Policing Hate Crime: Exploring the Issue with a Cohort of Sworn Police Officers

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Abstract

Globally, there has been a trend in rising levels of hate crime that scholars have argued is reflective of significant social problems within society. Research into hate crime has typically focused on the police and their subsequent response to this crime type, with many findings reporting that the police are racist, homophobic and Islamophobic, to name but a few. However, existing research seldom captures the insights and experiences of sworn police officers, as much of the data is gathered from third parties. This paper presents the empirical findings from a Delphi study conducted with one police force in Australia, sampling sworn New South Wales (NSW) police officers between October 2020 and October 2021. The findings focus on four overarching areas: *defining hate crime*, *perpetrators of hate crime*, *victims of hate crime*, and *responses to hate crime*. These themes capture the perspectives of NSW police officers in relation to operational and organisational practice in respect of hate crime. Drawing on a Delphi method, the research outlines police perceptions of the nature of hate crime, as well as capturing how hate crime can be effectively reported, recorded, and responded to. Conclusions and implications are considered. These include the requirement for a clearer definition and targeted education strategies aimed at improving knowledge and understanding relating to hate crime. Future directions include the development of a standardised approach to reporting, recording, and responding to hate crime.

Keywords Police · Policing · Hate crime · Offenders · Victims · Delphi method

Background of the Study

In November 2019, the New South Wales (NSW)[1] Government, Australia, announced a re-opening of the parliamentary inquiry into gay and transgender hate crimes that occurred in the state between 1970 and 2010. The inquiry sought to acknowledge and recognise the historical injustices and crimes committed against the LGBTQ+ community in NSW during the 40-year period, seeking truth and accountability of policing during this time; and while the focus of the inquiry was on the LGBTQ+ community, it has had wider ramifications on how hate crime has been, and are, dealt with by NSW police. Hate crime, in NSW, is covered under Sect. 93z of the Crimes Act (1900) (NSW) where it is it recognised as an:

> Offence of publicly threatening or inciting violence on grounds of race, religion, sexual orientation, gender identity or intersex or HIV/AIDS status.

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[1] New South Wales is one state out of six states and two territories in Australia. The state is the largest jurisdiction in the country.

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Further to this, the Crimes (Sentencing Procedure) Act (1999) (NSW) also captures hate crime under Sect. 21A(2)(h), which is a sentencing aggravation law that requires the court to take into account when sentencing if a crime was motivated by hate and/or hostility towards a person/group based on factors such as religion, racial or ethnic origin, language, sexual orientation or age, or having a particular disability.

As part of the NSW Police Force response to the recent parliamentary inquiry, a study was commissioned by the authors of this paper in order to explore the contemporary landscape of policing hate crime within the organisation. Subsequently, a Delphi study was conducted with NSW sworn police officers during October 2020 and February 2022.

Contextualising Hate Crime and Its Policing

The College of Policing in the UK (2014, p. 2) define hate crime as any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. The College of Policing (2014) further identified five types of hate crime: disability, race, religion, sexual orientation, and transgender status. The various forms of hate crime recognised by the UK College of Policing are also captured in the recent work of Hambly et al. (2018) who stated that:

> A hate crime is defined as any criminal offence, which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on a person's race, religion, sexual orientation, transgender identity or disability, or the perception of the person of having any of these characteristics (p.3).

Defining hate crime is a complex issue due the various behaviours that are captured within this crime type and the lack of consensus relating to the key characteristics (Garland 2011, 2016; Birch and Ireland 2021). As noted by Chakraborti et al. (2017), there is also a lack of consensus with the use of the term hate crime, with other research indicating a preference for the term 'predjuice motivated crime', 'bias crime', or 'targeted hostility' being more favoured terms (Perry 2001; Stanko 2001; Iganski 2008; Victoria Police 2010; Gerstenfeld 2013; Wickes et al. 2016). This is compounded by the fact that different organisations and different jurisdictions often define hate crime differently (Department of Justice Canada 2015). Hate crimes are often misconceived as more extreme versions of other problematic behaviours and attitudes, such as prejudice, bias, racism, sexism, ageism, homophobia, and xenophobia (Rabrenovic 2007). Moreover, 'lower-level' hate crime, such as targeted harassment, can often be miscategorised as a more general type of crime, such as anti-social behaviour (Garland 2011).

Garland (2011) noted that the problems associated with defining hate crime may originate from theoretical explanations that one group is dominant over another group, who is deemed subordinate. Indeed, Gerstenfeld (2013) stated that hate crime is more likely to be motivated by perceived outgroup status, as opposed to hatred. Such hierarchical and dichotomous categorisations can result in misunderstanding regarding the true nature and context of hate crime and may result in issues that impact the recording, reporting, and societal responses to hate crime, a position that has been reflected in a range of scientific literature examining the issue of hate crime (Iganski 2008; Gerstenfeld 2013; Chakraborti and Garland 2012; Wickes et al. 2016).

Further adding to the challenges in accurately defining hate crime is the misconception that it is solely a group or collective phenomena (Garland 2011). This conceptualisation fails to account for hate crime that may occur at an individual or micro level. Even when individual-level hate crime is recognised, the collective aim of sending a message to a wider audience is often emphasised (e.g. Perry 2001). Due to the nature of hate crime, it is recognised that impacts can extend beyond an individual level, as such crimes often impact group/collective identity and wider societal constructs. Therefore, it has been argued that hate crime can be more impactful than general crimes where bias is a core feature (Iganski 2008). Current definitions are arguably too simplistic, in that they fail to account for hate crime at a micro, meso, and macro level. Consequently, hate crime may not be identified as such, victims of hate crime may be further marginalised, and perpetrators may not be effectively managed, thus increasing the likelihood of recidivism.

