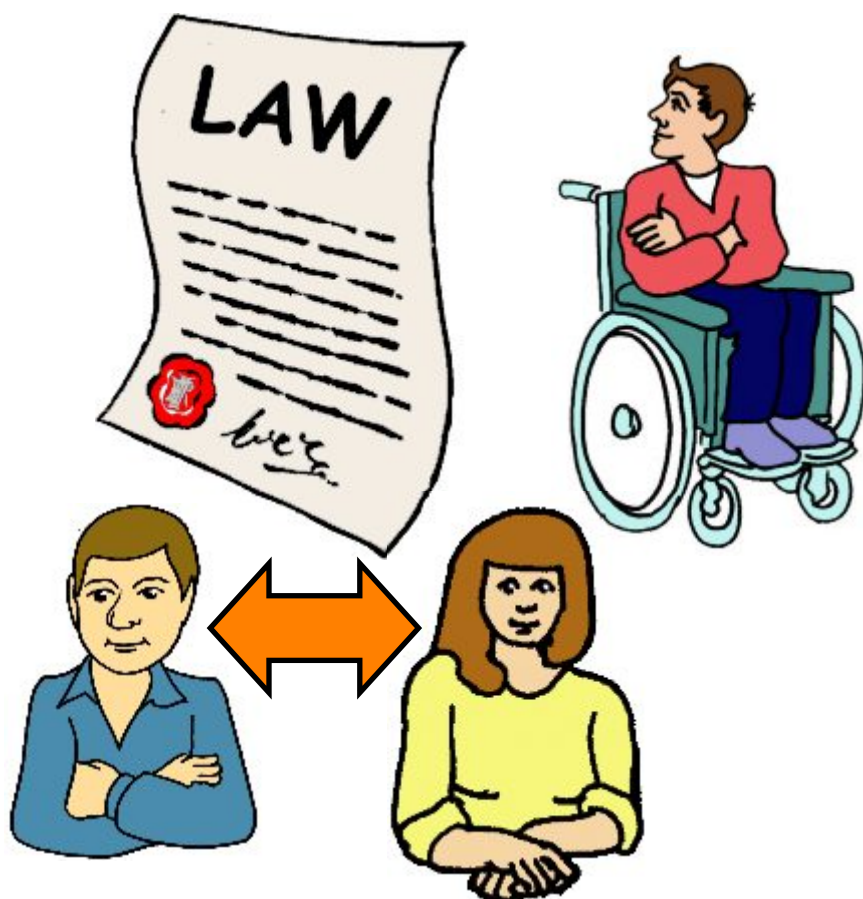




Law
Commission
Reforming the law

Hate Crime -

Our report
about
whether the
law should
cover other
victim
groups



This is an EasyRead version of:
Law Commission report number Law Com 348



Some of the words we use in this report

Aggravated

When something is made worse.



Crime

When someone breaks the law.



Criminal record

A list that shows if you have been found guilty of a crime or in trouble with the police.



Commit a crime

When you carry out or do a crime.



Enhanced sentence

A stronger or tougher punishment.



Hate crime

When you become the victim because of who you are.



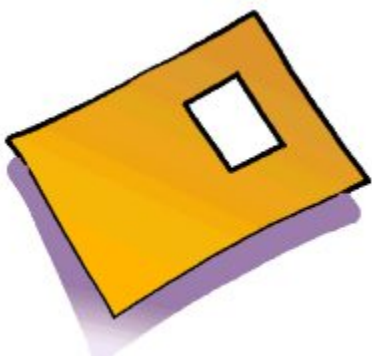
Hostility

When someone shows very strong feelings of dislike towards a person or a group of people.



Offence

The law a person has broken. Different offences are punished in different ways.



Recommendations

Ideas about what is best or what should happen.



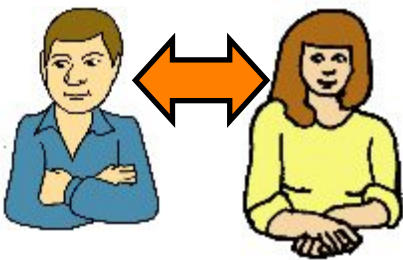
Sentence

The punishment for a crime. For example, how long a person goes to prison for.



