statistics because the concept was enough... It’s a persuasive and engagement process.” (GLEN)

Who can report?

Of the three partner organisations engaged in monitoring, TENI’s is the only instrument which does not provide for reports from individuals other than the direct victim. Both GLEN and ENAR Ireland’s instruments are phrased to accommodate reports from witnesses and other interested parties. This is in line with the perception text as formulated in the Macpherson Report (1999) which holds that any interested party should be able to flag a hate incident, recognising that there any many reasons why direct victims may be unable to come forward.
Both approaches offer advantages and disadvantages. Certainly, restricting reports to direct victims could be argued to enhance the reliability of the data received, and in general our analysis found that the more removed respondents were from the event, the less detail they provided. However, both ENAR Ireland and GLEN data sets included third party reports, although these form a minority of the total. In some cases these respondents were present during the commission of an offence and thus can provide valuable and comprehensive first hand witness accounts of the incident. In other cases the third party may be another organisation serving the client community to whom the direct victim has turned for assistance. In the case of direct victims with low levels of literacy in the language of the reporting mechanism or low levels of digital literacy, the only means of submitting a report to an online civil society monitoring system may be through a third party (see Joyce, Kennedy and Haynes forthcoming).

It is worth noting that partner organisations may unintentionally institute a lower age limit for respondents through the age ranges they define in requesting information on victim/respondent characteristics. Some of the data collection instruments employed by our partner organisations employed a lower age limit of 15, for example. Organisations may choose to make this practice an explicit aspect of informed consent: in such instances organisations should direct children to services to whom they can report their experiences of victimisation. As the work of our partner organisations and academic research has made clear, there is no lower age limit to experiences of hate crime (see for example Carr and Haynes 2015).

Hate motivations

The offender's motivation differentiates hate crimes from parallel offences. In the following section we present an analysis of those elements of the partner organisations’ data collection instruments which probe the motivations of offenders, with a particular focus on the bias indicators which respondents are prompted to document.

The perception test

The partner organisations engaged in this project effectively employ the “perception test” to determine whether or not an offence meets the criteria for a hate crime, a practice which aligns with garda policy. An Garda Síochána’s formal directive on the definition of hate incidents (dating from 2006) states that the Garda definition of a racist or homophbic incident is drawn from what is commonly referred to as the MacPherson Report (Garda Inspectorate 2014, p.49). Central to the Macpherson (1999) definition of a hate incident is the stricture known as the “perception test”, i.e. the requirement that the police record an incident as a hate crime when any individual, whether a witness to the incident or not, perceives it as such; and without requiring an evidential base - the perception of the victim or any other interested party is sufficient. The purpose of this inclusive approach to recording is to ensure that institutional and individual bias, among other factors, does not preclude the thorough investigation of possible hate elements. This test does not apply in the context of a prosecution, where proof of the hate motivation or demonstration is required (Giannasi 2005).

Bias indicators

Bias indicators are:

- … objective facts, circumstances or patterns connected to a criminal act that, alone or in conjunction with other indicators, suggest that the offender's actions were motivated in whole or in part by bias, prejudice or hostility. For example, if a perpetrator uses racial slurs while attacking a member of a racial minority, this could indicate a bias motive and be sufficient for the responding officer to classify a crime as a likely hate crime. By the same token, the desecration of a cemetery or an attack on a gay pride parade may be bias indicators of anti-religious or anti-LGBT motivation” (ODHR 2014, p.15).

Bias indicators are key to police and prosecutors’ determinations as to whether an offence constitutes a hate crime. Where organisations seek to lobby for change on the basis of anonymous reports, bias indicators provide useful objective support for the classification of offences as hate crimes. Civil society organisation and policy makers may also find such information useful in developing preventive measures and educative responses to hate crime.

All three instruments developed by partner organisations explore the reasons why the victim perceived the crime to be hate motivated. ENAR Ireland drew upon OSCE guidelines in developing a set of prompts for common bias indicators:

“[W]e ask the victim what their opinion is. So why do you think it was a racist incident – so it’s a series of questions. Because racist language was used. Because language about my religion was used … [W]e don’t go through all of the … OSCE … bias indicators. We only have those two and then… ‘because there is no other explanation which is the catch-all one’.”

ENAR Ireland also offered respondents the option of stating that the incident was “about something else, but racism came into it” or of explaining their reasons for perceiving the incident to be racist in their own words. GLEN offer the same options, but reference “homophobic/transphobic” rather than religious or racist language. TENI offered the options of “language and words used”, “the perpetrator knew (or thought) I was trans or had a trans history”, “previous threats made or other incidents” and, rather than offering an “other” option, invited the respondent to provide further detail of their reasons for believing the crime to be motivated by hostility towards their characteristics. In developing this part of the form, TENI was guided by ILGA, the International Lesbian, Gay, Bisexual, Trans and Intersex Organisation.

In addition to the main question addressing the presence of bias indicators, ENAR Ireland also provided a question asking whether the respondent was wearing religious clothing during the incident. Where the respondent is the victim, this information can be particularly pertinent to understanding the offender’s assessment of the victim’s difference.

TENI asked the respondent to specify the actual or perceived characteristics for which they believe the victim was targeted, including gender identity, gender expression, gender, sexual orientation, race/ethnicity, age and “other”. OSCE offered the option of identifying the offender’s perceived motivation as homophobia, transphobia, both or neither or unknown. ENAR Ireland offered the options of identifying the perceived motivation of the offender as prejudice on the grounds of race or ethnicity, religion or belief, disability, sexual orientation, gender identity, association, and “other” reasons.

Although there is no definitive list of bias indicators, a number of policy organisations and crime enforcement agencies provide useful exemplars of objective indicators of the presence of a hate element. For example, the United States Federal Bureau of Investigation (2002) training manual on hate crime cites the following as objective evidence that a crime was motivated by bias:

1. The offender and the victim were of a different race, religion, disability, sexual orientation, ethnicity, gender, and/or gender identity. For example, the victim was African American and the offender was white.
2. Bias-related oral comments, written statements, or gestures were made by the offender indicating his or her bias. For example, the offender shouted a racial epithet at the victim.
3. Bias-related drawings, markings, symbols, or graffiti were left at the crime scene. For example, a swastika was painted on the door of a synagogue, mosque, or LGBT center.
4. Certain objects, items, or things which indicate bias were used. For example, the offenders wore white sheets with hoods covering their faces or a burning cross was left in front of the victim’s residence.
5. The victim is a member of a specific group that is overwhelmingly outnumbered by other residents in the neighborhood where the victim lives and the incident took place.
6. The victim was visiting a neighborhood where previous hate crimes had been committed because of race, religion, disability, sexual orientation, ethnicity, gender, or gender identity and where tensions remained high against the victim’s group.
7. Several incidents occurred in the same locality, at or about the same time, and the victims were all of the same race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.
8. A substantial portion of the community where the crime occurred perceived that the incident was motivated by bias.

Although there is no comprehensive list of bias indicators, a number of policy organisations and crime enforcement agencies provide useful exemplars of objective indicators of the presence of a hate element. For example, the United States Federal Bureau of Investigation (2002) training manual on hate crime cites the following as objective evidence that a crime was motivated by bias:
The incident coincided with a holiday or a date of significance relating to a particular race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. For example, the victim was a member of the National Association for the Advancement of Colored People (NAACP) or participated in an LGBT pride celebration. 

The offender was previously involved in a similar hate crime or is a hate group member. 

There were indications that a hate group was involved. For example, a hate group claimed responsibility for the crime or was active in the neighborhood. 

A historically-established animosity existed between the victim’s and the offender’s groups. 

The victim, although not a member of the targeted racial, religious, disability, sexual orientation, ethnicity, gender, or gender identity group, was a member of an advocacy group supporting the victim group. 

Thus, while verbal expressions are often the clearest bias indicator, they are only one among many possible sources of evidence of bias.

**Victim characteristics**

A challenge common to all of the CSO reporting mechanisms was to ascertain salient characteristics of the victim. Each of the partner CSOs serve a defined client community, and provided particularly detailed questions on the characteristics of the victim with respect to the identity communities for whom the organisation advocates. 

Although from a data protection standpoint, online surveys requesting sensitive data should avoid prompting the provision of information which might increase the identifiability of parties to a hate crime, it is appropriate for hate crime monitoring systems to gather demographic data regarding victims. Such data are essential to understanding the characteristics for which hate crimes are committed. 

Although for the most part, sensitive data may only be collected with the victim’s consent, there are exceptions to this. For example, police forces may, and are encouraged to, add additional categories. The True Vision online reporting form allows applicants to indicate the motivations of “disability, race, religious belief, sexual orientation, transgender” and ‘other’ which the victim must specify. 

In Ireland, despite there being an absence of hate crime legislation, the Gardaí have recently begun to collect data on crimes which are deemed to be “racist[i], homophobic, anti-traveller [sic], agedist, acts against people with disabilities, sectarian, anti Roma, Islamophobia, anti-semitic, transphobia and gender related.” (McGarry 2015) 

The formulation of questions on identity presents challenges in balancing requirements for inclusivity against the need for concision. With reference to ethnicity, but with wider relevance, Aspinall (2012) argues that the possibility of constructing a closed-ended question which comprehensively reflects the range of labels with which people self-identify is impossible. He argues against requiring people to fit into prescribed categories, and argues for the advantages of an open-ended approach to such questions, in the manner provided for in Canada’s Ethnic Diversity Survey (Statistics Canada 2013). Accepting the validity of Aspinall’s concerns, we recognize advantages to a closed-ended approach to gathering data on identity. The purpose of the partner CSO recording mechanism is to monitor hate crime rather than to provide a census of its client community. A closed-ended approach permits the CSO to probe identity issues with specific policy and practice relevance, e.g. to prompt the respondent to report identification with sub-sets of the client community who are known to be at particular risk. 

ODIHR (2009) requires data to be collected on crimes committed against groups “specifically mentioned in the OSCE commitments”, including: 

“racist and xenophobic crimes; crimes against Roma and Sinti; anti-Semitic crimes; crimes against Muslims; crimes against Christians and members of other religions; crimes against other groups, including LGBT, persons with disabilities and members of other groups” (OSCE 2014). 

Internationally, the characteristics most widely used in recording mechanisms are ethnicity, national origin, minority status, religion, “race”/colour, sexual orientation, citizenship, gender, disability, language and trans identity (ODIHR 2012). 

The Victims’ Rights Directive (Council Directive 2012/29/EU) outlines a number of protected characteristics, including: 

“race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, gender, gender expression, gender identity, sexual orientation, residence status or health.” 

Whine (2009a) states that this long list of protected characteristics is unhelpful as no government would have the “resources or political will” to monitor statistical data on so many grounds, and highlights that “race, religion, ethnic or social origin, gender and gender expression or identity, as well as national minority are generally regarded as necessary to monitor” 

In the UK there are five recognised hate crime categories nationally: 

“[a]ny racial group or ethnic background or national origin, including countries within the UK, and Gypsy and Traveller groups. Any religious group, including those who have no faith. Any person’s sexual orientation. Any disability, including physical disability, learning disability and mental health. People who are transgender, transvestite and those who hold a gender recognition certificate under the Gender Recognition Act 2004.” (College of Policing 2014) 

However, police forces may, and are encouraged to, add additional categories. The True Vision online reporting form allows applicants to indicate the motivations of “disability, race, religious belief, sexual orientation, transgender” and ‘other’ which the victim must specify. 