Existing conceptualisations appear reductionist, in that they do not fully capture the range of behaviours that may fall under the category of hate crime. Moreover, while existing definitions may be intentionally broad, there appears to be greater emphasis on victim characteristics, as opposed to the motivation(s) and individual characteristics of the perpetrator. To enable accurate understanding and defining of hate crime, greater understanding is required regarding the vulnerability, risk, and protective factors for hate crime. This is arguably the first step and is fundamental in informing organisational policy and operational strategy, which aims to address hate crime.

Responding to Hate Crime

While the police are largely seen as the first responders to hate crime incidents, those affected by hate crime often believe that this should be dealt with outside of the criminal justice system. Nevertheless, evidence reflecting on the police response to hate crime is, in part, less than savoury (Carr et al. 2007; Hall 2012; Shirlow et al. 2013; Chakraborti 2018; Pezzella et al. 2019; Hudson and Paterson

2020; Sweeney et al. 2022). As a consequence, hate crime is both under-reported and under-recorded (Giannasi 2015; Birch and Ireland 2021). More effective reporting of hate crime could enhance understanding about perpetrators and the risks associated with hate crime, thus supporting risk reduction. It could also increase victim confidence, supporting their recovery. According to Chakraborti et al. (2014, p. 66), one in four victims had reported their most recent experience of hate crime to the police, while over half of all respondents had not reported their experiences to anyone with low numbers of victims reporting to a third-party reporting organisation, or to professionals in a position to offer support yet outside of the police. In the same research, the severity of the incident also influenced whether a hate crime was reported; victims of verbal abuse were least likely to have reported the crime to the police (16%), followed by 33% of victims of harassment, 36% of victims of cyberbullying, 41% of victims of sexual violence, 60% of victims of violent crime, and 62% of victims of property crime (Chakraborti et al. (2014, p. 67).

Arguably, reporting should be encouraged regardless of severity to engender a more accurate picture of the nature and extent of hate crime. Of the hate crimes that are reported, the police are often the first choice for reporting, with victim satisfaction regarding police response being typically strong. Chakraborti et al. (2014) identified factors that can influence reporting, which include (1) those aged 16 to 24 who had not reported their hate crime to the police were more likely than others to say that they had not because they dealt with it themselves/with the help of others (34% compared with 27% overall); (2) respondents who had known the offender(s) involved in their most recent experience of hate crime were more likely than others to say that they had not reported it to the police because it was a private matter (29% compared with 16%), for fear of retaliation (18% compared with 9%), or because they were too embarrassed (16% compared with 9%); (3) respondents whose most recent experience of hate crime had involved verbal abuse were more likely to say they had not reported it to the police because they did not think they would take it seriously (36% compared with 30% overall); (4) respondents with disabilities were more likely to say they had reported the crime to other authorities instead of the police (6% compared with 1% overall) (Chakraborti et al. (2014, p. 72). Such research indicates an issue with police engagement and response to hate crime in which the inference can be drawn that the police need to better promote their practice in regard to addressing hate crime, as well as communicate the success of their response to dealing with this crime type. This coincides with the recognition that there has been a paucity in research with sworn police officers on how they deal with and address hate crime (Trickett and Hamilton 2015: 1) along with research that has identified the shortcomings of criminal justice policy that

underpins the practice of first responders such as the police (Chakraborti 2015, 2018).

The study presented in this paper builds on such conclusions and, within the context of the 2019 NSW parliamentary Inquiry, seeks to explore how police officers understand hate crime, who is affected by hate crime as well as examine, from both an operational and organisational perspective, what is and what should be done in order to prevent, disrupt, and reduce hate crime.

Methodology

The empirical work underpinning this study sought to extend the existing knowledge base of hate crime by questioning experts (sworn police officers) working in the field; therefore, a Delphi method was employed. The Delphi method is a systematic, iterative, and structured communication technique that seeks to elicit and distil the insights and opinions of a panel of experts on a particular topic or issue (Okoli and Pawlowski 2004; Cuhls 2023). It typically involves multiple rounds of surveys, with feedback provided to participants after each round. The process continues until a consensus or convergence of opinions is reached, with a minimum of three rounds of data collection being recommended in order to achieve consensus (British Psychological Society 2009). The method, as a consequence, supported the purpose of the research, drawing on its strengths of gaining expert input ensuring that the insights gathered are based on a high level of expertise, leading to well-informed and nuanced outcomes as well as the iterative nature of the method, allowing for the refinement of opinions over multiple rounds (Hsu and Sandford 2019), thus justifying its use in research requiring the aggregation of diverse expertise and consensus-building on complex issues.

Recruitment and Sample

The Delphi study was conducted over three rounds. The recruitment of the sample took place through an internal email sent to all NSW sworn police officers inviting them to participate in the study. An internal email was sent for each round of data collection. The data collection tool was housed on Qualtrics through the lead researcher university system, to enhance confidentiality for employees and removing any potential negative consequences for participating or not participating in the employment-based study.

The inclusion criteria for participation in the study were specified as all participants were to be current sworn police officers, with a minimum of 5 years' experience. The length of experience ranged from 5 years to over 25 years in all three rounds of the Delphi study, with most 'experts' in each round being of constable or sergeant rank, however,

representation of higher ranked police officers, including those of superintendent level who also took part in the study. Of those that took part in the study, metropolitan, regional, and rural/remote-based police officers were represented in the sample. It was not a requirement to take place in all three rounds of data collection, and all NSW sworn police officers could engage with as many rounds of the Delphi study as they chose too.

According to Santaguida et al. (2018), while there is no set standard for the sample size in a Delphi study, it is suggested a minimum of 10–18 members make up each round of data collection. In the study presented in this paper, there were 76 participants who took part in round one, 79 participants in round two, and 158 participants in round three. The third and final round of the study originally comprised 173 participants. However, 15 did not fully complete the survey and were therefore excluded from further analysis, leaving a final sample of 158 police officers. It is the final round of data collection that is presented in this paper, with Tables 1, 2, and 3 below providing an overview of the third-round expert panel demographic data.

Most participants reflected two ranks, those of constable and sergeant ($n = 147$), representing 93% of the sample.

