



**SHOULD OLDER PEOPLE BE
PROTECTED UNDER HATE
CRIME LEGISLATION?**

SHOULD OLDER PEOPLE BE PROTECTED UNDER HATE CRIME LEGISLATION?

Although it was in the mid-60s that Harold Wilson’s Labour government first introduced UK legislation to deal with “incitement to commit racial hatred” under the Race Relations Act 1965,¹ hate crime as a publicly understood theme and problem in the United Kingdom first emerged in the late 1970s and early 1980s when violent offences targeted against BME communities became a visible and public issue in London and across the country.

This trend led to the institution of the Joint Committee Against Racism in 1980, set up to investigate the extent to which racial violence had become a widespread phenomenon,² and it was this committee and a subsequent government established report that recognized that racially motivated violence was a major social problem in the UK. However, this turn only brought with it the crime of “offences of stirring up hatred” under the Public Order Act 1986 which applies to conduct intended, or likely to stir up hatred based on race, religion, or sexual orientation.³

On the 22nd April 1993, Stephen Lawrence – an 18-year-old black student from Plumstead, South London, was racially abused and stabbed to death by a gang of white youths while waiting for a bus with a friend on Hall Road, Eltham.⁴ The unprovoked and racist nature of the attack garnered significant media attention and pushed the Labour opposition at the time to support the introduction of new legislation to combat racial

motivated violence and racial harassment.⁵ In 1997, the newly elected Labour Home Secretary Jack Straw established the Macpherson judicial Inquiry related to matters of Stephen’s murder – which recognised the institutional racism of the Metropolitan Police Service in their failure to solve the Lawrence case.⁶



Pic: Stephen Lawrence (Source, Stephen Lawrence Day).

In 1998, the Crime and Disorder Act 1998 was introduced which created racially aggravated offence covering assaults, criminal damage, harassment, and various public order offence.⁷ The death of three LGBT people, and the injury of tens of others from the London Black and Bengali communities during targeted nail bombings of the Admiral Duncan Pub in Soho, Brixton Market, and Brick Lane in 1999 by Neo Nazi David Copland – whose stated aim was to cause a race war, also helped add purpose for stronger hate crime responses and policy, especially for the LGBT community.⁸

Security Act 2001 which incorporated religiously aggravated offences on the same basis as racially aggravated ones.⁹

In 2005, the 2003 Criminal Justice Act came into force, bringing with it sentencing provisions outlining that the court “must” treat as an aggravating factor at sentencing any offence that is that demonstrates or is motivated by “hostility,” based on the victims (presumed) sexual orientation or disability.¹⁰ In 2012 the act was amended to add hostility towards transgender people as a protected category under section 46.

11

The Crime and Disorder Act 1998 was followed in 2001 by the amendment of the Crime and Disorder Act with the Anti-Terrorism, Crime and



The aftermath of the deadly attack on Old Compton Street. It was the final bombing by David Copland, a self-confessed racist and homophobe. (Source, Daily Mirror).

As Section 46 of the Criminal Justice Act 2003 outlines it,

(1) This section applies where the court is considering the seriousness of an offence committed in any of the circumstances mentioned in subsection (2).

(2) Those circumstances are— (a) that, at the time of committing the offence, or immediately before or after doing so, the offender demonstrated towards the victim of the offence hostility based on— (i) the sexual orientation (or presumed sexual orientation) of the victim, or (ii) a disability (or presumed disability) of the victim, or (iii) the victim being (or being presumed to be) transgender, or (b) that the offence is motivated (wholly or partly)— (i) by hostility towards persons who are of a particular sexual orientation, or (ii) by hostility towards persons who have a disability or a particular disability, or (iii) by hostility towards persons who are transgender.

(3) The court— (a) must treat the fact that the offence was committed in any of those circumstances as an aggravating factor, and (b) must state in open court that the offence was committed in such circumstances.