In Ireland, despite there being an absence of hate crime legislation, the Gardaí have recently begun to collect data on crimes which are deemed to be “racist[i], homophobic, anti-traveller [sic], agedist, acts against people with disabilities, sectarian, anti Roma, Islamophobia, anti-semitic, transphobia and gender related.” (McGarry 2015) 

The formulation of questions on identity presents challenges in balancing requirements for inclusivity against the need for concision. With reference to ethnicity, but with wider relevance, Aspinall (2012) argues that the possibility of constructing a closed-ended question which comprehensively reflects the range of labels with which people self-identify is impossible. He argues against requiring people to fit into prescribed categories, and argues for the advantages of an open-ended approach to such questions, in the manner provided for in Canada’s Ethnic Diversity Survey (Statistics Canada 2013). Accepting the validity of Aspinall’s concerns, we recognize advantages to a closed-ended approach to gathering data on identity. The purpose of the partner CSO recording mechanism is to monitor hate crime rather than to provide a census of its client community. A closed-ended approach permits the CSO to probe identity issues with specific policy and practice relevance, e.g. to prompt the respondent to report identification with sub-sets of the client community who are known to be at particular risk. 

ENAR Ireland agreed that it was important to understand the particular experiences of different Black and Minority Ethnic (BME) communities: 

“I think we need broad strokes about specific forms of racism. Because what we’re looking at is expressions of prejudice and hate crime and racism... that come from mostly... a mainstream white Irish settled population. Which reflects, mostly but non-exclusively... mainstream ideas and violence or threatening expression of those. And yeah, so I think it’s important for... us to be able to say people of African descent are targeted because of x, y. Travellers are targeted in these ways and Muslims are targeted in these ways.” 

**Intersectionality**

An advantage of a single reporting system for all identity communities is the capacity to capture data on the role of intersectionality in people’s experiences of victimisation. Such data are of direct utility to CSOs working with specific identity communities in that they identify platforms for solidarity and they inform our understanding of varying levels of risk within a given community: for example in some national contexts racialized identity is strongly correlated to trans persons’ risk of being murdered: 

“I suppose we know on a global level for instance that trans women are targeted. And we know... that trans women of colour and sex workers are targeted. So I think it is... important. Because I don’t think violence... it isn’t targeted uniformly.” (Broden Giambonne, TENI) 

Both TENI and ENAR Ireland have added to the identity categories included in their instruments in an effort to reach out to communities which had not been engaging with their systems – or at least, whose demographic data the form had not effectively captured:
“[W]e’re not getting enough data from people in the asylum system and it’s kind of instructive because ... because people in Direct Provision centres aren’t reporting to us. And then it was pointed out to us that we’ve no way of capturing whether somebody who is filling in a form is in Direct Provision.” (Shane O’Curry, ENAR Ireland)

“...There is now a question around whether you’ve had sex for money or exchanged sex for money. Again to see if we’re getting any sex workers who are completing the form because we’re conscious that sex workers ... on a global scale there are many trans sex workers and many of whom experience significant levels of violence, stigma, harassment and discrimination.” (Broden Giambrone TENI)

GLEN spoke to the need to capture intersectional data, and observed that a uniform reporting mechanism would be ideally suited to this purpose:

“So we don’t know: what the experience is around hate crime if you’re Brazilian or Black or Polish or Latvian or if you are disabled. Or hard to know if you’re male or female trans, but STAD are getting a better sense of that ... in pejorative terms, if you’re perceived by somebody as being “camp” ... then does that make you more vulnerable? ... We’d prefer one overall data collection system that manages to capture some of those cross cutting characteristics.”

TENI echoed this position:

“And so of course in certain incidences ... I think gender identity, gender expression, sexual orientation can all get a bit blurred. Because are you being targeted because somebody sees you as trans or because you’re gender variant. Do they then refer to you with homophobic slurs? Some people tick many of these boxes.”

In the absence of a single reporting mechanism, it is important that CSOs recognize that respondents may be targeted on multiple grounds (Schwepe et al. 2014) and that their individual data collection instruments are capable of reflecting this.

In 2015, ENAR Ireland gathered information on victims’ racialized and ethnic identity, their age, their gender, including transgender status, disability, and sexual orientation. TENI gathered information on the victims’ age, gender, sexual orientation, whether the victim was ever involved in sex work, and the extent to which they are out. GLEN gathered information on gender and gender identity, sexual orientation and age.

In each instance, the organisation addressing a particular characteristic provided the most detailed questions on that ground. Thus for example, TENI provided respondents with the option of identifying their gender as Woman (trans/trans history); Man (trans/trans history); Transgender; Transsexual; Non-binary / Genderqueer / Genderfluid; Agender; Genderqueer; Cisgender and unknown, while ENAR Ireland offered the option of identifying one’s gender as male, female or transgender.

TENI noted, however, that the capacity of the system to recognize intersectionality must be balanced against the response burden:

“[Resident status is] another one definitely. ... I mean you could even ask questions about people’s income. Because again, I think if you’re poor or if you’re homeless you’re probably at greater risk as well and that’s not really captured here. So I’m sure there are other areas. But again ... how many demographic questions?”

In determining which victim demographics about which to gather information, organisations should keep in mind the capacity of their data to speak to police recorded data, as well as international research findings regarding intersectionality and intracommunity variations in risk, which may themselves change over time. For example, in the current period it is essential that organisations whose primary concern is racist and religiously motivated crimes can distinguish anti-Muslim and anti-semitic motivations, a process which may be aided by being able to disaggregate data on Muslim and Jewish victims. Equally, organisations primarily focused on transphobic hate crime should be able to disaggregate data which will determine whether international findings regarding the increased risk of violence to trans women and Black and ethnic minority trans people are reflected in Ireland.

Misrecognition

As it is the offender’s perception of the victim, rather than the victim’s actual characteristics that determines whether or not a crime is motivated by bias, detail on victim demographics can be usefully compared to any indicators of the bias motivations present in the offence. That the victim of a racist assault was Sikh is essential information for informing interventions, but that this victim may have been targeted because the offender perceived them to be Muslim, not Sikh, is of equal importance (see for example Haynes, et al. 2015):

“There’s a classic story of a woman who said you know, ‘my mother and I are dark-haired sallow-skinned Irish people and people keep shouting ‘fuck off Paki’ at us and that’s Islamophobia and that’s racial hatred’. Their real identity is actually incidental. It’s the perceived identity that counts.” (Shane O’Curry, ENAR)

This issue of perception was also highlighted by GLEN:

“...So you appear ‘camp’ or effeminate but that doesn’t necessarily mean you’re gay ...” (Brian Sheehan, GLEN)

It is worth noting that if an offender can misperceive the identity of a victim, so too can a witness. TENI initially allowed witnesses and other third parties to report incidents, but abandoned this approach as it was too difficult to determine the identity of the victim:

“When we started we had a witness report and a victim’s report. And that came through the ILGA Europe and the suggestion was an individual might not report but witnesses might. But we found that in that first year the witnesses’ reports were virtually unusable ... if you don’t know their identity say you see me getting beat up on the street – is it because I’m trans ... how would they know what’s my identity ... you’re guessing that person’s gender identity and sexual orientation, their age ... you’re guessing any number of things. ... Very few [of the forms] contained information we felt we could use.”

Offender characteristics

The profile of hate crime offenders is a particularly poorly-researched aspect of the phenomenon. The findings which are available are not conclusive. For example, Gadd and Dixon (2005 and 2009) profile offenders as vulnerable persons in their own right. Such findings are contradicted by other research which finds that many offenders are middle class and have no previous convictions (Fischer and Salfati 2009). Data on this subject are valuable to the hate studies community, including to policy makers, as the profile of offenders is influential in determining the kinds of preventative measures and sanctions that may be effective.

ENAR Ireland, TENI and GLEN, all gather some information on the characteristics of perpetrators. In 2015, all three gathered data on the number of perpetrators (using ranges), the age of the offenders (using ranges) and the respondents’ familiarity with the perpetrator. ENAR also sought information on the (binary) gender of the perpetrators, and their racialized and ethnic identity.

Our analysis of the resulting data, presented in chapter 5 of this Report, demonstrates the potential utility of such information in countering stereotypes of hate crime offenders as necessarily young, disaffected thrill seekers (Gadd and Dixon 2005 and 2009):

“I mean I think the main one is the perception that racism would be ... perpetrated by youth, at night and related to drink. And neither of those three is the case or they’re not your prototypical case. Your prototypical case is ... middle-aged men, during the day there are peak hours during the day – it’s four and five. Or 9 in the morning or noon time, it’s when people are moving around in the hustle and bustle of everyday life - in a queue at the post office, on a bus ... and they’re not drink-related.” (Shane O’Curry, ENAR Ireland)
Data gathered from victims and witnesses can thus be useful in informing our understanding of the profile of offenders. Data from victim surveys have an important role to play in challenging or confirming police recorded and court data, which may be less comprehensive and profile only those who are subject to formal sanction.

The potential benefits of ascertaining victim and witness perceptions of offender characteristics must be balanced against the caveat that respondents may not be in a position to accurately report such data.

We recommend that organisations carefully frame considerations regarding the validity of data on offender characteristics in publishing their findings. Organisations might also find it beneficial to distinguish between data provided by respondents who were strangers to the offender and those who state that they had a relationship with the offender.

The point raised earlier in this chapter regarding the imposition of artificial lower age limits also pertains to questions on offender characteristics.

**Date of the offence**

If an objective of monitoring is to provide information on prevalence, change over time or to speak to the State and its agencies, then it is useful to present data by year. In 2013, this information was ascertained in a number of different ways across the three instruments employed in Ireland.

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Question</th>
<th>Format</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENAR Ireland</td>
<td>What date did it happen on?</td>
<td>DD/MM/YY</td>
</tr>
<tr>
<td>TENI</td>
<td>When did the incident occur?</td>
<td>YYYY/DD/MM</td>
</tr>
<tr>
<td>GLEN</td>
<td>When did it happen?</td>
<td>Month DD YEAR</td>
</tr>
</tbody>
</table>

The format of questions regarding the date of the incident becomes challenging when offences occur on multiple dates. For example, instruments must be able to accommodate the criminal offence of harassment, which may be of lengthy duration:

“[T]here is a case I know offhand of an individual who basically every time they leave their house gets harassed by people in their neighbourhood. So [for] that person it’s not just one time. It’s every day ... But then there’s other people ... and they’re different transphobic incidences but it’s regular.” (Broden Giambrone, TENI)

The question as to how best to capture repeat victimisation was raised by TENI:

“So what we have now is that you have to report each incident individually. So if that happened to you on Tuesday, Wednesday these are different reports. People are going ... ‘I experience this 15 times a month. I’m not gonna fill out a report 15 times.’” (Broden Giambrone, TENI)

Single incidents sometimes incorporated multiple offences. However, it was uncommon to find single reports which sought to log multiple incidents. The reason for this is because in these circumstances, the analyst cannot be certain which of the multiple incidents named in the narrative related to the remaining closed ended questions in the data collection instrument. A form which permits respondents to log details of multiple incidents using the same instrument would be necessarily long and complicated. To offer such an instrument would place too great a response burden on the majority of respondents who are using the system to log single incidents.

