



One Scotland: Hate Has No Home Here

A Consultation

Easy Read

Section 1. What is Hate Crime?



Hate crimes can cause harm and upset to the victim, their family, friends and the community they are part of.



Hate crime is not when you just hate someone.



Hate crime is when someone commits a crime against a person or group of people because they hate something about them. This could be because of their race, religion, disability, sexual orientation or transgender identity.



The police and the courts treat a crime as a hate crime if the crime against them was motivated by hatred of their race, religion, disability, sexual orientation or transgender identity.

Section 2. Words we use in this paper



Consultation

These questions are sometimes called a 'Consultation'. Consultation is when someone asks for views and thoughts on something from a large number of people.



Legislation

This is another word for the law, or a set of laws.



Aggravated

This is when someone does something wrong, but did it out of hatred of a person because of their race, religion, disability, sexual orientation or transgender identity.



Crime

When someone breaks a law.



Criminalise

This is when someone makes behaviours and activities crimes because they are no longer considered acceptable.



Hate

Hate is an emotion. Hate can make you feel angry towards a person or group of people.



Hate Crime

When someone becomes the victim of a crime because of who they are.



Prejudice

This is when someone thinks something negative about a person or group which is not based on facts and leads to dislike or hatred of that person or group.



Protected characteristics

Characteristics describe us as people. For example, our ethnic background, religion or if we have a disability.

Protected characteristics are characteristics that are considered to make people more vulnerable and therefore people with those characteristics have extra

protection in law.

Currently these are:

- Race
- Religion
- Disability
- Sexual orientation
- Transgender identity



Race

This describes someone's ethnic background, colour, nationality or country they come from.



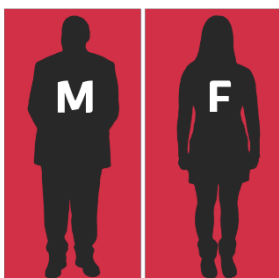
Religion

This is where people believe in a higher power, like a God.



Disability

A physical or mental condition that limits a person's abilities.

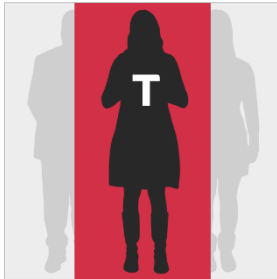


Sexual orientation

The type of person that someone is sexually attracted to.

Heterosexual is where you like someone of the opposite sex.

Homosexual is where you like someone of the same sex.



Transgender identity

When someone identifies and lives as a different gender to the one they were born as. This could include a person who was born as a man but identifies and lives as a woman, or a person who was born as a woman but identifies and lives as a man.



Intersex

Intersex people have diverse body development. This means their body has developed differently to other people. They can be male, female or non-binary.



Sentence

The punishment for a crime. For example, how long a person goes to prison for or the fine that they receive.



Statutory aggravations

When a person has committed another offence (such as assault or breach of the peace), but was motivated to commit the offence because of hate or prejudice against particular individuals or groups.



Victim

The person who the crime is against.

Section 3: What we want to know.



We want to hear what you think about the current law on hate crime in Scotland.



In May 2018, Lord Bracadale wrote a report about his thoughts on hate crime law.

We want to know what you think of Lord Bracadale's suggestions.

We want to know if we need to add anything new to the laws we have already, or whether they should be changed in any way.

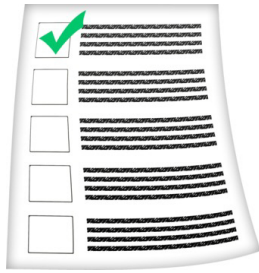


There are some questions about hate crime laws in this document.

You can answer as many or as few as you like.



Your answers to these questions will help the Scottish Government decide what will and will not be included in new hate crime laws.



You must fill out this form and send it back to the Scottish Government with your answers to the Consultation questions.

Contact details are at the end of this document.



You need to send your answers to the Scottish Government by the 24 February 2019.

About The Questions

You need to complete this section which asks for some personal information before answering the consultation questions. All the information collected will be held in accordance with Data Protection law. As you go through the document we will explain which questions you must give answers to and others which are optional.



Question (you must complete this question)

Are you answering these questions as an individual person (giving your own views), or are you representing an organisation (giving the organisation's views)?

Tick the box that best suits you.

Individual

Organisation



Question (you must complete this question)

What is your name? Or your organisation's name?

Write it in here:

We may need to contact you to discuss your answers.

What is the best way for us to contact you? You can provide as much contact information as you like, but only need to give us one way to contact you.



Question

What is your email address?

Write it in here:



Question

What is your phone number?