(4) It is immaterial for the purposes of paragraph (a) or (b) of subsection (2) whether or not the offender's hostility is also based, to any extent, on any other factor not mentioned in that paragraph.¹²

Section 45 of the act uses identical language and covers all criminal offences for racial and religious hostility, that are not covered by the Crime and Disorder Act 1998.¹³

Worries about the complexity and clarity of the current laws on hate crimes in England and Wales, as well as specific concerns in challenging disability hate crimes, and the necessity of protecting specific subgroups, have led to the Law Commission having recently launched a consultation on potential reforms to hate crime laws in England and Wales.¹⁴

In their preliminary consultation document, the Law Commission outline a number of proposals for reform, these include,

- Adding sex or gender to the protected characteristics.
- Reformulating the offences of stirring up hatred to focus on deliberate incitement of hatred.
- Establishing criteria for deciding whether any additional characteristics should be recognised in hate crime laws, and consulting further on a range of other characteristics, notably “age”.
- Expanding the offence of racist chanting at football matches to cover homophobic chanting, and other forms of behaviour, such as gestures and throwing missiles at players.¹⁵

In respect to their consultation of “age” related crimes, and whether “age” is a valid characteristic for inclusion in hate crime legislation, the Law Commissions consultation is seeking further views both on the overall validity of “age” as a protected characteristic, and whether this protection should be limited to older people, or cover all ages.¹⁶

In Scotland, as a follow up to the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion, published in 2016, Lord Bracadale was appointed to conduct an independent review of hate crime legislation.¹⁷ Two of his subsequent recommendations are linked to the potential question of whether “age” related crimes should exist under the hate crime legislative umbrella.

- Recommendation 10 “There should be a new statutory aggravation based on age hostility.

Where an offence is committed, and it is proved that the offence was motivated by hostility based on age, or the offender demonstrates hostility towards the victim based on age during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by age hostility. The court would be required to state that fact on conviction and take it into account when sentencing.”

- Recommendation 11 “The Scottish Government should consider the introduction, outwith[sic] the hate crime scheme, of a general aggravation covering exploitation and vulnerability.”¹⁸

Lord Bracadale notes that he came to the first position because he considers “that there is sufficient evidence of hostility-based offences against the elderly...to include age as a protected characteristic based on the current model of hostility.”¹⁹

However, he also identifies that the bulk of offences committed against disabled and older persons are crimes of opportunity that focus on the perceived vulnerability of the person in question, and as such recommendation 11, although existing outside of the proposed hate crime scheme would hopefully be greater able to capture the larger proportion of offences.²⁰

In Northern Ireland, consultation processes are also ongoing in scoping potential reform in hate crime legislations. Judge Marrinan is leading an independent review on hate crime legislation in NI, that question both whether “age” should be a protected characteristic within hate crime legislation, and whether there is scope for the creation of a statutory aggravation covering exploitation of vulnerability and/or that the victim was vulnerable.²¹

THE TREND IN HATE CRIMES OVER THE PAST FEW YEARS....

The trend in hate crimes over the past few years in the United Kingdom has been of an increasing numbers of hate crimes being reported

In 2019/20, there were 105,090 hate crimes recorded by the police in England and Wales, this represented an increase of 8% on the numbers from 2018/19 (97,446) and a more than 50% increase since 2012/13 (42,255).²² While the Home Office and the police note that these

increases in reporting have been mainly driven by improvements in crime recording, there have been significant spikes following the Brexit referendum in June 2016, and the 2017 Manchester Stadium Terror Attacks.²³



