**Gendering homophobic hate crime reporting, responses and research**

**Part of the *Challenging ‘Hate Crime’: Research, Policy and Practice* series**

As part of [Hate Crime Awareness Week](http://www.stophateuk.org/hate-crime-awareness-week/), the University of Liverpool’s [International Criminological Research Unit](https://www.liv.ac.uk/sociology-social-policy-and-criminology/research/research-clusters/international-criminological-research-unit/) partnered with their [Moving on with Life and Learning](https://www.liv.ac.uk/humanities-and-social-sciences/mowll/) colleagues to host a one-day conference entitled [*Challenging ‘Hate Crime’: Research, Policy and Practice*](https://www.liv.ac.uk/law-and-social-justice/conferences/hate-crime/conferenceprogramme/)*.*

Speakers and attendees at the event were drawn from a wide range of statutory, academic, community voluntary, activist, research, governmental and policy backgrounds. Various areas of hate crime research and awareness will feature in blogs which we will publish here over the coming weeks. To get us started, I’ve reproduced the short talk I gave on gendering homophobic hate crime reporting, responses and research.

**Introduction**

Over a decade has passed since [legislation](http://www.legislation.gov.uk/ukpga/2003/44/section/146) criminalising what would become known as ‘homophobic hate crime’ was enacted in the England and Wales. But as many lesbian, gay and bisexual people can attest, experiencing victimisation on the basis of homophobic or biphobic prejudice predates this official recognition. What *are* the messages from research? For the most part, they tell us that:

* Levels of verbal abuse are high, with studies indicating as many as [8 in 10](https://www.stonewall.org.uk/sites/default/files/Homophobic_Hate_Crime__2013_.pdf) people who identify as lesbian, gay or bisexual have experienced verbal harassment;
* That offences against the person constitute the most [prevalent](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266358/hate-crime-2013.pdf) form of homophobic hate crime;
* That the impact of homophobia can lead to even greater [trauma](http://jiv.sagepub.com/content/5/3/366.short). This may include: lower self-esteem, becoming withdrawn, fear of using public spaces, anxiety, depression, self-harm, internalised homophobia, sleep disturbance, substance abuse, fear of repeat victimisation … the list goes on.
* That homophobia is significantly [under-reported](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266358/hate-crime-2013.pdf). The Crime Survey for England and Wales estimates that approximately 39,000 homophobic hate incidents take place annually; significantly more than police data of around 4,000 reported incidents.
* And that men are more likely than women to *report* their homophobic victimisation. This may be inferred to mean that men are *more* likely than women to be victims of homophobic hate crime – but there may be other factors to consider here which are obscuring the gender dynamics of homophobic hate crime victimisation in the UK today.

It is this issue, the gender dynamic, which I wish to address; in particular, impact of not adequately addressing *gender* when reporting, investigating and prosecuting homophobic hate crime and the subsequent impact this can have on research.

**Applying a Gendered Analysis**

A gay or bisexual person, regardless of their gender, may become a target for victimisation as a result of their aggressor’s prejudice towards the gay or bisexual person’s sexual orientation – this is what we understand to be homophobic hate crime. However, the prejudices a person has against homosexuality may differ across genders, with some acts or identities accepted and others rejected. Thus addressing *gender* is necessary due to inextricable way in which it is intertwined with determining sexual orientation - the label ‘lesbian’ for example can be seen as inherently gendered - and how it may shape the nature, type, frequency or impact of the homophobic harm perpetrated.

Therefore, whilst *sexual orientation* is the focus of the prejudice (and the law), an assessment of the victim’s *gender* – as a gay or bisexual man or a lesbian or bisexual woman – illustrate discrepancies within the research pertaining to experiences of victimisation, the recognition of harm and the willingness to report.

**Addressing Violence**

Research on [male victims](http://bjc.oxfordjournals.org/content/47/4/573.abstract) of violent homophobic attacks has indicated trends in this violence which have been interpreted as attempts to ‘erase the victim’s identity’. Gendered analyses into these often unprompted attacks, which demonstrate an active, willing and extended engagement in hyper-violent victimisation on the part of the attacker, raise important questions about constructions of masculinity which may inform efforts to tackle such violence.

There is a lot of scholarly work available on male victims of [*fatal*](http://bjc.oxfordjournals.org/content/47/4/573.abstract) homophobic attacks: this indicates the vulnerability of men in public spaces targeted by assailants; the often violent nature of the murderous victimisation; the [defamation](http://www.jstor.org/stable/1144048?seq=1#page_scan_tab_contents) of the victim’s character in court; the building of the accused’s [defence](http://heinonline.org/HOL/LandingPage?handle=hein.journals/sydney19&div=29&id=&page=) around a denigration the deceased victim’s sexual orientation; and the impact of this on the seemingly [mitigatable](http://www.jstor.org/stable/3480817?seq=1#page_scan_tab_contents) conviction and sentence passed by the courts.

This not only highlighted the inherent bias of the courts against male homosexuality, but demonstrated how constructions of masculinity along binaries of ‘good or bad’, ‘protective or predatory’, informed a culture of victim-blaming for male victims of homophobic attacks.

However, less well developed is the research on lesbian and bisexual women victims of violence, especially that which proves [fatal](http://www.curvemag.com/News/Erasing-Our-Lesbian-Dead-510/). Studies here are far lower by comparison. This isn’t necessarily due to fewer [numbers](http://inmemoriamlesbian.blogspot.co.uk/) of victims, but illustrates the potential limitations of addressing women’s experiences under approaches which have traditionally overlooked or marginalised women.