We recommend that the introduction to the questionnaire should specifically ask respondents to log separate reports for each incident, except in cases of harassment where they are being persistently targeted by the same person or persons. The shorter the form, the more likely respondents are to comply with this request. It is possible to provide an option on submission of a report which offers respondents the option of immediately beginning a second incident log.

**Impact**

ENAR Ireland, TENI and GLEN all requested information on the impact of the incident reported. ENAR Ireland prompted respondents to provide a narrative description of the impact of the incident on the victim(s). Likewise, TENI invited respondents to provide a description of the psychological impact of the incident. GLEN asked respondents to describe how the incident made them feel.

The narrative responses to these questions elicited important illustrations of the often significant emotional and psychological effects of hate crime (Iganski 2008). Our analysis of these data indicated that the majority of respondents took the time to complete this question and it was rare for them to state that they were unaffected by their experiences. The negative impacts of experiencing hostility on the basis of fundamental characteristics (FRA 2012) were cited both by respondents reporting minor offences and by those experiencing serious and long-term victimisation.

“Even though it was quite insignificant, I was actually very upset once we got home because it was the first time anything homophobic had ever been said to me.”

“I felt threatened and was left homeless and worried for my safety after the incident, I was hospitalised with stress a few days later and spent six weeks in hospital.”

“I had to move house to avoid further attacks.”

“Too terrified to do anything about it.”

Narrative data on impact has the potential to form an important part of any campaign for change, including educative and preventative initiatives, in that it communicates both the gravity of some of the incidents reported and the significant effects which even lesser crimes have on victims because of the bias element of the crime.

The phrasing of the ENAR Ireland question ensured that where respondents were not themselves the direct victims of the crime, they confined their responses to this question to the impact on the victim. Where they were present during the commission of the offence, they often provided a description of the victim’s reaction to the crime. Where acting as a third party respondent, they provided a description of the impacts related to them by the victim. GLEN also accepts third party reports. The open phrasing of their question meant that third party respondents could choose to describe either the impact of the crime on the direct victim or on themselves. We advise that, for the sake of consistency, it would be advantageous to restrict respondents to describing the impact on direct victims. Nonetheless, GLEN’s more open question did provide useful some illustrations of the wider impact of hate crime on indirect victims and the ripple effect of this message crime on the victim’s identity and community, which is recognised in international literature on this phenomenon (Perry and Alvi 2011). For example, one respondent who reported a crime which they witnessed, and who shared the characteristics for which the direct victim was targeted, stated that they incident left them feeling:

“Unsafe, at risk of injury. Angry ...”

Information on injury can be of particular significance to determining the classification of an offence. In 2013, TENI specifically probed the incidence of injury. ENAR’s crime classification options also permitted respondents to distinguish between assault with injury and assault without injury. It is worth noting that questions which request details of emotional and psychological impacts are unlikely to produce data on physical injuries and in such instances a specific question probing this issue is valuable.
Police reporting

Given that a key function of third party reporting systems is to provide an alternative means of logging experiences of victimisation for those who feel unable to report to the police, data on interactions with the police are a salient aspect of civil society data collection instruments. ENAR Ireland, TENI and GLEN all requested that respondents logging reports with their systems declare whether the incident was also reported to the police, and provided respondents with an opportunity to explain decisions not to report to An Garda Síochána. In 2015, ENAR Ireland provided a list of 16 pre-determined options, classifying reasons why one might not report, and the possibility of specifying an “other” reason. GLEN provided a significantly shorter list of options, including “other”, and that list proved sufficient for all those explaining reasons not to report. ENAR Ireland also provided an option for respondents to flag developments that might have encouraged them to report if they did not do so.

ENAR Ireland provided the opportunity for respondents who had reported their experience of victimisation to the police to narrate their experience of reporting. GLEN and TENI provided such respondents with the option of recording their dis/satisfaction with that experience and to provide reasons for the same. These data have the potential to provide valuable insights into practices that translate into good and bad reporting experiences for victims of hate crime and that consequently shape the likelihood that repeat victims and the communities with which they communicate will report to the police.

Chapter 7: Monitoring Hate Crime in Ireland Workshop

In February 2016, a roundtable workshop on monitoring hate crime in Ireland was hosted by the Hate and Hostility Research Group in the University of Limerick as part of this project, with a view to assessing the utility and form of a uniform reporting mechanism. In attendance were representatives from partner organisations ENAR Ireland, Inclusion Ireland and TENI. A panel of international experts was invited to attend the workshop and give presentations on various aspects of the monitoring process. The purpose of this was two-fold: first, to seek to understand the criteria for successful monitoring of hate crime from an international perspective; and second, to advise the partners on achieving the specific aims and objectives of this project. This second aim was also advanced through a frank and open discussion between partners and the experts following a presentation by Amanda Haynes and Jennifer Schwebbe of the HHRG.

The panel of international experts invited to the seminar was:

- Joanna Perry of CEJI, independent hate crime consultant, research fellow and associate lecturer on hate crime at Birkbeck College, University of London;
- Paul Giannasi, Police Superintendent working within the Ministry of Justice in the United Kingdom;
- Rose Simkins, Chief Executive of Stop Hate UK.

Joanna Perry (CEJI) presented on “The Uses and Purposes of Third Party Monitoring”, outlining the characteristics of effective monitoring systems. She first identified the primary attributes of successful monitoring systems, namely: clarity of purpose and capacity; cooperation with authorities while maintaining independence; transparent methodology; attending to the safety of victims as well as staff; and a diverse and representative monitoring group. Perry highlighted examples of good practice including the system operated by the Racist Violence Recording Network in Greece, introduced in what she described as “really challenging conditions”. She emphasized the importance of informing respondents as to the purpose of data collection and the aims of the monitoring organization, to ensure transparency and engagement.

Perry discussed the potential power of connecting monitoring systems to existing and forthcoming calls for wider policy change (for example the recent ENAR Ireland campaign for the introduction of hate crime legislation). In an Irish context, she strongly recommended pooling data gathered by partner organisations to present a more holistic picture of what is known and what remains unknown about hate crime, as well as an analysis of how a unified reporting mechanism can help fill these gaps. Perry was of the opinion that national agencies such as the Irish Human Rights and Equality Commission and the Garda Inspectorate would find the kind of data gathered by the partner organizations useful and that international agencies such as the Fundamental Rights Agency, the European Commission and ODIHR would be supportive of such work. Indeed, she pointed out that such intergovernmental organizations make use of civil society recorded hate crime data, including in their interactions with Irish authorities.

Paul Giannasi presented on the role of state support in relation to hate crime reporting. He defined good practice on the part of the State as involving acceptance of the existence of hate crime; defining the parameters of the phenomenon; transparent measurement of the extent of the problem; setting targets and standards; coordination; inclusion; and, above all else, leadership. Giannasi reported in particular on his experience with the British online hate crime reporting system True Vision, which is operated by the Association of Chief Police Officers and which gathers online reports which are forwarded directly to the relevant UK police force for investigation. He outlined the involvement of local partnerships in an annual process of evaluation and refinement of the existing system, with a particular focus on addressing underreporting. He provided partner organizations with practical information on the set up and running costs associated with the True Vision system.

Rose Simkins’ presentation entitled “Underreporting: Engaging with and Accessing Communities” discussed the underreporting of hate crimes on the grounds of race, sexual orientation, disability and gender identity in the UK, which she argued was evidenced in the discrepancies between crime survey figures for the years 2014/2015 and Home Office (police) figures in England and Wales for 2014/2015.
Simkins, who is the Chief Executive of Stop Hate UK, an organization which provides support services to victims of hate crime in the UK, described the range of pathways to reporting which her organization provides, including 24 hour phone lines; text; text relay; online sign language interpretation; email; online chat; and online surveys. She noted that the project is funded through a number of sources including government departments, local authorities, police forces, police and crime commissioners, trusts and housing providers. This range of funding sources highlights the extent to which the necessity and value of CSO monitoring is appreciated in the UK.

Simkins described how her organization employs media and social media campaigns to reach people and communities. She observed that barriers to reporting include embarrassment, cultural issues, fear of reprisal and accessibility difficulties, among many more. She noted that hate crime reporting can be complex, distressing and does not always cross the “crime” threshold. She noted that victims may face discrimination, prejudice and poor service, and that those who monitor hate crime must always be mindful of the needs of their community groups in other contexts.

Jennifer Schweppe’s presentation detailed the legislative regime with respect to data protection considerations and an individual’s right to privacy and control of their own personal data. Jennifer Schweppe and Amanda Haynes then gave a brief presentation on the preliminary findings of their analysis of the partner organizations’ data collection instruments, informing an open discussion of the possibilities for a uniform reporting mechanism. This presentation formed the basis of an engaged discussion between the partners and the international advisors on the next phase of the monitoring project.

Chapter 8: Data Protection and Monitoring Hate Crime

In monitoring hate crime, organisations need to be mindful of the data protection implications that collecting such information can have. The collection and retention of data is regulated in Ireland under the Data Protection Acts 1998 and 2003, which were introduced in order to ensure that Irish law complied with the European Union’s Data Protection Directive (95/46/EC). This chapter reviews the issues surrounding data protection in respect of the monitoring of hate crime.

Implications

The implications of the Act in the context of monitoring relate to the manner in which the data are collected; stored; shared; and published by monitoring organisations. In this context, monitoring organisations are “data controllers” and thus have clear responsibilities under the Act where collecting personal data. Further, where information is being processed by a third party (such as when data collected are being analysed for publication), the manner in which the information is shared with that person should be regulated.

Under the Act, an individual has a right to control their personal data, to have a copy of their personal data, to have inaccurate personal data rectified or erased, and to complain to the Data Protection Commissioner in the event of a breach. For this reason, if a monitoring system collects personal data, it must do so in a manner which both protects the privacy of the individual, but also in a manner which allows for traceability from the moment the individual provides the monitoring body with their personal data to the point that it is destroyed. There are further requirements where the data controller collects sensitive personal data.

The eight rules of data protection

When collecting data, you must comply with the eight rules of data protection:

1. Obtain and process personal data fairly
2. Keep data for only specified and lawful purpose(s)
3. Use and disclose data only in ways compatible with the purpose(s) for which they were initially given
4. Keep data safe and secure
5. Keep data accurate and up to date
6. Ensure personal data are adequate, relevant and not excessive
7. Retain data for no longer than necessary for the specified purpose(s)
8. Provide a copy of his/her personal data to an individual on request

In exploring the obligations monitoring bodies have when collecting information on hate crime, it is vitally important that these rules are a primary consideration when determining the manner in which data are collected; the type of data collected; the information requested in the collection of such data; the storage of the data; and the analysis of the data.