2017 Manchester Stadium Terror Attacks. (Source, NBC).

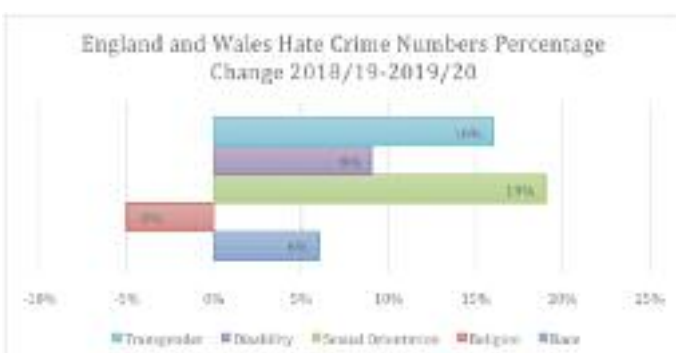
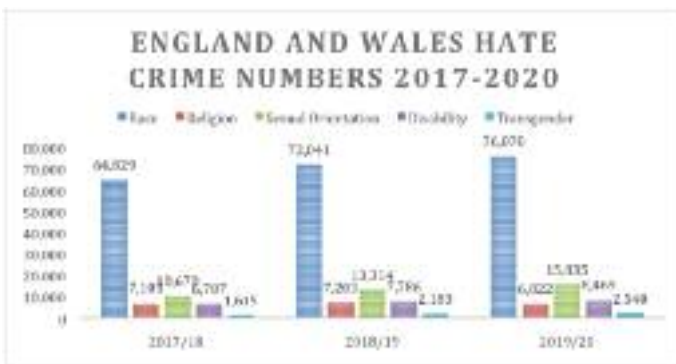
The majority of recorded hate crimes between 2019 and 2020 were **racial hate** crimes, they accounted for 72% of offences (76,070) – these increased by 6% between 2018/19 and 2019/20.²⁴ **Religious hate** crimes fell by 3% (to 6,822), **sexual orientation** hate crimes increased by 19% (15,835), **disability hate** crimes by 9% (8,469), and **transgender identity** hate crimes by 16% (2,540).²⁵ The percentage increases between 2018/19 and 2019/20 are noted to be smaller than seen in recent years.²⁶ While 5% of hate crimes offence were estimated to have involved more than one motivating factor (down from 12% in 2018/19), the majority of these were hate crimes related to religion and race.²⁷

Firstly, it may be useful to briefly explore the idea of “hate crimes” to better understand the arguments behind the inclusion or exclusion of abuse or crimes against older people within its sphere.

As Jon Garland,²⁸ and a number of other scholars note, while legislative definitions exist, “hate crime” as a concept is still contentious. Berk, Boyd, and Hamer refer to hate crime definitions as a “conceptual swamp,”²⁹ Hate crimes are socially constructed notions which have multiple meanings for multiple audiences, and multiple actors will interpret “hate” and “hate crimes” in multiple different ways.

As such there exists no universal framework to guide how we should conceive of the concept,³⁰ and there is still broad debate as to what characteristics such crimes share and what victim groups deserve to be protected under the hate crime legislative umbrella.

From an transnational perspective, the intergovernmental Office of Democratic Institutions and Human Rights (ODIHR), a part of the Organisation for Security and Cooperation in Europe (OSCE) also focuses on bias and defines hate crimes as “criminal acts committed with a bias motive.”³¹ As Neil Chakrabarti notes, for the ODIHR – the bias does not have to be manifest as hostility or hate for it to be considered a hate crime, rather the definition refers to acts where the victim is targeted deliberately because of a particular “protected characteristic.”³²



While this definition seeks to help impart a broad, transnational framework onto human rights, there is no shared understanding of the hate crime concept across nations, with varied interpretations on who the potential victims of hate crime are, and the appropriate legislative responses.³³

In the United Kingdom on the other hand, a common definition of hate crimes was agreed in 2007 by the Police, Crown Prosecution Service, Prison Service, and other agencies that make up the criminal justice system in the United Kingdom – “any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.”³⁴

There are five main strands of hate crime understood in UK legislation,

- Race or ethnicity
- Religion or belief
- Sexual orientation
- Disability; and
- Transgender identity²⁶

From an academic standpoint, a number of hate crime theories have been hypothesised.³⁶ However, Barbara Perry’s 2001 framework³⁷ has arguably been the most influential, having left an “indelible imprint on contemporary hate crime discourse throughout the world.”³⁸

Perry³⁹ argues that the uniqueness of hate crimes comes from their existence within a prism of dominance, hierarchy, and social structure. She contends that hate crimes are committed by powerful “ingroups,” who seek through the means of targeted violence to subordinate the designated “other” - a member of a “differed” and “different” outgroup, in order to confirm the ingroups privileged access to resources and their dominant ingroup position.⁴⁰

Such crimes therefore are seen to provide a performative function that signifies boundaries between groups and the “natural” relations of superiority and inferiority.⁴¹

PERFORMANCE AND SYMBOLISM APPEAR TO BE KEY TO THE COMMITMENT OF HATE CRIMES

Performance and symbolism appear to be key to the committal of hate crimes, as Garland and Perry argue, victims of hate crimes as members of an “outgroup” are socially stigmatised,⁴² marginalised and lack recourse to political power, which makes them increasingly vulnerable to harassment or violence.

