

# SUMMARY

English summary of Brå report No 2009:10

## Hate crimes 2008

Reports to the police where the motivation for crime includes ethnic background, religious faith, sexual orientation, or transgender identity or expression

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**English summary of Brå report No. 2009:10**

**The Swedish National Council for Crime Prevention (Brå) – centre for knowledge about crime and crime prevention measures.**

The Swedish National Council for Crime Prevention (Brå) works to reduce crime and improve levels of safety in society by producing data and disseminating knowledge on crime and crime prevention work.

This is a summary of the Swedish report *Hatbrott 2008. Polisanmälningar där det i motivbilden ingår etnisk bakgrund, religiös tro, sexuell läggning eller könsöverskridande identitet eller uttryck*, report No. 2009:10, which can be ordered from Fritzes Kundservice, 106 47 Stockholm. Phone +46 (0) 8-690 91 90, fax +46 (0) 8-690 91 91, e-mail [order.fritzes@nj.se](mailto:order.fritzes@nj.se). This summary can be downloaded from [www.bra.se](http://www.bra.se)

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# Foreword

A young boy is called a “bloody trannie” on his way into town, and a neighbour exposes a person to a hate crime by saying “you are a disgusting Christian” on the stairs. These are examples of two events from the hate crime statistics for 2008.

Hate crime statistics can be used to study the scope and development of hate crimes reported in Sweden, among other things, which, in turn, may be of assistance in decisions about measures to prevent and counteract criminality of this kind.

Ahead of this year’s hate crime report, Brå has invested much effort in developing its existing statistics, particularly as the information is based on a new definition of hate crime. Another innovation is the separate reporting of hate crimes against Afro-Swedes and Romas under the heading *xenophobic/racist* motives. During 2008, for the first time on a national basis, police authorities recorded whether a reported event is suspected of being a hate crime. This information is now included in the sample of reports examined for hate crime statistics.

The authors of the report are Klara Klingspor and Anna Molarin, both statisticians/researchers at Brå. Scientific facts in the reports have been examined by Anders Nilsson, Reader in Criminology and Research Fellow at the Institute for Future Studies, and by Eva Tiby, Reader at the Department of Criminology, Stockholm University. Many thanks to contacts and researchers at all county police authorities, who have been of great assistance with the work.

Stockholm, June 2009

*Jan Andersson*  
Director-General

*Louise Ekström*  
Head of Division

# Introduction

In the middle of the 1980s, a marked increase was found in the number of crimes with xenophobic and racist motives in Sweden.<sup>1</sup> This contributed to the government, in the mid 1990s, declaring that the judicial system should prioritise xenophobic crime. In prioritising xenophobic crime, the judicial system regards such acts as particularly serious if:

*a motive for the crime has been to injure a person, a people or any other group of persons due to race, skin colour, national or ethnic origin, faith, sexual orientation or other similar circumstance.*<sup>2</sup>

## What is a hate crime?

A hate crime is not a new phenomenon but, rather, a new concept.<sup>3</sup> In Sweden, it was the criminologist Eva Tiby (1999) who introduced the concept of hate crime in her research.<sup>4</sup> Within research as a whole, however, it has been pointed out that there is no accepted definition of hate crime and there is a great variation between different countries.<sup>5</sup> A definition of hate crime can, for instance, include crimes aimed at people because of their ethnicity, functional impairment, homelessness, sex, cross-gender identity or expression, religious affiliation, political affiliation, sexual orientation, age or similar.<sup>6</sup> Some countries do not keep statistics for hate crime, while other countries report only statistics for one or several hate crime motives.<sup>7</sup> In Sweden, hate crimes motivated by xenophobia/racism, antireligion (Islamophobia, anti-Semitism or other antireligious motives), homophobia, biphobia, heterophobia and transphobia are accounted for. Although there is some disagreement on what should be included in the term hate crime, there is international agreement that the event is as a result of a lack of respect for human rights and the equal value of people. A single hate crime has the power to injure twice, it creates insecurity and fear in the victim, as well as in the group to which the person belongs.<sup>8</sup> For the individual, the crime may entail an attack against his or her identity and dignity.<sup>9</sup>

## Work against hate crime in Sweden

Since the mid 1990s, the government and the judicial system's authorities have worked to promote the work against hate crime. In recent years, more attention has been paid to hate crime, not just by the government and the judicial system. Not only have the police authorities around the country implemented efforts to

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<sup>1</sup> Säkerhetspolisen (1997, p. 1).

<sup>2</sup> Rule of increase in severity of punishment, BrB, 29, Ch. 2, Cl. 7. Sexual orientation was not initially included in the wording of the law, but was added during an amendment in 2002.

<sup>3</sup> Hall (2005, p. 4).

<sup>4</sup> See also Tiby (1999).

<sup>5</sup> Petrosino (2003, p. 10).

<sup>6</sup> Gerstenfeld (2003, p. 2).

<sup>7</sup> For further information, see ODIHR (2008), for instance.

<sup>8</sup> Gerstenfeld (2003, p. 18).

<sup>9</sup> The Ombudsman for discrimination due to sexual orientation, HomO (2008, p. 9).

increase knowledge about hate crime, various organisations and associations have taken initiatives to illustrate the issue of hate crime.<sup>10</sup> The Swedish National Crime Prevention Authority has carried out training courses on the theme of hate crime in three locations in Sweden. In conjunction with a number of other organisations, Roma International Association has concentrated on increasing the authorities' understanding of the Roma's situation. The federation has also concentrated on encouraging Romas to report crimes, but also to be able to differentiate between discrimination and hate crime.

In the judicial system, the Skåne Police Authority arranged a hate crime conference in 2009, with the aim of increasing insight and knowledge about hate crime throughout its staff. The Östergötland Police Authority has started a hate crime project aimed at carrying out a review of the authority's routines in relation to suspected hate crimes in order to improve the handling of hate crimes.

### **Aim of and information in the report**

This report presents a sample of the results from hate crime statistics for 2008. The aim of the statistics is to provide information about the level, development and structure of reports to the police with regard to various hate crime motives. Another aim is to contribute knowledge to the research being carried out in the area and to assist the judicial system with background material for following up the measures taken in accordance with the national action plan. Hate crime statistics also constitute further background material which, together with other studies and research, can provide a better picture of what the situation is in relation to hate crime in Sweden. The report is aimed at all who wish to know more about hate crime, namely the government, parliament and the judicial system, as well as the general public, interest organisations, the media and researchers.

The report can provide answers to questions such as:

- What is the most common motive?
- What can be said about the level and development of hate crimes?
- What are the methods of the crimes?
- Where are the scenes of the crimes located?
- What is the relationship between the perpetrator and the victim?

The statistics for hate crimes reported in 2008 have been developed since last year, and include the following new items:

- The *definition of hate crime* has changed since last year: all reports where the perpetrator's motive of *ethnic background, skin colour, nationality, religious faith* and *sexual orientation* has been identified have been examined.
- A *new motive* has been added: transphobia.
- A *new sub-sample*, all reports marked by the country's police authorities as suspected hate crimes during 2008, has been examined.

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<sup>10</sup> The section mentions some examples of actors.

- *Two reports are published.* One is the yearbook containing hate crime statistics, the other is a technical description of the execution and contents of the statistics. The latter also presents a quality study of the police authorities' reports which are marked as hate crimes for 2008.

The report is primarily a statistical summary of the crimes reported to the police and which have been identified as hate crimes. As in previous years, and in order to further illustrate how hate crimes can manifest themselves, examples are included from the narratives of the reports to the police.<sup>11</sup> Some are more typical than others, and the aim is to spotlight the variation of different types of hate crime.

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<sup>11</sup> In all examples, names and locations have been changed in order to disguise authentic cases.