What is personal data?

Personal data is described by the Acts as “any data relating to a living, identifiable individual.” The individual does not need to be named: if the information provided includes a sufficient number of identifying characteristics which allows any other individual to identify the person involved, then that counts as personal data. One reading of this is that if it is possible that the individual can be identified then it counts as personal data; the Data Protection Commissioner, on the other hand, suggests that if it is not likely that the individual is identifiable to parties external to the data controller, then the provisions of the Act do not apply (Data Protection Commissioner 2007).
What is sensitive personal data?
If monitoring bodies are collecting personal data, it is highly likely that they will be collecting sensitive personal data, the collection of which carries further responsibilities, and for which the Act provides additional protections. Sensitive personal data includes personal data in relation to:

- Physical or mental health
- Racial or ethnic origin
- Political opinions
- Religious or other beliefs
- Sexual life
- Criminal convictions
- Alleged commission of an offence
- Trade Union membership.

Anonymous collection and anonymisation of data
Prior to describing the responsibilities associated with personal data collection, it is worth observing that where the data are collected anonymously (i.e., that the data subject is not identifiable); or where the data are irrevocably anonymised at the point at which the data are processed through the system to the extent that an individual cannot be identified from the data, then the requirements of the Act do not apply. However, some individuals may report an event which is so detailed that it is potentially not possible to truly anonymise the data.

Despite the best efforts of the monitoring body, it may also be the case that it unintentionally collects personal data. Again, these data should be immediately deleted and the report anonymised unless the body has the explicit consent of the data subject to store the data.

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Requirements when storing personal data
The first consideration when developing an online monitoring system is the software package that is used to collect the information. It is vitally important that the information is collected using a European-based system. Extreme caution should be used when using a software package with data hosting outside Ireland or Europe: if the body must use such a package based in the United States, it should check that it complies with the US-EU Safe Harbour arrangement.

Once the data are collected, access to the data must be restricted to authorised staff only. Physical access to the data must be controlled: it should only be on a password protected computer, for example, and where data are printed in hard form, this should be kept in a locked cabinet and confidentially shredded when no longer required.

Strict protocols must be in place regarding data storage and data sharing. Where data are being shared electronically, only password protected files should be sent. Best practice would suggest sharing the document in one format (e.g. electronic mail) and the password in another (e.g. text message). Where data are being shared any other way, encrypted storage devices should always be used, and such devices should never be left unattended.

Where relevant, there must also be strict protocols regarding the anonymisation of data. This should be done at the point of collection and prior to the data being downloaded from the server.

Finally, there should be strict protocols around the destruction of data. Where upgrading computers, ensure a full wipe is done professionally. More generally, data passwords should be changed regularly and always where there is a change in personnel who are permitted to access the data. Data should be permanently destroyed after the relevant timeframe across all storage devices, including the point of collection.

Data processing agreements
Organisations may wish to allow third parties to access their data to analyse it for the purposes of generating reports. In such cases, the data controller and the data processor must have a written agreement signed by both parties which contains:

- Agreement that processing will be undertaken with permission and under instruction of the data controller
- The minimum security measures that need to be in place
- Statement that the data processor understands and complies with the Data Protection Acts.

Unintended data breach
Despite best efforts, it may be the case that organisations experience an unintended data breach. A data breach is where personal data are disclosed, lost, destroyed, or altered through theft or loss. In such cases, organisations are obliged under the Acts to notify both the data subjects and the Data Protection Commissioner. Again, the former will be difficult, if not impossible, if organisations do not have contact details of each individual who reports to the monitoring organisation, which is why anonymisation is preferable in all cases.

Further, where sensitive personal data are being collected, explicit consent – by way of a signature or opt-in box, must be provided. A sample consent sheet is included at the end of this section.
Chapter 9: Uniform Reporting Mechanism: Some General Conclusions

In assessing the potential for a uniform CSO hate crime reporting mechanism for Ireland, there are a number of general issues which we first address. The international context must be considered, and in developing a uniform reporting mechanism, we have taken account of advice from CEJI, the OSCE, and looked to a number of reporting mechanisms currently in use across the United Kingdom. However, as Perry (2001) observes, hate crime is a culturally specific phenomenon, and thus we must ensure that our proposed instrument is fit for purpose in an Irish context:

"I think one of the challenges was how do you word questions around the perceived ethnic identification of the perpetrator and of the victim. And what questions do you ask. I think that was something that needed to be specific to an Irish context." (Shane O’Curry, ENAR Ireland)

Requirement for corroboration

In Facing Facts Forward, CEJI recommends that, where possible, reports of hate crimes should be verified, such as through interviewing the victim or witnesses (CEJI 2012, p.7). However, not only does this contradict the principles of the perception test, we believe this policy is not appropriate to systems of reporting which offer anonymity to the respondent. The possibility of anonymity is a key point of differentiation between the CSO monitoring system and reporting to the police. TENI considered including a requirement for corroboration in its reporting system but decided not to. The primary reason for this, TENI stated, was that a requirement for corroboration would negate the guarantee of anonymity and negatively impact trust in the system:

"If we required people to provide us with contact information, we just didn’t think people would report at all. Or they wouldn’t give us that information … I think you would lose people because I think the strength of this type of reporting mechanism is that it’s anonymous and it is confidential. And I think it’s one of the reasons people don’t want to report to the guards - because it’s not." (Broden Giambrone, TENI)

Unwanted attempts to verify the content of anonymous reports may infringe upon the privacy of the respondent, victims and witnesses. At worst, unprompted investigation by a civil society organisation could endanger the victim by publicising their case. At worst, unprompted investigation by a civil society organisation could endanger the victim by publicising their case.

As ENAR Ireland pointed out, their civil society monitoring process is not intended as an extension of the criminal justice system but rather runs parallel to it:

"Again, it comes back to the fact that this system is not a criminal justice system. This is complementary to the criminal justice system. It’s not an extension of it. … there tends to be confusion of the roles of CSO and state data collection systems and I think there’s a rule for there to be parallel ones: the CSO one checking the state one." (Shane O’Curry, ENAR Ireland)

In the course of our analysis of reports made to our three partner organisations, we encountered only a handful of what appeared to be false reports. The overwhelming majority of reports included detailed narratives and consistent data. In a very small number of cases, exclusive to the most established system iReport, a number of false reports were apparent. These reports took the form of explicit statements of hostility towards the minority groups which the organisation serves. ENAR Ireland was aware of the very low incidence of such reports and removes them from the analysis:

"It’s very clear. From a racialised language and it’s … kind of teenage stuff because [it is] somebody mocking your system." (Shane O’Curry, ENAR Ireland)

TENI and GLEN added to this a strong argument that it is inappropriate for organisations to require corroboration of...
information requested from and provided in good faith by their clients.

“The assumption that you have to be able to validate it I think [sends the message], “we don’t trust people” – “we don’t trust our community” – and we do.” (TENI)

This, Broden Giambrone observes, means that the information comes with:

“the caveat that it is self-reported and it is self-perceived but that is the experience that person has and so I think that is, you know that’s the valuable bit.” (TENI)

While corroboration might be useful from a state perspective, and certainly would assist state actors, the purpose of CSO monitoring systems is to support victims and their communities. This system is not intended to replace or augment the state system, but rather respond to gaps in that system. A requirement for corroboration, resource-intensive as it would be, would, we believe, create barriers to reporting for both the individuals themselves and the CSOs.

**Support function**

CEJI (2012) and OSCE (2014) reports on hate crime monitoring include a presumption that monitoring systems will be associated with a support function, whereby victims can access supports from the CSO including, but not limited to, bringing the case through the criminal justice process. This was an issue discussed in some depth with the CSOs, as it would inform both the form and content of the instrument, as well as the resourcing required for the system as a whole. These interviews contradicted assumptions that monitoring and support are integrally interlinked.

“[O]ur sense was that we weren’t going to be following up with the individuals in way that say Gallop in the UK does where they have a whole team of people who make contact with somebody, do the victim support ... and services and including court services and including negotiating with the police on specific instances in specific areas. We didn’t think that’s what we were going to be doing ... That it was going to be more about enabling us to assemble the information to encourage the Gardaí to be more proactive.” (Brian Sheehan, GLEN)

That said, GLEN did note that if it was perceived that this was needed, this is a function which could be developed later:

“[I]f in effect the results came in as a flood and it seemed there was a huge need to do that, then we would. But our sense was that wasn’t going to be what it was.” (Brian Sheehan, GLEN)

TENI had originally offered a support function but withdrew it. They felt that if the resources were not available to guarantee a timely response to victims then it would be better not to offer such a service:

“We did [offer a support service] originally and took it out of the original form. The reason for that was at the time we were afraid that people were giving contact information and then nobody was reaching out to them. Like it was falling through the cracks ... I thought, if somebody fills this out and gives us their information and they don’t get a call immediately that’s horrible. ... I don’t want to leave somebody in that vulnerable position.” (Broden Giambrone, TENI)

However, the lack of an option to leave contact details leaves organisations in a situation where they cannot reach out to people they believe may need assistance. Some cases remain in the minds of the CSO representatives:

“I was conscious I think there was that incident in 2013 of the young trans guy who was raped and we don’t know who he is. I don’t know anything about him and I just thought, obviously it’s an anonymous form but if he had been able to leave and had left you know maybe ... we could link in. And maybe he is linked in. I don’t know ... especially in the kind of extreme cases - that vulnerability - and you look at the form and it is anonymous and it is confidential, but also you think where are those people? Are they getting the support they need? Could we provide more for them or for us signposting something that would help them after that trauma.” (Broden Giambrone, TENI)

A means of ensuring that individuals reporting are not left without any support whatsoever is to include a list of relevant support organisations at various points of the reporting process: a practice already carried out by many of the organisations.

**Signposting to services**

None of the three CSOs engaged in monitoring are resourced to provide support services to victims of hate crime. As a result, they have developed ‘signposting’ processes which direct the individual reporting to appropriate services. ENAR Ireland developed a ‘signposting document’ which lists organisations which can help, including victim support. Similarly, Inclusion Ireland offers a sign-posting service:

“‘So if a person contacted me and they were a victim of a crime, we would refer them to one of the victim support services. Sometimes the people who will contact us and ask us around their rights, we would provide them with that information ..... [W]e’ve different ways of directing people to individuals or organisations that are better placed than us to support them. An Garda Síochána, Victim Support Services, the confidential recipient, the National Advocacy Service – we’ve a broad range of organisations that might be better placed to support people in individual circumstances.”

TENI includes references to services at the end of the form, in a similar manner to the signposting services offered by other organisations:

“What we have at the end then is a referral of where else people can go. It’s not ideal, but we didn’t have the resources.”