Sexual orientation

Whether you are lesbian, gay, bi-sexual or straight.



Transgender status

When someone is born as a man and lives as a woman. Or born a woman and lives as a man.



Victim

The person the crime is against.

About this report



The Law Commission wrote this report.



We are independent (not part of the government).



It is our job to look at laws and make sure they are:

- fair
- up to date
- simple
- do not cost too much.



This report is about the laws on **hate crime** in England and Wales.



Hate crime is when you become the victim because of your:

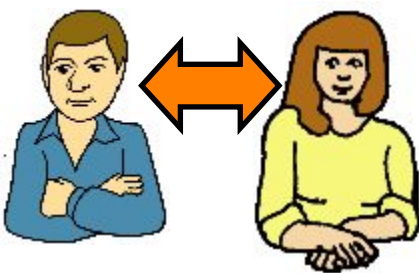
1. Disability



2. Race (the country you or your family come from)



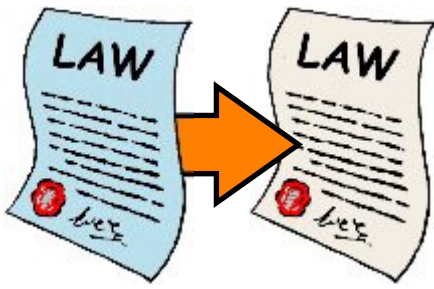
3. Religion



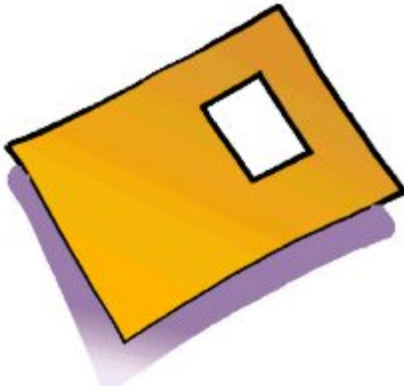
4. Transgender status



5. Sexual orientation



Last year we asked if laws on hate crime need to change to treat these 5 groups fairly.



This report is about what people told us and what we think should happen (our **recommendations**).



There is more information on our website:

www.tinyurl.com/LChatecrime



What we looked at

The law talks about 2 types of hate crime:

1. Aggravated offences



This means a crime that is made worse because of **hostility** about who the victim is.



If someone commits a crime because they strongly dislike the victim's race or religion, they can get a tougher punishment.

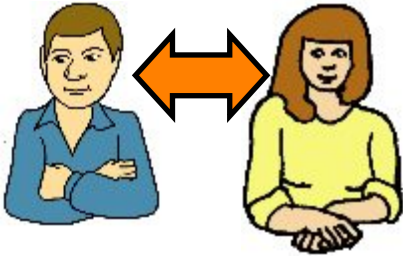


This happens if the court says they are guilty of an **aggravated offence**.



But the law does not have aggravated offences for hostility about the victim's:

- disability



- transgender status



- sexual orientation.



For these three kinds of hostility, courts can still give tougher or **enhanced** sentences.

2. Stirring up hatred

This means trying to get other people to hate a whole group of people because of who they are.



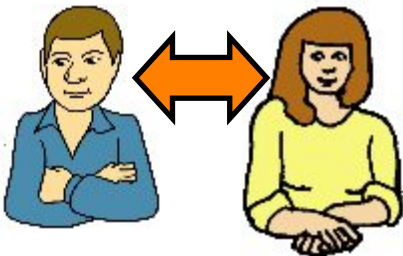


It is a crime to stir up hatred because of race, religion or sexual orientation.