# Method

Hate crimes are not a type of crime that is expressly regulated in regulations of their own in the Penal Code. Nor are there any special crime codes for hate crimes in the police's system for registering crimes. However, in 2008, a field was introduced into RAR<sup>12</sup> (at police authorities nationwide), to mark whether the crime is a suspected hate crime or not.<sup>13</sup> The sample for producing hate crime statistics for 2008 has therefore been increased to also include this sub-sample. A summary of the method and result from a quality study of the RAR field is shown at the end of this chapter. Below follows a description of how hate crime is defined and how the assessment of whether a hate crime has been committed is carried out.

## Definitions and assessment criteria

The hate crimes described in this report are based on the victim's feelings about the perpetrator's motive for his/her deeds. Such criminality includes crimes based on the perpetrator's motive as:

- *ethnic background, skin colour or nationality* – in the statistics, foreign or Swedish background
- *religious faith* – in the statistics, Islamic, Jewish or other faith
- *sexual orientation* – in the statistics, homosexuality, bisexuality or heterosexuality
- *transgender identity or expression* – in the statistics, the sex a person feels he or she belongs to, and how persons choose to express their biological sex, social gender and/or the gender they identify themselves as belonging to.

These are the characteristics that form the basis for the identification of hate crimes.

### **New definition of hate crime in the statistics for 2008**

Brå has been assigned to further develop hate crime statistics. The view of what a typical hate crime is is affected by how hate crime is defined and construed as a concept. From 2008, the definition of who can become subject to and be the perpetrator of a hate crime has changed. In order for a crime to be regarded as a hate crime, the definition previously required the perpetrator to belong to a majority group in the population and the victim to belong to a minority group in the population. The new definition is more inclusive<sup>14</sup> than before, and is only

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<sup>12</sup> Rationell anmälningsrutin (Rational Reporting Routine, RAR) is the police's computerised system for recording a report.

<sup>13</sup> It is mandatory and means that the report recorder must answer the question of whether the crime in question is a suspected hate crime or not.

<sup>14</sup> The change in definition was preceded by a number of seminars during spring 2008, in order to capture the points of view of different actors (judicial system, researchers, interest organisations, etc.). Viewpoints were also gathered from the Swedish Prosecution Authority. All police authorities in the country were also

based on the motive for the crime, such as skin colour, nationality or ethnic background, religious faith, sexual orientation or transgender identity or expression, irrespective of the group that is subjected to the crime. Persons representing the group or issues surrounding hate crime, such as journalists or politicians, can also be subjected. This agrees with how the legislation in the area, that is the rule of increased severity of punishment<sup>15</sup> in the Penal Code, is worded.

### **Determination of whether a report includes a hate crime motive**

When a report to the police is assessed, several different criteria are used by Brå to determine a hate crime motive. The assessment is based on *all the information* available in the narrative of the report to the police. Basing the assessment of the narrative text in the report to the police means that it is primarily based on the victim's experience of the actual event. Apart from *the victim's narrative*, the information on which the assessment is based may be:

- *The perpetrators statements, whether oral or written.* This can, for instance, consist of the perpetrator shouting “disgusting lesbo” to the victim at the crime event.
- *Information via related reports to the police.* Sometimes a victim or perpetrator is mentioned in several reports. This may then be noted in the narrative in question.
- *Contacts with contact persons or investigators.* Some cases may be difficult to assess at the first examination, as more information may be needed to determine the motive for the crime. By telephoning one of Brå's 21 contact persons<sup>16</sup> for hate crime, or the investigator in charge at the police authority in the county, further information can be gathered.
- *Media.* In some cases, the media have drawn attention to hate crimes and this information may be used in the assessment.
- *The name of a victim or perpetrator* is used to assess the origin of the perpetrator or victim.
- *Description.* The perpetrator is described as Swedish, as a skinhead, as a foreigner, etc.

### **Several motives – the most prominent is selected**

The motive is not always easy to assess; a report of a crime can include several possible hate crime motives. In these cases, the guideline has been to choose the most *prominent* motive and therefore to choose *one*. For instance, one example is when a person is defamed with invectives relating to both sexual orientation and transgender identity with expressions such as “fucking fag, fucking whore, fucking bitch, fucking trannie”. The example above could be characterised as transphobic, as the use of the word “trannie” in combination with “fucking

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given the opportunity to comment, in writing, on the proposal for an expanded definition. The concluding discussion “Future possibilities” describes in more detail why a new definition was introduced and the arguments that were raised for and against it.

<sup>15</sup> Rule of increased severity of punishment, BrB, 29, Ch. 2, Cl. 7.

<sup>16</sup> The police authorities have themselves appointed the contact persons with Brå.

where” and “fucking bitch” strengthens the transphobic motive. If several motives are equally prominent, chance determines through the drawing of lots.

## Collection and processing

There is no special crime code<sup>17</sup> in the police system for registering crimes with hate crime motives. The method for identifying hate crime is instead based on searches and the examination of the narrative text included in the reports to the police. During 2008, the method has changed to also include an examination of those reports marked by the police as hate crimes in RAR. When interpreting the statistics, the following should be taken into consideration:

- The method means that the identification of hate crimes reported is mainly conducted on the basis of information in the narrative text. There are several factors that can affect whether a hate crime that has been reported can be identified in the statistics, such as how the crime is described in the narrative text. For fatal violence, in particular, there are many problems with using this method.<sup>18</sup>
- The method is mainly based on searching a sample of the reports that have been submitted to the police relating to the types of crimes that have been assessed as being relevant for hate crime statistics. The effect of this delimitation is difficult to assess, but it means that some hate crimes are excluded from the statistics.<sup>19</sup>

### Three sub-samples in hate crime statistics

In order to capture hate crime reports according to the current method, three sub-samples are used. The latter, which is described below, is a new sub-sample which were introduced in 2008.

*Sample 1* consists of a search of reports covering the crimes in the following categories: violent crime, unlawful threats/harassment, insult, agitation against an ethnic group, criminal damage/graffiti, unlawful discrimination and various other crimes. Thus, only a sample of all types of crime is searched. The search is not carried out in reports relating to, for instance, drugs crime, muggings and sexual crimes. In total, around 391,000 reports per year are searched. For these types of crime there is a searchable word list consisting of 354 words, and, once the search is complete, around 30,000 reports are registered as hits, which are then examined and coded manually.

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<sup>17</sup> National Swedish Police Board and Swedish Prosecution Authority (2008). However, from 2008, it is mandatory for the police authorities to indicate in a new field in RAR whether the crime is a suspected hate crime or not.

<sup>18</sup> The primary reason is that there is no victim who can tell how the crime was committed or give the police a possible motive for the crime.

<sup>19</sup> One of the types of crime that is not included in the sample is mugging. However, it may happen that reports searched refer to other reports, which may constitute hate crimes, and in this way some other types of crime that are not included may appear in the hate crime statistics. By expanding the sample of reports marked as hate crimes in RAR, types of crime that were previously excluded may now be included in the statistics.

*Sample 2* consists of a total investigation of all reports relating to the following categories of crime: unlawful discrimination and agitation against ethnic group made during the calendar year. This means that reports of this type of crime not captured via Sample 1 are examined. This results in a sample of around 800 reports of agitation against ethnic group and around 300 reports of unlawful discrimination, which are examined and coded.<sup>20</sup>

*Sample 3* consists of all reports classified as suspected hate crime by the police authorities during the calendar year. As all crimes can be marked as suspected hate crime, the sample is based on a review of all types of crime marked. From the approximately 1.3 million crimes reported during 2008, the marking resulted in a sample size of around 10,000 reports. Sample 3 was then matched against the identified reports from Samples 1 and 2, in order to weed out the reports already captured by these samples. After matching these against Brå's hate crime statistics, around 7,600 reports have been identified and then examined and coded manually.

### **Searchable word list**

In 2006, Brå developed its own support system for searching, coding and examining hate crime reports. For searching reports for Samples 1 and 2, a searchable word list is used. The automated search for words and terms included in the searchable word list means that those reports that include words from the searchable word list are tagged. The reports identified using the search of their narrative texts are then examined and assessed. The searchable word list for 2008 has been updated and augmented by 93 new words, such as *church* and *Swedie*, and now contains 354 words. The search terms in the list, which are commonly used insulting and derogatory words, are primarily based on experience from the work on the statistics in previous years. Suggestions for new search words come, among other things, from reading crime reports, monitoring the world as reported by the media and contacts with target groups.