**Victim support services**

Under the Victims’ Directive, the State is under an obligation to provide for a number of supports and services to victims of crime. Article 8 of the Directive requires Member States to provide for a right of access to victim support services before, during and for an appropriate time after criminal proceedings. Member States are under an obligation to ensure that victims are referred to these support services, which are to be free of charge. Specialist support services should also be available. Crucially, under Article 8(5), access to victim support services is in no way dependent upon the victim making a formal complaint in relation to a criminal offence to a competent authority.

Thus, Member States are under an obligation to provide specialist support services which must be made available to all victims of crime, regardless of whether they have reported the crime to the police or not. These services, under Article 9, are to provide for, inter alia, emotional and, where available, psychological support; and advice in relation to the risk and prevention of secondary and repeat victimisation. Hate crime is not specifically mentioned in Article 9, though it does require Member States to provide targeted and integrated support for victims with specific needs, “such as” victims of gender-based violence. Thus, at a minimum, specific support must be provided for members of the trans community, though we would of course argue that as victims of hate crime have such specific needs and experiences that targeted and integrated support should be made available to all of them. In England and Wales, for example, there are specially trained hate crime support workers. We would argue that these services should also be made available in Ireland, in a manner which also takes account of the different needs of the various communities targeted by hate crime.
TENI particularly spoke to the multiplicity of service needs a victim might have:

“If you had a very traumatic incident and you fill out this form ... you might need counselling. You might need all of these things but TENI doesn’t offer them. We don’t have the expertise and we don’t want to pretend we do ... but it’s unfortunate because I think sometimes people do really need to be in touch with somebody.” (Broden Giambrone, TENI)

TENI have had meetings with Victim Support, though given the particular experiences of members of the trans community, Victim Support are not necessarily appropriately trained to address their needs and concerns. This is in fact reflected across the services, and speaks to the requirement in the Victims Directive to have specific support services available to victims of gender-based violence:

“I think again they’d [a service for victims of crime] be great on the victims ... but would they be great on the trans bit? ... This is the problem with TENI generally in referring on a problem. Because we can’t be confident that where we refer will be good around trans issues. They’ll probably be good around whatever the main issue is that they deal with. But are they going to be good around gender identity and gender expression? I don’t know. And we’ve done a lot of training. But still... it just takes time. You’re not an expert after an hour of training. Even after a half day of training. It takes time.”

(Broden Giambrone, TENI)

Indeed, from a rights-based perspective, TENI argue that a trans person should be able to access services in the same way that any other person can. Being trans should not send an individual into a support vacuum:

“... the fact that somebody is trans should not be ... should not inhibit their ability to access those services. Those individuals should be able to deal with that person – they don’t have to have expert level knowledge, but with some acknowledgement of what that might mean for that individual and then ... they can get the service they need.” (Broden Giambrone, TENI)

We further recommend that all partner organisations might continue to work with An Garda Síochána to develop opportunities for victims of hate crime to report to specially trained police in “safe spaces”, in the manner of the service provided by Outhouse and flagged by GLEN.

Confidentiality

Interviewees highlighted the need for anonymity as vital to allow victims to report their experiences:

“[T]o overcome the main barrier, the point is that we offer them the option of being completely confidential.”

(Shane O’Curry, ENAR Ireland)

In the context of the relatively small trans community in Ireland, anonymising reports and ensuring that an individual cannot be identified can, as TENI observe, be difficult. TENI also speak to the possibility for revictimisation on publication of the STAD report:

“... it’s the problem with TENI generally in referring on a problem. Because we can’t be confident that where we refer will be good around trans issues. They’ll probably be good around whatever the main issue is that they deal with. But are they going to be good around gender identity and gender expression? I don’t know. And we’ve done a lot of training. But still... it just takes time. You’re not an expert after an hour of training. Even after a half day of training. It takes time.”

(Broden Giambrone, TENI)

Dual purpose

ENAR Ireland provides respondents with the option of leaving their contact details first, to follow up with the individual if they need support in reporting the crime to the police, and second, to provide people with the option of speaking out about their experience:

“[S]o if there’s a really serious ongoing crime or if there’s something that really needs to be brought to the guards or followed up on it allows us to get in touch with them to follow up. It’s also used in our media strategy if ... the incident ... is instructive or prototypical of a type of pattern we’re coming up with, we’ll get in contact with them and see if they would be ready and willing and able to speak to the media about their experience.”

However, respondents may wish for more intensive support than is possible given the resources and remit of the organisation:

“[W]e get a lot of requests from people who want something done about it ... So if somebody’s being subjected to a repeated pattern of racial harassment in their house or something, they want it to stop and failing that they want to be rehoused.”

(Shane O’Curry, ENAR Ireland)

Resources

Resourcing was a clear source of limitations for the CSOs. Although funding was secured from international organisations to establish monitoring systems, this funding was often once-off. Thus, in order to support their communities, the CSOs were continuing to operate the instruments in a budgetary vacuum:

“ILGA Europe only funded for one year. [I]t was brilliant that they provided that grant in the first place and one of the stipulations was they tried to create something that was sustainable .... [W]e’ve continued with it but with literally zero resources specifically allocated.”

(Broden Giambrone, TENI)

GLEN and ENAR Ireland also referred to this issue and spoke to the need for sustainability of the instruments. With a small amount of ongoing funding, it was felt, the monitoring system could do much more for victims.

Accessibility

In designing and developing a uniform system, a number of issues regarding accessibility must be addressed. Current systems presume both functional and computer literacy on the part of the individual reporting their experience. In particular communities, this presumption may lead to disproportionately low levels of reporting, and lead to further feelings of isolation and exclusion. However, processes which could improve reporting rates (such as receiving reports by telephone, or assisted report-making) are resource-intensive as well as expensive. Current systems also presume relatively high levels of English language competencies which may lead to similar problems with reporting rates and experiences of exclusion: again, to provide systems across a number of languages is expensive and time-intensive.

“... if we had all the money in the world we would have somebody specifically doing this and going to the different groups and then sitting with people and typing it in and putting it in as they report it if they’re happy to do that, or calling in and all of that. But in reality it’s mostly online and it’s mostly the individual who has experienced it.”

(Broden Giambrone, TENI)
There are four options with respect to hosting; that is, how the mechanism is made available to communities. Access is facilitated by providing for third party reporting by both ENAR Ireland and TENI.

“[Accessibility issues are] one of the reasons why we have third party reporting and frontline organisations reporting. Because somebody can sit with someone, fill out the form with them – support them to fill it out...” (Shane O’Curry, ENAR Ireland)

However, ENAR Ireland observed that while the self-reporting aspect of iReport was relatively cheap and easy to manage, if victims are to be assisted in filling out the form, or if other CSOs are to be made aware of the iReport system, resources are required which simply are currently unavailable. This, as ENAR Ireland point out, is of course not a problem unique to the Irish context:

“I think that’s the biggest thing about getting people to report is the staff hours that go in to reporting racist incidents. The cheapest part is the online form and you can do it for a couple of hundred quid a year. The most expensive part is the staff... to promote the system reminding them to report. It was very interesting that NICEM Northern Ireland Council for Ethnic Minorities, in one of their reports I can’t remember which one it was but I think it was maybe 2012 or 2013 report... it was noted that NICEM from one year to the next the number of racist incidents captured by NICEM halved and that corresponded to the fact that staff time allocated to managing the system halved. So there is a direct correlation.” (Shane O’Curry, ENAR Ireland)

Stop Hate UK has a range of points of access for individuals who wish to report a hate crime including:

Phone (freephone access across a range of identity groups, with dedicated lines for LGBT+ people; people with learning disabilities; and members of the Roma community)
Text
Text Relay
British Sign Language via InterpreterNow on the Stop Hate UK Website
Email
Chat
Online form
App

In 2015/2016 Stop Hate UK had an organisational budget of £306,444, of which it expected to spend £255,053. It is funded from a range of sources, including government departments, travel companies, trusts, housing providers, local authorities, police forces, and police and crime commissioners. To develop an Irish system which was fully accessible would require significant funding.

Hosting

There are four options with respect to hosting; that is, how the mechanism is made available to communities.

Single location, single form

This would involve one central location (one option would be the creation of a central website such as www.reporthate.ie) which would host one form for all communities. Data would then be disaggregated according to the personal characteristics identified by the victim, and individual CSOs could access the data for the purposes of generating community-specific reports.

While this option has the benefit of being a “one stop shop” for reporting, and for analysing hate crime across all communities with relative ease, it also has a number of drawbacks. First, the domain would have to be hosted somewhere, and the data controlled by a single organisation. For a variety of reasons, but not least, funding streams which are associated with monitoring hate crime, this is not feasible.

Central location as “distribution point” to CSO hosted mechanisms utilising a single form

Using a central location (eg www.reporthate.ie) this site would be a “kick off” site to individually hosted mechanisms on CSO sites. The CSO sites (eg, www.ireport.ie; www.stophatecrime.ie; https://transequality.wufoo.eu/forms/stad-2016/) would all host the same form to allow for comparability of data and ease of intersectional analysis. However, it would also allow each CSO to have ownership of their data; to analyse data independently; and to seek funding to support and enhance their monitoring function.

The HHRG have the capacity to design a “Report Hate” website as well as a mobile “landing” app (similar to the “True Vision” app) which would refer people to the website. The website would essentially be two pages. The first would refer people to the relevant reporting mechanism, and provide a link to the second page which would detail ways in which individuals can report crimes directly to An Garda Síochána. Clearly written on the page would be a statement to the effect that in all cases of emergency, individuals should call the emergency services on 999.

CSO hosted mechanisms utilising a single form

Under this approach, nothing would change in terms of hosting (in that there would be no app or referring page). However, CSOs would agree to utilise the uniform mechanism which would again allow for comparability of data and ease of intersectional analysis.

CSO hosted mechanisms utilising adapted forms

In the event that CSOs decide that there is no utility in a uniform mechanism, this approach would mirror current systems, in that the monitoring mechanisms are hosted individually, and CSOs determine the format and content of the mechanism. As is currently the case, comparability of data would be difficult, and intersectionality would be almost impossible to capture. Where CSOs wish to adapt the proposed uniform mechanism, it would be important that the number of questions remains relatively similar, to ensure that victim concerns remain the foremost consideration.

The HHRG recommend option 2. The use of a uniform system would allow for ease of comparability of data and intersectional analysis. Further, the use of a “distribution” site as well as the hosting of the mechanism on the home pages of organisations would, the HHRG believes, be important for policy development and strategy; by presenting a united and uniform approach to monitoring hate crime across the sector, it would be less easy for the State to ignore the issue.

Hate Crime Monitoring Network

Approaching the monitoring of hate crime on a cross-sectoral basis which has cross-community partnership at its core, has a number of advantages.

"I think there are many factors in that but I think [functional and computer] literacy is one of the factors. And then I think the academic and kind of technocratic language that the forms uses is off-putting." (Shane O’Curry, ENAR Ireland)
Chapter 10: The Proposed Reporting Mechanism

This concluding chapter outlines the elements of the proposed reporting mechanism. The question choices and formats are informed by, and elaborated in, the analysis presented in chapter 6. Key recommendations from this analysis are reiterated here for context. The exemplar survey and constituent questions that we present here are designed to be completed by a victim of hate crime, rather than a witness or third party. Where a system seeks to accept reports from the parties other than the victim, modified versions of the victims survey should be provided for each category of respondent and the opening question in the survey should direct the respondent to the appropriate version of the survey.

