

National Analytical Study on Racist Violence and Crime

RAXEN Focal Point for THE UK

Commission for Racial Equality

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EXECUTIVE SUMMARY

This report is an updated version of the one submitted for RAXEN 3. It does not repeat the data and analysis presented there but adds new data or material not included in the earlier report. It is organized under the following headings.

THE POLITICAL CLIMATE

The far Right in the UK have not so far had levels of support comparable to some other European countries but the results of the 2003 local elections indicate rising support for the BNP in certain areas. The party has been able to mobilize support following the disturbances in north west English towns in 2001 and the current panic over asylum seeking. There has been an increase in reported violence against asylum seekers and some very hostile media reporting of the asylum issue that has tended to use the terms 'immigration' and 'asylum seeking' inter-changeably. Available measures of attitudes towards migrants and ethnic minorities show animus among around 16 percent of the population and some hostility amongst 20-30 percent. This is sufficiently large to create a climate of hostility towards migrants and ethnic minorities.

LEGISLATION AND POLICIES CONCERNING RACIST VIOLENCE

The wearing of neo-nazi symbols itself is not considered a crime though paramilitary uniforms were banned by an Act of 1936. 'Incitement to racial hatred', i.e. writing as well as speech is prohibited although its threshold is higher than, for example, incitement to racial antipathy or dislike, and there is no single criminal offence of racist or religious crime. There is a range of statutes that effectively prohibit 'hate crime', a term that is being used increasingly by the police and other agencies although it is not defined in English law. Amongst the relevant legislation the crucial piece is the 1998 Crime and Disorder Act (CDA) that defines the offence of 'racial aggravation' of a range of basic offences and specifies additional sentencing tariffs where this is proven. The 2001 Anti-Terrorism Act extended the laws against racially aggravated crimes to a new category of 'religious crime'. There is a wide range of legislation dealing with hate crime and various orders and constraints that can be imposed on violent and anti-social behaviour, arising from the CDA. These are part of the criminal justice 'toolkit' for dealing with racially motivated offenders (RMOs).

DESCRIPTION AND ANALYSIS OF EXISTING DATA AND SOURCES ON RACIST VIOLENCE AND RACIST CRIMES

Reports from official and statutory bodies such as the Home Office and other official agencies, such as local police forces, are generally produced annually. Therefore there is not much official data to add to that in the RAXEN3 Report. Data from the British Crime Survey (BCS), which is considered here in more detail than in RAXEN3, indicated that ethnic minorities are at increased risk of racist violence and from most other types of crime. There is some data from unofficial sources (the Community Security Trust and Muslim News) indicating a rise in reporting of antisemitic and islamophobic incidents

and some evidence of a broader climate of hostility to Jews and Muslims. Many serious racist offences have been reported in the media and there has recently been increased media and research attention to racism in rural as opposed to metropolitan areas. The Crown Prosecution Service (CPS)¹ has published an annual report for 2001-02, which shows an increasing rate of prosecution of racist offences from the previous year although there is still a high rate of attrition from reporting to conviction. There is insufficiently detailed data on the social variables associated with racist crimes but we can conclude that living in an area of deprivation increases the risk of victimization and South Asians are most at risk. Offenders, also typically from deprived areas, tend to be white, male, young (15-24 years) engaged in wider criminal activity (Ray et. al. 2003) and perceive themselves victims of a system that favours ethnic minorities (the socio-psychological dynamics of this are discussed in the following section). Recent (mainly media based) information from Northern Ireland supports the findings of earlier studies that there is a serious problem of racist violence in the province that is being coordinated by white supremacist groups.

ANALYSIS OF RACIST VIOLENCE AND RACIST CRIMES

Violent racism is part of a social process of exclusion. The risk of racial violence and harassment increases with social exclusion and low income: people living in poorer areas tend to be more at risk than are people living in more affluent areas. Ethnic minority communities are more likely than others to live in deprived neighbourhoods, be poor, be unemployed compared with white people with similar qualifications, suffer ill health and live in over-crowded and unpopular housing. Ethnic minority communities are over-represented on almost all measures of social exclusion. At the same time those convicted of racially aggravated crimes tend to come from (predominantly white) areas of deprivation where there is local tolerance of violence and racism. There are both material (economic) and social-psychological dynamics at work here by which people in areas of high urban ethnic segregation and deprivation tend to have a sense of both threat and resentment (not always articulated) that manifests in violence. This analysis should further explain the rise in violence against asylum seekers moved under the dispersal programme and the incidence of racism in depressed rural areas.

STRATEGIES, INITIATIVES AND GOOD PRACTICES

Some examples of best practice are outlined in the RAXEN 3 report. In view of the analysis above those most likely to be successful will not necessarily have a purely policing and Criminal Justice System (CJS) focus (though these are important) but will also be oriented towards community involvement, building local capacities and providing support for victims of harassment and abuse. Some examples of such practices are listed with an emphasis on building networks, understanding ethnic minority community needs and monitoring provision.

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GLOSSARY

GROUPS IN FOCUS

Asylum seekers – people who claim the right of political asylum under the terms of the 1951 Geneva Convention on Refugees.

First generation migrants – people who settle temporarily or permanently, for whatever reasons, in a country other than that of origin.

Minorities – members of groups that differ on grounds of citizenship, culture, ethnicity, race, religion, sexuality or some other definable characteristic, from the majority group in a society.

Racial group – any group of people who are defined by reference to their race, colour, nationality (including citizenship) or ethnic or national origin. The definition is wide and victims may come under more than one reference. Many Travellers, refugees or asylum seekers are from ethnic minorities and are thus included in the definition of a racial group but refugees or asylum seekers as such do not constitute a racial group. Jews and Sikhs are included in the definition of a racial group (*Mandla v. Dowell-Lee* [1983] 2 AC 548).

Refugees – people who have taken flight, been displaced or expelled from their home. This often involves crossing international borders but can also refer to people displaced within their country of origin. A person with ‘refugee status’ in the UK is a successful asylum seeker.

Religious group – any group of people defined by their religious belief, or lack of religious belief. This would include Muslims, Hindus and Christians and different sects within a religion. It also includes people who hold no religious beliefs at all.

‘Second generation migrants’ – children of migrants born and remaining in their parents’ country of immigration. Like the term ‘third generation migrants’ this indicates how the identification with migration continues long after the act of movement is over.

‘Third generation migrants’ – grandchildren of migrants born and remaining in their grandparents’ country of immigration.

PERPETRATORS

Antisemitism refers to anti-Jewish prejudice and racism. Antisemitism is based upon an unfounded hostility towards Jews and expressions of Jewish identity. It may be directed against individuals or groups because of their actual or perceived religious or racial background or identification. Some regard the term as ambiguous because ‘Semitic’ refers only to a group of languages including Hebrew, Arabic and Aramaic rather than a religious or ethnic identity. The term **Judeophobia** therefore is sometimes preferred.

Bias Crimes are committed as an act of prejudice in which the victim is selected because of his/her membership of a particular group (often also called ‘hate crime’). This differs

from the two major categories of crimes in which victims are either selected randomly (e.g. most robberies) or precisely because of who the victim is (e.g. revenge crimes).

Hate Crime - where victims are selected for physical or verbal abuse grounds of disability, sexuality, gender identity, race or religious belief. A crucial factor is that hatred of the group, culture, life-style or identity of the victim motivates the crime. In the UK such crimes are prosecuted as aggravating factors from a basic offence.

Incitement to racial hatred is committed when the accused person says or does something that is threatening, abusive or insulting and by so doing, intends or is likely to stir up racial hatred. This can include such things as making a speech, displaying a racist poster, publishing written material, performing a play or broadcasting something in the media.

Institutional racism is the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage ethnic minority people.²

Islamophobia refers to anti-Muslim prejudice and racism. Islamophobia is based upon an unfounded hostility towards Islam. It may be directed against individuals or groups because of their actual or perceived religious background or identification.

Racially aggravated crime exists where can be shown that it was *motivated* either wholly or partly by racism or, if it can be shown that even though the motivation for the attack was not racist, racist *hostility* was demonstrated during the course of the offence or immediately before or after it. Conviction of a racially aggravated crime carries increased tariff where both the underlying offence and the aggravation are proven³.

Racist incident is any incident, which is perceived to be racist by the victim, or any other person (Macpherson 1999: Chapter 47, para. 1). This definition is used by all agencies collecting data on racist incidents.

Racist or religious offence is an offence where the prosecutor has to prove a racist or religious element as part of the offence itself, or where the law allows the prosecutor to put that evidence to the court when an offender is being sentenced. There is no single criminal offence of racist or religious crime but any offence will be treated as more serious where there is evidence of motivation by racist or religious hostility.

Religious incident is any incident which is perceived to be religious by the victim or any other person.⁴

LIST OF ABBREVIATIONS

BCS	British Crime Survey
BNP	British National Party
CJS	Criminal Justice System
CPS	Crown Prosecution Service
CRE	Commission for Racial Equality
CST	Community Security Trust (Board of Deputies of British Jews)
CSUs	Community Safety Units
GMP	Greater Manchester Police
IJP	Institute for Jewish Policy
MPS	Metropolitan Police Service (London)
NASS	National Asylum Seeker Support Service
NGOs	Non-governmental Organisations
NPS	National Probation Service
PSR	Pre-sentence reports
RDS	Research Development Statistics (Home Office)
RMI	Racially Motivated Incidents
RMOs	Racially Motivated Offenders

1. INTRODUCTION

This report is an update and revision of the RAXEN3 Analytical Report on racial violence. It does not repeat the data and analysis presented there but will refer back to this report where relevant. Two kinds of addition have been made in this report to RAXEN 3: first, updating of information, where this is available, and second the inclusion of information that, while not necessarily more recent, was not presented in the earlier report. This includes in particular data on racist violence presented in the form of tables and charts from the British Crime Survey (BCS) which is a crucial source of information on victims of racially motivated offences although not frequently updated.

The updated data include reports from statutory bodies (such as the Home Office and CPS) and NGOs (for example collecting information on antisemitic and islamophobic incidents). Recent research is mentioned but there has not been a great deal published since January 2003, which in view of the public and policy profile of the issue of racist violence is surprising. New to this report are data from the BCS and regional agencies collecting data on rural racism. There is further new material on the political situation – the electoral gains for the far-right BNP and the growing public and media hostility towards asylum seekers who represent a newly racialized category of migrants. There are summaries of opinion poll surveys on attitudes to ethnic minorities and immigrants and the extent to which this provides a basis for the mobilization of racism.

The report updates the earlier discussion of the implications of this data for practice issues and argues that while prosecutions for racist offences have risen slowly there remains a high rate of attrition. This raises questions about the appropriateness of a criminal justice approach/punishment to the problem and whether there is greater role for strategies of support, community cohesion, reparation and conflict resolution. There is further discussion of recent evidence on the need for locally based community organisations providing support for victims of racist abuse using a casework approach.

An overall focus for the discussion is the view that racial violence is embedded in social processes of social exclusion. There is in a cycle of racism, marginalization, low wages and high unemployment, urban segregation and increased risk of victimisation, all of which reinforce social exclusion. A large number of racist attacks occur in areas of deprivation and its victims are also typically victims of non-racially motivated offences (although they also occur in city centres and in more affluent areas too). Racist violence is to some extent an expression of both racism and social inequality, within which perpetrators are themselves caught. Perpetrators typically come from areas of high social deprivation and marginalisation (though by no means all do) which may not directly motivate racist violence but is a significant predisposing factor (Ray et. al. 2003; Sibbitt 1997). Deprivation is likely to operate in conjunction with other influences such as background cultures of racism, media representations of ethnic minorities, and socio-psychological factors. The general theory suggests that threats to the social bond come either from excessive closeness or ‘engulfment’ or, more relevantly for this analysis, from isolation and separation, in which the parties mutually misunderstand or reject each other. The result in either case, according to some recent research, is alienation and estrangement, accompanied by ‘unacknowledged shame’, which in turn leads to humiliated fury, and violence and aggression (Ray et. al. 2004). With racist violence

shame/rage is directed against scapegoats who are perceived as more privileged both economically and culturally than the putative 'white' community.

There is some discussion in the RAXEN 3 report of the changing nature of racism, which is complex and has many manifestations. Recent debates refer to the rise of new forms of 'xeno-racism' and cultural racism along with a tendency to speak of the 'racialisation' of certain ethnic and cultural groups. In these racialised constructions, stigmatised groups are presented in contradictory ways – so that they are regarded both as inferior, and potentially polluting but also as powerful and hence a threat to the 'host' or 'majority' community. Further, the more 'racial' categories are culturally inflected, the less they are based only on phenotypic differences between people and the more 'race' overlaps 'ethnicity'. The increasing public hostility and violence against 'asylum seekers' is a clear illustration of this process, since this group is marked out only by their migrant and juridical status rather than any common cultural, national, ethnic or religious identity. Yet fears associated with 'asylum seeking' become coded means of articulating anxieties about more diffuse 'threats' and fears of about economic competition and cultural pollution, that may have heightened since September 11th 2001.

