



# 16. Commissioning LGBT Hate Crime Services: A Guide for Organisations

This information sheet provides guidance for organisations that commission services, such as Police and Crime Commissioners and local authorities, on meeting the safety needs of LGBT communities.

The first two sections provide advice on how to gather evidence of the specific needs of LGBT communities. The third and fourth sections offer guidance on planning commissioning priorities and methods, and designing effective services. The final section focuses on ensuring that organisations commissioning services comply with the Equality Act 2010.

## Section 1: Gathering evidence of LGBT needs

### Speaking to communities

Understanding the needs and views of LGBT communities by communicating with them directly enables commissioning to be effectively targeted in order to have more impact.

### Working with LGBT organisations

Where they exist, LGBT service providers can provide valuable insight into the needs of the communities they work with. Speaking with organisations that provide specialist hate crime advice and advocacy can be particularly useful as they are often very knowledgeable about community needs. Sometimes there may not be many LGBT organisations in a particular area, but that does not mean there are no LGBT people. In this case, talking with activists can be valuable, but LGBT communities are large and diverse so it may be necessary to reach out beyond individuals you are already engaged with, who may only represent one set of perspectives.

### Engaging community networks

Information gathered through surveys, engagement events and calls for written evidence should be made accessible to LGBT people by distributing them through relevant community networks. Additionally, special efforts may be needed to create safe avenues for LGBT individuals to express their views. Focus groups facilitated by an LGBT partner organisation may be one way of hearing from members of the public whose views might otherwise be lost in generic evidence gathering. Community forums tackling LGBT issues, hate crime, or equality issues can also provide valuable information.

## Section 2: Issues to research

### Impacts of hate crime

Establishing how hate crime impacts individuals and communities can assist in planning effective support services. Because hate-motivated abuse is targeted at a person's core identity, it tends to have more profound and enduring effects than other types of crime. Research has identified that 34% of people who experience a hate crime are very emotionally affected by it compared with 14% of people who experience other types of crime (EHRC, 2009). Hate crime can induce problems with anxiety, anger, panic attacks, insomnia, depression, addiction issues and eating disorders. It can also result in financial losses through missed work, moving costs or damage to property.

### Barriers to accessing services

LGBT people can be hesitant to access criminal justice and mainstream support services unaided, due to worries that issues relating to their identity will be misunderstood, dismissed or receive a discriminatory response. Those who do access criminal justice agencies experience low satisfaction rates, with 48% of people who report hate crime feeling dissatisfied with the police response compared with 28% of all people who report crime (ONS, 2013). This is why LGBT people often choose to get specialist support and assistance from community services that they are confident will understand their specific needs.

### Hate crime prevalence

Establishing the true extent of hate crime is challenging due to under-reporting. The Crime Survey for England and Wales estimates that 39,000 homophobic offences are committed annually (Home Office *et al*, 2013). It may be possible to establish a rough approximation of local hate crime levels by adjusting it according to population size. LGBT people also face disproportionate levels of non-hate motivated crime, with research finding that 7% experience violence each year (ONS, 2013) compared with just 3% of heterosexual people (EHRC, 2011). Separate research found that 12% of trans people in the UK experience violence each year (FRA, 2014).

### LGBT population size

The census does not ask about the sexual orientation or gender identity of respondents, but official estimates of the LGB population size nationally range from 5-7% (EHRC, 2009) to 1.5% (ONS, 2013). There are estimated to be between 300,000 and 500,000 trans people in the UK (GIRES, 2009).

## Section 3: Planning commissioning priorities and methods

### Setting strategic priorities

Consideration should be given to including explicit actions within Police and Crime Plans and Community Safety Strategies to tackle homophobia, biphobia, transphobia and other forms of hate crime. Setting clear goals in this area can help improve community confidence, reporting and performance. This is particularly important in LGBT communities where there is a legacy of poor relations with criminal justice agencies due to the historical legal position.