It is not a crime do this against groups of people who are:

- disabled

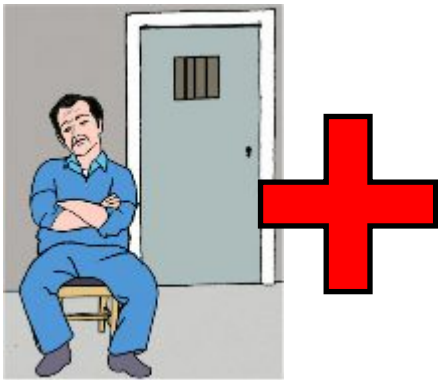


- transgender.



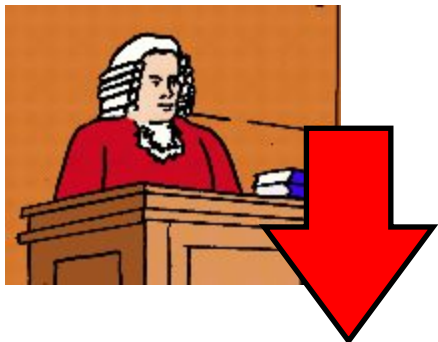
What people told us

Most people think the law is unfair. But they had different ideas about how to make things better.



What people said:

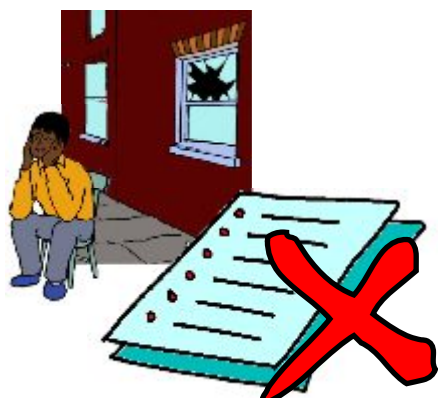
- The courts can already give **enhanced sentences** for hate crime because of a person's disability, transgender or sexual orientation.



They do not use this power enough



- If you check whether a person has been in trouble with the law, you will see aggravated offences written down on the person's **criminal record**.



This does not happen for **enhanced sentences** for hate crime



- aggravated offences are difficult to prove. Even if they covered all 5 groups it might not make things better



- changing the law about stirring up hatred might mean more people report hate crime



- stirring up offences might make it more difficult to speak about disability and transgender issues



- the law about stirring up hatred is not used very often. It is not enough for the words to be bullying or nasty about someone.



What we will tell the government

We think the government needs to:



1. Give courts clear information and rules about how to sentence people for hate crime.



This could help make sure they always use enhanced sentences when they should.



2. Ask the courts and police to write down when someone gets an **enhanced** or tougher sentence because of hate crime.



Then it will show on their criminal record.



3. Look at how well aggravated offences are working now.



We need to find out:

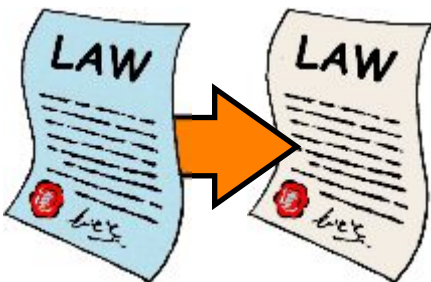
- Do we need them?



- What do we want them to do?



- Are they working properly?



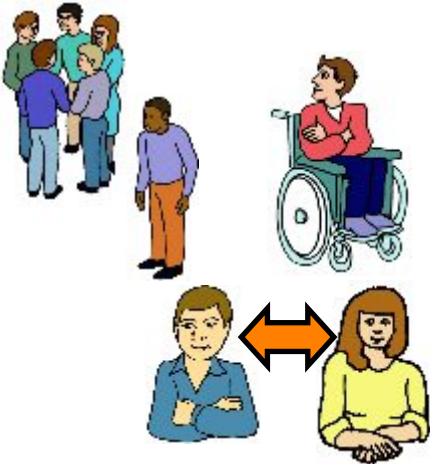
- If they need to change, how can we do this well?



This work will take time and money. If the government does not want to do this, we think aggravated offences should cover all 5 groups.



This would be second best, but better than nothing.



4. We do not think it would help stop hate crime if stirring up hatred laws also covered disability and transgender.



We will tell the government we do not think this needs to change.