2. THE POLITICAL CLIMATE

2.1. RACE AND ELECTORAL POLITICS

In the May 2003 UK local elections the extreme-right British National Party (BNP) contested a record 221 seats out of 21,000 after which it held sixteen seats (and won a further seat at a by-election in Essex in September 2003). It is the joint second largest party on Burnley council in the north west of England, with eight elected councillors out of 45, and claims to be on course to win overall control of the council in 2004. In a significant number of wards in other northern towns and in the West Midlands, the party won over a quarter of votes cast. Eleven new seats were won and two were successfully defended in the 2003 elections. A breakaway group from the BNP, the Freedom Party also gained a seat on South Staffordshire District Council beating the Conservatives into second place⁵. While the numbers of seats contested by the BNP is not large in absolute terms it does indicate that the party is building local support bases in certain areas.

In Burnley (a borough council of 89,000 people, of whom 7,300 are not white) the poorer areas remained Labour or, where there was a large Asian anti-war protest vote, went to the Liberal Democrats. But in white, middle-class areas there appears to be a significant number of former Conservative voters who supported the BNP's 'new' policy of 'repatriation by consent'. In Sandwell, the BNP stood in five out of the twenty-four seats and gained two on the Borough Council. The combined vote for the BNP and Freedom Party in Sandwell was 4,702 out of 14,080 cast (33 per cent). In Stoke-on-Trent, where the BNP stood in five of the twenty wards, the BNP candidates won 27 per cent of votes and one councillor was elected. In Calderdale, West Yorkshire, the BNP gained a second seat on the council. With two councillors the party is now entitled to an office in the town hall. In the south of England, the BNP made its first recent inroad by winning a seat on Broxbourne Council in Hertfordshire.

However, the increased BNP vote was not as great as previously feared. A major target for the BNP was Sunderland, where the party had been active believing that hostility to asylum seekers could be exploited. (In August 2002, an Iranian asylum seeker had been killed there in a racist attack.) But despite standing candidates in all the city's seats, the BNP took none. Again the BNP failed to win seats in Oldham, despite standing ten candidates including party leader Nick Griffin. It was also significant that the BNP was unable, in the face of anti-fascist organising, to gain seats in areas where it had tried to capitalise on local anti-asylum campaigns in Kent and south-west England.

Nonetheless, the context for the BNP's increased vote was a hostile public debate about asylum combined with the aftermath of conflicts in North West English towns in 2001. Applications for asylum increased by 18 percent in 2001-2002 (to 84,130) and the main countries of origin were Iraq, Zimbabwe, Afghanistan, Somalia and China. The Government has set a target of reducing applications by half by 2004 and applications in first two quarters of 2003 were 16,000 and 10,585 respectively - a fall from 22,760 in the last quarter of 2002. But this did little to stem the hostile tone of public debate with government critics claiming that the fall in applications was outweighed by an increase in people entering the country illegally.⁶ Hostile reporting on asylum and immigration issues has become reminiscent of the tone of anti-immigration debate in the 1960s and 'asylum seeker' and 'immigrant' are often used interchangeably.⁷ But whereas it used to be the 'inner cities' that were the focus of issues of race, 'now in Britain', says Back (2003), 'there has been a shift in the geography of public disquiet, and it is the small provincial towns on the coast like Margate, Dover and Hastings that have become the centre of concern about illegal immigration and asylum'. There has been extensive hostile reporting in both local and national print media, which portrays refugees as 'beggars' involved in 'violent crime'. For example, the arrival of East European asylum seekers in Kent was accompanied by reports such as '3000 Gypsies' [sic] were coming to Britain to 'sponge off the cushy benefit system' (The Sun 20.10.1997); 'Gypsies invade Dover, hoping for a handout' (The Independent 20.10.1997). The local print media's hostility often went further. In October 1999, the Dover Express headline read 'We want to wash dross down drain', and the story continued: 'illegal immigrants, asylum-seekers, bootleggers... and scum of the earth drug smugglers have targeted our beloved coastline... We are left with the backdraft of a nation's human sewage and no cash to wash it down the drain'. Reporting the return of refugees in Calais following the closure of the Sangatte camp, the Daily Mail announced 'THEY'RE BACK - The new asylum army massing in Calais' (06.09.2003). It is worth noting that these reports do not apparently reach the threshold of 'incitement to racial hatred' which points either to the fact that this legislation is not being sufficiently invoked or that its threshold of proof is too high.

In a review of British attitudes to ethnic minorities, Saggat and Dreaan (2001) argue that 'the press conveys the impression that there is a large inflow of illegal immigrants, and that the Home Office cannot remove them or keep track of their movements'. They conclude that 'media coverage has not set the tone of public debate conducive to race relations, nor have they increased understanding of the asylum system issue'. On the contrary, some media coverage has 'stoked an atmosphere of xenophobia and racism that has led to racial tension'. Similarly, Lee Jasper, Secretary of the National Assembly Against Racism (NAAR) argues that the scapegoating of social problems onto asylum seekers encourages the rise of the BNP. Tightening asylum and conceding racist argument will lead to further success of neo-Nazis whose views then appear to have

entered the mainstream political agenda⁸. Some of the Home Secretary's comments are quoted in Annex A3 below.

2.2. ANTI-REFUGEE VIOLENCE

The UK's policy of dispersal of asylum seekers (see RAXEN 3 report on racial violence) has been the focus of local anti-immigration campaigns and some violent incidents, illustrated by the incidents in Wrexham (North Wales, UK) in June 2003. Around 30 Iraqi Kurdish refugees had lived on the Caia Park estate of 12,500 people in Wrexham since 2002. On Sunday, 22 June 2003 police were called to a fight between Iraqis and locals – rumour suggests it began over a dispute about a mobile phone. Following the incident, the estate became the scene of violent clashes between residents, Iraqi Kurdish refugees and the police. Refugees and residents armed with baseball bats and metal sticks fought running battles on the Sunday night and were confronted by 100 police officers in riot gear, four of whom were injured and nine people were arrested. It is reported that after the Sunday night, most of the refugees had been taken by the council to secure accommodation outside the area. Local people interviewed in the press expressed resentment against refugees who were seen as 'better off than our people', 'driving Mercedes cars and throwing money around'.⁹

Although the local MP said that many constituents had raised the asylum seeker issue with him over the previous six months, others, including the North Wales police chief said the riot came as a complete surprise. The leader of Wrexham Borough Council, expressed 'disappointment' at the trouble in the area 'where the number of refugees was low', and suggested that the problem was one of public disorder ('not that different from when you see mobs of people hunting for paedophiles') rather than racism.¹⁰ It could be noted, however, that these responses do not directly address the issues of racism, anti-immigration mobilization and the role of the far right. Further, they are part of a wider national pattern. For example, there have been reports of arson attacks on asylum hostels in Southampton (The Times 09.06.2003) and Peterborough, where arsonists are targeting the homes of asylum seekers. (Peterborough Evening Telegraph 10.06.2003).

2.3. MEASUREMENTS OF MAJORITY POPULATION'S ATTITUDES TOWARDS MIGRANTS AND MINORITIES

It is possible to get an overview of attitudes to migrants and minorities from the Eurobarometers of 1997 and 2000.¹¹ Results from the UK indicated that support for policies aimed at improving social coexistence between members of different ethnic groups was similar to the EU average. But there were lower levels of acceptance where refugees and asylum seekers are concerned. Multicultural optimism was decreasing in the UK. In 2000, there was less agreement with the statement that it is a good thing for any society to be made up of people of different races and cultures. Further, fewer people concurred with the statement that a country's diversity in terms of race, religion and culture adds to its strength. Demand for the repatriation of migrants was increasing. In the UK:

- 31 percent agreed that discrimination against minority groups should be outlawed (EU average also 31 percent).

- 28 percent would encourage the creation of organizations bringing people from different races and cultures together (EU average is 29 percent).
- 16 percent would accept people from Muslim countries without restrictions (EU average is 17 percent); 56 percent would accept with restrictions (EU average is 58 percent); 17 percent would not accept (EU average is 18 percent).
- 17 percent would accept without restrictions people fleeing from countries where there is serious conflict (EU average is 28 percent); 56 percent would accept with restrictions (EU average is 55 percent); and 18 percent would not accept any (EU average is 12 percent).
- 57 percent agree that where there are ‘too many’ children in schools from minority groups the quality of education suffers (EU average is 52 percent).¹²
- 47 percent believe that the presence of ethnic minorities increases unemployment (EU average is 51 percent).
- 31 percent believe ‘immigrants’ are more involved in criminality than the average (EU average is 51 percent).
- 16 percent found the presence of people from another race ‘disturbing’ (EU average is 15 percent).
- 43 percent agreed that minority groups enriched the cultural life of the country (EU average is 50 percent) and 53 percent that ‘where schools make the necessary effort’ all children can be enriched by the presence of minority groups (EU average is 59 percent).
- 33 percent agreed that ‘legally established immigrants from outside the EU should be sent back to their country of origin if they are unemployed’ (EU average is 39 percent) and 18 percent that ‘all immigrants from outside the EU should be sent back to their country of origin’ (EU average is 20 percent).

These percentages, while not generally far from European averages, show animus towards immigrants at about 16 to 17 percent and general hostility at about 20 to 30 percent of the population. Saggarr and Drean (2001) who collated several sources of British opinion concerning ethnic minorities and immigrants come to similar conclusions. In summary their findings were as follows:

- The UK possesses a significant proportion of people who express intolerant attitudes to migrants and ethnic minorities. Common majority sentiments identified in surveys are that “There are too many in Britain”, “They get too much help”, “Migration controls are insufficiently tight” and people “Felt less positive towards minority groups”.
- The British population has a highly erroneous impression about the number of ethnic minorities and migrants in the UK. In one poll the average estimate of the size of the ethnic minority population in the UK was 26 percent of the population (despite the correct figure at the time being closer to 7 percent).¹³ When asked to estimate the proportion of the population consisting of migrants and asylum seekers the modal estimate was 51 percent, despite the real situation being closer to 4 percent.¹⁴
- People are significantly more likely to be hostile to migrants and minorities if they are older, poorer, less well educated and live in the north. These groups are also more likely to have erroneous views of the size of minority populations.
- A majority of the population (64 percent) feels ‘less positive’ about at least

one minority; however, only 18 percent feel less positive towards at least one ethnic minority group.¹⁵

- The rise in numbers of asylum seekers has corresponded directly with significant rises in the indicators of intolerance.
- Tolerance correlates positively with the proportion of ethnic minorities in an area – 75 percent of those in the north-east of England felt that too much is done to help immigrants compared to 39 percent in London. This is reinforced by data on rural racism (see below) which suggests a higher incidence of attacks in predominantly ‘white’ areas than in cities.
- A significant minority (38 percent) think, “Immigrants should not maintain the culture/lifestyle they had at home”.
- Negative sentiments are not purely based along lines of colour – eastern European groups are viewed negatively and in one poll every age group disapproved of Romanians coming to live in their neighbourhood.¹⁶

2.4. RESEARCH AND OTHER ANALYSIS OF THE POLITICAL SITUATION

There is not yet much research on the growth of the far right or on the role of asylum issues in contemporary British politics. Schuster (2003) points to dangers of anti-immigrant racist mobilization and argues that the main features of UK asylum policy (dispersal, detention and deportation) are discriminatory and ‘give succour to racists’. She supports this claim by arguing that,

"The Race Relations Amendment Act 2000 extended the remit of the Race Relations Act 1976 to public authorities, most significantly the police. However, just as significantly, it expressly excluded the field of migration and nationality from the application of the law. In other words, the government unapologetically accepts that migration and nationality laws discriminate."¹⁷

Schuster (along with others such as Bloch et. al. 2000) stress the unequal and particular treatment of women in the asylum process. The latter argue that women are not seen as political agents in their own right but as dependants of asylum-seeking men. At the same time state-sanctioned rape as a way of applying pressure on relatives is too often dismissed in European countries as ‘sexual gratification’ by soldiers, police or militia. Thus discrimination on grounds of race, sex and gender intersect in complex ways.

Trevor Phillips reported research undertaken by the Commission for Racial Equality indicating that the British National Party is using ‘sophisticated’ campaigning techniques and exploiting hysteria on asylum.¹⁸ Internal intelligence gathered on the BNP suggests that its campaigns, selection of seats to be contested, and its candidates have become sophisticated. Consequently, in an atmosphere that has grown increasingly intolerant, it has broadened its support. The analysis presented to the CRE shows how the BNP threat has changed in the past year. It reveals that:

- The BNP now gets support from people who do not normally vote in local elections.
- Many of its new supporters are aged between 18 and 35 years. Most of them

are male.