The approach that we propose, drawing on conditional logic, ensures that the respondent is asked only for personal data relevant to understanding their experience of hate crime and thus significantly reducing the response burden. In its shortest form, before the respondent triggers any dependencies through their selections, the exemplar questionnaire that we propose occupies less than six screens and displays only 15 questions.

The splash page

- The instrument should be introduced with a ‘splash page’, i.e. a page accessed prior to proceeding to the main instrument, which provides for the elements of informed consent.
- To provide for analytical clarity, the HHRG recommend that the introduction to the questionnaire should specifically ask respondents to log separate reports for each incident, except in cases of harassment where they are being persistently targeted by the same person or persons.
- If an organisation is unable to provide any direct support to respondents reporting experiences of victimisation, it would be valuable to include a statement to this effect on the splash page, along with a link signposting organisations to whom victims of hate crime and discrimination can be directed.

Proposed format:

Have you experienced a crime where you were targeted because of your personal characteristics, such as your skin colour, ethnicity, gender identity, sexual orientation, religion or disability?

Help us document hate crimes and incidents in Ireland!

Using data provided by people like you, we lobby the government for legislation and resources to address this divisive social problem and we raise awareness among key stakeholders such as An Garda Síochána about the existence of hate crime. We do this by publishing reports which we write using the information you give to us, but in a way that ensures you cannot be identified. You might see yourself quoted in a report, but if you do, we will make sure that no one will know that it was you speaking.

It will take you approximately 15 minutes to make a report using our online system. You will be asked about the crime, its circumstances, and what, if anything, was done about it.

We understand that you may have been a victim of a hate crime on more than one occasion. In order for us to have the most accurate understanding of your experiences, please complete a separate report for each incident. However, in the case of harassment, where the same person or persons has targeted you in the same way on multiple occasions, or over a period of time, please fill in a single report.
All our data is password protected and stored securely. We may work with a researcher to analyse the information in the reports, but if we do this, they will be bound by the same requirements to keep your information safe and secure. We will keep the report that you file securely for 7 years after which it will be permanently destroyed. Although we take the security of your information very seriously, there is always a risk of breach with any online system, so we ask that you do not provide any names or any information (such as place names or occupations) which you think might identify any person - you, the person who targeted you, or witnesses.

You can refuse to answer any questions. You can leave the reporting system at any time.

Only when you click the submit button at the end of the report will your data be stored. At the end of the submission process, you will be given an identification number. You should keep this number securely, in case you might wish to access your report at a later date.

If you have any questions about this reporting system, please contact (name and telephone number) and they will be happy to answer your query.

Please click below to continue.

**Core questions**

There is no exact requirement as what data either state or CSO hate crime monitoring systems should record. However, the types of information most commonly cited as essential by various intergovernmental organisations engaged with the issue of hate crime are:

- Offence details - at the very least the number and type of incidents recorded
- Bias motivations
- Victim details - including the victim demographic (age and gender) and how the victim has engaged with support services
- The number of reports made to police
- Incident details - date, time and location of the offences
- Offender details - including the offender demographic.

We have excluded from this list information on prosecutions which is unlikely to be available to respondents reporting in a timely manner after the commission of an offence.

The HHRG recommend that these common core issues be addressed under five key themes:

- Characteristics of the offence
  - Crime classification
  - Bias motivations
  - Bias indicators
  - Date/time/location

- Victim characteristics
  - Identity
  - Age
  - Gender

- Offender characteristics

- Police reporting and response

- Impact

The following sections, informed by the analysis presented in chapter 6, detail the manner in which we propose that these core questions are formulated. Appendix one presents the exemplar survey in its entirety.

**Time**

In order to gather meaningful data, we assert that it is necessary to ask respondents to log separate reports for each incident, except in cases of harassment where they are being persistently targeted by the same person or persons. A simple definition of harassment should be provided to facilitate respondents in determining whether more than one report is required to log their experience.

The exemplar questionnaire opens by requesting the year in which the crime occurred, specifying the most recent year where harassment spans more than one:

The other option, the selection of which prompts a free-text follow up question, is provided to facilitate respondents who wish log historical crimes.

A second question requests additional specifics regarding the duration of the crime. The selection of a response which indicates that the crime spanned more than one year prompts a request for the year in which the behaviour began:
In combination with the opening question this provides the analyst with the years in which the behaviour began and ended.

The selection of answers which indicate that the crime lasted less than a day, prompts two requests for additional information. The first asks for the date on which the crime occurred:

The timing of a crime may be an indicator of a bias motivation. During the HHRG Monitoring Workshop, some organisations noted that, along with time, knowing the date and day of the week on which incidents occurred can be useful in speaking to bias indicators. We advise against making completing this question mandatory. Our analysis of CSO data found that not all respondents were able to recall the exact day or date of the crime. We have specifically probed the respondent's perception of the meaningfulness of the timing of the crime in a separate question, later in the structure, relating to the presence of bias indicators.

The second follow up question asks for details of the time period during which the crime occurred. The purpose of this question is to provide information on the time of day at which the incident took place, rather than its duration. The values seek to reflect time periods which are meaningful in the context of hate crime.

The option to choose more than one value recognises that the crime may have spanned two time periods.

**Characteristics of the offence**

The HHRG recommend the inductive coding of a narrative as the most reliable means of classifying the offences reported. The HHRG advocate for the blind coding of the narrative by two separate individuals with legal expertise. We appreciate, nonetheless, that the required resources required may not be available to the partner organisations, given the current dearth of state support for their monitoring functions. We recommend, and employ, a strict legal definition of the offence type, as this is the least subjective basis for classification. Organisations may choose to accompany the invitation to narrate the incident narrative with a closed-ended question to complement crime classification. However, our analysis suggests that the data produced by such questions may have limited value.

While there will always be some degree of subjectivity involved in the interpretation of responses to open ended questions such as we propose here, there are particular details which if present in the narrative provide for a more confident categorisation of offence type:

- An account of the offender's words directly before, during and directly after the incident.
- An statement as to whether the victim feared for their safety
- A statement as to whether the offender made physical contact
- Mention of whether the offender had a weapon in their possession
- A statement as to whether the offender made use of any objects in the course of the incident
- Details of an physical injuries sustained by the victim
- Details of any lasting physical impairment resulting from the incident.

We confine ourselves here to details which would aid the reliable classification of criminal offences, as these are the concern of this project.

Many respondents provide this level of detail in their narrative: however, to encourage all respondents to address themselves to these issues we recommend including a specific request for information on these key issues. The wording of these prompts should avoid leading the respondent.
Below is our recommended wording for the opening invitations to provide a narrative description of the incident. We have sought to incorporate the ‘how, what, where, when, why and who’ (Humberside Police nd) questions sometimes employed by police to develop open-ended prompts into the proposed wording.

Please tell us what happened:

Please tell us what happened to you in as much detail as possible. This detail is necessary to an accurate understanding of your experiences. In particular, please provide as much detail as you can about:

- What was next - directly before, during and directly after the crime
- What was done
- Whether any objects were involved
- How you felt when the crime was being committed

The request for information on the victim’s immediate emotional response to the commission of the crime seeks to tap into the potential sense of threat, important in the categorisation of particular offences (such as threat to kill). We suggest sourcing detailed information about injuries and impairments incurred, also relevant for offence classification, through follow up questions on impact. Further details regarding the location of the offence are requested at a later point in the structure.

Bias motivations

An advantage of a single reporting system for all identity communities is the capacity to capture data on the role of intersectionality in people’s experiences of victimisation. We propose an initial simple closed-ended question designed to capture intersectionality. Internationally, the characteristics most widely recorded are ethnicity, national origin, minority status, religion, “race”/colour, sexual orientation, citizenship, gender, disability, language and trans identity (ODIHR 2012). In Ireland, despite there being an absence of hate crime legislation, the Gardaí now collect data on crimes which are deemed to be “racist, homophobic, anti-traveller [sic], ageist, acts against people with disabilities, sectarian, anti Roma, Islamophobia, anti-semitic, transphobia and gender related.” (McGarry 2015). The proposed values seek to balance the requirement for concision and relevance, with the need for CSO data to speak to other Irish and international sources of hate crime data. The formulation of the question clarifies for the respondent the focus in the first instance on recording their perception of the offender’s prejudice.

Proposed format:

The person(s) who committed the crime expressed, or acted out of, prejudice about:

Please select as many as are relevant:

- Skin colour
- Traveller or Roma identity
- Ethnic or cultural identity
- Nationality
- Refugee or asylum seeker status
- Intersex characteristics
- Sexual orientation
- Gender identity or gender expression
- Disability
- Religion
- Atheism or Lack of Religious Belief
- Other

Victim characteristics

Requesting demographic information for all commonly targeted characteristics from every respondent, regardless of the grounds which shaped their victimisation, would produce an unwieldy and arguably overly intrusive questionnaire. Instead, we propose that organisations restrict themselves to seeking details regarding the characteristics of relevance to the case which the respondent is logging. This requires that, in addition to gathering information on the characteristic which the respondent believes the offender was targeting, the survey also gathers data on the victim’s identity in respect to that characteristic, and on any element of misperception that may have been involved in the crime.

We propose to fulfil these somewhat conflicting requirements for relevant detail and brevity by using software (in this case EU Survey) which employs conditional logic to direct respondents to follow up questions determined by their answers. Specifically, we propose to associate each value in the question addressing bias motivations with a follow up question which requests details of the victim’s identity in respect to that characteristic or characteristics only. For example:

Please tell us about the prejudice that the crime involved:

The person(s) who committed the crime expressed, or acted out of, prejudice about:

Please select as many as are relevant:

at most 12 choice(s)
- Skin colour
- Traveller or Roma identity
- Ethnic or cultural identity
- Nationality
- Refugee or asylum seeker status
- Intersex characteristics
Appendix one provides examples of questions designed to request personal data for each commonly targeted characteristic. However, in light of the significant complexities involved in designing closed-ended questions on identity, which avoid essentialism (Bonnett and Carrington 2000) and which address key fault lines within a community with respect to risk of victimisation, we recognise that the CSO advocating for an identity community is the best placed to design a question gathering demographic data on that characteristic. We have drawn on the work of organisations such as ENAR Ireland, TENI and GLEN in designing the questions presented in appendix one, but the civil society organisations themselves should retain the capacity to approve and adjust the formulation of questions relating to their own identity communities, and draw upon each other’s expertise in this regard. We note that we have included a value and follow up question relating to Traveller or Roma identity separate to the value and follow up question probing ethnic identity. This choice was informed by consultation with Pavee Point as to whether these groups would be best served by subsuming them within the overarching concept of ethnicity or through specifically naming them. The latter approach was preferred. In all cases, an “other” option should be available. In all cases, selecting “other” directs the respondent to an open-ended follow up question which permits them to identify in ways not anticipated by the pre-determined categories.