Most police officers who participated in the third and final round of the study were based in a metropolitan command.

The length of service that most police officers had completed was 10 to 15 years (28%). However, of significance were those who have served 25 years or more (23%). This service profile reflects a wealth of knowledge and experience.

Procedure

The research was approved by the lead researcher Human Research Ethics Committee (HREC) and further endorsed by HREC at the co-researcher university. The lead researcher emailed the NSW Police Engagement and Hate Crime Team information about the study and a link to the online data collection platform used to host the questions. This email was then forwarded onto NSW police officers through the NSW police internal email system, as noted above. At the end of 2021–2022, the NSW police had 17,659 sworn police officers (NSW Police 2022).

Table 1 Police rank

Police rank ($n = 158$)	n	%
Detective/constable (inc. senior, detective, leading)	100	63
Sergeant (inc. senior, detective)	47	30
Detective/chief inspector	5	3
Inspector	5	3
Superintendent	1	1

Table 2 Location of police officer workplace

Location ($n = 158$)	n	%
Metropolitan command	109	69
Regional command	35	22
Rural command	12	8
Remote command	2	1

Approach to Measurement

A Delphi method is a structured communication technique where experts are asked to answer questions via a series of rounds. After each round, a summary of provided views is fed back to participants, who are then encouraged to revise earlier answers, based on the responses from all members of the panel. The process ends when consensus or theoretical saturation is achieved (Skulmoski et al. 2007). The current study held three rounds in order to form consensus. Questions were mainly made up of qualitative questions; however, a small set of quantitively orientated questions were included to support the canvassing of opinions.

Approach to Analysis

Once each round of the Delphi study had been completed, quantitative responses were statistically analysed using SPSS. Due to the nature of this data, the analysis drew on non-parametric procedures for analysis and reported basic descriptive statistics. Qualitative data was analysed using thematic analysis in order to determine, analyse, and report themes (patterns) within the data (Braun and Clarke 2006).

As noted above, this paper presents the findings yielded from the third and final round of data collection, which had an expert panel of 158, in which these findings were used to illustrate the consensus yielded from the Delphi study.

Findings from the Delphi Study: Establishing Consensus

The data presented reflect the four central themes that emerged in all three rounds of data collection. These themes are (1) defining hate crime, (2) perpetrators of hate crime, (3) victims of hate crime, and (4) responses to hate crime.

Table 3 Length of service of police officer

Length of service ($n = 158$)	n	%
5–10 years	21	13
10–15 years	45	28
15–20 years	30	19
20–25 years	26	17
25 + years	36	23

Theme 1: Defining Hate Crime

A significant proportion of participants felt, in some way, knowledgeable with regard to understanding what constituted hate crime. However, unclarity on the definition of this crime type was a common theme that emerged. A broad definition of what hate crime is made understanding this crime type an issue. Some participants considered the term 'hate' as an important aspect that needs to be included in a definition; it was noted that a clear definition of hate should be provided. For example, participant 18 noted that the definition should capture 'what constitutes hate'. It was also noted that hate crime should be distinguished from where individuals merely disagree with others, with participant 20 stating, 'That it is clearly different to words, which people do not like'. A salient theme that participants perceived as being an important aspect of hate crime and that should be captured in a definition was motivation or intent of the perpetrator, as illustrated by participants noting 'The intent or motive for the act, not just the act itself' (participant 13). The majority noted that the definition of hate crime should clearly outline what evidence is required to determine the motivation of hate crime, for example, 'The requirements to evidence the crime an act of bias need to be clear' (participant 39). Moreover, the importance of creating a definition, which can assist officers to determine 'the likelihood that an offender was motivated by hate, bias, or prejudice' (participant 65) was emphasised.

Over half of the participants noted that the definition of hate crime should include reference to a range of targeted individuals and/or groups. A range of target characteristics were identified as important, which formed 13 subthemes: (1) minority groups, (2) vulnerable and/or marginalised individuals, (3) LGBTQI + community, (4) racial/ethnic background, (5) religious or political affiliations, (6) gender, (7) physical appearance, (8) socioeconomic status (9) immigration status, (10) employment type/status, (11) disability, (12) age, and (13) personal beliefs.

Notably, a small cohort of participants stated that individuals were not targeted because of specific reasons and that anyone could be a victim of hate crime. This position was not reflective of the majority of those who took part in the study.

A range of participants believed the definition of hate crime should include specific reference to a criminal element or offence. For example, participant 25 stated: 'There needs to be an actual criminal offence'. Further to this, it was emphasised that hate crime should be considered a police matter owing to the criminal nature and that this should be included in the definition to avoid other agencies addressing hate crime. Participant 3 noted, 'There must be a criminal offense that is done in public and not being addressed by other agencies'. It was further stated that there should

be reference to the types and severity of crimes, which are captured as hate crime. For example, 'What crime does it include' (participant 29) and this should capture 'the extremity of the act/crime' (participant 71). Several participants extended this position stating that hate crime has to involve an action, such as physical violence. For example, participant 7 stated that the definition needs to 'reference actions, not just words used by [the] offender'. While another participant reported that a victim being offended should not be seen as a hate crime, stating: 'Being offended by what someone say online or in person should not constitute a hate crime' (participant 25). Conversely, several participants regarded offensive behaviour as a hate crime, illustrated by participant 54 who noted: 'being called a "fucking pig" should not be offensive behaviour, but a hate crime' (participant 46). Another participant referred to 'harassment' (participant 16), noting that this should also be considered a hate crime.

Overall, the need for inclusion of accessible and appropriate terminology that can be operationalised within policing practice in the definition of hate crime was a common theme. One participant, for example, stated that the definition of hate crime should include 'easily defined terms that operational police can use and understand' (participant 40), with another participant expressing that 'hate crime' should be labelled differently, stating 'I think bias is more suitable than 'hate' as a choice of word' (participant 39). Conversely, participant 41 stated 'If the terms prejudice or bias are used in the definition this will broaden the category. Bias is a very broad concept i.e. unconscious bias, systemic bias, institutional bias. Such concepts, if incorporated into the definition have the effect of removing the nexus between mens rea and the offence committed'.