- Its support is moving up the social scale. It is gaining endorsements from the lower middle classes, many of whom were "Thatcher's children" and now feel that their earlier support for Tony Blair was misplaced.
- While 70 percent of the voters in most seats are highly unlikely to vote for the party, 20 to 30 percent are susceptible to its approach.¹⁹

This analysis shows that the party has become adept at picking its battlegrounds. It performs well in areas where the majority party has become largely dysfunctional, split by factionalism or personal disputes. In Calderdale, the BNP won a seat in January 2003 after a Labour councillor fell ill and failed to show up for meetings. It won another seat in Heckmondwike, on Kirklees borough council, West Yorkshire, in August 2003, after a Labour councillor resigned, ran as an independent and split the Labour vote to the extent that the party could only manage third place. There is a general pattern for the most fertile wards to be those with a very small number of ethnic minority residents, or all-white areas that are adjacent to those with significant numbers of ethnic minorities. In these wards the party plays on fears of multi-culturalism and raises fears about 'white' areas being 'swamped'. It further targets seats that are winnable with just a low percentage of the vote. The BNP has refined its process for picking candidates. Many of its supporters and officials have criminal records which groups such as Searchlight, the anti-fascist organisation, usually unearth. Doug Smith, who fought and lost a Stoke ward in May 2003, was exposed for having a string of convictions, including one for armed robbery. Luke Smith, the councillor whose resignation prompted a by-election in Burnley, resigned in September 2003 after allegedly attacking a party member with a glass at a function. But the party now seeks candidates whose past and current behaviour avoids the risk of scandal. Its nominee in Calderdale, was Heath Clegg, 32, a married computer store manager and school governor. John West, the Stoke candidate, portrays himself as a father and grandfather with strong local roots.¹⁹ Moreover the party's Chair, Nick Griffin, is articulate, Cambridge University educated, and has sought to distance the party from its fascist past and skinhead image, presenting itself as a legitimate 'nationalist' party.

3. LEGISLATION AND POLICIES CONCERNING RACIST VIOLENCE AND RACIST CRIMES

3.1. OVERVIEW OF CURRENT LEGAL BASIS FOR BIAS ('HATE') CRIMES

The wearing of neo-nazi symbols itself is not considered a crime. 'Incitement to racial hatred', i.e. writing as well as speech is prohibited although its threshold is higher than, for example incitement to racial antipathy or dislike, and there is no single criminal offence of racist or religious crime. There are, however, a range of statutes that effectively prohibit 'hate crime', a term that is being used increasingly by the police and other agencies although it is not defined in English law. In the relevant legislation (listed below) the crucial piece is the 1998 Crime and Disorder Act that defines the offence of 'racial aggravation' of a range of basic offences and specifies additional sentencing tariffs

where this is proven (see RAXEN3 for more details). The 2001 Anti-Terrorism Act extended the laws against racially aggravated crimes to a new category of 'religious crime'.

Public Order Act 1986 (removed this provision from the RRA 1976 (see Part IX para.70 RRA))

Defined the offence of incitement to racial hatred, where a person (a) publishes or distributes written matter which is threatening, abusive or insulting; or (b) uses in any public place or at any public meeting words which are threatening, abusive or insulting (Section 70).

Public Order Act (Part III s. 17-29) 1986

This creates the following offences.

- Using threatening/abusive/insulting words or behaviour or displaying written material with intent/likely to stir up racial hatred (s.18).
- Publishing /distributing written material which is threatening /abusive/insulting/ with intent /likely to stir up racial hatred (s.19).
- Public performance or a play involving threatening, abusive, insulting words behaviour with intent/likely to stir up racial hatred (s.20).
- Distributing/showing/playing a recording of visual images or sounds that are threatening/abusive/ insulting with intent to stir up racial hatred (s.21).
- Broadcasting abusive/insulting visual images or sounds with intent/likely to stir up racial hatred (s.22).
- Possessing racially inflammatory material intent/likely to stir up racial hatred (s.23).

Malicious Communications Act 1988

Section 1 – offences of sending to another person by letter/article that conveys indecent/grossly offensive message OR threat OR false information known or believed to be false for purpose of causing anxiety/distress to recipient/other person to whom intended communicated. Sending to another person an article wholly/partly of an indecent/grossly offensive nature for purpose of causing distress/anxiety to recipient/other person to whom intended communicated.

Protection from Harassment Act 1997

Creates a mix of civil and criminal sanctions where a course of conduct amounting to harassment is pursued, on at least two occasions, whilst knowing/ought to know it amounts to harassment of another (Section 2).

Crime and Disorder Act 1998

This created offences of racially aggravated wounding, assault (actual bodily harm), common assault (Section 29); racially aggravated fear/provocation of violence, intentional harassment/alarm/distress (Section 31); racially aggravated harassment and stalking (Section 32). The Act defines increased tariffs for successful prosecutions of racially aggravated offences.²⁰

Football (Offences) Act 1991(S.3) as amended by S9 Football (Offences & Disorder) Act 1999

The 1991 Act, as amended by section 9 of the Football (Offences and Disorder) Act 1999, makes it an offence for a person to engage or take part in chanting of an indecent or racist nature at a designated football match. The 1999 Act amended the definition of chanting for the purpose of the offence. A person may commit the offence by the repeated uttering of any words or sounds whether alone or in concert with one or more others.

Race Relations (Amendment) Act 2000

Amended the 1976 Race Relations Act. It fulfilled recommendation 11 of the Stephen Lawrence Inquiry report²¹ and went further, prohibiting race discrimination in all public functions, with a few limited exceptions. Public bodies listed in Schedule 1A to the amended 1976 Act are also subject to a statutory general duty to promote race equality.²²

Anti-Terrorism, Crime and Security Act 2001

Section 39 amends the Crime and Disorder Act 1998 to include in addition to each racially aggravated offence the crime of religiously aggravated offences and applying the same sentencing duty to all other offences where there is evidence of religious aggravation.

Two important judgements on racist offences

Judicial rulings are of course crucial for determining the interpretation and implementation of Acts of Parliament. The two following rulings have been important in framing the scope and implementation of the 1998 Crime and Disorder Act.

DDP v McFarlane (2002) EWHC 85 Admin held that once the basic offence was proved (in this case a public order offence) and that racist language was used that was hostile or threatening to the victim, it made no difference that the defendant may have had an additional reason for using the language.

DPP v Woods (2002) EWHC 85 Admin held that even where the primary reason for the offence (in this case racially abusive language to a doorman at a night-club when expressing anger at being refused admission) was other than racist motivation,

the use of racist abuse during commission of the basic offence satisfied the test for racial aggravation (in s.28(1)(a)).

Additional Tools

In addition to the framework of legislation there are a number of specific tools available to police and the CJS that can be used to prevent racially motivated offences (RMOs), especially in the context of youth justice. Some, however, such as curfew schemes are rarely used. The 1998 Crime and Disorder Act focussed on the amount of crime committed by young people and was designed to be 'tough on both the causes of crime and crime itself'.²³ It further attempts to widen the scope for restorative justice which searches for constructive policies in which the offender is made aware of the consequences and impact of offending yet re-integrated into the community.

Anti-Social Behaviour Order (s.1 Crime and Disorder Act)

The police or the local authority, in consultation with each other, can apply for an Anti-Social Behaviour Order (ASBO). Orders can be made against an individual or several individuals (e.g. a family) whose behaviour has caused harassment, alarm or distress to one or more people not in the same household as the offender. Orders can be made on those aged 10 years and above, and applications are made to the magistrates' court in a civil capacity. Orders are preventive in nature and are to be used to end persistent and serious anti-social behaviour (e.g. racial harassment). The minimum duration for an order is 2 years, and a breach of the order is an arrestable offence, carrying a maximum penalty of 5 years' imprisonment. This has been used only to a limited extent to date although the Government's law and order strategy envisages increased use of these Orders.²⁴

Parenting Orders (s.8)

These result when a court makes a child safety order; when a court makes an anti-social behaviour order or a sex offender order; when a child or young person has been convicted of an offence; or when a person has been convicted under ss443 and 444 Education Act 1996. In imposing such an order, the court must be satisfied that it is desirable in the interests of preventing further offending or the kind of behaviour that led to the original order being made. It may consist of two elements: (a) a requirement on the parent or guardian to attend counselling or guidance sessions (which can last up to 3 months); and (b) requirements encouraging the parent/guardian to exercise a measure of control over the child.

Child Safety Orders (s.13)

Magistrates' family proceedings court can make a disposal called a child safety order. It is aimed at children under ten years and is designed to prevent them becoming involved in criminal or anti-social behaviour (including racist abuse). On the application of a local authority social services department, the order may be imposed: when the child has committed an act, which would have constituted an offence, if the child was ten years or over; to prevent anti-social behaviour or offending; and

because the child has contravened a ban imposed under a local child curfew notice. Such an order will place the child under the supervision of a responsible officer. The court may impose requirements: (i) ensuring that the child receives appropriate care, protection and support and is subject to proper control; and (ii) to prevent any repetition of the kind of behaviour which resulted in the order being made. The order will normally be up to three months, but in exceptional cases be up to twelve months.

Local Child Curfew Schemes (s.14 and 15)

Sections 14 and 15 put in place arrangements for local authorities to introduce local child curfew schemes to deal with the problem of unsupervised children under ten years on the streets late at night. Section 14 allows local authorities to introduce local child curfews schemes for which they are responsible. A curfew notice will apply to children:

- under ten years as specified by the individual local authority;
- unsupervised by a responsible adult or parent;
- during specified hours between 9pm and 6am;
- and a maximum of 90 days

Section 15 requires a police officer who has reason to believe that a child has breached a curfew notice to return the child home. The police are required to inform the local authority of any breach of a curfew notice.

Reparation orders

These require young offenders to make specific reparation either to the individual victim or the community. The reparation must be commensurate with the seriousness of the offence(s) for which the order is being given but may not exceed a total of 24 hours in aggregate of community work. It must be made within three months of the making of the order, and may not be made to any person without their consent. Reparation under the order might involve writing a letter of apology, apologising to the victim in person, cleaning graffiti or repairing criminal damage for which the offender has been responsible. Where the victim of the offence does not wish to receive direct reparation, reparative activity appropriate to the nature of the offence may be made to the community at large. The use of reparation orders in relation to racist violence might potentially increase stability in areas of racial conflict.

3.2. DESCRIPTION OF MONITORING SYSTEM(S)

The implementation of the legislation is monitored by public reporting and evaluation studies, such as Burney et. al. (2002), reports published by the CPS and Home Office, which inform public debate and feed into policy reviews.²⁵ Monitoring is undertaken by NGOs such as the CRE²⁶ and the Institute of Race Relations²⁷. The CPS monitors decisions it makes in relation to racist or religious crime and comments in its annual reports on the results of cases they have prosecuted. The CPS annual reports give both local and national statistics on charges, prosecutions and outcomes of cases of racial and religious crime. This information is shared with other agencies in the CJS as well as interests groups and individuals. The CPS consults with communities about the

effectiveness of their prosecution policy and in 2002 consulted with 121 organizations and agencies (see CPS 2003b). From 2004, the CPS plans to publish more comprehensive information about cases prosecuted, including the ethnicity of the defendants and victims. Complaints about the way the CPS or the CJS has treated a case can be made to the Chief Crown Prosecutor for the area in which they live. The CPS has a complaints procedure if somebody wishes to complain about the way a case has been handled.²⁸

4. DESCRIPTION AND ANALYSIS OF EXISTING DATA AND SOURCES ON RACIST VIOLENCE AND RACIST CRIMES

4.1. REPORTS ON RACIST VIOLENCE BY STATUARY BODIES

There have been no major analytical reports on racist violence by statutory bodies since the RAXEN 3 report and the review of the operation of the 1998 Crime and Disorder Act by Burney et. al. (2002) remains the most extensive current evaluation. The Secretary of State is required to 'publish such information as he considers expedient in order to enable those involved in the CJS to become aware of the financial implications of their decisions or to avoid discrimination on grounds of race, sex, or any other improper grounds' (Section 95 of Criminal Justice Act 1991). The number of racist incidents both reported to and recorded by the police in England and Wales since 1996/7 can be seen from the figures in Chart 1.²⁹ These show a rising incidence of reported incidents particularly between 1999 and 2000, where the figure more than doubled. Since then the rise in reported incidents has been slower and between 2001 and 2002 was only 2 percent. It was noted in the RAXEN 3 report that the sharp increase between 1999 and 2000 was probably influenced by factors such as the publicity arising from the Inquiry into the Death of Stephen Lawrence (Macpherson 1999), the new provisions in the Crime and Disorder Act (1998) for prosecution of racially aggravated offences, and the initiatives on the part of police and NGOs to increase reporting of incidents. The figures from 2000, 2001 and 2002 suggest that the rate of reporting has levelled off although the numbers are still considerably lower than those reported in the BCS.³⁰ In the BCS (2000) the estimated number of racially motivated offences in England and Wales in 1999 was 280,000. Although this was substantially below the estimated 390,000 in 1995 and similar to the 291,000 for 1993, these figures are higher than incidents reported to the police in that year by a factor nearly six. Further, the BCS (2000) shows that ethnic minorities face greater property crime risks than white people do, though ethnic minority groups face similar risks of violence. The greater risk of property crime largely reflects the fact that ethnic minority populations tend to live in areas where risks are high regardless of ethnicity. These higher crime risks are at least in part a consequence of economic disadvantage. However, economic disadvantage experienced by some ethnic minority groups is part of a pattern of social exclusion that is in part caused and reinforced by racism (Bowling 1998).