Given that hate crimes may involve an element of misperception of victim's personal characteristics, it is essential to probe for any disjuncture between the offender’s perceived bias motivations and the victim’s personal characteristics. This is probed directly through a dedicated question:

In combination, the detailed narrative of the crime, the data on the offender’s perceived motivations, the data on the victim’s personal characteristics and the response to this question on misperception will, we argue, provide the information necessary to an accurate understanding of the bias motivations involved in the crime as the respondent perceived them.

At later points in the structure, we separately request information on the age of the victim and on their gender. These exceptions to our approach of limiting requests for demographic information are informed by the wide-ranging relevance of age and gender to the experience and risk of hate crime victimisation, borne out by our partner CSOs data.
Bias indicators

The HHRG recommend that CSOs extend the range of bias indicators probed beyond language.

The format of the proposed question is as follows:

Offender characteristics

Although data on offender characteristics is useful to CSOs, the hate studies community and policy makers, questions concerning the capacity of victims and witnesses to provide reliable assessments of offenders' fundamental characteristics, e.g. ethnicity, gender etc., mean that we restrict ourselves to recommending the collection of data on the number of offenders – the most objective point of information which a victim or witness is likely to be able to provide.

We recommend that this question adopt the format of ranges that aid crime classification, e.g. affray (2+) versus violent disorder (3+) and riot (12+):

Police reporting

A key function of third party reporting systems is to provide an alternative means of logging experiences of victimisation for those who feel unable to report to the police. As such, it is important that civil society data collection instruments probe whether the respondent reported the crime to the police; if they did what their experience of that encounter was; and if they did not, their reasons for declining to do so.

Our formulation of the opening question recognises that not all respondents will have finalised their decision as to whether or not to report to the police:

Those who indicate that they made a report are directed to a series of 3 additional questions probing the details of their encounter with the police:
This last question probes the implementation of one of the aspects of the Victim’s Directive that victims should encounter at the point of reporting. Given the focus of intergovernmental bodies and the Victim’s Directive on access to support services it is useful to ask whether victim support services were offered, to trace the manner in which the Directive is operating in Ireland for victims of hate crime.

Those who respond in the negative are asked to explain their reasons for not reporting. The responses offered are informed by our partner CSO’s instruments, by the Garda Attitudes Survey, by the QNHS Crime and Victimisation Survey, and by our research with victims of hate crime:

In all cases respondents are asked to explain their answer. This additional request for information is justified by the insightfulness of similar free-text clarifications provided to partner CSOs.

Impact

Details of physical injuries sustained by victims are important to accurate crime classification, while emotional and psychological effects speak to the particular harms associated with hate crime. As such, we propose a question which probes for a range of common negative effects:

The first three responses prompt follow up questions requesting additional details of injuries sustained. The completion of these fields will assist the analyst in distinguishing between, for example, assault, assault causing harm, and assault causing serious harm.

Responses indicating that the victim sustained emotional and psychological impacts link to a gentle probe for any additional details which the respondent is comfortable sharing:
This information is sought to better document the impact of hate crime on its victims, but also any support needs specific to victims of hate crime. A final question directly addresses the issue of access to supports:

**In dealing with your experience of crime, have you received support from:**
- Mental health professionals (e.g. counselor, psychiatrist, psychologist)
- Medical professionals (e.g. GP, hospital)
- Victim support services
- Community organisations/NGOs
- Other

This information will help us to identify gaps in the supports being accessed by victims of hate crime and as well as a range of professionals who might in turn benefit from support in their work with victims of hate crime.

**Closing statement**

The questionnaire should close with a short debriefing statement, just prior to the submit button. This statement should include contact details for a responsible party who can answer any questions the respondent might have about the monitoring instrument or about how their data will be used. It should also state that respondents retain the right to withdraw until they click submit. Monitoring organisations should avoid requesting contact details from respondents within the body of the data collection instrument. If organisations wish to offer participants the option of requesting contact from the organisation, it is recommended that they do so by providing an email link at the end of the online questionnaire. Details as to accessing reports can also be provided following the submission of the report.

Thank you for taking the time to tell us about your experience.

If you are still happy to share this information with us, please click submit.

When you click submit you will be directed to a page listing support services for victims of crime. This page also provides contact details for (name of responsible person) in case you have any further questions for us about how the information you have kindly provided will be stored or used.

I wish to submit this information

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**Conclusion**

The HHRG were tasked with considering whether a uniform reporting mechanism was possible, and what sort of potential such a system might have. CSO representatives were uniformly positive about the idea in principle. They articulated three primary reasons why a uniform approach to monitoring hate crime could be potentially beneficial.

First, such a system, it was felt, had the capacity to generate solidarity across communities, and speak to the universality of experiences of victims:

"I think there's huge symbolic value in having a centralised collection system. I mean I think there's no reason why you couldn't have parallel publicity messages ... I think actually if you did that that it would encourage solidarity and encourage people to look outside of their own particular experiences to look at broader experiences and marginalisation."

(Shane O'Curry, ENAR Ireland)

Second, it was thought that a deficiency in the current systems was that the potential for speaking to victimisation based on multiple characteristics was limited, and such a system could capture intersectionalities of victimisation:

"One of the big things we don't know is what the other factors are involved in LGBT hate crime and I keep using the word hate crime. So we don't know what the experiences is around hate crime if you're Brazilian or black or Polish or Latvian or if you abled or disabled ... We'd prefer one overall data collection system that manages to capture some of those cross cutting characteristics."

(Brian Sheehan, GLEN)

Finally, such a system, it was thought, could speak to both commonalities and differences in experiences of targeted communities:

"...where there are similarities around kind of general hate crimes and prejudices what that looks like and what is specific to trans communities that might be different than the kind of hate crimes that people of colour experience or LGBT people experience."

(Broden Giambrone, TENI)

The Workshop hosted by the HHRG revealed that in addition to a core set of shared goals, partner organisations also have particular requirements for the data that they gather from their client communities which reflects the nature of their own approach to addressing hate crime. TENI, for example, asks respondents about the psychological support services which they accessed in the aftermath of their experience of victimisation, reflecting their work in informing health care practitioners services to their client community. As part of a European wide organisation, ENAR Ireland places particular importance on the capacity of the data they collect to contribute to the growing international body of research on hate crime. The workshop involved the presentation and discussion of a number of options which might marry the requirements for organisational flexibility with comparable data. In response to the content of these discussions, the HHRG have produced a report which provides partner CSOs with the option of either adopting a single uniform system or maintaining their ownership and control over their data and data collection instruments, but adopting a common set of core questions which would permit comparability of the most salient points of information. The proposal for the establishment of a Hate Crime Monitoring Network provides a structure within which either option may be advanced with the ongoing support of the HHRG.

The researchers wish to conclude by thanking our partner CSOs – Inclusion Ireland, TENI, GLEN and ENAR Ireland – for their enthusiastic engagement with this project. We are particularly grateful to the Irish Research Council for the funding to complete this analysis.
Exemplar Uniform Reporting Mechanism: Concise Form

Before we begin, could you please tell us whether you:

☐ Were the victim of the crime you are reporting
☐ Witnessed the crime you are reporting
☐ Are reporting a crime which you were told about by someone else, but did not see happen

Welcome

It will take you approximately 15 minutes to make a report using our online system. You will be asked about the crime, its circumstances, and what, if anything, was done about it.

We understand that you may have been a victim of a hate crime on more than one occasion. In order for us to have the most accurate understanding of your experiences, please complete a separate report for each incident. However, in the case of harassment, where the same person or persons has/t targeted you in the same way on multiple occasions, or over a period of time, please fill in a single report.

All our data is password protected and stored securely. We may work with a researcher to analyse the information in the reports, but if we do this, they will be bound by the same requirements to keep your information safe and secure. We will keep the report that you file securely for 7 years after which it will be permanently destroyed. Although we take the security of your information very seriously, there is always a risk of breach with any online system, so we ask that you do not provide any names or any information (such as place names or occupations) which you think might identify any person - you, the person who targeted you, or witnesses.

You can refuse to answer any questions. You can leave the reporting system at any time.

Only when you click the submit button at the end of the report will your data be stored. At the end of the submission process, you will be given an identification number. You should keep this number securely, in case you might wish to request to access your report at a later date.

If you have any questions about this reporting system, please contact (name and telephone number) and they will be happy to answer your query.

Please click below to continue.

☐ I understand that I can leave this reporting system at any time, until I click the final submission button following the last question.
Monitoring Hate Crime in Ireland: Towards a Uniform Reporting Mechanism?

In what year did this crime happen?
- 2014
- 2015
- Other

Please tell us the most recent year in which the crime occurred:

How long did the behaviour involved continue?
- Less than an hour
- A couple of hours
- 1-7 days
- 2-3 weeks
- 1-12 months
- More than a year

Please tell us what happened:

Please tell us what happened to you in as much detail as possible. This detail is necessary to an accurate understanding of your experiences. In particular, please provide as much detail as you can about:

- What was next, directly before, during and directly after the crime
- What was done
- Whether any objects were involved
- How you felt when the crime was being committed

Please tell us about the prejudice that the crime involved:

The person(s) who committed the crime expressed, or acted out of, prejudice about:

- At most 1 choice(s):
  - Skin colour
  - Traveller or Roma identity
  - Ethnic or cultural identity
  - Nationality
  - Refugee or asylum seeker status
  - Intersex characteristics
  - Sexual orientation
  - Gender identity or gender expression
  - Disability
  - Religion
  - Atheism or Lack of Religious Belief
  - Other

Do you think that the offender was in any way mistaken about your identity?
- Yes
- No
- I don’t know

How did you know that the offender was motivated by prejudice?

- At most 2 choices(s):
  - Because of what they said
  - Because of gestures that they made
  - Because of symbols (for example tattoos or badges) that they wore
  - Because of what they wrote or drew
  - Because of what they did
  - Because of the way they chose to damage
  - Because of when the crime happened
  - Because there was no other reason for the crime
  - Other reason

Please tell us some more about the circumstances of the crime:

How many offenders were involved in the crime?
- Please choose one answer
  - 1
  - 2
  - 3-11
  - 12+
  - I don’t know

What age were you when this incident happened?