**Violence against women**

We know from research that women who experience violence are [more likely](http://www.who.int/mediacentre/factsheets/fs239/en/) to do so from a male aggressor, usually with whom they are somehow acquainted. But the low reporting rates for violence against women are often attributed to this interpersonal relationship. Taking a gendered perspective here requires that we ask how this knowledge might help us address the hidden victimisation of lesbian or bisexual women who are unwilling to report the aggressor with whom they are acquainted.

We know from research that women are [more likely](http://www.icrw.org/what-we-do/violence-against-women) to experience crimes linked to sexual and domestic abuse. Global evidence of gender and sexual orientation informing the victimisation of lesbian or bisexual women ranges from so-called [‘corrective rape’](https://en.wikipedia.org/wiki/Corrective_rape) through to so-called [‘honour crimes’](http://hbv-awareness.com/). This begs the question: if lesbian and bisexual women are experiencing *traditional forms of gender-based violence* as a result of their *sexual orientation*, where is this information being documented? Is homophobic violence committed by family members subsumed in the domestic violence literature? Or the honour crimes literature? Or the violence against women literature?

The nature and availability of data significantly impacts on research, theory production, policy drafting and practical information. It may be case that inherently *gendered* forms of homophobia indicate a need for a greater recognition of difference: in what is reported, how, to whom, using what language – as well as how this is recognised *legally* in that particular environment. The way in which a lesbian or bisexual woman who reports her experience of physical violence from a family member has this recognised, recorded and investigated impacts significantly on whether the prejudicial element is noted and the available sentences to recognise this duly applied.

These elements of difference are starting to come to the fore through the development of studies and sub-disciplines which have indicated that there are experiences tied to [lesbophobia](http://everydaylesbo.com/) and [biphobia](http://www.bisexualindex.org.uk/index.php/biphobia) which may not obscured in traditional approaches to recording, and researching, *homophobia*.

**Who produces the research?**

Of note is who is producing the research. It is perhaps unsurprising that the vast amount of violence against women literature is produced by female scholars, many of whom may be theorising their own experiences. Similarly, many gay and lesbian scholars have published work on the socio-legal persecution of homosexuality. The personal, after all, is the political.

Hate crime studies, by comparison, is a relatively newer area of academic inquiry. Homophobic hate crime literature is similarly nascent, yet both of these domains are dominated by male scholarship. In light of the points raised above, perhaps one needs to look *outside* of the hate crime literary domain to fully explore lesbian or bisexual women’s experiences of gendered and sexualised victimisation.

In the UK, gender in and of itself is *not* recognised as a hate crime category. However, it may inform how criminal victimisation is recognised and responded to by both the individual and society. Although, as mentioned, homophobic hate crime is significantly under-reported generally, a [discrepancy](http://www.galop.org.uk/wp-content/uploads/2009/05/count_me_in_report.pdf) exists between male and female reporting rates.

One explanation for this may be linked to gender: Men are not traditionally victims of gender-based violence; women are. Men who are not ordinarily exposed to gendered verbal abuse or victimisation may be more willing to report homophobic incidents, as these may be seen as anomalous. Women who *are* more likely to experience gendered verbal abuse and victimisation may perceive anti-lesbian prejudice as an extension of this, and not anomalous unless the incident is of a more serious, repeated or harmful nature.

**Effecting Positive Change**

On the whole, much of what we know about homophobic hate crime has so far been informed by research conducted with victims, or produced through data held on acknowledged incidents. Some broadening out of scope is currently underway however, with studies into the [indirect effects](http://www.sussex.ac.uk/psychology/sussexhatecrimeproject/) of homophobic hate crime, and several addressing intersectionality, (in other words, experiences of homophobic hate crime as a racial minority, or disabled person, or from within a person’s faith group, for example). This is important, not least to discover the nuanced experiences which may feature in the targeting of lesbian, gay or bisexual people from a range of identity backgrounds, but how identity beyond gender and sexual orientation may affect reporting rates, investigative practices, access to justice and the support services available to those who need them.

However, there is still some way to go with conducting [further research](http://www.niacro.co.uk/filestore/documents/hate_crime_project_papers/07_Programmes_for_Offenders_of_Hate.pdf) on homophobic hate crime perpetrators, sympathisers, instigators or apologists. This, I would argue, may yield valuable information into understanding how homophobic prejudice has been informed and what factors operate to keep it sustained.

**Conclusion**

To conclude: Homogenising research, data and analyses under the ‘homophobic’ heading without fully exploring the *gender* dynamic within this may be missing out vital nuances in the crimes experienced by gay or bisexual men and lesbian or bisexual women. Even the term, ‘homophobic hate crime’, could be seen as gender-neutral or skewed towards a focus on male victimisation due, in part, to the historical socio-legal and medical focus on regulating male homosexuality.

Merely indicating the number of respondents or experiences by gender in a research project’s findings isn’t applying a gendered *framework of analysis* to homophobia. Therefore, in order to fully understand, effectively respond to, and ultimately *prevent* hate crime based on sexual orientation prejudice, I think we must get to the essence of *difference* as well as similarity to ensure equality in recognising, responding to and ultimately reducing hate crimes against gay, lesbian and bisexual people.