### **Manual examination and coding of the hate crimes reported**

The reports identified using the three samples are examined manually. As a first step, an assessment is made of whether the information in the report and its narrative text can be identified as a hate crime, suspected hate crime or not a hate crime. When the assessment of the identified hate crime reports is complete, manual coding of a number of variables, as described below, is carried out.

## **Accounting for the results**

### **Accounting units and variables**

In the results section, each hate crime motive will be presented in separate sections. Hate crime statistics are based on crimes reported, and also show information about persons subjected to hate crimes and suspected persons. The *accounting units* presented are:

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<sup>20</sup> The sample size for these types of crime (Sample 2) also includes the reports already identified via the searchable word list in Sample 1.

- reports received
- reports cleared up
- persons subjected to hate crime (information from the Swedish Crime Survey (SCS))
- complainant
- suspected persons.

Information about the groups accounted for is presented on the basis of a number of variables describing the crime reported. In the yearbook, the *variables* presented are:

- principal offence
- motive
- subordinate motive
- whether the crime is motivated by white power ideology or linked to an organisation
- method
- location
- relationship between perpetrator and victim
- gender and age of the victim and suspected person
- regional distribution.

When reading the report, it is important to remember that many of the accounts include figures that are low. As a result, the percentage change can be very large from year to year. It is, therefore, not unusual to have differences of 30 per cent or more. For reasons of confidentiality, it is not always possible to show all units or variables separately in the account.<sup>21</sup> According to legislation, there must be no risk of individual persons being identified in the statistics. If this is the case, categories with low figures must be added together, or alternatively hidden with a cross. Low figures in this context are figures below *four*. However, some low figures can be accounted for – if, for example, the assessment is that no single individual can be identified.

### **Reports of crimes received**

The number of reports received is the number that the police, in particular, but also other hate crime investigating authorities, have registered in their case systems during a calendar year. However, the crimes may have been committed in previous years. The yearbook reports the majority of the statistics under the heading *Reports*, and the reporting is carried out according to principal offence (see below). Only reports of crimes committed in Sweden are reported in the statistics.

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<sup>21</sup> In accordance with the Personal Information Act (1998:204) and Clause 9:4 of the Secrecy Act (1980:100).

### Reported crimes cleared up

The number of reports cleared up is a measure of the handling of the reports by the police, prosecutors and other crime investigating authorities. The concept “cleared up” is one used by the police and means that a report of crime has been cleared up, either by a person being linked to the crime or by another method. The account is based on the decisions made in relation to the principal offence in the report and which has been assessed as being a hate crime. This account is based on how the reports registered in 2007 have been cleared up on the basis of final reporting information from police and prosecutors by 31 March 2009. Crimes cleared up are accounted for in two categories:

- *Personally cleared up* hate crime means that a person has been tied to the crime.
- *Technically cleared up* hate crimes mean, for example:
  - that it cannot be *proved that a crime has been committed*
  - that the *deed reported is not deemed to be a crime*
  - that the *person suspected is a minor* (less than 15 years old) and under the age of criminal responsibility
  - *otherwise technically cleared up*, means, for instance, that an accusation is lacking or has been retracted.

This section also shows the proportion of the reports that have not been cleared up at the time the samples were extracted. A crime is not cleared up when it is:

- *under investigation*
- *other, not cleared up*, meaning that, for instance, there is no person suspected of the hate crime committed.

### Persons subjected to hate crime (information from the SCS)

In the sections with xenophobic/racist hate crimes and homophobic, biphobic and heterophobic hate crimes, the results from the Swedish Crime Survey in 2008 are presented. In 2005, Brå was commissioned by the government to carry out an annually recurring survey of people’s exposure to crime and levels of public safety.<sup>22</sup> Of the 20,000 persons aged 16–79 years who were randomly selected to participate in the 2008 study, around three quarters responded.<sup>23</sup> Exposure to 10 different types of crime and the category “other crime” were investigated.<sup>24</sup> For four of these crime categories – muggings, assaults, threats and harassment,<sup>25</sup>

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<sup>22</sup> Brå (2008a).

<sup>23</sup> Brå (2009a, p. 19). The survey was carried out in the form of a telephone survey (96 per cent of responses), complemented with postal surveys (4 per cent of responses) and was directed at a large, random sample of the population. Those who responded to the postal survey were not asked any follow-up question about crimes and could therefore not answer questions relating to exposure to hate crime.

<sup>24</sup> Brå (2008b, p. 7).

<sup>25</sup> Brå (2008a, p. 57). Harassment refers to a series of events. Each series is counted as one harassment event. However, the Penal Code does not classify harassment as a crime type of its own, but, for instance, threats, molestation and unlawful entry to a person’s premises can be classified according to the current crime classification.

follow-up questions were asked, including whether the victim felt that there was anything xenophobic or homophobic about the motive for the event.<sup>26</sup>

### **Complainants (gross for the year)<sup>27</sup>**

A report may include one or several complainants. If a person is a complainant on several occasions during one year, the person is accounted for as a complainant on each reporting occasion. In most cases, the complainant is the person subjected to the hate crime. However, in some cases, a person other than the person subjected to the crime may be the complainant, for instance if a parent reports a crime on behalf of his/her child.

### **Suspected persons (net for the year)<sup>28</sup>**

The number of suspected persons accounted for are all of those individuals who, at *some stage of the investigation*, are considered as reasonably suspected, irrespective of whether or not the suspicion of a crime remains after completion of the investigation. Also included are persons who are legally incompetent and *minors* (under 15 years old).

### **Previous criminal history of suspected persons (gross for the year)<sup>29</sup>**

Legal proceedings (during 1998–2007) against suspected persons of hate crimes in 2008 are grouped in relation to whether the persons have been prosecuted before and, if so, how many times. When several persons are included in the same legal proceedings, each individual person is counted as one unit in the statistics. One person who has been *suspected of several crimes* during one year is only accounted for as one person in the statistics of suspected persons, as opposed to one person who has been *prosecuted on several occasions* during one year who is accounted for as one person for each occasion prosecuted. The number of crimes a person has been found guilty of is partly dependent on the age of the person.

### **Principal offence**

For each hate crime reported, one principal offence is selected and then accounted for. A principal offence here means the crime in the report that has the most severe scale of punishment and where the motive has been assessed to be relevant for this mapping. Apart from the number of hate crimes naturally becoming slightly lower when only the principal offence is coded, the effect is that less serious crime tends to be underestimated. In addition to the principal offence, subsidiary offences assessed as being hate crimes are also coded. However, subsidiary offences are not accounted for in this report. Last year, just under 2,050 subsidiary offences were identified, meaning that just under 7,950 crimes were identified in total. The most common subsidiary offence was unlawful threat/molestation (36 per cent of all subsidiary offences), followed by insult (27 per cent).

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<sup>26</sup> Brå (2008b, p. 133–135).

<sup>27</sup> The person was counted several times in the statistics, so-called gross reporting. The reason for this was the lack of personal ID numbers for complainants.

<sup>28</sup> Suspected persons are only accounted for once per type of crime and year, even if they are suspected of several crimes of the same type during the year.

<sup>29</sup> The person is then counted several times in the statistics, so-called gross accounting.

## **Motive**

A report may include several hate crime motives. In these cases, the guideline has been to choose the most *prominent* motive and thus to choose *one*. The motives considered to be behind the crime have been divided up into the following exclusive categories:

- xenophobic/racist, against minorities
- xenophobic/racist, between minorities
- xenophobic/racist, against the majority
- Islamophobic
- anti-Semitic
- other antireligion
- homophobic
- biphobic
- heterophobic
- transphobic.