Ingroup perpetrators may attempt to punish members of the outgroup for their different appearance, cultural norms, or values, and through the performance of violence may attempt to intimidate and frighten not just the victim but the wider community or group they belong to.⁴³ The communication sent to wider community being one of the denial of their rights, and the denial of their existence.⁴⁴ As such, some scholars have labelled hate crimes “message crimes.”⁴⁵

Utilising Perry’s notion of hate crimes as being message crimes, lends itself to looking at the social context of ageism and age based discriminatory practices within which older people, live, and which centre around the infantilization of elders and the placing of older people as a burden on society, and these views as potential risk factors in elder abuse.⁴⁶

Ageism is defined by the World Health Organisation as the way we think, feel, and act about towards people because of their age.⁴⁷ One perception or stereotyping of ageing is that older people becoming progressively fragile with age, dependant on other people, and a burden on society itself, losing control over their own lives. Other negative age-based stereotypes view older people as ill, incompetent, or unattractive.

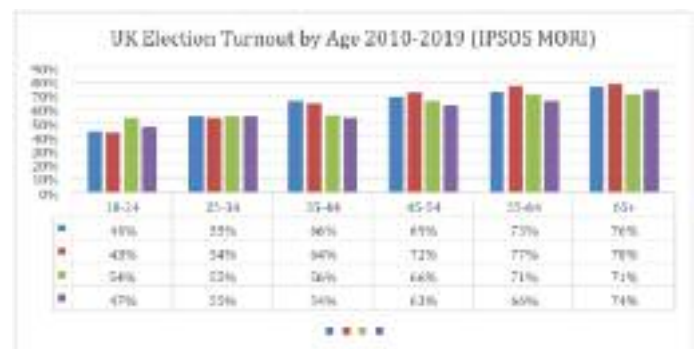
Within such a cultural milieu, it has been argued that elder abuse becomes readily acceptable if older people are viewed as burdens on society, as with a lack of skills or use abusers from younger generations will see them as an exploitable commodity or object, permissible to maltreat.

It could therefore be argued that such views represent a devaluing, othering or stigmatisation of older people by the mainstream ingroup - and the marginalisation from mainstream society, in much the same way as other traditional hate crime victim groups.⁴⁸ As the recent Bracadale hate crime inquiry in Scotland noted, the elderly do also fulfil Christie’s notion of an “ideal victim,⁴⁹” one who “not only...needs legal protection but also one who is judged to be vulnerable, weak, respectable and blameless for their victimization.⁵⁰”

As Garland and Wolhunter note, another similarity between abuse and violence against older people and other more recognised forms of hate crimes is its lack of effective reporting.⁵¹ Elder abuse is very much a phenomenon that takes place “behind closed doors,” it is highly unreported and underreported, with this being down both to its hidden nature and the numerous factors that make it difficult for older people to get outside help (poor physical health, normalisation of abuse, lack of knowledge of available provisions, cultural stigma, and fear of external help.⁵²)

However, in many other ways, older people as a group simply do not fit within the “outgroup” prism, as the elderly form a hugely diverse strata of society, which varies greatly in political power, wealth, and social status. While substantial numbers of the older population live below the poverty line, others are among the wealthiest in society.⁵³

142 MPs are over the age of 60,⁵⁴ with the recent leader of the second largest UK political party being in his 70s.⁵⁵ As well as this, older age groups consistently have the highest turnout for electoral voting, in 2017 77% of 60-69-year olds, and 84% of over 70s voted during the general election.⁵⁶ Henceforth, older people form a large political bloc and numerous policies are focused predominantly on them.