4.2. UNOFFICIALLY RECORDED RACIST CRIMES

In addition to racist incidents recorded by statutory bodies, unofficial records of incidents are kept by various organizations – such as community associations, citizens’ advice bureaux, migrant and refugee support groups and faith-based organizations. However, the unofficial and fragmented nature of these records means that no overall national pattern is available. To collect nationally representative data from individual, often locally based organizations would require a research project with extensive resources. While this would have some value as adding to the data available from statutory bodies care would have to be taken over methodology to avoid multiple counting and to allow for variations in definitions between different agencies and areas. Some examples of the data generated by unofficial recording follow.

4.2.1. New Antisemitism?³¹

There is not at present detailed national (nor local) data on victims of racist crime other than broad categories of ethnicity. Data on antisemitism is collected largely by NGOs. The Board of Deputies of British Jews³² monitors antisemitic incidents through the Community Security Trust (CST)³³ which works closely with Institute of Jewish Policy Research³⁴. According to the Community Security Trust, there was an increase in antisemitic attacks of 75 percent in the first quarter of 2003 on last year (making a total of 85). There were synagogue and cemetery desecrations in Swansea and Finsbury Park and in May 2003 more than 500 Jewish gravestones at the Plashet cemetery in Newham (east London) were desecrated. Annual figures for 2002 are shown below in Table 1.

Table 1: Annual Antisemitic Incidents 2002

	Extreme violence	Assault	Damage	Threats	Abuse	Literature	Total
January	1	1	2	0	9	2	15
February	0	0	1	0	9	1	11
March	0	4	3	2	15	2	26
April	0	13	8	0	24	2	47
May	2	4	12	0	28	1	47
June	0	6	3	3	14	0	26
July	1	0	5	4	19	2	31
August	0	1	3	3	7	1	15
September	0	3	3	2	37	2	47
October	1	6	4	3	30	1	45
November	0	3	6	1	18	0	28
December	0	1	5	0	6	0	12
Totals	5	42	55	18	216	14	350

Source: Community Security Trust (2003)¹

As of November 2003, data is only available for the first quarter of 2003. The CST will publish its full report on anti-semitic incidents during 2003 in February 2004. The Community Security Trust recorded 89 anti-semitic incidents in Britain in the first quarter

¹ Data available from http://www.thecst.org.uk/incidents_statistics.htm (03.12.03)

of 2003, a 75 per cent increase on the first quarter of last year when 52 incidents occurred. This follows a 13 per cent increase in anti-semitic incidents in 2002 on the previous year. There were 43 incidents in March 2003, the highest total for the month of March for 11 years. The CST believes that this significant rise in incidents coincided with the war in Iraq as the anti-war movement linked the issue of Iraq, on the one hand, and events in Israel and Palestine, on the other hand. There were 21 anti-semitic incidents in January 2003 (15 in January 2002) and 25 in February 2003 (11 in February 2003). 11 of the incidents in the first quarter of 2003 took place on university campuses.² No further breakdown of the nature of the incidents is available at the time of writing.

However, Iganski and Kosmin (2003) argue that the rise in hate crimes against Jews in the last two years (which are low compared to overall RMIs) is 'a very weak indicator of the prevailing national climate of anti-Semitism'. Rather, they claim that there is a 'new antisemitism' that does not primarily manifest itself on British streets, nor is it a genocidal, deep-seated, visceral hatred of individual Jews. But it has taken hold they argue among "cognitive elites" within the news media, churches, universities, and trades unions. Couched as criticism of Israel's treatment of Palestinians, this Judeophobia is nonetheless an assault on the essence of the Jewish collectivity, and deploys disparaging stereotypes about Jews that are a throw-back to the old antisemitism. In 2001, the *New Statesman* (a liberal-left weekly publication) put a piece of classic anti-semitic iconography on its front cover - a gold Star of David stabbing a supine Union Jack. It emphasised the message with the question "A Kosher Conspiracy?" so that the classic canard of divided Jewish loyalty was effectively conjured up. Again a cartoon in the British daily broadsheet, *The Independent*, achieved a similar notoriety. Published in 2003 on National Holocaust Remembrance Day (27 January) it pictured a naked Sharon, save a for a "Vote Likud" badge to preserve his modesty, biting off the bloodied head of a Palestinian child. Helicopter gun ships bombarded villages in the background, whilst blaring from loudspeakers, "Sharon...Vote Sharon". This provoked complaints of invoking the antisemitic blood libel. While there may be some ambiguity in this particular instance (which could be regarded as critical of Sharon but not antisemitic) the tenor of the argument is that stereotypes of 'Jewish global influence' and 'conspiracies' are invoked in ways reminiscent of classical antisemitism. Iganski and Kosmin argue that Judeophobia in contemporary Britain is not an organized conspiracy but does constitute an opportunistic coalition of interest for the radical Left, the far right and radical Islamists. However, more systematic content analysis of a representative sample of publications (ideally by contrast with an earlier period) would be needed to evaluate the extent and novelty of this antisemitism.

4.2.2. Islamophobia

Previous reports referred to increasing attacks on Muslims and Islamic property following September 11 (Commission on Muslims and Islamophobia 2001; RAXEN 2001) Unofficial reports have continued to indicate a rising number of islamophobic attacks, especially since the start of the Iraq War. According to *Muslim News*,³⁵ which assembles reports of violence, harassment and discrimination against Muslims, during March 2003 there have been attacks on a number of mosques, including Batley (West Yorkshire),

² Community Security Trust (2003) Increase in anti-semitic incidents during the war in Iraq, Press Release (02.05.2003)

Reading, Birmingham and Dewsbury. In Redcar (north east England) a petrol bomb was thrown at a restaurant run by Iraqi émigrés; in Leicester, dozens of Muslim graves were vandalised; and in Bradford, a pig's head was placed near a childrens' play area. Two former mortuary workers at Hillingdon hospital in west London have been arrested on suspicion of desecrating a Muslim woman's corpse with bacon rashers in January 2003. The Muslim Line³⁶ has instituted a catalogue of islamophobic incidents and the Islamic Human Rights Commission³⁷ claims that 'Britain's Muslims are living in an atmosphere of heightened hostility and mistrust' and that increasing attacks reported by Muslim outreach workers may not be reflected in official figures.³⁸ Moreover, a large number – possibly the majority – of asylum seekers are Islamic, so the issues of Islamophobia and the panic over asylum overlap with one another.

4.3. CASES GIVEN PUBLICITY IN THE MEDIA

Many cases of alleged racist incidents were reported in the local and national media between January and September 2003. The following are some examples:

- **Traveller child killed, but police stay silent on racism motive.** A 15year-old member of a traveller family was left to die in the middle of a playing field in Ellesmere Port. Two boys aged 15 and 16 have been charged with his murder. The family is convinced that the murder was on account of Johnny 'being a Gypsy'. The police have not commented as to whether it is being treated as a racially motivated crime.³⁹
- **Attacks on Iraqi asylum seekers.** In Grimsby, extra police patrols were put on during March after a 20-year-old Iraqi asylum seeker was left unconscious following a brutal street fight. In Plymouth, a Royal Marine who had served in Iraq was charged with attacking an Iraqi asylum seeker on 5 June in Plymouth. The incident happened as servicemen were returning from an event that had been held to raise money for the families of colleagues killed in Iraq. A colleague of the arrested man suffered knife-injuries.⁴⁰
- **Murders of asylum seekers.**
 - A Kurd (aged 22) was killed on 5 August 2001, in Sighthill, Glasgow. The attack was the first to come to national prominence and led to reconsideration of asylum settlement in the city. An allegation that the murder was racially motivated was dropped at the trial.⁴¹
 - A man from Kosovo (aged 24) died after he was stabbed 29 times in an attack outside of a pub in Edgware, north London, in March 2001. Police said they had an open mind as to whether the attack was racially motivated.⁴²
 - An Afghan asylum seeker (aged 22) died after being attacked in Southampton City centre (followed murder of Sha Wahib in Southampton in September 2002).⁴³
 - A man from Tasmania, who had been granted asylum, was found with fatal injuries at the Luton hostel where he was staying in October 2002. In January 2003, 36 year old man, who also lived at the hostel, was charged with his murder.⁴⁴
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- In March 2003, 18 year old boy was sentenced to life imprisonment for the murder of 30year-old Iranian asylum seeker in Sunderland (north east England) in August 2002. The same boy and others had already assaulted and racially abused the victim.⁴⁵

4.4. DATA FROM RESEARCH ON RACIST VIOLENCE AND RACIST CRIMES

Despite the high political and public policy profile of the issue the research literature is growing slowly and what is available often has a North American rather than UK focus.

However, it is important to note that most of research into racism has been conducted in metropolitan urban settings (e.g. Rex and Moore 1967; Gilroy 1987, Solomos 2003, Back 1996) although rural racism has recently received some attention (e.g. Neal 2002, Garland and Chakraborti 2002, Dhalech 1999). One theme of the research on rural racism is to document the incidence of violent racism in rural areas to both draw attention to a problem previously denied or underestimated while challenging the illusion of the countryside as a white rural idyll. It has also been shown that ethnic minorities in rural communities may be more likely to experience overt racism than those in areas of higher density (Maynard and Read 1997). Some of the main points from recent research are:

- Garland and Chakraborti (2002) conducted 15 semi-structured interviews with victims of racial harassment in rural Suffolk, 63 postal questionnaires and 28 interviews with individuals/organizations with responsibility for issue of racial harassment. Members of ethnic minorities interviewed felt excluded from local communities and that relevant agencies had not addressed their victimization. Racial harassment had been experienced by 70 percent of respondents, which 11 percent experienced on a daily basis. Most common forms were name-calling but one-in-five had experienced damage to property and half had experienced racism in the street.
- Dhalech's (1999) study, though a few years old, is important in challenging the attitude of 'no problem here' in relation to rural racism. Based in south west England (Devon, Cornwall Somerset), his report focuses on the availability of support and advice agencies (such as Citizens Advice Bureaux⁴⁶ and Racial Equality Councils⁴⁷) but at the same time estimated the extent of rural racism. He concluded that ethnic minority people experience both institutional and individual racism in rural areas that is poorly acknowledged by voluntary and public bodies. Ethnic minority people experience isolation through living in rural communities with little or no support, which increases a lack of confidence to seek advice and information. Under-use of agencies and under-reporting of racist incidents is influenced by previous negative experiences with agencies. Therefore developing confidence in communities that have continually experienced disadvantage and discrimination is a lengthy process.
- The National Civil Rights Movement (South West)⁴⁸ publishes bulletins of racist attacks taking place in communities throughout the region, giving an insight into continuing issues within the police and criminal justice system. The reports are compiled from regional newspapers. They documented 57

incidents, directed especially against overseas students, between April and October 2002, which they suggest is a small proportion of the total. There is a pattern here for attacks to be instigated by gangs in a premeditated way that is more consistent with the concept of ‘hate crime’ than some of the incidents reported in larger cities. (see RAXEN 3 Report on racial violence).

4.5. DATA ON COURT CASES

The CPS has reported the following figures on charges and prosecutions for racially aggravated offences during 2001-2002 (CPS 2003a):

Table 2: Charge & prosecution figures for racially aggravated offences 2001/02

		Percentage of reported incidents
Incidents reported to the police:	54,351	100.00%
Police charges	5,477	10.0%
Charges unaltered by CPS	4,148	7.6%
Charges added by CPS	287	0.5%
Total charges	5,764	10.6%

The data on reported incidents and prosecutions show that there remains a high rate of attrition and that successful prosecution for a racially aggravated crime remains rare. Once brought to court the outcomes were as follows:

Table 3: Prosecution of racially aggravated crime: outcome of court cases

Prosecuted as racially aggravated	3,597	6.6%
‘Racial aggravation’ dropped	2,167	3.9%
Guilty plea entered	2,482	4.6%
Guilty after contest	513	0.9%
Convictions	2995	5.5%

Only 5.5 percent of incidents reported to the police result in successful prosecutions. The reasons for failure of prosecutions are:

- Witness failed to appear (15 percent of cases)
- Witness refused to give evidence (10 percent of cases)
- Insufficient evidence (43 percent of cases)
- Public interest (e.g. were the defendant was being dealt with on more serious charges or was serving a long prison sentence) (15 percent of cases)
- Written off (e.g. defendant failed to attend court and could not be traced) (8 percent of cases)
- Bound over without trial (9 percent of cases)

However, it should be emphasised that this does *not* mean that only 5.5 percent of offenders are ever convicted. Offenders can commit a number of offences before they are caught and some will still be convicted for a non-racially aggravated offence. The proportion of offenders convicted will be higher than the proportion of offences that

result in conviction. Further, the rate of attrition for racially motivated crimes (discussed in the RAXEN 3 report) is similar to the rate of attrition for other offences. Table 4 illustrates the rate of attrition of cases of crimes against individuals or property in 1997.⁴⁹

Table 4: Rate of attrition of cases of crimes against individuals or property in 1997

Offences committed (based on BCS data)	100.0%
Offences reported to the police	45.2%
Offences recorded	24.3%
Offences cleared up	5.5%
Offences resulting in a caution or conviction	2.2%

Even so, this comparison should give no grounds for complacency. A significant number of racial aggravation charges fail because of witness difficulties (25 percent) and more work needs to be done to understand the reasons for this and in particular whether victims of alleged racist abuse are more inhibited than others of appearing in court. Further, there is the issue of ‘plea bargain’ to reduce a racially aggravated charge to a lesser, non-aggravated charge (noted in the RAXEN 3 Rreport). The CPS states that ‘where the aggravated offence alone has been changed, we will not accept a guilty plea to the basic offence alone unless there are sound reasons for doing so’⁵⁰. Yet plea bargains clearly occur as in the following case:

Several white defendants who had been charged with riot, violent disorder and racially aggravated criminal damage following the disturbances in Oldham in 2001 (see RAXEN 3 report) were sentenced to nine month imprisonment in June 2003. Believing that there was insufficient evidence to convict on riot and racially aggravated damage the judge ordered the jury to bring in not guilty verdicts and the defendants pleaded guilty to lesser charges of affray and assault.⁵¹

In addition to racist offences, the CPS is further able to report the numbers changed under the new offence ‘religiously aggravated’. Between 2001 and 2002, 40 prosecutions were received from police, of which 11 have resulted in conviction under ‘religiously aggravated’ provisions and a further 2 for the basic offence. The very small numbers preclude further analysis at present.