### Choosing commissioning methods

Providing a diversity of services, including those targeted at LGBT communities, can improve outcomes for service users. However, specialist and identity-based services are often small organisations. Consider how commissioning methods may impact them. For instance, would a preferred provider system prevent smaller organisations who are well equipped to meet community needs from tendering? Consider the possibility of enabling subcontracting and consortia, or introducing smaller tendering opportunities as a means of securing partnership services that utilise the expertise of specialised organisations.

### Consulting with people who experience hate crime

The Police Reform and Social Responsibility Act 2011 created a duty on Police and Crime Commissioners to use the views of people who experience crime in formulating their Police and Crime Plans. Community Safety Partnerships also have a statutory duty to consult on their Community Safety Strategies under the Crime and Disorder Act 1998. Those consultation processes should explicitly seek out the views of LGBT and other marginalised groups in order to demonstrate compliance with these pieces of legislation and with the Equality Act 2010.

### Capacity building

LGBT organisations can deliver professional expert services but have suffered from long-term underinvestment. Building the capacity of potential service providers, including those serving specific communities, can help create a strong and diverse service provider environment that responds better to individual needs and provides value for money. General capacity building could involve funding of networks, running briefings or training for potential providers. More targeted support could entail capacity building grants and support for an organisation to develop, or a requirement for larger contracted organisations to support small specialist third sector organisations serving the safety needs of LGBT and other marginalised communities.

## Section 4: Designing effective services

### Types of service

Organisations that commission services should consider a range of service models to meet hate crime needs. The following examples of functions that commissioned services can perform:

- **Advocacy** - Assistance with navigating criminal justice and other systems
- **Information** - Advice about safety, rights, criminal justice, housing
- **Peer mentoring** - Assistance from other community members
- **Practical assistance** – Provision of safety equipment, financial help and shelter
- **Emotional support** - Psychological support, counselling or group work
- **Telephone helpline** - Providing advice, emotional support and referral
- **Restorative justice** - Projects to encourage accountability and recovery
- **Assisted reporting** - Helping individuals to report their experiences
- **Community building** - Reducing isolation and building resilience
- **Campaigning** - Increasing reporting and reducing offending
- **Training** - Improving the response of services

### Meeting holistic needs

The EU Victims Directive (2012/29/EU) contains measures to ensure generalist and specialist services are made available to both people who report their experiences of crime and those who choose not to. LGBT specialist services are entirely focused on understanding and serving the needs of the communities they work for, which can often be overlooked by general support services. Commissioning specialist services can therefore reduce costly future interventions by reducing the risk of further offences being committed against LGBT individuals.

However, it is equally important to recognise the value of more generalist services and to consider the different needs of those who have experienced hate crime together. The Victims' Services Commissioning Framework (MoJ, 2013) categorises the needs of individuals who have experienced hate crime, showing where commissioned services can help. These categories include mental and physical health, shelter and accommodation, family and friends, education and employment, drugs and alcohol, finance and benefits, outlook and attitudes, and social interaction.

### Understanding diverse LGBT needs

Hate crime takes many forms and can impact differently on diverse individuals within LGBT communities. Those who commission services should seek to understand the distinct experiences of hate crime across lesbian, gay, bisexual and trans populations and make specific provision for their needs. Consideration should also be given to the overlapping forms of hate crime faced by people who within multiple stigmatised communities, for instance those who experience both homophobic and racist hate crime. Commissioning should also address the needs of individuals facing abuse in various contexts, including that faced in their neighbourhood, online, on public transport, or surrounding LGBT social spaces.

## Section 5: Complying with the Equality Act 2010

The Public Sector Equality Duty created by the Equality Act 2010 applies to the work of the public sector and to private bodies commissioned to carry out public functions. It requires them to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations. It is the responsibility of organisations who commission services to ensure they comply with this duty.

This means that they should consider equality implications intenders and when awarding contracts. Commissioning organisations should also require contracted service providers to monitor the protected characteristics of service users (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation). They should scrutinise this information and ask questions about how any gaps in service provision for those with particular protected characteristics are being addressed.

Commissioning organisations should also seek qualitative feedback about how the organisation is attempting to understand, welcome and meet the needs of diverse service users. Requiring feedback on referrals made to specialist community-based services is another means of ensuring that generalist providers are working in partnership with LGBT and services.

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