As such elderly people are less likely to be seen as an inherent “outgroup” as BME or LGBT communities might be, such groups have a historical background of discrimination, prejudice, and marginalisation, and as well suffer from a higher risk of victimisation.⁵⁷ Fundamentally, in this respect older people and abuse towards older people does not fit adequately into the umbrella of “hate crimes, as it is highly questionable whether they exist as a subgroup that is truly “different” to the in-group.

If one considers hate crimes as being performative “message crimes,” it suggests that the victim of the abuse or violence is interchangeable, with the victim being targeted

solely for their membership or perceived membership of an outgroup, and as long as the society or community within which they exist is subordinated.⁵⁸

Elder abuse on the other hand is deemed to be perpetrated by those within a relationship of trust with the victim, “a single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.”⁵⁹

These expectations of trust relationships could be for example, children and parents, or doctors and patients, and the personal relationship that victims usually have with their abuser gives the impression that older victims are not interchangeable, but their abuse lies within specific victim and perpetrator risk factors instead, for instance, the victims lack of mental capacity, opportunism of the perpetrator, the victims loneliness, or in some cases the perpetrators knowledge of their material wealth.⁶⁰

Elder abuse in this respect therefore does not appear to conform to the “stranger danger” model of hate crime, wherein the victim and perpetrator do not know each other at all, and where the victim is being targeted because of their membership or perceived membership of a despised “outgroup.”⁶¹

This problem of labelling and status is also key to questioning whether older people should be protected under hate crime legislation. The

separating effect of hate crime legislation has the potential problem of stacking groups against one another into a hierarchy of victims, As Hannah Mason-Bish argues,

“... hate crime policy has been formed through the work of lobbying and advisory groups who have been quite narrow remits, often focusing exclusively on one area of victimisation. This has contributed to a hierarchy within hate crime policy itself, whereby some identity groups seem to receive preferential treatment in criminal justice responses to hate crime.”⁶²

Older victims of violence in particular may feel ill at ease in accepting the label of victims of a hate crime, as one anti-elder abuse campaigner noted,

“My alternative view is that the older people we work with feel very uncomfortable self-identifying as a victim. We did some work with older victims of domestic violence, and they felt uncomfortable identifying themselves as victims of domestic violence but they felt a lot more uncomfortable identifying as victims of hate crime. They wouldn’t see it motivated by hatred of them as an old person.”⁶³

It appears that in some cases, targeted harassment and repeated hate crime directed towards an outgroup or specific minority subculture can provide a powerful sense of solidarity and focus for the shared identity, as well as a discourse of defiance.⁶⁴

Again, this raises the question of how many specific characteristics older people share which differentiates them from other groups. Arguably, the unique identifiers or characteristics of a group do not exist with older people beyond the likelihood of age-related aesthetics or illnesses, while age is an immutable characteristic, as Hannah Mason Bish notes, age is a phase that everybody goes through, and is not in the majority of cases something that defines them as a person, being old is generally not a key part of one's identity.⁶⁵

As such and as noted above, older people may not be a particularly identifiable community, everyone eventually grows old, and older people may be far more likely to have crime committed against them because of a notion of vulnerability or exploitation and their representation as the "ideal victim" rather than because they represent an explicitly different outgroup.

Fundamentally, while there are a number of aspects of the type of crime and abuse that older people suffer from that warrants it being covered by the current hate crime legislation (ageism and age-based discrimination dehumanises and devalues older people and places them outside of the in-group, the idealised image of old people represent the "ideal victim" as vulnerable and in need of help and protection, and crimes/abuse against older people share an under reported and "closed door" nature similar to crimes against other victims under the hate crime umbrella.)

There are also a number of aspects that place crimes against older people as outside the hate crime sphere (older people not fitting into the "outgroup" prism, lack of a background history of discrimination, the lack of targeting because of their membership of an outgroup, and the difficulty in ascribing "hate or hostility" to the vast majority of crimes involving older people.)

As such, it might be beneficial not to advocate for crimes against older people to be covered under hate crime legislation but rather to support a statutory offence based around the idea of vulnerability.