4.6. DATA ON VICTIMS OF RACIST VIOLENCE AND RACIST CRIMES

There is not at present detailed national (nor often local) data on victims of racist crime other than broad categories of ethnicity. The NASS⁵² staff receive complaints of racial harassment from supported asylum seekers but comment that ‘The majority of supported asylum seekers will have been dispersed some distance from London and this presents practical difficulties in gathering evidence from victims and witnesses’⁵³. The CPS intends to publish more comprehensive information about the cases they prosecute, including greater detail about the ethnicity of victims, from 2004 (CPS 2003b:21). However, it is unlikely that this would provide data on variables such as ‘age, gender, class, religious and cultural identity/affiliation, nationality, citizenship, country of origin, migrants with or without documents, length of stay (“old” or “new” migrant)’. Again data

of this level of detail could only be collected in the course of a large nationally based research project, which would, if undertaken, add considerably to understanding of risks of victimisation. However, the data would need to be collected from sensitive sources such as police incident reports, court transcripts, and third party reporting agencies, which would require complex negotiation of access, if this were possible at all.

Who is vulnerable to racist crime? It should be noted that the relative size of the white population means that 63 percent of identified cases of racially motivated incidents were committed against white people. However, it is important to stress that the chance of being a white victim of a racially motivated incident is considerably less than being a black or Asian victim. Further, it needs to be stressed that the 'white' figure includes white minorities, such as Irish, Gypsy/ Traveller, Jewish people, white European asylum seekers, language students etc who are not separated out in the statistics beyond White British, White Irish and White Other.

Chart 2 (based on BCS data) shows that in 1993, 1995 and 1999 the risk of white victimisation was 0.5 percent or less. The estimated risks in all three surveys were highest for Pakistani and Bangladeshi respondents. Moreover, many racially motivated incidents form part of a series of related incidents. The BCS estimates that in 1999 just over half of incidents were part of a series as opposed to a third of non-racially motivated incidents. Thus incidence rates (the number of racially motivated incidents per 10,000 adults) as opposed to prevalence rates (the percentage of people that had experienced at least one racially motivated incident in the reference period) give a better indication of the extent and risk of racially motivated incidents. Chart 3 shows the estimated *rate* of victimisation per 10,000 adults for RMIs – the markedly higher risk of victimization for Pakistani and Bangladeshi groups in 1993 has declined but in 1999 it was still the case that South Asians had a significantly higher rate of victimization than other ethnic groups. This is commented on further below.

Although there is no nationally representative data on gender or age of victims of racist crime the Greater Manchester Police Ethnic Monitoring and Hate Crime Annual Report (GMP 2002) contained summary data indicating that 75 percent of victims are male, while 26 percent are female. Half of victims are between the ages of 26-50 years with 12 percent under 25 years and 8.5 percent over 51 years old.

The types of incidents recorded in the BCS are shown in Chart 4. These are not mutually exclusive and several types could be reported as part of one incident. Many individual types, again as noted in RAXEN3, will be part of a process of ongoing harassment in which abuse is a routine part of everyday life in certain communities. Racist abuse was present in all cases and is one of the prime means of determining that the incident is 'racially motivated'. The high proportion of reported cases of intimidation and racist attack indicates that threatened and actual violence are crucial facets of racist incidents. It is further estimated that 13 percent of people from ethnic minorities had been subjected to some form of racial harassment in the previous twelve months and nearly a quarter were victimised five or more times in the previous year.

4.7. DATA ON PERPETRATORS OF RACIST VIOLENCE AND RACIST CRIMES

This was discussed in detail in the RAXEN 3 report. Again, not much additional data is available on this but a few comments can be added. In the RAXEN 3 report it was argued that where racism is entrenched amongst local communities and embedded in tolerance structures (possibly enhanced and legitimated by the local presence of racist organisations) racist violence and harassment are more likely to occur. The routine and embedded nature of racism suggest that the traditional image of the perpetrator as neo-Nazi thug is going to hinder rather than advance the understanding of racist violence.⁵⁴ However, the increase in public visibility of the BNP has brought to the fore the question of to what extent racist violence is perpetrated by politically motivated or at any rate self-conscious 'haters' and to what extent it arises from more unpremeditated conflicts. The research reported in RAXEN 3 broadly took the latter view, by contrast with a widespread image of racist violence and hate crime as politically motivated 'stranger crime'⁵⁵. Indeed, much racist crime is casual, unpremeditated and arises in relation to a confrontation in which both violence and racism are deployed by the offenders. MPS and GMP reports indicated that, possibly in the majority of cases, victims were known to offenders rather than being picked anonymously as members of a hated group. This view is supported by an established pattern of research findings, which indicates that a significant amount of racist crime and disorder takes place in or near the victim's home, and that perpetrators knew their victims. The most recent MPS data is still the qualitative analysis of the relationship between victims and suspect (MPS March 22 2001) which shows that racial incidents occur as part of victims' everyday routines:

- 1 in 4 incidents involved locals, local youths and school children
- 1 in 5 involved neighbours
- 1 in 10 involved customers
- 1 in 25 involved colleagues.
- 1 in 3 incidents took place in/outside the victim's home
- 3 in 10 incidents took place at work/school
- 1 in 4 incidents took place in the street.

However, it is also the case that the data on this is sparse and lacks detailed analysis of the precise relationship(s) between perpetrators and victims. The criterion that a victim and perpetrator are known to one another is vague. We need to ask questions like: known in what capacity? and merely recognisable or residing in same vicinity? Further, the finding that just over 50 percent of offences occurred at the homes of the victims does not necessarily suggest they were not 'stranger crimes' any more than it suggests that this distribution of crimes between at-home and not-at-home locations is statistically significant. Whilst UK research on racist violence suggests that there is little of the type of racial violence that typically occurs in other countries, this needs to be explored in more detail with larger datasets. Further, the increased support for the BNP in some parts of the country combined with the increased mobilization against asylum seekers may have increased the incidence of politically motivated and premeditated racist attacks. If this is the case the UK pattern of offending might be approximating that in other parts of Europe. However, more detailed research would be required to establish whether this was the case.

The RAXEN 3 report provided offender profiles based on available research and there is no need to revise these. Offenders tend to be male white, young (15-24 years) and unemployed (or with unstable employment history), have a poor record of educational attainment, lack a sense of their own identity and resenting the cultural life of others, target offending at neighbours, shopkeepers, taxi-drivers as well as refugees, be non-specialists – engaged in other types of criminality, display rigid thinking and difficulty forming and maintaining relationships, and perceive themselves as dispossessed, neglected and devalued which they invoke to justify hostility to ethnic minorities. GMP (2002) supports these views, indicating that nearly half of identified racially motivated offenders in 2001-02 were between the ages of 16-25 and a further 20 percent were under 16 years old. These figures are comparable with the age profile of violent offenders in general (Home Office 1999).

4.8. UPDATE ON NORTHERN IRELAND

The RAXEN 3 report noted that research on racism in Northern Ireland had previously been eclipsed by the high profile national and religious conflict but was now receiving more attention. Connolly and Keenan (2001) and Connolly (2002) provide an overview and assessment of the empirical research conducted to date on the experiences and needs of minority ethnic people living in Northern Ireland (which is 99.15 percent ‘white’)⁵⁶. Thus further fits with the pattern whereby racist attacks are higher in predominately ‘white’ areas. The key conclusion of this work is that ‘racist harassment is a significant part of life for many ethnic minority people living in Northern Ireland’. There is increasing evidence that racial violence in Northern Ireland is being co-ordinated by white supremacist movements. The Equality and Social Need Division of the Office of the First Minister and Deputy First Minister reports that all ethnic minority communities in Northern Ireland are experiencing racist violence - and the highest number of attacks take place in south and north Belfast. However, a rise in reported incidents was attributed to a greater willingness to report racist attacks.⁵⁷ In July, the media reported that seven African families had fled their Belfast homes after an alarming escalation in racist attacks. Many of the attacks occurred in the loyalist ‘Village’ area of south Belfast. Loyalist paramilitaries are known to have links with far-Right groups. Incidents include: An African man returning to his home to find two live bullets on his doorstep, a pipe-bomb being thrown into the house of two sisters, and another at the home of a couple and their eight-week old twins. A Nigerian working for Christian Aid in Belfast was forced out of his home in the Village area after a series of racist attacks. There are about 2,600 Africans in Northern Ireland, of whom 30 to 40 per cent live in Belfast. There was a 45 per cent rise in reported racial incidents - from 186 to 269 - from 1999 to 2000, according to the Equality Commission for Northern Ireland.⁵⁸

In South Antrim the ‘White Nationalist Party’ has circulated hate propaganda amongst schoolchildren. The material demonises foreigners, lesbians, homosexuals and Irish language activists. White supremacist literature specifically attacks attempts to remove union flags from state-controlled schools, warning that, anyone who ‘attempts to remove the Union flag at any school’ would be ‘strung up on flag poles and lynched in the same way as the Ku Klux Klan do with niggers and faggots in Dixieland’.⁵⁹ In the loyalist County Antrim town of Ballymena there have been a series of racist attacks on houses rented by nurses from the Philippines and Romanian migrants. The White Nationalist Party leafleted the town, and promising to put forward candidates in local elections.⁶⁰

In Co. Armagh in July 2003, a Muslim family (including six children) were forced to go into hiding following a series of racist assaults on their home in the predominantly Protestant area of Craigavon, County Armagh. The family suffered a series of attacks following September 11 that culminated in the attack on their house by a gang of men wielding baseball bats and iron bars. In earlier incidents, the mother of the family, an Irish-born convert to Islam, was hit in the back by a pellet gun. Her disabled son was chased down the street and a shotgun was fired into their home. The children were regularly jeered on their way to and from school⁶¹.

4.9. GAPS IN THE DATA

Gaps in the data remain much the same as those noted in the RAXEN 3 report:

- Classification of victims and analysis of the problem is too closely tied to the colour line while the issues of asylum seeking, antisemitism, Islamophobia render the problem more complex than this.
- There is still no official recording of islamophobic or anti-semitic incidents as such.
- Violence against asylum seekers does not appear in official records as such but will be recorded under other forms of RMOs, or the racist dimension of the offending may not be recorded at all. Yet the offences occurred because of the perceived migration status of the victim so this is a classical form of hate crime that is not systematically monitored.
- The BCS data on race and ethnicity is not frequently updated and the most recent large-scale study remains BCS (2000).
- Publication of national racist incident statistics by the Home Office is uneven and unsystematic, its Internet site is not well organized and searches are not discriminating enough to take users to the most relevant material.
- In relation to victims there is insufficiently detailed data on variables, such as age, gender, class, religious and cultural identity/affiliation, nationality, citizenship, country of origin, migrants with or without documents, length of stay (“old” or “new” migrant).
- Data is insufficiently detailed on perpetrators – in particular their relationship to victims (if any). More detailed data would enable better understanding of the background, triggers and motives for racist violence and what the patterns of victimization are. More data is needed on repeat victimization and why certain people are targeted.

5. ANALYSIS OF RACIST VIOLENCE AND RACIST CRIMES

There was an extensive analysis in the RAXEN 3 report. This section will add subsequent observations and data where relevant.