- Please choose one answer
  - Under 10
  - 11-18
  - 19-29
  - 30-39
  - 40-49
  - 50-59
  - 60-69
  - 70+
In what county did this crime happen?
Please choose one answer:
- Dublin
- Donegal
- Sligo
- Mayo
- Roscommon
- Galway
- Clare
- Limerick
- Kerry
- Cork
- Waterford
- Wexford
- Tipperary
- Laois
- Offaly
- Westmeath
- Longford
- Leitrim
- Cavan
- Monaghan
- Leitrim
- Meath
- Kilkenny
- Wexford
- Carlow
- Kilkenny
- I don’t know

Please tell us what you did afterwards:

Did you report the crime to the Gardaí (the police)?
Please choose one answer:
- Yes
- No
- I haven’t yet decide whether or not to report
- Other

Please explain:

Why did you not report the crime to the Gardaí?
Tick as many reasons as are relevant
at most 7 choices:
- The incident was not serious enough
- I did not believe the Gardaí would do anything
- I did not believe the Gardaí could do anything
- I did not think that what happened was a crime
- I have had negative experiences with the Gardaí in the past
- This happens to me too often to report
- The Gardaí are prejudiced against people like me
- Other reason

Please explain your answer:

In dealing with your experience of crime, have you received support from:
Please choose as many answers as are relevant at most 5 choices:
- Mental health professionals (e.g. counsellor, psychiatrist, psychologist)
- Medical professionals (e.g. GP, hospital)
- Victim support services
- Community organisations/MDOs
- Other

How has the crime affected you?
Please choose as many answers as are relevant at most 7 choices:
- I received minor injuries (scrapes, bruises)
- I received serious injuries
- I experienced lasting physical effects
- I was affected emotionally
- I was affected psychologically
- I have not been affected by the crime
- Other

What is your gender?
- Female
- Male
- Other

Thank you for taking the time to tell us about your experience.

If you are still happy to share this information with us, please click submit.

When you click submit you will be directed to a page listing support services for victims of crime. This page also provides contact details for (name of responsible person) in case you have any further questions for us about how the information you have kindly provided will be stored or used.

☐ I wish to submit this information
Uniform Hate Crime Reporting Mechanism

Fields marked with * are mandatory.

Before we begin, could you please tell us whether you:
- Were the victim of the crime you are reporting
- Witnessed the crime you are reporting
- Are reporting a crime which you were told about by someone else, but did not see happen

Welcome

Have you experienced a crime where you were targeted because of your personal characteristics, such as your skin colour, ethnicity, gender identity, sexual orientation, religion or disability?

Help us document hate crimes and incidents in Ireland!

Using data provided by people like you, we lobby the government for legislation and resources to address this divisive social problem and we raise awareness among key stakeholders such as An Garda Síochána, about the existence of hate crime. We do this by publishing reports which we write using the information you give to us, but in a way that ensures you cannot be identified. You might see yourself quoted in a report, but if you do, we will make sure that no one will know that it was you speaking.
Monitoring Hate Crime in Ireland: Towards a Uniform Reporting Mechanism?

All our data is password protected and stored securely. We may work with a researcher to analyse the information in the reports, but if we do this, they will be bound by the same requirements to keep your information safe and secure. We will keep the report that you file securely for 7 years after which it will be permanently destroyed. Although we take the security of your information very seriously, there is always a risk of breach with any online system, so we ask that you do not provide any names or any information (such as place names or occupations) which you think might identify any person - you, the person who targeted you, or witnesses.

You can refuse to answer any questions. You can leave the reporting system at any time.

Only when you click the submit button at the end of the report will your data be stored. At the end of the submission process, you will be given an identification number. You should keep this number securely, in case you might wish to request to access your report at a later date.

If you have any questions about this reporting system, please contact (name and telephone number) and they will be happy to answer your query.

Please click below to continue.

- I understand that I can leave this reporting system at any time, until I click the final submission button following the last question.

Please tell us when the crime happened:

In what year did this crime happen?

- 2014
- 2015
- Other

Please tell us the most recent year in which the crime occurred:

How long did the behaviour involved continue?

- Please select the answer that best reflects your experience

- Less than an hour
- A couple of hours
- 1-7 days
- 2-3 weeks
- 1-12 months
- More than a year

If you recall the date on which the crime happened, please record it here:

The format is DD/MM/YYYY

At what time of day was the crime committed?

- Please select all time periods in which the crime occurred

- 06:00 - 12:59
- 13:00 - 19:59
- 20:00 - 22:59
- 23:00 - 05:59

Please tell us in what year the harassment began:
Please tell us what happened:

Please tell us what happened to you in as much detail as possible. This is necessary for an accurate understanding of your experiences. In particular, please provide as much detail as you can about:

- What was said - directly before, during and directly after the crime
- What was done
- Whether any objects were involved
- How you felt when the crime was being committed

Please tell us about the prejudice that the crime involved:

The person(s) who committed the crime expressed, or acted out of, prejudice about:

Please select as many as are relevant:

- at most 1 choice(s)
  - Skin colour
  - Traveller or Roma identity
  - Ethnic or cultural identity
  - Nationality
  - Refugee or asylum seeker status
  - Intersex characteristics
  - Sexual orientation
  - Gender identity or gender expression
  - Disability
  - Religion
  - Atheism or Lack of Religious Belief
  - Other

What other form of prejudice was involved in the crime?

How do you describe your skin colour/racialised identity?

Please select one answer

at most 1 choice(s)

- Black
- Asian
- White
- Other

How would you describe your skin colour or racialised identity?

I identify as:

Please select one answer

- An Irish Traveller
- Roma
- Other
### How do you identify?

<table>
<thead>
<tr>
<th>Irish</th>
<th>Polish</th>
<th>UK</th>
<th>Lithuanian</th>
<th>Romanian</th>
<th>Latvian</th>
<th>Brazilian</th>
<th>Spanish</th>
<th>Italian</th>
<th>French</th>
<th>German</th>
<th>Indian</th>
<th>American (US)</th>
<th>Slovakian</th>
<th>Chinese</th>
<th>Other</th>
</tr>
</thead>
</table>

### What is your ethnic or cultural identity?


### What is your nationality?

**Please select one answer**

- At most 1 choice(s)

- Gay man
- Lesbian
- Bisexual
- Pansexual
- Heterosexual
- Asexual
- Other

### I identify as:

**Please select one answer**

- Age
- Woman (with a trans history)
- Man (with a trans history)
- Woman (cisgender)
- Man (cisgender)
- Non-binary/ Genderqueer/ Genderfluid
- Other

### How do you describe your gender identity?


### How do you describe your gender expression?


### How do you describe your disability?

- Intellectual disability
- Physical disability
- Developmental disability
- Sensory disability
- Learning disability
- Other

### How do you describe your disability?


### How do you identify?
To which religion or denomination do you belong? (Please choose one)

- Roman Catholic
- Church of Ireland
- Muslim
- Jewish
- Presbyterian
- Hindu
- Apostolic or Pentecostal
- No religion
- Other

What is your religious denomination?

[Space for text]

Do you think that the offender was in any way mistaken about your identity?

- Yes
- No
- I don't know

Please explain in as much detail as you can:

[Space for text]

How did you know that the offender was motivated by prejudice?

Please select as many reasons as are relevant.

- Because of what they said
- Because of gestures that they made
- Because of symbols (for example tattoos or badges) that they wore
- Because of what they wrote or drew
- Because of what they did
- Because of the what they chose to damage
- Because of when the crime happened
- Because there was no other reason for the crime
- Other reason

Please explain:

[Space for text]

If the person(s) who committed the crime used prejudiced language, it would be helpful if you could tell us exactly what words they used:

[Space for text]

If the person(s) who committed the crime made offensive gestures, it would be helpful if you could tell us exactly what those were:

[Space for text]

Please tell us about the symbols the person(s) who committed the crime wore:

[Space for text]

Please tell us in detail what person(s) who committed the crime wrote or drew:

[Space for text]
Please explain why their actions suggested that person(s) who committed the crime was/were motivated by prejudice:

Please tell us the significance of the object or location which the person(s) who committed the crime chose to damage:

Please tell us the significance of the day, date or time on which the crime was committed:

Please tell us some more about the circumstances of the crime:

How many offenders were involved in the crime?
Please choose one answer:
- 1
- 2
- 3-11
- 12+
- I don’t know

What age were you when this incident happened?
Please choose one answer:
- Under 18
- 18-29
- 30-39
- 40-49
- 50-59
- 60-69
- 70+

In what county did this crime happen?
Please choose one answer:
- Dublin
- Donegal
- Sligo
- Mayo
- Roscommon
- Galway
- Clare
- Limerick
- Kerry
- Cork
- Waterford
- Wexford
- Tipperary
- Laois
- Offaly
- Westmeath
- Longford
- Leitrim
- Cavan
- Monaghan
- Louth
- Meath
- Kildare
- Wicklow
- Carlow
- Kilkenny
- I don’t know

Please tell us what you did afterwards:
Did you report the crime to the Gardaí (the police)?

*Please choose one answer*
- Yes
- No
- I haven’t yet decide whether or not to report
- Other

Please explain:

Why did you not report the crime to the Gardaí

*Tick as many reasons as are relevant*
- The incident was not serious enough
- I did not believe the Gardaí would do anything
- I did not believe the Gardaí could do anything
- I did not think that what happened was a crime
- I have had negative experiences with the Gardaí in the past
- This happens to me too often to report
- The Gardaí are prejudiced against people like me
- Other reason

Please explain your answer:

How satisfied were you with the response of the Gardaí?

*Please choose one answer*
- Wholly satisfied
- Mostly satisfied
- Mostly unsatisfied
- Wholly unsatisfied
- I don’t know

Please take a minute to explain your answer:

Did the Gardaí give you any information about support services for victims of crime?

*Please choose one answer*
- Yes
- No
- I don’t know

In dealing with your experience of crime, have you received support from:

*Please choose as many answers as are relevant*
- Mental health professionals (e.g. counsellor, psychiatrist, psychologist)
- Medical professionals (e.g. GP, hospital)
- Victim support services
- Community organisations/NGOs
- Other

Which community organisations/NGOs did you receive support from?

From whom else did you receive support?

How has the crime affected you?

*Please choose as many answers as are relevant*
- I received minor injuries (scrapes, bruises)
- I received serious injuries
- I experience lasting physical effects
- I was affected emotionally
- I was affected psychologically
- I have not been affected by the crime
- Other

Please explain:

Please provide as much detail of your injuries as your comfortable sharing:
What lasting effects have you sustained?

Please provide as much detail as you are comfortable sharing:

What is your gender?
- [ ] Female
- [ ] Male
- [ ] Other

Thank you for taking the time to tell us about your experience.

If you are still happy to share this information with us, please click submit.

When you click submit you will be directed to a page listing support services for victims of crime. This page also provides contact details for (name of responsible person) in case you have any further questions for us about how the information you have kindly provided will be stored or used.

☐ I wish to submit this information
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Endnotes

1 Nadal et al (2014) define microaggressions as, “brief and commonplace daily verbal, behavioral, or environmental indignities, whether intentional or unintentional, which communicate hostile, derogatory, or negative slights and insults toward members of oppressed groups”.

2 Excluding Irish Travellers.

3 Other pre-determined responses selected by respondents, such as “non-white non-European”, or mixed group, may also overlap with the categories highlighted here.

4 Excluding Irish Travellers.

5 This pre-determined response refers to mixed racialized identities, rather than groups consisting of persons of more than one racialized identity.

6 Where respondents are not victims their relationship to the offender is not probed.

7 Excluding mixed groups.

8 The “Mixed” category includes responses which identify the victim as “society generally”.

9 In our exemplar questionnaire we have associated all values labelled “other” with a dependent open-ended question requesting that the respondent provide further details in their own words.