## **Subordinate motive**

For xenophobic/racist hate crime, hate crimes aimed against Afro-Swedes and Romas are accounted for separately. They have been coded into the following categories:

- Afrophobic hate crime, against Afro-Swedes
- anti-Roma hate crime, against Romas.

## **Hate crime motivated by white power ideology/link to an organisation**

Hate crime reports are divided up into the two following categories:

- Reports where an expressed/visible white power ideology motive is lacking.
- Reports where there is an expressed white power ideology motive and where there is a link to national socialism organisations or right-wing extremist groups. These might be the Svenska Motståndsrörelsen/Nationell Ungdom, Folkfronten/Nationalsocialistisk front and other groups.

## **Method of the crimes**

This category describes the method of the crime. The sections showing results also have a more general classification into three categories, in order to link similar groups. Methods are divided up as follows:

### *Physical contact*

1. *Directly against a person, physical contact*

### *Vicinity*

2. *Directly against a person, vicinity*

### *Distance*

3. *General graffiti*
4. *Internet*
5. *Media*
6. *Postal letter*

7. *SMS text message*
8. *Telephone/fax*
9. *Other*

### **Location**

Location describes the place where the crime took place. Location is divided up into 12 groups, as follows:

1. *Workplace*
2. *Home*
3. *Internet*
4. *Public transport*
5. *Place of entertainment*
6. *Religious location*
7. *School*
8. *Media*
9. *SMS text message*
10. *Public location*
11. *Other locations*
12. *No information*

### **Relationship between perpetrator and victim**

The category “relationship” describes the relationship between the perpetrator and the victim. The sections showing results also have a more general classification into three categories, in order to link similar groups. Relationship is divided up as follows:

#### *Close persons*

1. *Spouse/partner/cohabitee*
2. *Former partner*
3. *Family member*
4. *Friend/acquaintance*

#### *Distant acquaintance*

5. *Colleague*
6. *School friend*
7. *Neighbour*
8. *Known person/group*

#### *Unknown*

9. *Customer/client*
10. *Service sector employees*
11. *Unknown person*

### **Gender and age**

In the sections “*Complainants*” and “*Suspected persons*”, information about gender and age will be presented based on the following age categories:

- *<14*
- *15–19*
- *20–39*

- 40–54
- 55>

### **Regional distribution**

This year's report accounts for hate crime reports at county level and for Sweden's three largest cities (Stockholm, Gothenburg and Malmö).

## **Reliability**

A first precondition for a crime to be included in the statistics for hate crime is that the event has become known to the police. The propensity to report a crime varies depending on the type of crime and over time. On the basis of previous studies, it has been found that the relationship between actual and reported criminality, the so-called unknown quantity, is large for hate crime.<sup>30</sup> The propensity to report may also vary between the different groups subjected to the crime, for instance, the trust in the judicial system may vary and influence whether the victims report crimes to the police.<sup>31</sup> In order for a crime to be identified and assessed as a hate crime in the statistics, it is necessary that:

- the crime is labelled in accordance with Brå's crime code selection or the event is marked as a suspected hate crime in RAR
- the police register relevant information in the narrative text of the report
- the narrative text includes words found on the list of search words or the event is marked as a suspected hate crime in RAR
- the coder interprets and assesses the event as a hate crime.

The results of the hate crime statistics are thus a result of a selection process where different categories must be fulfilled in order for a reported event to be identified (some of the criteria are described in more detail below) as a hate crime. The importance of each step in the process is currently unknown. When using hate crime statistics, it is important to bear in mind that the statistics account for a minimum assessment of reported hate crime.

### **Crime is labelled in accordance with Brå's samples**

As previously mentioned, the hate crime statistics are based on a number of samples. Only reports of certain types of crime are included in the study. For this reason, the event must be labelled with one of the crimes included in the sample in order for it to be included in the search. It is also important that the narrative text shows why the report is marked as a hate crime, in order for it to be labelled a hate crime.

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<sup>30</sup> See, for instance, Forum för levande historia (2006). For a more detailed description of these concepts, see Brå (2006b, p. 66f).

<sup>31</sup> Brå (2007a, p. 24).

### **The importance of the police registering relevant information in the report**

Different wordings and how the narrative text is written can be an important factor for a report being included in the hate crime statistics. If a criminal event is described in detail, by explaining the hate crime motive found, it is more probable that the report is included than if the description is too general.

### **The narrative text includes words on the searchable list**

A searchable word list has been used to read the narrative text by computer, but it cannot be excluded that there are narratives describing a hate crime that do not include any of the words found in the searchable word list. When it comes to the crime categories unlawful discrimination and agitation against ethnic group, *all* reports are studied. All reports marked by the police as suspected hate crimes in RAR are examined in addition to the search word sample.

### **The coder makes a correct assessment**

The assessment of the coder of the report is of central importance for the outcome. Most reports are not assessed as hate crimes. In order to achieve reports that are as reliable as possible, they have to be examined, several times by different persons, according to clear guidelines.

## **Comparisons**

The following section accounts for the comparisons between the years 2007 and 2008 and with other relevant statistics.<sup>32</sup> When studying the development of hate crime, or comparing with other statistics, it is important to consider the following information in order to know what conclusions can be drawn, for instance about increases or decreases in the hate crime statistics.

### **Comparisons between years**

- In 2008, Brå carried out a large-scale change of the definitions of what constitutes a hate crime in the hate crime statistics. The definition was changed to also cover xenophobic/racist hate crimes between minorities and against the majority, other antireligious hate crimes, biphobic hate crimes, heterophobic hate crimes and transphobic hate crimes.
- It is Brå's view that, because of the change in definition, it is not possible to directly compare the levels for all hate crimes and xenophobic/racist hate crimes with previous years. When it comes to white power ideology hate crimes, the change in definition has been of less significance and comparisons with previous years are therefore possible. For Islamophobic, anti-Semitic and homophobic hate crimes, the change in definition is of no significance and comparisons with previous years are therefore possible.
- In addition to the change in definition, the method for capturing hate crime reports was changed in 2008. The RAR field used by the police for

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<sup>32</sup> For year-on-year comparisons with previous years, please see the Brå report (2009b) Hate crimes 2007. English summary of Brå report No. 2008:15, p. 18–19.

tagging reports as suspected hate crimes or not has been used as a subsample. The increased sample has had a lesser effect on the number of identified hate crimes and is therefore of less significance for the opportunities for comparisons between years.

### **Comparisons between the SCS and hate crime statistics**

In general, the number of events motivated by hate crime that are said to be reported in the Swedish Crime Survey is greater than the number shown in the hate crime statistics. This may be because subjected respondents to the SCS 2008 think that the crime has been reported to the police (if they have been in contact with the police), although this is not the case. There is a risk of both over and under-reporting of the number of criminal acts.<sup>33</sup> Events may be recorded with incorrect dates, or be suppressed, meaning that those asked unintentionally give a wrong answer because they cannot remember. When questions are asked about hate crime, as the study does, there may be a risk that the victim does not want to talk about the events. It may also be the case that the person asked thinks it is socially desirable to state that a hate crime has been reported to the police. It may also be that the victim feels that the act was a hate crime, but that it is not defined as such according to the hate crime statistics.<sup>34</sup>

### **Comparisons with other crime statistics**

Hate crime statistics are not comparable with other official crime statistics in terms of crimes reported. As described earlier, the accounting unit for hate crime is the crime report, and not crimes reported. A report can include one or several crimes, and for hate crime the principal offence is selected. Official crime statistics in Sweden for crimes reported account for all crimes in the report.

Nor are the suspected persons in these reports comparable to suspected persons in official statistics. The definitions differ in that, in official statistics, suspected persons means that the suspicion of a crime remains after the prosecutor has completed the investigation. In this report, all persons who, at some stage, have been regarded as suspected of a hate crime are included. Furthermore, this account includes suspected persons under the age of 15, who are not included in official statistics.