The above review of data along with the analysis in the RAXEN 3 report suggests that violent racism is a social process that is embedded in complex economic, social and cultural structures. The risk of racial violence and harassment increases with social exclusion and low income: people living in poorer areas tend to be more at risk than are people living in more affluent areas. Ethnic minority communities are more likely than others to live in deprived neighbourhoods; be poor; be unemployed compared with white people with similar qualifications; suffer ill health; and live in over-crowded and unpopular housing. Ethnic minority communities are over-represented on almost all measures of social exclusion. A snapshot of recent research into ethnic minority communities in Britain shows:⁶²

- More than half of African Caribbean and Africans and over a third of South Asians live in districts with the highest rates of unemployment. Only one in 20 live in an area of low unemployment compared to one in five white people;
- The proportions of people from different ethnic minority communities having a household income of less than half the national average are 34 percent of Chinese people, 40 percent of African Caribbean and Indian people and over 80 percent of Pakistani and Bangladeshi people. These figures compare to 28 percent for England and Wales as a whole.
- Africans, Pakistanis and Bangladeshis are two and a half more times likely than white people to have no earner in the family
- Pakistanis are twice as likely to be on housing and/or council tax benefit as the white population, whilst Bangladeshis are substantially more likely to be receiving these benefits
- Pakistani, Bangladeshi and African-Caribbean people are more likely to report suffering ill-health than white people
- Infant mortality is 100 percent higher for children of African Caribbean and Pakistani mothers compared to white mothers
- Ethnic minority young people are more likely to be at risk of experiencing most of the problems of deprivation and social exclusion
- School exclusion rates for Black pupils are significantly higher than for others

Vulnerability to racist incidents increases in areas of deprivation. The instances of 'rural racism' noted above occurred in areas with relatively high levels of social deprivation and social exclusiveness in rural communities where ethnic minorities have few support networks and community institutions⁶³. On the other hand it is true that racist incidents can happen anywhere and to anyone and support for victims should be available throughout an area irrespective of the socio-demographic background.⁶⁴ Further, it was argued in the RAXEN 3 report that economic arguments are not sufficient to account for racist violence since this has complex cultural and socio-psychological bases. These will be briefly explored here.

Racist violence and harassment are often part of a cycle of social exclusion, which they exemplify and reinforce. This was shown dramatically in the disturbances in northern English towns in 2001, which are discussed in the RAXEN 3 report but have been subject to further analysis.⁶⁵ The ethnic composition and segregation of the town was the outcome of a racialization of the labour and housing market.⁶⁶ During the 1960s, the mill towns such as Oldham and Rochdale invested in new technologies, which were operated twenty-four hours a day to maximise profit. The night shifts, which were unpopular with the existing workforce, soon became the domains of Pakistani and Bangladeshi workers.⁶⁷ Global restructuring in the 1980s then had particularly dramatic effects in these industrial towns since the collapse of the regional manufacturing base generated high levels of social inequality and structural unemployment, and intensified racial and ethnic divisions. This economic profile is typical of a town in which communities were based on manufacturing that has now significantly declined with the global movement of production into emerging economies. In 1998 manufacturing was still more significant than in the UK as a whole, accounting for 29.3 per cent of employment and 38.8 percent of local GDP, although this had fallen from 30.8 percent of employment and 42.2 percent of GDP in 1995.⁶⁸

The legacy of these economic changes is a town with a high degree of social differentiation that coincides with ethnic segregation. Two areas (Saddleworth East and Saddleworth West) are in the *least* deprived 10 percent of the country, while Coldhurst, St. Marys, Werneth, Alexandra and St. James rank among the worst 10 percent.⁶⁹ These areas of Oldham have unemployment rates of 40 percent.⁷⁰ Oldham ranks 38th out of 366 local authorities on the index of deprivation (the higher the ranking the higher are the multiple indices of deprivation) and ethnic minority experience the worst of this – between 70 and 80 percent of South Asians live in the most deprived areas as opposed to 16 percent of whites. The South Asian population are young, with 66 percent under 24 and only 5 percent of pensionable age, as opposed to 34 percent and 17 percent respectively in the Borough as a whole. This exacerbates the effects of unemployment that then impact particularly on South Asians – 25 percent of Bangladeshis and 16 percent of Pakistanis are unemployed against a local average of 4 percent.

The result has been high levels of urban and ethnic segregation and racial tensions and conflicts embedded in socio-economic structures of disadvantage and exclusion. The conflicts were structured by the ward divisions and along lines of fracture of ethnicity and deprivation. The wards most affected by conflicts were among the 20 percent most deprived in England and Wales. Glodwick, the scene of a lot of the violence, is among the 100 most deprived out of 102,000 enumeration districts. The centre of the conflict – St Mary's – is one of the 'worst deprived' 10 percent in England.⁷¹

This suggests that areas of deprivation also tend to be particularly at risk of violent crime and civil disorder, but the position is more complex than this.⁷² The data reported above indicates that South Asians are more vulnerable to racist crime than other ethnic minorities. The RAXEN 3 report and other work (e.g. Ray et. al. 2004) suggests that South Asians are victimised because of visible cultural difference in a context in which racism has shifted from concern with biological to cultural difference. This is reflected in the campaigning and literature of groups like the BNP that emphasise differences of culture and identity between 'whites' and ethnic minorities rather than biology or 'race' as such, which has received particular focus since September 11th and the fear of politicised Islam. A similar process is seen in the rising attacks on asylum seekers. The

absence of systematic data on victimisation of this group makes generalisation difficult but anecdotal evidence indicates that these attacks are increasing especially following the process of dispersal. In these settings particularly, animus towards asylum seekers has become a metonym for fear of difference and threats of cultural subversion and urban decay, which can result in anti-asylum discourse becoming a carrier within which other animus is articulated. This moreover illustrates the ambiguity and fluidity of processes of racialization that extends to those implicitly considered 'not quite white'.

The RAXEN 3 report pointed to a range of socio-psychological factors that underlie racist violence (see pp. 29-32). Studies of offenders cited there concluded that they did not differ significantly from the total population of known offenders, or indeed then populations in their communities of origin. Typically, offenders like their victims lived in poor, environmentally run down estates with high levels of unemployment, few material or cultural resources, and inadequate public transport. Their accounts of their home areas frequently suggest that violence is routinised as a means of resolving conflicts and a necessary demonstration of personal capacity. The residents of these estates were almost entirely white; their only local contacts with ethnic minority groups took place in the neighbourhood shops and taxi firms, which were almost all owned and run by South Asians. Thus whites' encounters with south Asians were exclusively with people manifestly more successful than themselves in economic terms. Resentment could be fuelled by local myth and folklore: a woman from a Manchester estate interviewed in one study complained that South Asians received "special treatment to start work and businesses. The Asians get free driving lessons. Some whites would like that. People resent that stuff. Like we are struggling to buy our house off the council, but they get special deals on the payments".⁷³

One way of linking the analysis of deprivation with the socio-psychological profile of offenders could be through the phenomenon Thomas Scheff calls 'bypassed' shame is – a form of shame that is in his view associated with anger and rage. Retzinger (1991), whose work Scheff uses and elaborates, described 'spirals' of shame and rage, in which unacknowledged shame, resulting from insult or disrespect, is transformed into hostility and rage against the perceived source of shame. According to Retzinger, in a state of shame we feel helpless, passive, belittled and abandoned, while the other, the source of our shame, appears in control, coping, and contemptuous of or at least indifferent to our distress. Our response is one of anger, leading to further shame, which leads to further anger, in a 'feeling trap'⁷⁴ which may last for a few minutes (broken by the adoption of strategies of reconciliation or withdrawal), or for hours, days, or a lifetime of hatred and resentment. 'This sequence can be seen as the motor of violence'⁷⁵, and can be observed at the interpersonal level, in conflicts between groups, and in international wars.

Following Retzinger⁷⁶, Scheff lists verbal, paralinguistic and visual markers for shame and anger.⁷⁷ Verbal markers for shame include terms conveying a sense of feeling alienated, confused, ridiculous, inadequate, uncomfortable and hurt; paralinguistic markers include silences, stammering, rapid speech, mumbling and hesitation. Offenders often express a sense of unfairness and grievance when they compare their social position with that of south Asians. They contrast their own weakness and powerlessness with what they perceived as the power, privileges and success of their victims; and believe themselves being disparaged and despised by their victims. The following subject, a man interviewed in a hostel in central Manchester, virulently expressed the theme of white

disadvantage and neglect. This interview was terminated when, according to the contemporary notes of the interviewer, it ‘degenerated into a rather abusive rant’:

"Blackburn...is full of Asians now with an Asian culture which is totally alien and it's actually taken over and restricting the white people. So the racism is against the majority...The racism is actually totally against the white people, in that they're told you've got to accept this, you've got to accept that...No, I'm sorry, you can leave that at home, because it doesn't fit in, and to be honest it really f---s everything up, doesn't it? The people that most suffer are the decent white people who go... 'Yep, I understand you're here and we all need to get on'...And then everyone's like that – f-- off, we don't really *want* to get on, we want to own the f---ing place, you're the f---ing idiot."

This respondent continued with an outburst that is a good example of the ‘shame/rage spiral’ while condoning extreme violence against ethnic minorities.⁷⁸ This display of racist anger captures both the rage-emotion that underpins much racist violence and the unacknowledged shame that arises from the belief that ethnic minority communities have benefits and advantages from which whites are excluded. This analysis points to the need to address several dimensions of the problem:

- urban decay and racialized deprivation that underlies a considerable amount (but not all) racist conflict;
- provision of support and intervention for those victimized;
- the patterns of offending that are part of a pattern of disengagement with wider society;
- local cultures of exclusion and hostility that are intensified by manifestations of difference;
- psychological dispositions of bypassed and unacknowledged shame that predispose subjects towards outbursts of rage and violence.

6. STRATEGIES, INITIATIVES AND GOOD PRACTICES

These are outlined and discussed in the RAXEN 3 report on racial violence. The practices highlighted there were:

- Targeted police initiatives on hate crimes, such as those of the London Metropolitan Police Service and the Greater Manchester Police, which have been adopted more widely across the country. For example, a South West England targeted policing initiative has had an impact on racist crime there.⁷⁹
- National Probation Service Merseyside programme Against Human Dignity and other NPS intervention programmes such as Newcastle and Greenwich which specifically target racially motivated offenders.⁸⁰
- Multicultural educational programmes such as Kent County Council's Minority Communities Achievement Service that enables children to explore values such as sharing and equal respect and examines issues such as, fear, justice, being new, and ethnic diversity.

A crucial issue in all community-based programmes is the way in which engagement with ethnic minorities is achieved and the co-ordination of activities on the ground. The most popular approach to community engagement has been consultation. But the act of consulting someone does not automatically transmit a sense of engagement – especially where there is a history of consultation that does not result in desirable change and sustainable impact. There are many recognised models of community participation such as levels of participation, ladders of participation and ‘roles for the community’. The National Strategy for Neighbourhood Renewal⁸¹ (in the Office of the Deputy Prime Minister) places emphasis on local community involvement based on the following:

Community Networks – Development of a voluntary and community sector network which caters for specific ethnic minority groups and creates a range of relationships, activities, focal points within a neighbourhood.

Increasing race awareness and understanding - All members in partnership structures should have awareness and understanding of race equality issues that supersedes an in-principle commitment.

Understanding ethnic minority community needs - Many consultations have suffered through poor design, poor promotion and poor implementation. A lot can be gained from engaging target communities in the design of creative and sensitive consultation formats (such as family days) as well as identifying who to consult with (not all supposed community leaders are able to reflect the diversity of opinion within a community), where to consult and when. Proper analysis of consultation findings is equally important.

Targeting - For services to impact positively upon ethnic minority communities they need to be relevant to their needs and targeted directly to those communities.

Community Capacity Building - Capacity building in its widest sense can take the form of information, training, seminars, consultancy, placements and can be targeted towards organisations, communities or individuals.

Monitoring - Tracking the performance of policies and programmes is central to overall programme management. A clear strategy for what will be monitored, by whom, in what way and with what frequency should be formally stated and formally communicated.

Engagement in service delivery - Ethnic minority-led projects are more likely to be sensitive to and responsive to the needs of ethnic minority communities they serve. Furthermore, they are generally perceived within their respective communities as committed to improving services available to those communities and not just to delivering a fee-paying contract.

The Neighbourhood Renewal strategy dovetails with the Community Cohesion strategy⁸² (see Annex A3).

In a study of eight community based support groups for victims of racist harassment and abuse, Chahal (2003) emphasises the importance of teams of professional caseworkers with a local base that advocate on behalf of victims and offer emotional and practical

support. He studied several support groups, some of which engaged more widely in political and anti-racist activities:

- Newham Monitoring Project⁸³
- Monitoring Group, Southall⁸⁴
- Birmingham Racial Attacks Monitoring Unit⁸⁵
- Birmingham Partnership Against Racial Harassment
- Support Against Racial Incidents, Bristol⁸⁶
- Leeds Racial Awareness Helpline, Powys, Wales
- Justice for Victims of Racist Harassment, Newcastle
- Racial Harassment Support Group, Newcastle⁸⁷

Drawing on his earlier work⁸⁸, Chahal argues that victims feel disempowered, lack knowledge of what could be done and are fatalistic about the chances of change.⁸⁹ His research investigated the role, impact and potential of racist harassment support projects. He attempted to identify how effective localised racist harassment support initiatives are in providing support for victims. The projects listed here offer assistance, knowledge, guidance, reassurance and representation, with the result that the victim is empowered, feels they have been taken seriously and overcome their sense of isolation. They are organized around casework that is multi-tasked and multi-skilled intervention involving working with and supporting victims, undertaking administrative duties in order to offer help, create and intervention to deal with the harassment, reduce the immediate impact of harassment and aim to resolve the complaint. These have grown out of a gap in service provision (identified in Chahal and Julienne 1999 and Lemos 2000) and have made a positive difference to the quality of life of clients, often being the only agency that will listen to their needs.