Some participants stated that hate crime does not need to be defined owing to their belief that it does not exist; as noted earlier, this position was only reflective of a small proportion of the cohort and not reflective of the overall consensus. One participant, however, described hate crime as 'a fiction' (participant 72), while another participant described hate crime as being a term solely used for identifying victims, noting, 'Hate crime is a made-up term to identify victims by their group identity' (participant 68).

In sum, while the cohort had an understanding of what hate crime encompasses, there was a belief that this could be improved on, by a clearer definition of the term.

Theme 2: Offenders of Hate Crime

The following findings relate to those who commit acts of hate crime, as well as consideration of their motivation(s), consequently, leading to reflections on how hate crime is understood and defined.

Police officers rated the following reasons as the main motivations for hate crime:

1. Prejudice and bias (93%)
2. Intolerance (91%)
3. Religion/religious views (90%)
4. Political views and upbringing (88%)
5. Emotions: anger (86%)
6. Retaliation for terrorism (85%)
7. Emotions: fear (80%)
8. Anti-social attitudes (72%)
9. Low economic status (66%)
10. Poor educational background (62%)

The qualitative data expanded on these motivations, revealing the nuances behind the raw figures. For example, offenders' anti-social attitudes were considered by some participants as a cause of hate crime (e.g. participant 42, 57, 62, 68). Participant 42, as an illustration, noted that such offenders had a 'disregard of the law', while some participants were less gracious in their consideration, e.g. 'people are just grubs' (participant 57). Furthermore, participant 62 stated '…there is the special case of total psychos who like inflicting pain or hurt. They may choose their victims based on difference. (But some do not.)'.

Several participants reported 'bias' and 'prejudice' (e.g. participants 18, 20) as the cause of hate crime. Participant 46 reported that this bias may be 'conscious or non-conscious', with many participants stating that this bias is often based on the offender's limited past and negative experience with those who they target. For example, participant 20 stated, 'if you really break it down, actual hate crime relates to people's own experience with that group', with participant 36 expanding on that by noting, 'people having an unjustified negative bias towards a group due to past experiences or ignorance'. Similarly, participant 5 stated 'jumping to conclusions about every person of that culture based on one's limited life experience' leads to hate crime. Offender's bias was, therefore, seen as being caused by one specific experience with an individual who is part of a group to, which the victim belongs, and the offender takes a dislike to. For example, 'The main cause of hate crime is, for whatever reason, the offender deciding to target a specific type of person. It could be because the offender was the victim of a crime committed by a similar type of person, the offender believes that the type of person the victim is has discriminated against them or is has harmed/discriminated against them' (participant 52). This position was also reflected by other participants in the study; for example, participant 47 stated 'assigning blame for past injustices to a group of people, rather than the individual person', while participant 17 reflected on the notion that hate crime occurs as 'the individual is targeted for the actions or perceived actions of the whole and is assigned individual blame'.

It was also reported that bias is a learned process, with participant 39 stating: 'ultimately bias is learned—not born into any human. I can't say I comprehend what takes a person from a set of beliefs or thoughts to the commission of crimes, but it ultimately is that "something" in a person's life conditioned them, either suddenly (e.g., traumatic experience) or over an extended period (upbringing etc.) they come to believe that some subset/s of society have less value or less rights than them'.

Religion and religious beliefs were another perceived motivation for why hate crime occurs. For example, participant 71 reported 'most hate crimes I have witnessed have been driven by religious views, which I believe come from a lack of understanding or knowledge'. Moreover, participant 17 emphasised 'I find religion is often the genesis of the hate crime, as opposed to the victim of it'. Extending this position, participant 54 reported 'There is no debate here. Christians are simply hated by radical Muslims, heathens, atheists, and all non-believers. If you identify as a Christian, you are painting a target on yourself and the virtue signalling haters will immediately launch into an attack on Catholicism calling everyone who has faith a paedophile', while participant 77 provided a specific example of a religiously motivated hate crime: 'the only hate crime I have seen was the Lindt Café siege where it was religiously motivated'.

Associated with religion and religious views is that of political views. It was reported that 'certain political views of the offender' (participant 15) can be a cause of hate crimes. Specifically, nationalism was identified as an important factor: 'Nationalism is now playing a part in hate crime, as people become more nationalistic, they close themselves off from acceptance of different cultures and ways of life' (participant 51).

Furthermore, left wing ideology was reported to be an inciting factor: 'Virtue signalling, left wing sympathisers who hate themselves so much they feel the need to incite anyone who is not on the same social justice agenda as they are' (participant 54). Other participants reported that extreme and radical ideologies were more influential in inciting hate crimes. For example, participant 65 stated 'extreme ideology support'. Furthermore, participant 59 reported 'a radical ideology from either learnt behaviour or self-radicalisation based on false facts and fear'. Such findings reflect and relate to the notion that intolerance of the views/beliefs of others also contributed to hate crimes being committed. Many participants focused on the idea of 'intolerance of difference' between the offender and victim (e.g. participants 2, 12, 23, 35, 56, 62, 64, 75). For example, participant 56 reported that 'The cause of hate crime is due to the perceptions of one person of another and the inability to understand how others do not share the

same values/ideals of people who become hate crime perpetrators'. This appeared to reflect an inability on behalf of the offender to accept that others are different and understand these differences, with participant 2 stating, 'people struggle to accept difference and diversity'. Furthermore, participant 62 reported, 'my answer from first principles is that hate crime is caused at least to some extent by backward regression to some near universal human characteristics, which include: (i) Tribalism or recognition of in/out groups and a tendency to distrust the latter. (ii) A tendency to seek to ingratiate with an "in" group', thus reflecting a non-acceptance of the outgroup, or those who are different.