Since 2007, information about hate crime reports cleared up is also included. This information cannot be compared with official statistics for crimes cleared up either. In official statistics, all clearing up decisions made during 2008, for example, are accounted for whether the crime was reported the same year or during a previous year. Hate crime statistics only account for decisions relating to hate crimes reported during 2007.

An overriding reason for not defining or counting the different units of hate crime statistics in the same way as official statistics, for instance for crimes reported, is to retain a time sequence for hate crime reports. Sometimes it is not technically possible to account for these crimes in any other way.

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<sup>33</sup> Brå (2008b, p. 20).

<sup>34</sup> See also Brå (2008a, p. 44). One example is if a person is subjected to a hate crime because of functional impairment.

## Special study of reports which are marked as hate crimes in RAR 2008

In order to assess the quality of the hate crime field, and to assess whether the information should be included in the hate crime statistics, Brå carried out a quality study of the RAR field during the end of 2008. A brief description of the method of the study and the results follows.

### Method of RAR study

All reports marked as suspected hate crimes by the police authorities were ordered from the National Swedish Police Board (RPS). Around 10,000 reports were marked as hate crimes. Preliminary hate crime statistics, containing around 5,800 reported hate crimes, were then matched against data from the police authorities, in order to see where the assessment had matched and where it has differed.

For the reports where only the police authorities made the assessment that the report has a suspected hate crime motive, the information in the narrative text was examined manually. The assessment of whether the report constitutes a hate crime or not was made on the basis of *all the information in the narrative text*. The reports have been identified as hate crime, suspected hate crime or not hate crime. For the reports with a suspected hate crime motive, the investigator at the police station who was responsible for the report was contacted.

### Result of RAR study

The study, which relates to 2008, shows that of the 7,600 reports that only the police marked as suspected hate crime in RAR, the majority were not possible to identify as hate crime during a manual review of the narrative texts.

- Just over 7,230 reports (95 per cent) were not hate crimes in accordance with Brå's definition.
- Just under 160 reports (2 per cent) were hate crimes.
- Just under 190 reports (3 per cent) were suspected hate crimes.
- 20 reports (0.3 per cent) have been discontinued.<sup>35</sup>

### Criminality, bordering on hate crime, marked as hate crime

One trend that emerged from the examination was that the police authorities choose to mark reports bordering on hate criminality but which, in accordance with Brå's definition of hate crime, did not fall into this area. These are reports concerning honour-related criminality, animal activism and the autonomous movement, white power environments where there is no hate crime motive and crimes committed by persons in authority (police officers, for instance). In a number of cases, reports have also been marked because one person "hates" another, without a hate crime motive being identified.

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<sup>35</sup> A report had been drawn up, but at a later stage been discontinued.

### **The RAR field captures reports missed by the hate crime statistics samples**

Although there are failings in the way the police use the field and there are some differences in the definition, aim and area of use, 5 per cent of the reports were identified as suspected or actual hate crimes.<sup>36</sup> This means that Brå's method does not capture relevant hits with the current sampling method for hate crime statistics. One explanation is that the RAR marking is used for all reported crimes, while the hate crime statistics are based on a sample of types of crime.<sup>37</sup> The largest individual crime code, which is not captured through Brå's current method, is *malpractice (2001)*. Two other crime categories where reports are not captured are robbery and theft.

### **New search words are a measure for raising the quality of the hate crime statistics**

To summarise the study of reports marked as hate crimes in RAR, it was found that Brå's method for finding reported hate crimes captures a large proportion of reports not identified by the police. However, the RAR field captures a smaller proportion of reports not identified using Brå's method. A number of measures have therefore been taken to raise the quality of future statistics over hate crime, among them by including new search words.

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<sup>36</sup> For the reports with suspected hate crimes, the investigators at the police authorities were contacted. Through further information, just under 50 per cent of the reports have been identified as hate crime, while just over 50 per cent were identified as not being hate crimes.

<sup>37</sup> One explanation for why the majority of reports examined cannot be identified as hate crime when reading the narrative text in RAR is that the knowledge of hate crime of individual police officers plays a part.

# Hate crime – all motives

## Level and development

In 2008, just under 5,900 reports to the police were assessed as hate crimes. As the definition of what constitutes a hate crime changed in 2008, the number of hate crimes is not comparable to last year.

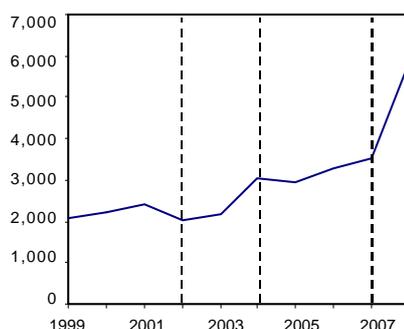


Figure 1. Number of reports with hate crime motives, 1999–2008.

Figure 1 illustrates the development of the number of reports relating to all hate crime motives for the years 1999–2008. The number of reports has increased from around 2,000 to just under 5,900. An exception from the upward trend is a small decrease during the years 2002 and 2003. However, it is not entirely easy to compare the number of hate crimes reported over time. Since 1999, several changes have been introduced which affect the comparisons between the statistics. In 2004, the Security Service introduced a new method for gathering information from the narratives of reports to the police,<sup>38</sup> this meant that more reports of statistical relevance could be identified. Apart from the change in methodology, the definition of hate crime motivated by xenophobia has changed. Another thing that may have affected the statistics is that a new motive was introduced in 2006, Islamophobia. The introduction of this motive resulted in a slight increase in the number of reports. However, the effect of this on hate crime overall is relatively small, as there are relatively few reports of Islamophobia.

### **Hate crimes motivated by xenophobia/racism are most common**

The description of all hate crime is affected by certain motives being more prominent than others – hate crimes motivated by xenophobia/racism (72 per cent) is the single largest category, which, to a great extent, affects the general picture. In 18 per cent of reports, a homophobic, biphobic or heterophobic motive was identified. Antireligious hate crimes (Islamophobic, anti-Semitic and other antireligious hate crimes) represent one tenth (10 per cent) of the reports. The smallest category, transphobia (0.2 per cent) has no great effect on the general picture, which should be kept in mind when interpreting this section.

<sup>38</sup> Swedish Security Service (2005, p. 24).

### New definition of hate crime in 2008

In 2008, the definition of hate crime went through a large-scale change. The expanded definition has had the greatest effect on statistics of the number of hate crimes with xenophobic/racist motives. It is Brå's view that because of the change in definition, it is not possible to directly compare the levels for all hate crimes and xenophobic/racist hate crimes with previous years. For Islamophobic, anti-Semitic and homophobic hate crimes, the change in definition is of no significance and comparisons with previous years are therefore possible. In addition to this, there was a change in method, as new information from the police authorities was included: suspected hate crimes which had been marked in RAR. The increase in the sample has had a smaller effect on the total number of hate crimes.<sup>39</sup>

### Unlawful threat/molestation is the most common type of crime

The single most common type of crime (principal offence) in reports of hate crime in 2008 was unlawful threat/molestation (just under 2,480 reports), followed by violent crime (around 1,240 reports) and defamation (just over 680 reports). The number of reports including agitation against ethnic or national groups was just under 470, and the number of reports including unlawful discrimination was almost 220.

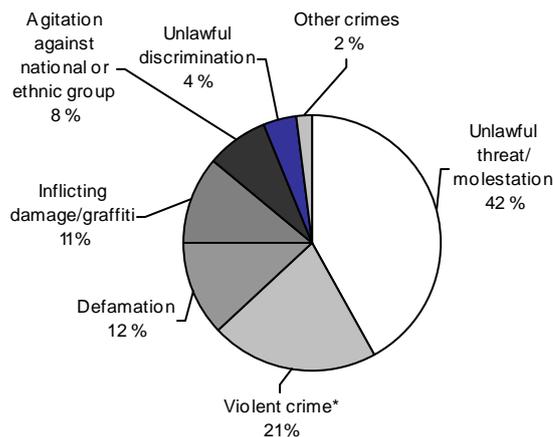


Figure 2. Proportion of reports with hate crime motives according to the principal offence category, 2008 (5,895 reports). \*Violent crime includes: fatal violence, assault and violence against a public servant.