As Garland contends, one of the key problems with current hate crime legislation and discussions is be the focus on identity and groups, which as noted tends to force groups into competition for resources and legitimacy.⁶⁶ Instead, Chakrabarti and Garland advocate for reconceptualising hate crime victimization through the lens of vulnerability and difference, as they note

"a vulnerability-based approach acknowledges the heightened level of risk posed to certain groups or individuals' that can arise through a complex interplay of different factors, including hate, prejudice, hostility, unfamiliarity, discomfort or simply opportunism or convenience."⁶⁷

Viewing older victims through a vulnerability lens rather than a hostility or hate lens may allow for both easier understanding of the particular nuances of crimes against older people and the intersectionality with other crimes, as well as more convictions/the potential for longer sentences as it would situate crimes against older people outside of the hierarchy of victims that currently exists within hate crime legislation.

*As Chakrabarti and Garland go on to say,
“It is not someone’s identity per se which makes
them a vulnerable target in the eyes of the
perpetrator, but rather the way in which that*

*identity intersects with other aspects of their self
and with other situational factors and context.”
As such, conceiving of hate crime through the
lens of perceived vulnerability and ‘difference’
gives effect to the realities of targeted
victimization, and in so doing allows us to
transcend the homogenized generalizations all
too prevalent within scholarly and policy
domains.”⁶⁸*

¹ <https://www.parliament.uk/about/living-heritage/transformingsociety/private-lives/relationships/collections1/race-relations-act-1965/race-relations-act-1965/>

² Mark Austin Walters et al., "Hate Crime and the Legal Process: Options for Law Reform," SSRN Electronic Journal, 2017, <https://doi.org/10.2139/ssrn.3427984>

³ http://www.lawcom.gov.uk/app/uploads/2015/03/lc348_hate_crime.pdf

⁴ <https://www.theguardian.com/uk-news/2018/apr/19/stephen-lawrence-timeline-of-key-events>

⁵ <http://www.labour-party.org.uk/manifestos/1997/1997-labour-manifesto.shtml>

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf

⁷ <http://www.legislation.gov.uk/ukpga/1998/37/part/II/crossheading/raciallyaggravated-offences-england-and-wales>

⁸ Alan Roulstone, Pam Thomas, and Susie Balderston, "Between Hate and Vulnerability: Unpacking the British Criminal Justice System's Construction of Disablist Hate Crime," *Disability & Society* 26, no. 3 (2011): pp. 351-364, <https://doi.org/10.1080/09687599.2011.560418>

⁹ <https://www.cps.gov.uk/legal-guidance/racist-and-religious-hate-crime-prosecution-guidance>

¹⁰ Mark Austin Walters et al., "Hate Crime and the Legal Process: Options for Law Reform," SSRN Electronic Journal, 2017, <https://doi.org/10.2139/ssrn.3427984>

¹¹ Mark Austin Walters et al., "Hate Crime and the Legal Process: Options for Law Reform," SSRN Electronic Journal, 2017, <https://doi.org/10.2139/ssrn.3427984>

¹² <http://www.legislation.gov.uk/ukpga/2003/44/section/146/2007-10-01>

¹³ Mark Austin Walters et al., "Hate Crime and the Legal Process: Options for Law Reform," SSRN Electronic Journal, 2017, <https://doi.org/10.2139/ssrn.3427984>

¹⁴ <https://www.lawcom.gov.uk/project/hate-crime/>

¹⁵ <https://www.lawcom.gov.uk/reforms-to-hate-crime-laws-to-make-them-fairer-and-to-protect-women-for-the-first-time/>

¹⁶ https://s3-eu-west-2.amazonaws.com/lawcom-prod-storage-11jxou24uy7q/uploads/2015/03/cp213_hate_crime_amended.pdf

¹⁷ <https://www.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/>

¹⁸ <https://www.gov.scot/binaries/content/documents/govscot/publications/progress-report/2018/05/independent-review-hate-crime-legislation-scotland-final-report/documents/00535892-pdf/00535892-pdf/govscot%3Adocument/00535892.pdf>

¹⁹ <https://www.gov.scot/binaries/content/documents/govscot/publications/progress-report/2018/05/independent-review-hate-crime-legislation-scotland-final-report/documents/00535892-pdf/00535892-pdf/govscot%3Adocument/00535892.pdf> 48

²⁰ *Ibid*, 49

²¹ <https://www.hatecrimereviewni.org.uk/sites/hcr/files/Consultation%20Paper%20-%20Abridged%20Version.pdf>

²² <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020>

²³ <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020>

²⁴ <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020>

²⁵ <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020>

²⁶ <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020>

²⁷ <https://www.gov.uk/government/publications/hate-crime-england-and-wales-2019-to-2020/hate-crime-england-and-wales-2019-to-2020>

²⁸ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>.

