**Law Commission consultation on hate crime**
**Submission by Roma Support Group - December 2020**

Background:

The Roma Support Group (RSG) is a Roma-led registered charity working with Eastern European Roma refugees and migrants. Since 1998, the RSG has worked with thousands of Roma families - offering them a variety of services, engaging the Roma community in all aspects of running and managing the organisation and promoting an understanding of Roma culture in the UK. The RSG's mission is to improve the quality of life for Roma refugees and migrants by helping them to overcome prejudice, isolation and vulnerability. RSG also aims to make the public aware of Roma culture, heritage and the current situation of Roma refugees and migrants in the UK, through cultural events and publications.

*Consultation Question 3*

*We provisionally propose that the criteria that should be considered for the addition of any further characteristics into hate crime laws should be:*

*• Demonstrable need: evidence that criminal targeting based on prejudice or hostility towards the group is prevalent.*
*• Additional Harm: evidence that criminal targeting based on hostility or prejudice towards the characteristic causes additional harm to the victim, members of the targeted group, and society more widely.*
*• Suitability: protection of the characteristic would fit logically within the broader offences and sentencing framework, prove workable in practice, represent an efficient use of resources, and is consistent with the rights of others.*

*Do consultees agree?*

We propose that the Roma community should be recognised as a separate group under the "race" strand, distinct from Gypsy/Traveller for the purposes of hate crimes, and broadly agree with the criteria proposed above. We believe that hate crimes committed against Roma fit the criteria outlined above, for the following reasons:

Demonstrable need:
Research has repeatedly found that a sizable minority of the public in the UK holds negative or hostile views of the Gypsy, Roma or Traveller community[1].  In 2017, Roma Support Group (RSG) worked on a hate crime project in partnership with the East European Resource Centre[2] which found that although the concept of hate crime is not familiar to the Roma community, all 91 community members surveyed reported they had experienced at least one incident during their lifetime meeting the definition of hate crime. Since the project finished, a spike in incidents of hate crime in 2017-18 has been linked to the EU referendum by the Home Office[3].

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1 https://nebula.wsimg.com/46fa5037a29f11a1bcde7a22448788e8AccessKeyId=9136D1A332A73825C5C6&disposition=0&alloworigin=1

2    https://drive.google.com/file/d/1XASHBTAMLI60aS4KQyL3c1FwoSuZppdZ/view?usp=sharing

3    https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf

Levels of hate crime experienced by Roma people are similar to other GRT communities. However, we hope that recognising the Roma as a separate group will increase police awareness of the community and their particular needs in relation to reporting incidents. In addition to low confidence and trust in the police responding appropriately, these include language barriers and literacy issues.

Additional harm to victims and members of the targeted group:
Since their arrival in Europe in the 14th century, the Roma have experienced a long history of persecution including discrimination, segregation, expulsion laws and 500 years of slavery. Roma were targeted by the Nazis for mass extermination during World War II, when more than 200,000 Roma people (around 25% of their pre-war population) were murdered or died as a result of starvation or disease.

Today Roma are the largest ethnic minority in Europe, and continue to experience social exclusion, prejudice and discrimination often described a the last acceptable form of racism. Roma migrants living in the UK have come from Central and Eastern Europe to escape institutionalised racism and discrimination, seeking a better future for their families.

Since 1998, Roma Support Group has supported thousands of Roma to settle and make Britain their home, which includes providing support through the Roma Mental Health Advocacy Project[4].

Suitability:
Recognising hate crimes against Roma as a group would fit with the sentencing framework that already exists for hate crimes against the whole Gypsy/Roma/Traveller community, and would enable greater accuracy in recording. For monitoring purposes, Roma are usually classified as "white other" or Eastern Europeans, which does not reflect the Roma community's historical experience. A separate category would start the process of recording and quantifying hate crimes against Roma as a step towards addressing the problem.

*Consultation Question 62: Should a Hate Crime Commissioner be introduced in England and Wales?*

We support the introduction of a Hate Crime Commissioner with an oversight function to "identity inconsistencies in the quality and quantity of hate crime support services for victims" and "use their profile to draw attention to gaps and recommend improvements".

In supporting community members to report anti-Roma hate crimes, we have found police practices relating to hate crime frustrating and inconsistent. There are additional barriers to Roma people being able to report hate crimes online, due to low levels of literacy and language skills.

The Roma community needs help to understand the meaning of hate crime, and to be supported through the process by law enforcement agencies themselves. RSG believes that the establishment of a Hate Crime Commissioner's office with central oversight would help improve services.

If a Commissioner is not appointed, we recommend that other steps are taken to assess, monitor and improve police practices on hate crime. An improvement in police support would increase the confidence of the Roma community in the effectiveness of reporting hate crimes.

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4 https://www.romasupportgroup.org.uk/mental-health-project.html