## The nature of contact

### Vicinity, but no physical contact, is the most common method

For all hate crime, it is most common for the perpetrator to threaten, molest or insult the victim in his/her vicinity, but that no physical contact occurs (*vicinity*,

<sup>39</sup> Just under 200 additional hate crimes were identified using the new sample. The sample represents 3 per cent of all identified hate crime reports.

51 per cent). Every fifth hate crime is a violent crime, where the perpetrator has made a physical attack on the victim. Just over every fourth hate crime is committed at a *distance*. Many different types of media have been used when the crime occurs at a distance.

Table 1. Number and proportion of reports with hate crime motives according to the nature of contact, 2008.

Method	Number	%
<b>Direct against person, physical contact</b>	<b>1,236</b>	<b>21</b>
<b>Direct against person, vicinity</b>	<b>2,993</b>	<b>51</b>
<b>Distance</b>	<b>1,666</b>	<b>28</b>
General graffiti	394	7
Internet	241	4
Media	17	0
Postal letter	208	4
SMS text message	216	4
Telephone/fax	365	6
Other	225	4
<b>Total</b>	<b>5,895</b>	<b>100</b>

## Scene of the crime

### Many different everyday locations

There is no characteristic crime scene for hate crime; instead, hate crime occurs in all sorts of places used by people in everyday life. Three common locations (each 10–14 per cent) are locations where the victim works, goes to school and moves about outside, such as streets, markets and in parks. It is even more common to be exposed where you live (19 per cent). This distribution can also be seen from the fact that *other places* is the location for one fifth of hate crimes reported. These are places where the victim might be shopping, exercising or having a cup of coffee. The distribution across locations was more or less the same in 2008 as in 2007, apart from public locations as scenes of crime, which have become less common (from 17 to 12 per cent).

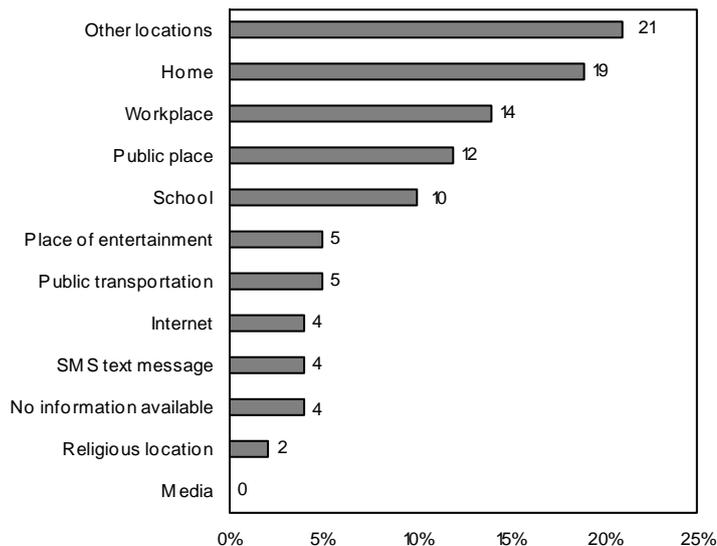


Figure 3. Proportion of reports with hate crime motives according to the scene of the crime, 2008.

## Relationship

### Unknown perpetrator is the most common

In more than half of all reports of hate crime, the perpetrator is *unknown* to the victim. In just under one third of cases, the perpetrator is a *distant acquaintance*, which includes a neighbour, school friend, colleague or a person or group known by name or appearance to the victim. Only in 4 per cent of cases is the perpetrator someone close, such as a family member, friend or ex-partner.

Table 2. Number and proportion of reports with hate crime motives according to the relationship between perpetrator and victim, 2008.

Relationship	Number	%
<b>Close relationship</b>	<b>239</b>	<b>4</b>
Spouse/partner/cohabite	21	0
Former partner	102	2
Family	63	1
Friends/acquaintances	53	1
<b>Distance acquaintance</b>	<b>1,782</b>	<b>30</b>
Neighbour	503	9
Colleague	82	1
Known person/group	878	15
School friend	319	5
<b>Unknown</b>	<b>3,268</b>	<b>55</b>
Customer/client	532	9
Service sector employees	471	8
Unknown person	2,265	38
<b>No information available</b>	<b>606</b>	<b>10</b>
<b>Total</b>	<b>5,895</b>	<b>100</b>

## Hate crimes cleared up

The concept “cleared up” is a police expression, it means either that a person has been linked to the crime through a decision to prosecute, order of summary punishment or waiver of prosecution, or that the crime has been cleared up in some other way. A crime is regarded as cleared up even if the accused is freed at a later stage in a trial. The account is based on the decisions made in relation to the principal offence in the report and which has been assessed as being a hate crime.

### The majority of hate crimes are cleared up, but few are personally cleared up

In March 2009, 68 per cent of all reports (principal offences) from 2007 with hate crime motives had been cleared up. Eight per cent of the reports were *personally cleared up*, of which the majority occurred through a decision to prosecute. When comparing different hate crime motives, it emerges that personal clearing up is lowest among Islamophobic hate crimes (5 per cent) and slightly higher than average among xenophobic hate crimes (9 per cent). Fifty-nine per cent of the reports were cleared up *technically*, which means that a crime could not be confirmed.

Table 3. Number and proportion of cleared up hate crime reports, according to principal offence, reported in 2007 and cleared up during the period January 2007–March 2009.

Type of decision	Number	%
<b>Personally cleared up</b>	<b>292</b>	<b>8</b>
Decision to prosecute	268	8
Order of summary punishment	16	0
Waiver of prosecution	8	0
<b>Technically cleared up</b>	<b>2,072</b>	<b>64</b>
Suspects under 15	141	4
Crime cannot be confirmed	586	18
Deed is not a crime	54	2
Other technically cleared up	1,291	40
<b>Not cleared up</b>	<b>1,145</b>	<b>32</b>
Under investigation	146	4
Other not cleared up	999	28
<b>Total</b>	<b>3,536</b>	<b>100</b>

# Xenophobic/racist hate crimes

Hate crimes motivated by xenophobia/racism<sup>40</sup> can take many forms. They can be anything from events that turn out later not to be criminal to serious crimes of violence. It may be a question of vandalism of refugee camps, damage to cars, insult to and harassment of persons because of their actual, or perceived (by the suspect), foreign or Swedish origin. Visual identifiability – people’s appearance – is one of the most important criteria for a presumptive perpetrator when it comes to categorising people into groups.

## Results in brief

- The definition of xenophobic/racist hate crimes has been expanded, as from 2008, to also include hate crimes between minorities and against the majority.
- In 2008, just over 4,200 hate crimes motivated by xenophobia/ racism were reported, which is just over 1,700 more reports than the previous year. It is Brå’s view that, of the increase compared with last year, around half can be explained by the change in definition.
- Unlawful threats/molestation is the most common xenophobic/racist hate crime (41 percent).
- The most common scene of xenophobic/racist hate crimes is at places of entertainment, which may be explained by unlawful discrimination being the most common type of crime.
- The result from SCS 2008 shows that 13 percent of the self-reported exposure to muggings and threats in 2007 were stated to be motivated by xenophobia.

## Xenophobic/racist hate crimes against minorities, between minorities and against the majority

The absolute majority (96 per cent) of xenophobic/racist hate crimes are committed against minority groups. Eighty per cent are committed by majority groups and 16 per cent by other minority groups. Only 3 per cent of reported xenophobic/racist hate crimes are committed against the majority group, which is people with Swedish backgrounds.