²⁹ Jennifer Scheppe and Mark Austin Walters, *The Globalisation of Hate: Internationalising Hate Crime?* (Oxford: Oxford University Press, 2016)

³⁰ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>.

³¹ <https://hatecrime.osce.org/what-hate-crime>

³² Neil Chakraborti, "Re-Thinking Hate Crime," *Journal of Interpersonal Violence* 30, no. 10 (May 2014): pp. 1738-1754, <https://doi.org/10.1177/0886260514548581>

³³ Neil Chakraborti, "Re-Thinking Hate Crime," *Journal of Interpersonal Violence* 30, no. 10 (May 2014): pp. 1738-1754, <https://doi.org/10.1177/0886260514548581>

³⁴ <https://www.cps.gov.uk/sites/default/files/documents/publications/Hate-Crime-what-it-is-and-how-to-support-victims-and-witnesses.pdf>

³⁵ <https://www.cps.gov.uk/sites/default/files/documents/publications/Hate-Crime-what-it-is-and-how-to-support-victims-and-witnesses.pdf>

³⁶ Frederick M. Lawrence, *Punishing Hate: Bias Crimes under American Law* (Cambridge, MA: Harvard University Press, 2002); James B. Jacobs and Kimberly Potter, *Hate Crimes: Criminal Law and Identity Politics* (Oxford University Press, 2001)

³⁷ Barbara Perry, *In the Name of Hate: Understanding Hate Crimes* (New York: Routledge, 2001)

³⁸ Neil Chakraborti, "Re-Thinking Hate Crime," *Journal of Interpersonal Violence* 30, no. 10 (May 2014): pp. 1738-1754, <https://doi.org/10.1177/0886260514548581>

³⁹ Barbara Perry, "The Sociology of Hate: Theoretical Approaches," in *Hate Crimes Volume 1: Understanding and Defining Hate Crime* (Westport CT: Praeger, 2009), pp. 55-76. 72