One participant focused on intolerance towards a specific group as a cause for hate crime, rather than just all who are different, stating, 'In my experience the general cause of hate crime is driven by a dislike of a specific group to, which it is focused' (participant 17). Another participant stated that this may be due to specific ideology of the offender, for example 'bigotry and certain political views of the offender' (participant 15). Participants reported varying reasons for the offender to hold such intolerance towards the victim, for example, participant 12 reported, 'a belief by the perpetrator that the inalienable characteristic of the victim needs to be punished' and participant 66 reported 'ignorance of other. The want to delegitimise other people's lifestyle, beliefs or background'. A conflict of interest between the two groups was also reported, illustrated by participant 64 who reported: 'perceived conflict of interest between one's own background and that of another person's' and participant 75 who noted: 'minorities who want to take over and control majorities'.

Further to this, those who took part in the final round of data collection reported the perception that the media also played an important role in the cause of hate crime (96%). For example, 'Media sensationalism' and 'Politicians and media who are careless and inflammatory in terms of the comments they make' (participant 10 and 29 respectively) were noted to incite hate crimes. Furthermore, 'media agendas', 'media bias', and 'media manipulation' (participants 63, 29, and 69 respectively) were reported to be important causes of hate crime. Participant 63 reflected on the fact that social media can also reinforce people's beliefs, noting a causal factor to be 'social media corporations feeding people an echo chamber of their own bias'.

Those who took part in the study recognised the following offender traits/characteristics:

1. Intolerance of difference (86%)
2. Maladaptive thinking styles (68%)
3. Difficulties with mental illness (50%)
4. Low level of self-esteem (50%)

Participants identified that perpetrators of hate crime included those who are intolerant to difference. For example, participant 2 stated, 'Persons who have a low tolerance or understanding of other cultures/countries/ religions'. One aspect of intolerance was described as originating from the fear of dissimilarity, as mentioned by participant 4: 'People who fear change, who fear anyone who is different to them to the extent that their differences'.

Furthermore, some participants identified that this lack of understanding was directed towards those who were different to the perpetrator; for example, participant 8 reported hate crime to be caused by 'groups or individuals who do not understand or accept another person who is different'; similarly, participant 37 reported 'ignorance of others who are different'. Participants also reported that this lack of knowledge causes fear, which in turn causes hate crime. As an illustration, both participant 9 and participant 22 reported: 'fear of the unknown'. Conversely, one participant noted that ignorance is too simplistic an explanation for the cause of hate crime, stating: 'alternatively there is a school of thought that ignorance is the cause, rectified through education. I would argue that the latter is too simplistic an explanation' (participant 41).

Hate crime was also reported to be caused by various psychological issues experienced by the offender. This included issues such as maladaptive thinking styles and mental illness. For example, participant 40 emphasised 'inflexible ways of thinking' (participant 40) as a cause of hate crime. Furthermore, it was reported that issues with disordered thinking and an inability to effectively discriminate and process information can cause hate crime. Participant 41 reported 'Hate crime can be the end result of people's propensity to discriminate. All humans discriminate, it is just a matter of degree. The brain operates to find patterns and processes that massive amounts of incoming data by sorting it into boxes. It could be argued that when this process goes awry and leads to Hate crime, the offender is suffering from mental illness due to disordered or illogical thinking'.

Other participants reported mental illness to be a causal factor with participant 60 illustrating the point that offenders 'have their own psychological issues that they cover with hate crimes'. Moreover, participant 68 referred to such individuals who are 'mad'.

Reduced/impaired self-concept of the offender as a relevant cause of hate crime was noted. For example, participant 15 noted the 'low self-esteem of the offender', while participant 76 stated that: 'people feel insecure or sometimes jealous of others who has different race, religion, sexual orientation etc.'. More specifically, it was reported that hate crime is a result of the reaction of the offender to their reduced/impaired self-concept. Participant 62 reported that: 'a reaction on the part of the offender to a lack of self-confidence

on their part' to be a cause of hate crime. It was also recognised within the cohort that hate crime can be the result of a deeper and more severe insecurity, which occurs as a result of the offender experiencing hatred towards themself. For example, participant 54 stated, 'Virtue signaling left wing sympathizers who hate themselves so much they feel the need to incite anyone who is not on the same social justice agenda as they are'.

Police officers noted that perpetrators of hate crime are only slightly more likely to be male (54%) and typically older, with only 18% of the sample reporting that young people (less than 25) were responsible for hate crime. Several officers did identify men as the main perpetrators of hate crime with participant 58 clearly stating it was 'predominately males' and participant 48 noting it was 'usually male', but there was some diversity in this view. For example, while females were also considered perpetrators, when accounting for ethnicity, men of all ethnic backgrounds were seen to be potential offenders, as participant 53 noted: 'not necessarily Caucasian males. Black young men can contribute to hate crimes'. Further to this, some participants identified young adult males as the main group committing hate crimes. Participant 71 noted, this crime type was commonly committed by 'males aged 18–35'.

Of interest was the fact that some participants believed that hate crime was not just perpetrated towards minority groups, but that such groups could be responsible for committing hate crime. The misconception that hate crimes were not committed against majority groups was a common reported view, with participant 10 noting that 'persons of a majority social group can be victims of hate crime'. Participant 54 also noted that hate crime is perpetrated by 'the minorities against white people and it is condoned and accepted. Being Caucasian is seen as privileged and they should accept that being white are the oppressors, so it is ok to hate the oppressor. White people are now the punching bag of the political left and police are in the direct firing line'.

From the findings of the Delphi study, it was reported that those who perpetrated hate crimes were not specialists but generalists, when their offending profiles were considered. Around half of all respondents stated that hate crime perpetrators do not specialise in one type of hate crime but engage in several different types of hate crimes. For example, participant 21 stated 'hate crime can transcend multiple types of hate crimes' and participant 51 empathised that 'extremism does not stop at one segment of hate'. Similarly, participant 3 noted: 'perpetrators will take on any ideologies that they subscribe to'.