One example to illustrate xenophobic/racist hate crimes when the type of crime is assault is:

*Niat went to put the rubbish out. Kristian emerged from his flat. Niat became frightened and started running. She fell and hit the back of her head on the floor. While she was lying on the ground, Kristian took out a knife*

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<sup>40</sup> The concept of xenophobia suggests that immigrants to Sweden are defined as foreigners. Racism, as a concept, describes a belief in the superiority of certain human races. The concept of xenophobic/racist hate crime is used in the report, as it includes everything from negative attitudes to people because of race, skin colour, nationality or ethnic origin, to events of a more absolute racist character. Racism, as a concept, was added from 2008.

*and tried to stab Niat. Niat tried to fend off the blows and received a flesh wound. Neighbours came to Niat's assistance. Kristian has on a number of occasions insulted Niat by calling her "Nigger", "Go home to Africa".*

## Self-reported exposure to xenophobic hate crimes (the Swedish Crime Survey)

In order to get a comprehensive picture of the level of exposure to crime, surveys of self-reported exposure can be used as a complement to the statistics for reported hate crimes. Taken together, many sources provide a more nuanced image of the scope and character of hate criminality. In the SCS, a sample of the population was asked about their feelings of exposure to around 10 types of crime. The survey also describes the scope of those crimes that citizens are less inclined to report to the police. For the following categories of crime: mugging, assault, threats and harassment, the SCS poses the follow-up question of whether there might have been a xenophobic motive behind the offence.

In total, the results from the SCS 2008 show that 1.2 per cent of the population (16–79 years) of Sweden, which represents approximately 83,000 persons, stated that they had been subjected to hate crime with xenophobic motives during 2007. When the results from the SCS are interpreted, it is important to remember that the number of observations is low, which creates greater uncertainty in the estimations, and can contribute to great variations between years. The differences between the results for hate crimes in the SCS 2008 and the SCS 2007 is, against this background, to be regarded as relatively small.

Table 4. Exposure among the population (16–79 years) to hate crimes motivated by xenophobia according to the crime category and estimated number of events and proportion of events reported to the police in 2007 according to the Swedish Crime Survey (SCS) 2008.

n=179	Proportion exposed in %	Estimated No exposed in population	Estimated No of events in population	Proportion of reported events in %
<b>All hate crimes motivated by Xenophobia*</b>	<b>1.2</b>	<b>83,000</b>	<b>186,000</b>	<b>23</b>
<i>Muggings</i>	0.1	8,000	11,000	22
<i>Assault</i>	0.4	25,000	56,000	33
<i>Threats</i>	0.6	42,000	96,000	17
<i>Harassment</i>	0.4	28,000	28,000	22

\* In the accounting for all hate crimes, exposed persons are only included once. Thus the total of the accounts of individual types of crime exceeds 1.2 percent.

### Exposure to threats most common for hate crime motivated by xenophobia

According to the Swedish Crime Survey, 1.2 per cent of the population stated that they had been subjected to a xenophobic hate crime in 2007. A xenophobic motive was quoted to the greatest extent by those subjected to threats (0.6 per

cent). Being subjected to assault and harassment with xenophobic motives is the next most common, as 0.4 per cent stated that they had been subjected to each type of crime in 2007. Exposure to mugging (0.1 per cent) was quoted the least.

### **Exposure to crime with xenophobic motives in relation to the population as a whole**

The number of offences with xenophobic motives in the form of muggings, assaults, threats and harassment is estimated at 186,000 during 2007.<sup>41</sup> Muggings and threats are the crime categories where the greatest proportion of all victims states that the motive was xenophobic. Just over one tenth of all reported muggings and threats recorded in the SCS were stated as having a xenophobic motive for the mugging or threat.

Of all offences motivated by xenophobia, the type mentioned least was exposure to harassment (9 per cent). In-between can be found exposure to assault, where a xenophobic motive for the threat was given in 11 per cent of cases.

### **Muggings and assaults are reported more often than threats**

In the SCS 2007, barely one quarter (23 per cent) of the reported hate crimes motivated by xenophobia were stated to have been reported to the police, which is slightly lower than the propensity to report when compared with the total population, which is around 26 per cent for the four types of crime. The offences said to be reported to the greatest extent, in one third of cases, were assaults. Just over one fifth (22 per cent each) of muggings and harassment were reported to the police. Threats were reported to the least extent (17 per cent).

## **Afrophobic hate crimes**

This year's hate crime report provides a separate account of Afrophobic hate crime for the first time. Afro-Swedes encounter xenophobia/racism in Swedish society because of their ethnic background, skin colour and nationality.<sup>42</sup> It can be expressed as graffiti on front doors saying "ape", defamation by being called "nigger" or being exposed to assault in a market because of skin colour. Knowledge about the exposure of Afro-Swedes to hate crime and discrimination is relatively limited. Anybody can become exposed to an Afrophobic crime if the perpetrator concentrates on persons because they believe that they are part of a certain group.<sup>43</sup> However, it is only those cases where expressions that insult Afro-

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<sup>41</sup> An estimated proportion of offences motivated by xenophobia have been identified among the events for which follow-up questions were asked. This proportion has then been compared to the total estimated number of events for each type of crime in the population. For example, in just over 9 per cent of the assault cases for which follow-up questions were asked, the victim stated that the perpetrator's motive was xenophobia. The total number of estimated cases of assault in the population amounts to around 513,000. Therefore, the estimated number of assault cases motivated by xenophobia amounts to just over 56,000 (11 per cent of 513,000).

<sup>42</sup> An earlier report, *Experiences of discrimination and racism among young people with African background in Sweden*, mapped different types of racism and discrimination experienced by young people in Sweden. Ombudsman against Ethnic Discrimination, DO (2007, p. 55).

<sup>43</sup> Describing hate crime aimed at Afro-Swedes is not entirely without problems, from a sampling point of view. In Sweden, statistics of the demographic constitution of the population are produced on the basis of country of birth and the parents' country of birth, whereas nationality is the focus of statistical information. Racism/xenophobia, however, is aimed at persons on the basis of that persons are part of a certain group,

Swedes can be separated from other xenophobic/racist hate crimes that are assessed to be Afrophobic hate crimes. If the victim him/herself describes that he/she has been subjected because of being an Afro-Swede or has a dark skin colour, the report is identified as an Afrophobic hate crime in the statistics.

### **Level and offence structure**

In 2008, just over 760 reports were assessed to contain a primary offence with Afrophobic motive. Unlawful threats and molestation represent 37 per cent of all Afrophobic hate crimes reported, which makes this the most common crime category. Violent crime (25 per cent) and defamation (17 per cent) are the next most common types of crime. The smallest crime categories for this motive are unlawful discrimination (3 per cent) and other crimes (2 per cent).

### **Criminal damage/graffiti**

Criminal damage and graffiti with Afrophobic motives can be aimed at persons and their homes. This damage can express itself as follows:

*An unknown person has written the words “Monkey business” on Charlie’s front door. The graffiti is large, across the entire door, with black paint. The perpetrator has also written “monkeys” and drawn an arrow pointing to where Charlie lives. Charlie is an exchange student and originally from Africa.*

## **Anti-Roma hate crimes**

This year’s hate crime report provides a separate account of anti-Roma hate crime for the first time. Romas encounter xenophobia/racism in Swedish society because of their origins. It can be expressed as defamation by being called “gypsy” or by being subjected to unlawful discrimination by being refused entry into a shop because of their origins. Knowledge about the exposure of Romas to hate crime and discrimination is relatively limited.<sup>44</sup> Anyone can become exposed to an anti-Roma hate crime if the perpetrator feels that the victim belongs to this group. However, it is only those cases where there are expressions that insult Romas and that can be separated from other xenophobic/racist hate crimes that are assessed to be anti-Roma hate crimes. If a victim him/herself describes that he/she has been subjected because of his/her Roma origin, the report is also considered as anti-Roma in the statistics.

### **Level and offence structure**

In 2008, just under 180 reports were identified as having a primary offence with an anti-Roma motive. Unlawful threats and molestation represent 45 per cent of all anti-Roma hate crimes reported, which makes this the most common crime

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not because of the individuals' own identification with a nation. Thus, persons can be exposed who have parents from, for instance, Africa and Europe, the West Indian region and South America. The common factor is that the skin colour is used as a marker of origin. For a longer discussion, see the Ombudsman against Ethnic Discrimination, DO (2007).