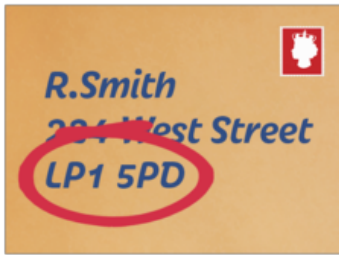
Write it in here:



Question

What is your address?

Write it in here:



Question

What is your postcode?

Write it in here:



The Scottish Government wants to publish your answers to the questions about hate crime.

Tick the box that shows what you want to happen with your answers.



Yes, show my name with my answers (only your name will be shown, your contact details will not be shown)



Yes, show my answers, but not my name



No, do not show my name or my answers.



The Scottish Government might want to contact you again in the future about the questions about Hate Crime.

Are you happy for the Scottish Government to contact you again? Tick one box to show your answer.



YES



NO

Hate Crime Law Questions



Question 1.
Do you think we should have Hate Crime Law?
Tick one box.

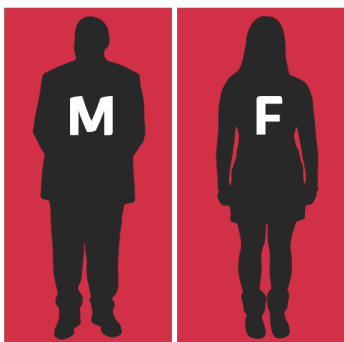


Yes	No	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Question 2.
Please tell us why?
Write in here:

New Statutory Aggravations



Gender

The Scottish Government wants to know if there should be other groups added to hate crime law.

Just now, hate crime law only covers

- Race
- Religion
- Disability
- Sexual Orientation
- Transgender Identity

The Scottish Government is thinking of adding Gender to hate crime law. This would mean any crime motivated by Gender would be a hate crime.



Question 3.

Do you think Gender should be added to Hate Crime Law?

Tick one box.

Yes

No

Not sure



Question 4.
Please tell us why?
Write in here:



Age

The Scottish Government wants to know if there should be other groups added to hate crime law.

Just now, hate crime law only covers

- Race
- Religion
- Disability
- Sexual Orientation
- Transgender Identity

The Scottish Government is thinking of adding Age to hate crime law. This would mean any crime motivated by Age would be a hate crime.



Question 4.

Do you think Age should be added to Hate Crime Law?

Tick one box.

Yes

No

Not sure



Question 5.

Please tell us why?

Write in here:

Question 6.

Do you think any other groups should be added to Hate Crime Law?

Tick one box.



Yes

No

Not sure



Question 7.

Tell us here which other groups should be added to Hate Crime Law

Write in here:

Association with Members of a Protected Group



If a person has committed a crime and has done it because of hate or prejudice against an individual or groups because of their characteristic. This is a hate crime.

Even if the victim does not have the characteristic, but the person thinks they do, then this is still a hate crime.

The Scottish Government want to make it a hate crime, even if a person is targeted because they are linked to a certain group. For example, a person is attacked because someone thinks they are gay, or a parent is attacked because they are with their disabled child.



Question 8.

Do you think the aggravations in Hate Crime Law should apply where people are thought to have a protected characteristic (e.g. Someone thinks you're gay, but you're not).

Tick one box.

Yes

No

Not sure



Question 9.

Please tell us why?

Write in here:



Question 10.

Do you think the aggravations in Hate Crime Law should apply where people are linked to a protected characteristic (for example, you are the parent of a disabled child).

Tick one box.

Yes

No

Not sure



Question 11.

Please tell us why?

Write in here:

Online Hate



Laws that apply to hate crimes committed in person also apply to online hate crime.



Online hate crime can include:

- online abuse, including verbal and emotional abuse
- offensive literature and websites
- abusive private messages and hate mail; and
- online bullying



The Scottish Government think that if you commit a crime online, it should be an aggravated offence'.



Question 12.

Do you think new laws are needed that protect people from online hate crime?

Tick one box.

Yes

No

Not sure



Question 13.

Do you have any comments about online hate crime?

Write in here:

What happens next



This consultation is open until Wednesday 24 February 2019.

You can get involved in different ways:



Go online to <https://consult.gov.scot/hate-crime/consultation-on-scottish-hate-crime-legislation/consultation/>

This will take you away from this document.



Complete the information about you and answer the questions set out in this booklet. Send your completed booklet to connectedcommunities@gov.scot



Write to:
Hate Crime Legislation Team
Scottish Government
Area 3H South
Victoria Quay
Edinburgh
EH6 6QQ



When the consultation ends in February 2019, all the responses will be read.



All the responses will be published on the Scottish Government website, but your name will not appear if you do not want it to.



The Scottish Government will publish a report based on what people have told them, by the end of May 2019.

If you have any comments or questions about the consultation, you can email the Scottish Government at connectedcommunities@gov.scot



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