Some participants linked the different components of hate crime together, such as religion and race. Participant 31, as an example, stated: 'persons who engage in race crime will usually also hold anti-religious group agendas as well', with participant 39 noting: 'I really feel that bias of race, colour and creed are closely related'. One participant reported that race-motivated hate crimes are commonly expressed as hate crime against religious communities: 'I think race hate may be targeted at religion e.g., Muslims and while the hate is attached to a religion—by default it spills over into race e.g., more typically Muslim communities e.g., Mid-Eastern, Subcontinent India/Pakistan' (participant 48).

The combination of different hate crime types involving sexual identity and sexuality was also identified. For example, participant 31 stated '…persons who target a particular sex group (women /transgender) will also target persons due to sexual identification (LGBTIQ + status)'. Extending this position was participant 51 who stated, 'Persons that perpetrate hate crime against people based on sexuality will also target people for religion'. It was noted that those who discriminate against one individual/group often discriminate in general, with participant 69 stating: 'I have found that those that are discriminatory towards race are often discriminatory towards other factors such as gender and socioeconomic status, religion, etc.'. Targeting the weak, which can cover several types of hate crime, was also reported. For example, participant 29 posited: 'They [perpetrators] pick on the who they perceive as weak' and participant 60 reported: 'Hate crime perpetrators often target people they perceive as weak or different and can cross into different areas of hate crime accordingly'.

Seventy percent of the sample reported the view that offenders of hate crime were also involved in other crimes, compared with just 12% who thought they were only involved with one type of crime. Malicious damage and violence-related offences including those of domestic violence were identified. Theft and substance-related offences included specific reference to 'alcohol and drug crimes' (participant 11) and traffic offences were listed. It was also noted that sometimes, hate crime perpetrators engage in more than one type of offending, as well as engaging in hate crime. For example, participant 17 stated 'often those involved in hate crime have had previous malicious damage and violence related offences'.

Theme 3: Victims of Hate Crime

The following captures police perceptions of reasons for victimisation, as well as the response for victims of this crime type.

Police officers reported that victims of hate crime may be targeted due to the following factors:

1. Race/ethnicity (91.5%)
2. Transgender status (78%)
3. Being employed as a police officer (72%)

4. Being employed as a public servant/holder of office (68.5%)
5. Sexual orientation (50%)
6. Gender (40%)
7. Disability (31.5%)
8. Age (17%)

'Race' was commonly identified by participants as the primary victim characteristic of hate crime. For example, participant 24 stated: 'my experience leads me to view hate crimes as predominantly based on racial identity'. More specifically, participant 54 reflected on the view that minority groups can target majority groups, reporting that: 'If you are white, you are the enemy and fair game. White people today are to pay for the injustices to people centuries ago'. While sexual orientation was considered a contributing factor to a person's victimisation, this occurred less frequently contemporaneously than once were, e.g. in 1990s and early 2000s. For example, participant 6 stated 'Sexuality-related [hate] crimes seem much less common now than in the past'.

Other, less common, yet notable, victim characteristics identified by participants included 'gender, then age and disability' (participant 28). However, as noted by participant 6: 'I can honestly say that I've never personally seen a disability-motivated offence. I have seen disabled people become victims because they were disabled, but they were victims because they were the easiest person to target, not because the offender hated disabled people'.

Worthy of noting, within the data collected two participants specifically mentioned police officers as likely victims, for example, participant 54 stated: 'Any form of violence, threat, action because you are a police officer' was a hate crime. While participant 74 said: 'Social stature/holder of office' was a relevant victim characteristic within the context of hate crime.

Most police officers reported the view that victims of hate crime often do not know the perpetrator (88.5%). For example, participant 31 stated 'The persons are generally not personally known to each other at all. The perpetrator would not generally associate with the targeted groups through deliberate act and perception of the victim and so is ab le to emotionally disconnect from the value of the victim in society and easily justify their action to each other'.

Regarding the victims and police response, officers were of the following opinion:

1. Victims need to report all incidents to the police as soon as possible (91%)
2. Police need to intervene as soon as possible (88%)
3. Police investigations need to determine the motivation of the offender (82%)
4. Perpetrators of hate crime need to be prosecuted the same way as other offenders (81%)

5. Crimes with the aggravating factor of 'hate' need to be punished more severely (73%)
6. Victims of hate crime require 'aftercare' and support from investigating officers (64%)
7. A control order to restrict access to victim/s is an effective form of punishment for a perpetrator of hate crime (52%)
8. Perpetrators of hate crime should receive mandatory sentences (41%)

More than half of the officers stated that victims of hate crime require aftercare and support from investigating officers (64%). The engagement in victim aftercare focussed on maintaining communication with victims, informing them about the development of the investigation, and showing compassion. For example, participant 46 noted: 'Speak with the victim… Reassure the victim that this behaviour is neither tolerated nor acceptable' were central to an officer's role and duty. The importance of reassuring victims that the matter is being taken seriously and maintaining contact where distress occurs was also emphasised. As an illustration, participant 11 stated, 'Victim care and follow up as they fear further attacks'. One participant reported the view that police officers lack knowledge on how to deal with hate crime, stating 'Not enough is being done to assist street level police in knowing how to react or deal with hate crime', which ultimately has an adverse effect on dealing with victims.

Theme 4: Response to Hate Crime

Those who took part in the study reported that crime prevention strategies are needed to further prevent, deter, and reduce hate crime. Almost all police officers considered education to be at the forefront of this renewed crime prevention approach. It was noted that education is required for perpetrators (94%), at-risk individuals and groups (91%), the public (90%), and the police themselves (86%).