- ⁴⁰ Barbara Perry, "The Sociology of Hate: Theoretical Approaches," in *Hate Crimes Volume 1: Understanding and Defining Hate Crime* (Westport CT: Praeger, 2009), pp. 55-76. 72
- ⁴¹ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>. 5
- ⁴² Barbara Perry, "The Sociology of Hate: Theoretical Approaches," in *Hate Crimes Volume 1: Understanding and Defining Hate Crime* (Westport CT: Praeger, 2009), pp. 55-76. 72
- ⁴³ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>.
- ⁴⁴ Barbara Perry, "The Sociology of Hate: Theoretical Approaches," in *Hate Crimes Volume 1: Understanding and Defining Hate Crime* (Westport CT: Praeger, 2009), pp. 55-76. 72
- ⁴⁵ Bill Dixon and David Gadd, "Getting the Message? 'New' Labour and the Criminalization of 'Hate,'" *Criminology & Criminal Justice* 6, no. 3 (2006): pp. 309-328, <https://doi.org/10.1177/1748895806065532>. 309
- ⁴⁶ <https://www.who.int/news-room/fact-sheets/detail/elder-abuse>
- ⁴⁷ <https://www.who.int/bulletin/volumes/96/4/17-202424/en/>
- ⁴⁸ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>.
- ⁴⁹ Nils Christie, "The Ideal Victim," *Revisiting the "Ideal Victim"*, April 2018, pp. 11-24, <https://doi.org/10.1332/policypress/9781447338765.003.0002>
- ⁵⁰ Quoted in Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>.
- ⁵¹ Lorraine Wolhuter, *Victimology: Victimization and Victims' Rights* (London: Routledge-Cavendish, 2016). Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473>.
- ⁵² Richard L. Beaulaurier et al., "Internal Barriers to Help Seeking for Middle-Aged and Older Women Who Experience Intimate Partner Violence," *Journal of Elder Abuse & Neglect* 17, no. 3 (2005): pp. 53-74, https://doi.org/10.1300/j084v17n03_04
- ⁵³ Lorraine Wolhuter, *Victimology: Victimization and Victims' Rights* (London: Routledge-Cavendish, 2016).
- ⁵⁴ Lukas Audickas and Richard Cracknell, "Social Background of MPs 1979-2017," *Social Background of MPs 1979-2017*, 2018, p. 6.
- ⁵⁵ https://en.wikipedia.org/wiki/Jeremy_Corbyn
- ⁵⁶ <https://youngov.co.uk/topics/politics/articles-reports/2017/06/13/how-britain-voted-2017-general-election>
- ⁵⁷ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473> 13
- ⁵⁸ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473> 13
- ⁵⁹ <https://www.elderabuse.org.uk/Pages/Category/what-is-it>
- ⁶⁰ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473> 13
- ⁶¹ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473> 13
- ⁶² Hannah Mason-Bish, "Future Challenges for Hate Crime Policy: Lessons from the Past," *Hate Crime*, 2017, pp. 58-77, <https://doi.org/10.4324/9781315093109-4>
- ⁶³ Quoted in Hannah Mason Bish - (2012). *Examining the Boundaries of Hate Crime Policy. Criminal Justice Policy Review*, no. 3 (April 2012): pp. 297-316, <https://doi.org/10.1177/0887403411431495>
- ⁶⁴ Jon Garland, "The Victimization of Goths and the Boundaries of Hate Crime," *Hate Crime*, 2017, pp. 40-57, <https://doi.org/10.4324/9781315093109-3>
- ⁶⁵ Hannah Mason-Bish, "Examining the Boundaries of Hate Crime Policy," *Criminal Justice Policy Review* 24, no. 3 (April 2012): pp. 297-316, <https://doi.org/10.1177/0887403411431495>
- ⁶⁶ Jon Garland, "Difficulties in Defining Hate Crime Victimization," *International Review of Victimology* 18, no. 1 (September 2011): pp. 25-37, <https://doi.org/10.1177/0269758011422473> 13
- ⁶⁷ Neil Chakraborti and Jon Garland, "Reconceptualizing Hate Crime Victimization through the Lens of Vulnerability and 'Difference,'" *Theoretical Criminology* 16, no. 4 (2012): pp. 499-514, <https://doi.org/10.1177/1362480612439432> 500
- ⁶⁸ Neil Chakraborti and Jon Garland, "Reconceptualizing Hate Crime Victimization through the Lens of Vulnerability and 'Difference,'" *Theoretical Criminology* 16, no. 4 (2012): pp. 499-514, <https://doi.org/10.1177/1362480612439432> 510



KNOWLEDGE BANK

Hourglass


Hourglass England

Mayflower Hall, Hall Street, Long Melford
Sudbury, Suffolk, CO10 9JT

E: enquiries@wearehourglass.org

W: www.wearehourglass.org

 [@wearehourglass_](https://twitter.com/wearehourglass_)


 facebook.com/wearehourglass


Hourglass Cymru

Mayflower Hall, Hall Street, Long Melford
Sudbury, Suffolk, CO10 9JT

E: cymru@wearehourglass.org

W: <https://www.wearehourglass.cymru/wales>

 [@hourglasscymru](https://twitter.com/hourglasscymru)

 facebook.com/hourglasscymru


Hourglass Scotland

PO Box 29244, Dunfermline, KY12 2EG

E: scotland@wearehourglass.org

W: www.wearehourglass.scot/scotland

 [@HourglassScot](https://twitter.com/HourglassScot)

 facebook.com/HourglassScotland

Hourglass Northern Ireland

PO Box 216, Newry, BT35 5DH

E: nireland@wearehourglass.org

W: www.wearehourglass.org/ni

 [@HourglassNI](https://twitter.com/HourglassNI)

 facebook.com/hourglassNI

