

Health and Social Care Alliance Scotland (the ALLIANCE) - Hate Crime Survey

New Legislation on Hate Crime

The independent review of hate crime legislation was announced on 26 January 2017 by Annabelle Ewing, Minister for Community Safety and Legal Affairs. The intention is to explore what type of conduct should be identified as hate crime under criminal law and whether the current set of offences adequately covers such conduct.

The ALLIANCE is asking members to share their views on current hate crime legislation and how it is being implemented.

Please complete the following questions. The open questions are an opportunity to give as much information about your views of current hate crime legislation as you are able.

The deadline for responding is 16th November 2017.

The consultation paper, [which can be read here](#), suggests the following statement as a working definition for considering the understanding of hate crime in Scotland.

“...the creation of offences, or sentencing provisions, ‘which adhere to the principle that crimes motivated by hatred or prejudice towards particular features of the victim’s identity should be treated differently from ‘ordinary’ crimes’ although legislation may define hate crimes by reference to concepts other than motivation, such as the demonstration of hostility based on a particular feature of the victim’s identity, or the selection of the victim on the basis of a particular feature.”

Do you think this covers what should be regarded as hate crime by law?

- Yes
- No

Please give reasons for your answer

Does the current law deal effectively with online hate?

- Yes
- No

Are there specific forms of online activity which should be criminal offences but are not covered by the existing law? Please give reasons for your answer.

Do you think that specific legislation should be created to deal with offences involving malice or ill-will based on:

- Age
- Gender
- Immigration status
- Socioeconomic status
- Membership of Gypsy/Traveller community

Other (please specify)

At present hate crimes are significantly under reported. Do you have any views how levels of under-reporting might be improved?

- Yes
- No

Please give reasons for your answer

Do you consider that a third party reporting scheme is valuable in encouraging the reporting of hate crime?

- Yes
- No

If so, how might the current scheme be improved?

Thank you for completing the ALLIANCE's Hate Crime Survey. All responses will inform our submission to the Independent Review of Hate Crime Legislation in Scotland.