Participants identified the importance of educating perpetrators, the public, and the police. Educating perpetrators was a salient theme with participant 56 noting 'Education of perpetrators. Mediation between perpetrators and victims'. While other participants specifically noted the importance of educating groups at-risk of becoming perpetrators with participant 59 noting 'Forming a disengagement/deradicalization program to educate radical ideology people, to see why their thought process is extreme'. One aspect of education related to deterrence, with participant 23 stating: 'Educate the public that it is not acceptable'. Prevention through education of the public was further noted to be an appropriate response with participant 37 stating: 'Liaison with the local community to encourage education so that ignorance can be reduced, and empathy developed'. Educating police officers and implementing programmes, which aim to address bias, were also noted to be an appropriate response. For example,

participant 39 stated, 'I feel like education falls far short – if police do not have a thorough understanding of both the victim and offender experiences then they cannot adequately respond. Police are humans too and had their own conditioning…, which shape their belief system…Police need to have a deeper, more holistic understanding of human psychology and exposure to more factually accurate 'history lessons'.

Regarding the organisational response to hate crime, most officers regarded their organisation (64%) and middle management (76%) to deal with hate crime effectively and consistently. Indeed, over half of the police officers who participated in the study noted that their organisation implemented effective practices when managing and responding to hate crime (63%). Such findings suggest a platform of existing good practice that NSW police can build upon to further improve their response to hate crime. Several participants reported the most appropriate response to be with reference to hate crime is to take a report and intervene as soon as possible. For example, participant 34 stated: 'Record as accurately as possible and intervene early'. While the motivation of the crime was also identified as important to capture in order to engender an appropriate response to a hate crime, with participant 48 expressing: 'Report it like all other crime although motivation should also be noted'.

Some participants highlighted the significance of an effective and impartial investigation, with participants focussing on the minimisation of biases influencing the investigation, with participant 5 stating: 'Investigate it properly without allowing the officer's own beliefs or prejudices to influence the investigation'. The importance of determining the motivation as part of the investigation was mentioned once again within this context, as participant 27 noted that the importance of 'determining the motives of the alleged offender' was key.

A significant proportion of participants noted the most appropriate response in dealing with hate crime as charging perpetrators with the appropriate offences and prosecution. For example, participant 14 stated that hate crimes: 'should be investigated and prosecuted as any other crime', while several participants specified that the law must be followed and decisions should not be influenced by the public opinion, as illustrated by participant 22 who noted that perpetrators should be prosecuted: 'within the confines of the law. It is a dangerous precedent to follow the wave of public opinion'. Other participants noted that neither prosecution process nor penalties for hate crime should not be different to other crimes. For example, participant 14 stated that there: 'should not be any different penalties simply because it is classified as hate crime. This can lead to a perception of bias in the wider community. The motivations should be acknowledged but not more harshly punished'.

Two participants reported what they considered to be appropriate punishments for the perpetrator. Participant 15 stated 'Mandatory minimum sentences where judicial officers can thus be held to account. Greater accountability of sentences imposed by judicial officers', while participant 31 commented that an appropriate consequence would include 'Control orders to restrict access to their victims. Incarceration of persons who are not responsive and continue to commit such crimes after initial detection'.

Some participants reported that hate crime offences should receive harsher sentencing. Indeed, participant 47 stated: 'My colleagues have no capacity to affect that response – the lack of severity in penalties for crime at every level is a spectacular failing'. Participant 27 stated that the importance of 'determining the motives of the alleged offender' was an important issue to consider with sentencing as did participant 40 who noted: 'It should be added to the circumstance and taken into account during sentencing'. Moreover, there was call for harsher penalties where hate crime is considered a contributing factor with participant 32, for example, stating that there should be 'harsher penalties from the judiciary where hate crime is identified as a contributing factor to the crime'.

In regard to responding to hate crime, many felt there was an inaccurate narrative surrounding the police not responding appropriately to hate crime. It was claimed there were several misconceptions related to the police response including claims the police did not take allegations seriously, or not take appropriate action. For example, participant 65 noted the misconception: 'that police will not take reports seriously or investigate with hate crime elements in mind and rather seek out easier convictions'. Participants also reported the misconception that the police are not trustworthy with participant 15 stating: 'That certain victims don't want to report this [hate crime], because they fear the police'. In response to such misconceptions, participant 60 noted: 'Many people don't realise that Hate Crimes are taken seriously by police'.

Several participants referred to the actions that are often taken by the organisation in response to hate crime. These included education, community outreach, following the legislation, and establishing specialised hate crime units. Education was mentioned in several forms, with participant 48 noting: 'Awareness programs' and participant 62 stated: 'Organisational response includes public relations work to encourage victims to report crimes'. Community outreach was also identified, with participant 6 noting: 'I think that the NSWPF invest a significant amount of time and resources in community outreach and at a management level to ensure that hate-related crime is given an appropriate response'. Furthermore, one participant noted the assistance provided to minority groups by the police, stating: 'There is a great emphasis on assisting minority groups with these crimes' (participant 11); this participant, however, criticised the organisational response in part, noting 'There appears to be no emphasis on far-left groups attacking persons of a

different political thought'. One participant reported their organisation to respond according to the legislation, noting: 'My organisation will respond to a hate crime in a manner, which is in line with the crime committed and ensure that the victim's rights are preserved' (participant 12). Finally, participants also reported the establishing of specialised hate crime units. For example, participant 59 noted: 'There is a new engagement and hate crime unit established who oversights local police to investigate hate crime', thus offering insight, understanding, and commitment for the prevention and reduction of hate crime.

Discussion and Conclusion

This paper has examined hate crime through the lens of experts in the form of sworn police officers employed in NSW Police Force, Australia. In doing so, this body of evidence informs police practice with regard to addressing such offending along with providing some direction concerning those involved in such offences. As a result, several themes of interest for the profession have emerged, which will be presented here. These include diversity, definition, and reporting practice, a role for race, accounting for perpetrator and victim characteristics and the support required, remaining mindful that hate crime can occur anywhere and be motivated by several and sometimes shared reasons.