Nonetheless each of these groups have had a long struggle to maintain funding and their status as independent community projects is disliked by some local authorities that would prefer groups that were directly accountable to them. The process of professional accreditation for caseworkers, Chahal concludes, should enhance their status and constitutes good practice.

7. SUMMARY AND CONCLUSIONS

No data or analysis has become available since the RAXEN 3 report on racial violence that justifies a substantial change in the analysis or conclusions presented there. The political climate in the UK has, however, been affected by concerns (presented especially in the mass media) about asylum seeking that have become vehicles for wider anti-immigration mobilization. One manifestation of this political climate is the gains made by the BNP in the 2003 local government elections. However, they did not win in some areas where they might have expected to, nor has their 'rise' been as marked as that of far-Right parties in some other parts of Europe. Nonetheless, measurements of the UK majority population's attitudes towards migrants and ethnic minorities indicates a significant minority who are hostile to the presence of migrants and/or visible displays of cultural difference.

The numbers of racist incidents reported to the police increased again in 2002 but the rate of increase is now much lower than in the late 1990s. The BCS data is not sufficiently current to judge whether this pattern is reflected there. However, reports from unofficial agencies suggest that a large number of racist offences, especially of Islamophobia, still go unreported or that the police lack the categories within which they can be recorded. Further, Islamic agencies (such as FAIR⁹⁰) and Jewish agencies (such as the Board of Deputies⁹¹) report a climate of hostility in which classical stereotypes are again being articulated. Only a small proportion of cases with alleged racial dimension got to court as racially motivated (about 10 percent) and very few of these (about half) resulted in a conviction. This rate of attrition is not out of keeping with that for other crimes. However, there is a problem with witness availability in cases involving allegations of racism and it is possible that there are problems of intimidation that are themselves part of the cycle of abuse.

Available data on perpetrators of racist crimes indicates that they fit with the typical pattern of the violent offender – young, male, with low educational attainment, unstable employment history, displaying resentment towards those perceived as 'better off' especially if these are from a visible ethnic minority. Offenders are likely to come from areas of social deprivation although this is not a sufficient explanation of their offending. Their communities of origin are likely to be predominantly white (similar in this respect to areas of support for the BNP) where racist attitudes and violent behaviour are widespread. There is some evidence that offenders display markers of 'unacknowledged shame' which some sociologists (such as Scheff and Retzinger) suggest gives rise to violent rage.

Victims of racist crime are predominantly from ethnic minority groups although there are significant numbers of white complainants. Risks of victimisation are highest amongst South Asians and in areas of social deprivation. It has been suggested here that racist violence is one aspect of a cycle of social exclusion and racism that leaves ethnic minorities vulnerable to multiple forms of crime and deprivation. Thus to be tackled effectively, in addition to initiatives in policing, priority needs to be given to effective community regeneration – in terms of infrastructure, housing, employment, engagement with the needs of local communities and building social capital.

ANNEXES – IMMIGRATION, INTEGRATION AND DIVERSITY POLICIES

8. ANNEX 1: DESCRIPTION OF SIZE AND COMPOSITION OF MINORITY POPULATIONS

The following is a summary of the representation of ethnic minorities in the 2001 UK Census:

Table 5: England

	England	
	Number	Percent
All people	49,138,831	100.00
White (includes British, Irish, Welsh, Scottish, other white)	44,677,025	90.92
Mixed (includes White and Black Caribbean, Black African, Asian and Other Mixed)	643,719	1.31
Asian or Asian British/Scottish/Welsh	2,245,645	4.57
Black or Black British/Scottish/Welsh	1,130,193	2.30
Chinese	221,125	0.45
Other ethnic group	216,211	0.44

Table 6: Wales

	Wales	
	Number	Percent
All people	2,903,085	100.00
White (includes British, Irish, Welsh, Scottish, other white)	2,841,540	97.88
Mixed (includes White and Black Caribbean, Black African, Asian and Other Mixed)	17,709	0.61
Asian or Asian British/Scottish/Welsh	25,547	0.88
Black or Black British/Scottish/Welsh	7,258	0.25
Chinese	6,387	0.22
Other ethnic group	5,226	0.18

Table 7: Scotland

	Scotland	
	Number	Percent
All people	5,062,011	100.00
White (includes British, Irish, Welsh, Scottish, other white)	4,960,771	98.00
Mixed (includes White and Black Caribbean, Black African, Asian and Other Mixed)	12,655	0.25
Asian or Asian British/Scottish/Welsh	55,176	1.09
Black or Black British/Scottish/Welsh	8,099	0.16
Chinese	16,198	0.32

Other ethnic groups	9,618	0.19
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Table 8: United Kingdom total

UK TOTAL		
	Number	Percent
All people	57,103,927	100.0
White	52,479,336	91.9
Mixed background	674,083	1.2
South Asian	2,326,368	4.1
Black	1,145,550	2.0
Chinese	243,710	0.4
Other ethnic group	231,054	0.4

9. ANNEX 2: OVERVIEW OF CURRENT LEGISLATION AND POLICY ON IMMIGRATION AND ASYLUM

The **Race Relations (Amendment) Act 2000** introduced a positive duty to promote race equality, which requires public bodies to have ‘due regard to the need’ to:

- tackle racial discrimination
- promote equality of opportunity
- promote good relations between people from different racial groups.
- Public bodies are required to consult, listen, review and monitor functions, policies and employment practices and assess their impact.

IMMIGRATION, ASYLUM AND CITIZENSHIP

The extent to which there is a UK (as opposed to EU) policy on migration and border control is questionable. Since the Seville Summit of June 2002, European governments have harmonised migration policy through the border control programme.⁹² New UK legislation has been promulgated in response to growth in asylum applications, public hostility to asylum seeking, disturbances in northern England in 2001, and new EU measures on border controls. The Nationality Immigration and Asylum Act 2002 defined a ‘white list’ of ‘safe’ countries from which asylum claims will not usually be recognised, which include the ten EU accession states. All asylum seekers will have to accept a package of subsistence and accommodation and new hostels and secure accommodation will be built. There will be a four-tiered system of asylum centres for induction, reporting, dispersal accommodation and removal. New naturalization requirements have been introduced that require applicants to demonstrate ‘sufficient English, Welsh or Scottish Gaelic’, to have ‘sufficient knowledge of the UK, and to take an oath and pledge at a citizenship ceremony.

The risk with these developments is that racialized social and residential divisions are being framed through models of assimilation towards a reanimated notion of ‘Britishness’, as a putative community into which membership will be regulated. "Those entering highly advanced countries", said the UK Home Office Minister, "find themselves catapulted into effectively different centuries. They are making a journey in the space of a few weeks or months, which it has taken us [sic] hundreds of years to make". In place of "unbridled multiculturalism" the Minister defines a new governmental project aimed at developing a "shared ground between diverse communities".⁹³ This policy involves Community Strategy Partnerships, anti-discrimination legislation and policing initiatives, and a raft of measures to strengthen ethnic monitoring and multicultural education. However, the assumption underpinning them is that migrants come from societies that are ‘less advanced’ than the UK and therefore require education into more refined cultural habits. This is likely to cause resentment and could generate flawed programmes of integration.

10. ANNEX 3: OVERVIEW OF INTEGRATION POLICIES

The promotion of community cohesion is central to the UK Government's integration strategy. This was flagged up in the Social Exclusion Unit report in 1998 and became central following the Cantle Inquiry (Home Office 2002b) and Report of the InterDepartmental Ministerial Group (Home Office 2002c) on the causes of the racially related riots in northern English towns in spring and summer 2001. 'Community cohesion' is understood in terms of common values and a civic culture; social solidarity and reductions in wealth disparities; social networks and social capital, place attachment and identity; tolerance and respect for differences; and shared aims and objectives. Both reports recommend establishing a permanent infrastructure to give younger people greater voice and stake in democratic activity, the formulation of a local community cohesion plan, cultural contact between different communities, and creating a community cohesion task force on the local level.

Community cohesion aims to incorporate and go beyond the concept of race equality and social inclusion. According to guidance issued jointly by the Local Government Association (LGA) and the Home Office, the aim of community cohesion is to:⁹⁴

- Create a common vision and sense of belonging for all communities;
- Positively value and appreciate the diversity of people's backgrounds and circumstances;
- Create similar life opportunities for those from different backgrounds;
- Develop strong and positive relationships between people from different backgrounds in the workplace, in schools, and within neighbourhoods.

Work towards these aims is co-ordinated by the Inter-Ministerial Group which is responsible for the Community Cohesion Strategy. This aims to build the capacity of communities 'bottom up' through long-term projects for integration that are measured against performance targets. Grants from a (modest) total pool of £285,000 will be awarded in 2003/04 to 15 local authorities through competitive tender and local authorities are required to provide match funding.

In relation to asylum seekers, the community cohesion strategy addresses problems that arise from dispersal. According to the LGA, communities 'can feel threatened' by the sudden arrival of asylum seekers, giving rise to tensions that may lead to incidents of public disorder.⁹⁵ The LGA guidance recommends:

- Local authorities play an important role in seeking to promote integration through information sharing, publicity, using skills of new arrivals (e.g. in voluntary work).
- Locate and communicate with local voluntary organizations (including refugee self-help organizations) to identify the needs of asylum seekers.
- Work with police to ensure that systems are in place to monitor community tension and get local police to explain their role to asylum seekers.
- Appoint local personnel to mediate in cases of conflict.

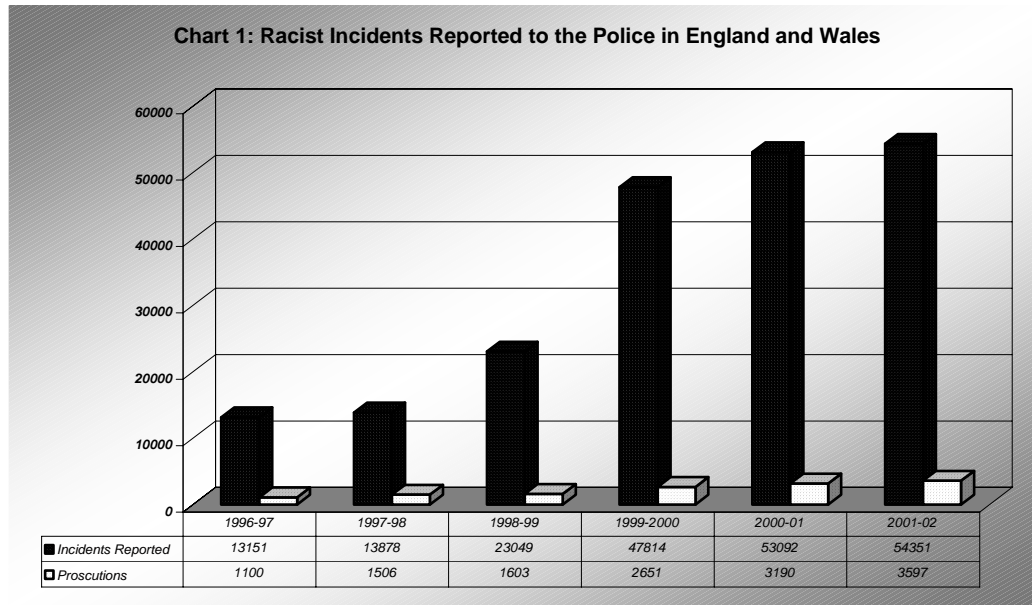
- Produce leaflets explaining the backgrounds and cultures of asylum seekers to be placed in public areas such as libraries, General Practitioners' surgeries (i.e. doctors) and churches.
- Include a section on local authorities websites offering information about the local area to asylum seekers and information on their cultures and backgrounds.
- Engage the local population in the induction process for asylum seekers; for example, through sports competitions and encourage asylum seekers to talk about their experiences at community meetings.
- Allocate clear responsibility for promoting positive coverage of asylum seekers and refugees in the local media.
- Draw up a programme of awareness raising in schools, resident associations, libraries and similar organizations.