The key takeaway points from the Delphi study can be captured in the following ways:

- The term 'hate crime' needs to be reconsidered and better reflect the complexities of the issue. This crime seems to be driven by cognitions, which may well drive a range of different emotions.
- Participants considered themselves 'moderately' knowledgeable about hate crime on a 5-point Likert scale.
- Most police officers expressed that hate crime is an *actual crime*.
- In contrast, some participants were clear in their view that there is no hate crime—only crime. This suggests that there is a need to clearly define how this differs from other crime/offending.
- While victims of hate crime were mainly associated with race or transgender status, some recognition of police officers and others in public office being primary victims of hate crime was provided.
- More than half of participating police officers perceived that expressing personal opinions can be a hate crime.
- Almost all police officers did believe that not all incidents against minority groups should be defined as a hate crime.
- More than half of the participating officers perceived that hate crime is not rare.

- Almost all believed that hate crime is not only perpetrated against minority groups and that non-minority groups can also be victims of hate crime.
- More than half of the sample believed that individuals from minority groups can be perpetrators of hate crime.
- Most officers noted the importance of educating the perpetrators, at-risk individuals and groups, the public, and the police about hate crime.
- More than half participating officers regarded their organisational response to hate crime as effective and consistent.
- Over half of the police officers were of the view that victims of hate crime require aftercare from investigating officers.

The results from the study reflect the diversity of hate crime and how hate crime offences vary in nature; there was also evidence highlighting differences in how hate crime is targeted, with particular consideration given to racial and sexual orientation and religious hate crimes. In terms of practice, it is important that those working with victims and perpetrators appreciate the subtleties and variety of forms that hate crime can comprise and, in doing so, can properly identify and address it. What is of significance is how such findings of the Delphi study reflect the broader evidence of the existing hate crime literature.

Race was reported as a significant factor informing perpetration and/or victimisation of hate crime. There are no clear explanations for this, although a range of factors including intolerance, perceived threat, and insecurity, as well as vulnerability, were highlighted by participating officers. It is likely that the significance of race is multi-layered and as more is learned about hate crime perpetration and victimisation, a better understanding may be gained. In the meantime, although the reasons why race is significant may not be fully understood, it is important that this factor is accounted for since it has implications for the coordination of resources and the development of hate crime prevention strategies.

Being male, young, and white was highlighted as *perpetrator characteristics*. There is evidence that issues of substance misuse and poor mental health are important issues to consider when examining who perpetrates hate crime. In addition, there was a consensus that perpetrators were unlikely to be specialists in hate crime offences. It may therefore be useful to consider how resources can be utilised to target those at risk of perpetrating hate crime, to support deterrence and desistance. However, it is also important that in identifying prevalent or typical characteristics, less prevalent characteristics (i.e. females) are not overlooked.

With regard to *victim characteristics*, a more varied set of characteristics were presented. Evidence with regard to *pre-existing relationships between victims and perpetrators* is unclear in the existing literature. Some studies report that perpetrators of hate crime were likely to have some degree of acquaintance with the victim(s),

while others reported perpetrators were more likely to be strangers. This finding from the Delphi study typically suggests that victims do not know the perpetrator. Nevertheless, problems with the defining, recording, and reporting of hate crimes including misreporting may impact on an accurate understanding of such pre-existing relationships. Equally, there could just be diversity in the relationship that is not always accounted for. It is important that police are sensitive to the potential impact any pre-existing relationship may have on victims and their willingness to report their experiences to an investigating officer.

The Delphi study also identified a range of motivations for hate crime (e.g. anti-social attitudes, prejudice, and bias). It is therefore likely that hate crime is a multifaceted motivated event, particularly as intersecting prejudices may be present. Establishing perpetrator motivation is likely difficult, particularly when the perpetrator(s) is unknown. However, awareness of these different typologies may support police in their questioning of victim(s) and any suspected perpetrator(s), as they seek to support a potential prosecution.

Arguably, there are clear gaps within the literature around motivations for hate crime, the official response to hate crime, and the treatment of hate crime perpetrators and victims that the current Delphi study reflects in the findings presented in this paper. In many cases, the narrative and existing literature surrounding the police and their knowledge about hate crime differs from the perception of the NSW police. What remains clear is that the police play a central role in addressing hate crime, in all aspects of prevention, disruption, and reduction. It is important that they are appropriately resourced for dealing with hate crime, perhaps with specific police investigation teams dedicated to dealing with this. Furthermore, ensuring police receive access to evidence-based training, continuous professional development opportunities, and supervision is crucial in ensuring that police officers have the necessary skills and support to effectively recognise and respond to hate crime. This could also extend to the development of an evidence-based risk assessment guide that outlines the range of factors important to remain mindful of when considering a suspected act of hate crime. This could ultimately assist with the refinement of risk factors and direct attention to salient areas of concern, including the needs of victims. This would further reflect risk assessments, such as those found in the interpersonal violence field that account both for the risk factors of perpetrators but also the factors that we need to be particularly attuned to as we endeavour to protect victims and maintain their safety.

Limitations and Impact of the Study

While this study has its limitations, for example, the Delphi method relies on written communication, which can impact the richness sought in such data collection processes compared to face-to-face discussions; as well as the sample size that may not be fully reflective of all NSW sworn police officers, these should not detract from the importance and value of the findings. Much is written about police officers, yet seldom does such research including them in their sample, in particular less senior officers. Police research typically is done on the police, not necessarily with the police, and as a consequence, the current study offers a level of authenticity, in particular within the arena of hate crime. The impact of this study has already been evidenced in terms of policy and practice implications. For example, the findings have been used to support a revision and revitalisation of policy and procedures both within NSW police and outside of it in terms of revised workplace policies and the development of community education concerning the reporting of hate crime. Further to this, the findings of this study have been used to inform the design and delivery of a university short programme for NSW police officers on policing hate crime. Finally, research such as this can and should be used to support public confidence in the police, evidencing an profession that can be reflective and able to adapt to the changing environment in which, as police officers, they operate in.

Declarations

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