The recommendations of the 'Life in the UK' advisory group chaired by Bernard Crick (Home Office, 2003) which prepared a guide for recently naturalised citizens, include:

- Integration means neither assimilation nor a society of separate enclaves but 'continual interaction, engagement and civic participation' (p.12).
- Comprehensive but flexible programme of studies that will lead to legal citizenship but also equip people to be active citizens.
- Six categories should be taught – British national institutions in recent historical context, Britain and a multicultural society, knowing the law (including employment law and rights), sources of help and information, and everyday needs (e.g. use of the health service and types of schools).
- Language tests and training up to ESOL level 3 (English as a Second or Other Language Courses).
- Voluntary mentoring scheme for new immigrants envisaged as facilitating a process of mutual learning – mentors to be trained and drawn from business firms, public sector agencies, trades unions, organized faith groups, charities, voluntary bodies, community groups and educational institutions.

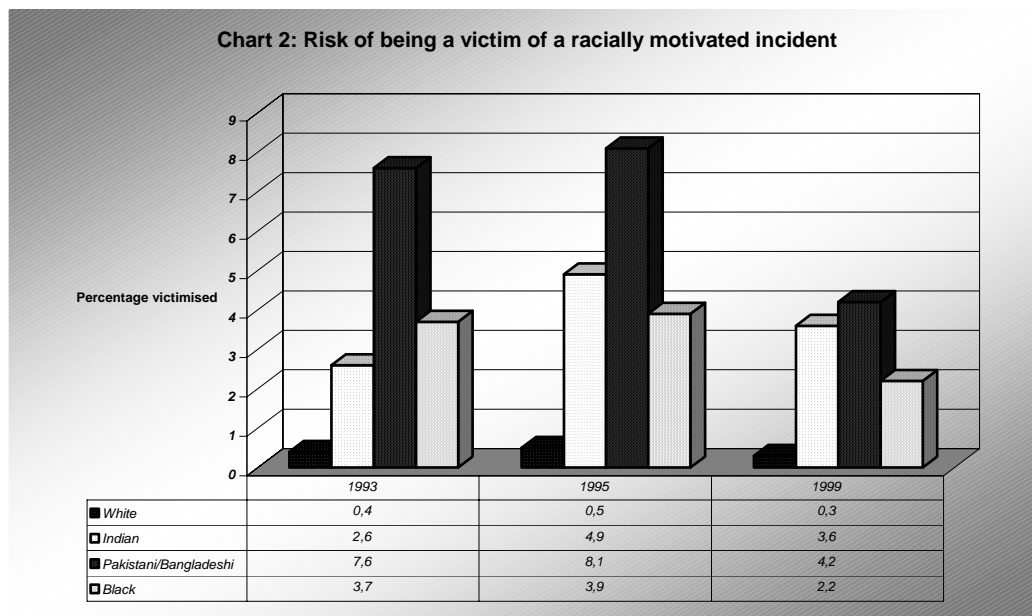
11. CHARTS

Chart 1: Racist incidents



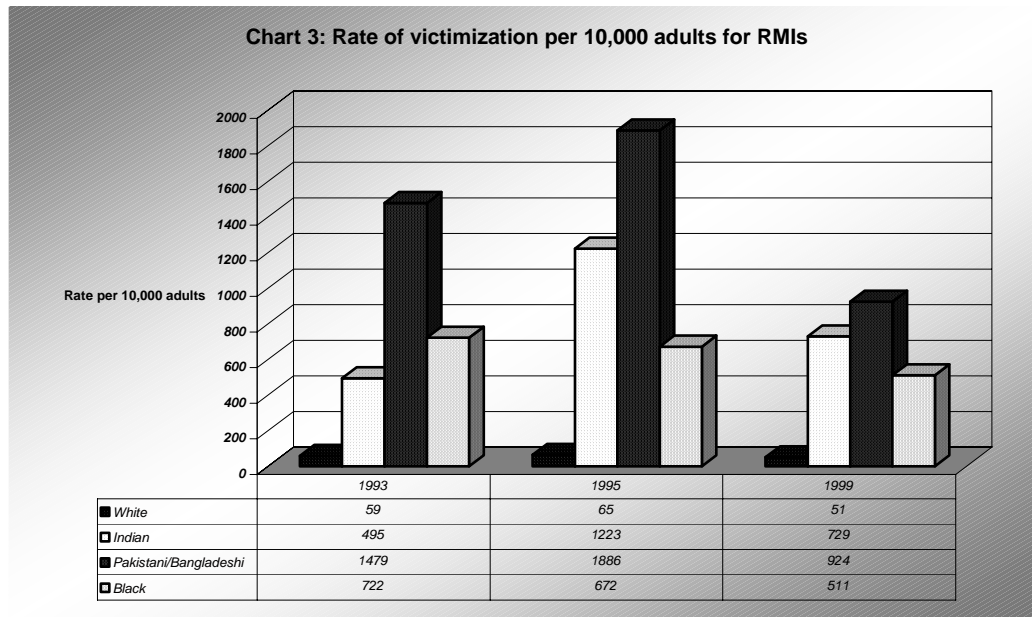
Source: Home Office Racist Incident Reports and CPS Reports 1997-2002

Chart 2: Risk of being a victim of a racially motivated incident



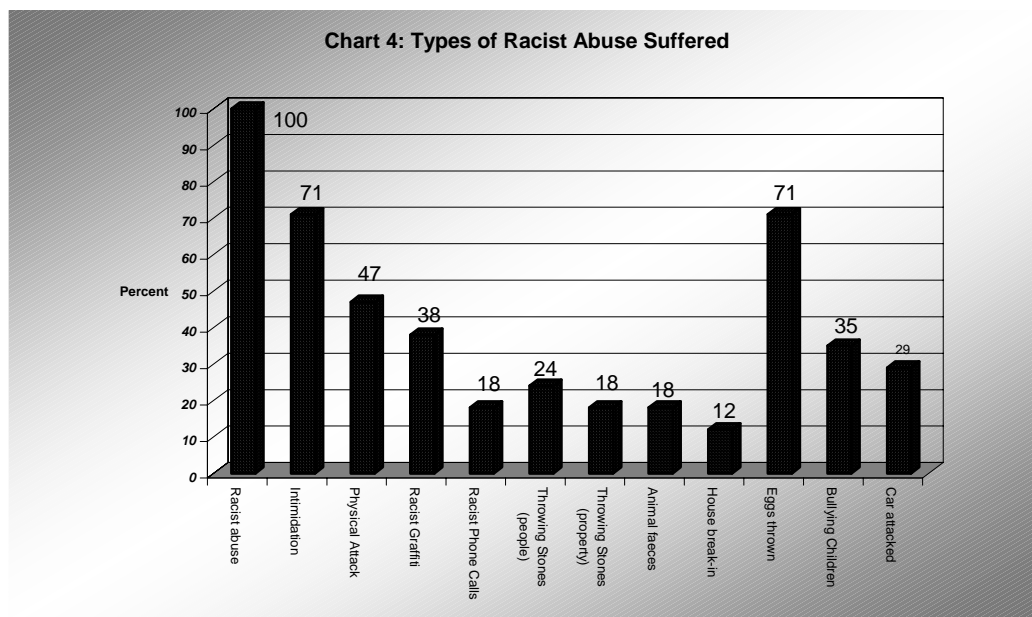
Source: BCS Booster Sample (2000)

Chart 3: Rate of victimization



Source: BCS Booster Sample (2000)

Chart 4: Types of racist abuse suffered



Source: BCS Booster Sample (2000)

NOTES

- 1 NFPUK0002
2 PUBUK0368, Chapter 6, para. 34
3 PUBUK0519
4 PUBUK0479, p. 3
5 The Freedom Party, formed in December 2000, opposes membership of the EU, multiculturalism, and immigration and aims to ‘restore the freedoms, traditions, unity, identity and independence of the British people’.
6 PUBUK0520
7 For example, in protests in January 2003 against converting the Coniston Hotel in Sittingbourne (Kent) into induction centre, a speaker said, “We have had enough. We want an end to mass immigration to this country. If our views are ignored there will be hell to pay” (BBC News 27.01.03). A week later, and following a National Front demonstration in Sittingbourne a car was driven into the rear doors of the Coniston.
8 PUBUK0521
9 PUBUK0522
10 PUBUK0535; PUBUK0536; PUBUK0523
11 PUBUK0481
12 The expression ‘too many’ made this a leading question that invited a negative response.
13 PUBUK0524
14 PUBUK0525
15 Mori Poll – Local and National Feeling 2001
16 PUBUK0525
17 This is a view that would be contested by the Government whose Community Cohesion strategy for asylum seekers and other groups is discussed later in this report.
18 PUBUK0526
19 PUBUK0526
20 PUBUK0519
21 PUBUK0368
22 Cf. Raxen 3 report on legislation
23 PUBUK0513, p. 112
24 The local child curfew scheme is listed by the Home Office as part of its ‘anti-racist tool kit’ and like anti-social behaviour orders could be used against racist offenders.
25 NFPUK0002; NFPUK001
26 UKNFP106
27 UKNFP0148
28 <http://www.cps.gov.uk/Home/ContactsAtTheCPS/procedure.htm> (15.10.2003)
29 It is important to note that not all incidents reported will be capable of being prosecuted as racist or religious offence. The CPS will be guided by two tests – whether there is sufficient evidence to provide a realistic prospect of conviction (the evidential test) and whether prosecution is in the public interest (the public interest test). See PUBUK0479.
30 There were no specific questions in either the 2000 or 2001 bulletin on racial incidents so the most recent official report on perceptions of victimisation amongst ethnic minorities remains Crime, Policing and Justice: the Experience of Ethnic Minorities Findings from the 2000 British Crime Survey (HORS 223). A small amount of data on racist harassment and violence is included under ‘Experience of anti-social behaviour’ in the 2001/02 BCS. Details of methods and sample size were reported in the RAXEN 3 report on racial violence.
31 For the debate on ‘the new antisemitism’ see PUBUK0516, and for the reply see PUBUK0496.
32 NFPUK0050
33 NFPUK0234

34 NFPUK0112
35 NFPUK0244
36 NFPUK0243
37 NFPUK0071
38 NFPUK0243
39 PUBUK0528
40 PUBUK0529
41 PUBUK0529
42 PUBUK0529
43 PUBUK0529
44 <http://www.askmk.com/mknews/> (removed from website 21.10.03)
45 PUBUK0530
46 NFPUK0056
47 NFPUK0090
48 NFPUK0242
49 PUBUK0486
50 PUBUK0479, p. 19
51 PUBUK0531
52 The Immigration and Asylum Act 1999 established the National Asylum Seekers Service (NASS) to provide support for new arrivals from April 3rd 2000 and manage the policy of dispersal across the UK.
53 The NASS' main role in investigating racial harassment is to establish whether it is necessary to provide alternative accommodation. See
<http://www.asylumsupport.info./bulletin18.htm> (removed from website 24.10.03)
54 PUBUK0471, p. 114
55 Indeed for Lawrence (1999) pp 14-17, one of the conditions of a 'hate crime' is that there is no "pre-existing relationship between victim and perpetrator that might give rise to some other motive for the offence".
56 PUBUK0532
57 BBC news www.news.bbc.co.uk (12.5.03)
58 PUBUK0533
59 Antrim Guardian (04.6.03)
60 The Observer (25.5.03), available at: <http://www.observer.co.uk>
61 PUBUK0534
62 NFPUK0241
63 The South West Region for example is 97.9 percent 'white' according to 2001 census data (available at: www.devon.gov.uk/dris/census/index.ph) in Devon experiencing racist attacks are amongst the 25 percent most disadvantaged wards in the country. Performance Plan 2003-2004 Working for a better Devon, available at:
http://www.devon.gov.uk/bestvalue/bvpp2003_part1.pdf
64 PUBUK0471
65 See for example, PUBUK0467; Ray et. al. 2004 (forthcoming)
66 PUBUK0151
67 PUBUK0488
68 PUBUK0495
69 PUBUK0495
70 PUBUK0494
71 Ray et. al., 2004 (forthcoming); Ray and Smith, 2004 (forthcoming)

72 There is some debate about the relative significance of deprivation as against 'race' in the 2001 disturbances. The Oldham Council's response to the Cantle and Denham reports challenged their emphasis on race and urban segregation claiming that the central issues was deprivation. It claims that these reports placed too much 'emphasis on race as the primary issue within Oldham and not, as we believe it should be, on poverty, deprivation and social inclusion. Measures and programmes are required which focus on these issues across Oldham and not simply based on certain communities and parts of the town. At the core of many of our problems is a competition for scarce resources' (Oldham Metropolitan Council 2002 p9). The analysis here does not dispute the importance of deprivation but emphasizes how this interacts with 'race'.

73 Ray et. al. 2004 (forthcoming)

74 PUBUK0505

75 PUBUK0507

76 PUBUK0500

77 PUBUK0506, pp. 233-235

78 see Ray et. al. 2004 (forthcoming)

79 PUBUK0483

80 ACTUK0069

81 PUBUK0514

82 PUBUK0491

83 NFPUK0083

84 NFPUK0236

85 NFPUK0237

86 NFPUK0238

87 NFPUK0239

88 PUBUK0423

89 PUBUK0474

90 NFPUK0240

91 NFPUK0050

92 PUBUK0482

93 PUBUK0470

94 PUBUK0491

95 PUBUK0491, p. 26

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