<sup>44</sup> One example of research in Sweden is the Equality Ombudsman (DO) who, in 2004, wrote a report about discrimination of Romas in Sweden (2004, p. 1–42).

category. Violent crime (19 per cent) and defamation (13 per cent) are the next most common types of crime. Typical for this motive is that unlawful discrimination as a type of crime occurs commonly (11 per cent). Other crimes (4 per cent) and criminal damage (3 per cent) are less common compared with other hate crime motives.

### **Defamation**

Defamation with an anti-Roma motive can be aimed against persons and be expressed as follows:

*The neighbour has said he will put the dog on them and that the dog will bite them. During the day, his cohabitee has told them to "Piss off, bloody gypsies" when they were playing outside, while he held the dog and shook his fist, as if he was about to let go of the dog. The family, which is of Roma origin, was very upset by this.*

# Antireligious hate crimes

Antireligious hate crime can take many forms. For instance, the suspect may have expressed hostility or hatred against Islam, Judaism or some other religion. It may be a case of vandalism of premises linked to religion, such as mosques, synagogues, churches or cemeteries, but also harassment of persons because of their religious faith. A central focus for antireligious hate crime is, therefore, the disrespect for the victim's religion.

In order for a hate crime to be regarded as antireligious, the victim must belong to (or the perpetrator must think that they belong to) a religion (Islam, Judaism or other religion), and the perpetrator must not belong to the same religion. Apart from Islam and Judaism, which are captured by the Islamophobic and anti-Semitic motives, the motive also includes other religious faiths.

## Results in brief

- In 2008, the definition of what constitutes an antireligious hate crime was changed, through the addition of a new category: "other antireligious hate crime".
- In 2008, just over 600 reports with an antireligious motive were identified, which is almost double compared with last year. The increase consists largely of hate crimes with antireligious motives, which is a new category which was added during the year, but anti-Semitic and Islamophobic hate crimes also showed increases.
- Of all reported antireligious hate crimes, 45 per cent were assessed to be Islamophobic, 28 per cent other antireligious hate crimes and 26 per cent anti-Semitic.
- Agitation against ethnic groups is more common in anti-Semitic hate crimes, and criminal damage/graffiti is more common in other antireligious hate crimes compared with other hate crimes.
- In total, 75 per cent of the anti-Semitic hate crimes were cleared up, 8 per cent personally cleared up and the remainder technically cleared up.

For hate crimes where another antireligious motive is identified, it is common for buildings belonging to various religious denominations to be subjected to criminal damage and graffiti, of which one example is:

*On a number of occasions, someone or other has been inflicting criminal damage on the Kingdom Hall by destroying the outside of the building, by letting off fireworks against an outbuilding, onto the façade and the windows of the premises. Bangers have also been thrown in through the letter-box and caused damage to the floor.*

There are also examples of criminal damage and graffiti to Jewish premises. This damage can express itself as follows:

*Unknown persons have pushed over urns with flowers outside the Jewish funeral chapel. Around 100 plants have been dug up from plantings and graves. A gate has been damaged and rubbish bins pushed over in the area. Items have also been pushed into the lock of the chapel.*

# Homophobic, biphobic and heterophobic hate crimes

Homophobic, biphobic and heterophobic hate crime may be expressed in many ways, from expressed derogatory phrases about a persons' sexual orientation in general to serious cases of assault. The most common is for the victim to be insulted on the basis of a sexual orientation assumed by the perpetrator. It might be a question of vandalism of RFSL's<sup>45</sup> premises, about speeches expressing hatred in public spaces or about defamation and damage inflicted. Research has previously shown that LGBT persons<sup>46</sup> who are open about their sexual orientation can become more vulnerable to crime.<sup>47</sup> According to one survey, approximately one quarter of victims of homophobic hate crimes report the event to the police.<sup>48</sup> Studies also show that homosexual men exposed to hate crime report the crime twice as often as lesbian women.

## Results in brief

- The definition of hate crimes because of sexual orientation has changed from that defined in 2007, by including the motives biphobia and heterophobia.
- In 2008, 1,055 hate crimes because of sexual orientation were identified. Of these, 1,046 had a homophobic motive.
- Compared to 2007, hate crimes because of sexual orientation have increased by just over 330 crimes or 46 percent.
- Every fourth homophobic, biphobic or heterophobic hate crime is a violent crime.
- The results from SCS 2007 describes self-reported exposure to crime motivated by homophobia is as being lower than that motivated by xenophobia.

The most common homo/bi/heterophobic hate crimes are unlawful threats or molestation, followed by violent crime and defamation. The least common is unlawful discrimination. This distribution of homophobic hate crime has been stable for the past five years. Homophobic violent crime is often committed in other or public spaces, and the perpetrator is usually unknown to the victim. One example of this is:

*Ronny and his pal Peter are on their way home from a party when a gang of guys start shouting "Bloody gays, bloody fags". Someone from the gang suddenly kicked Ronny over from behind. While he lay on the ground, sev-*

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<sup>45</sup> Swedish Federation of Lesbian, Gay, Bisexual and Transgender Rights.

<sup>46</sup> The abbreviation "LGBT" refers collectively to Lesbian, Gay, Bisexual and Transgender people.

<sup>47</sup> Tiby (1996, 1999, p.171 or 2000), Norrhem, Rydström and Winkvist (2008, p.157).

<sup>48</sup> Tiby (1999, p. 207).

*eral guys from the gang started kicking his face and the back of his head. He asked the guys to stop and asked several times: "What have I done?" Someone in the gang replied: "You exist".*

## Self-reported exposure to homophobic hate crimes (the Swedish Crime Survey)

For the crime categories muggings, assault, threats and harassment, the SCS poses questions about whether the victim feels there is anything homophobic about the motive. When interpreting the material, it is important to be aware that the number of observations of hate crime and, in particular, hate crime with homophobic motives in the survey material is small and that great variations between years consequently are expected. From this survey, it is not possible to describe the distribution of crimes in the homophobic hate crimes category.

### Exposure to homophobic hate crimes in 2007

In total, 0.2 per cent of the population (16–79 years), which represents approximately 14,000 persons, state that they were exposed to hate crime with homophobic motives during 2007. This corresponds to 2006, when 0.15 per cent (10,000) of the population stated that they had been exposed to a homophobic hate crime. This can also be compared with the SCS 2007, where 10.2 per cent of the population had been exposed to muggings, assault, threats and harassment during 2006, representing around 740,000 persons. According to Table 5, below, based on the survey, the number of events with homophobic motives can be estimated at 25,000 criminal events during 2007. In total, according to the SCS, it is more common to be exposed to crimes motivated by xenophobia than crimes motivated by homophobia.

Table 5. Exposure among the population (16–79 years) to hate crimes motivated by homophobia according to the crime category and estimated number of events and proportion of events reported to the police in 2007 according to the Swedish Crime Survey (SCS) 2008. Homophobic hate crimes are reported to a greater extent

n=31	Proportion exposed in %	Estimated No exposed in population	Estimated No of events in population	Proportion of reported events in %
Homophobic hate crime	0.20	14,000	25,000	35

Finally, it emerges that just over one third (35 per cent) of the homophobic hate crimes stated in the SCS 2007 were reported to the police, an increase of 7 per cent from 2006. A number of studies have shown that the propensity to report among the group subjected to homophobic hate crimes is low, and that around 25–30 per cent of crimes are reported.<sup>49</sup> The proportion of homophobic hate crimes reported is, however, slightly higher than the propensity to report in total among the population, which is around 24 per cent for the four types of crime.

<sup>49</sup> Tiby (1999, p. 207).

# Transphobic hate crimes

For the first time, statistics for hate crimes aimed against transgender persons are reported for this year. “Transgender persons” is an umbrella concept for persons with transgender identity (the gender people feel they are) or gender expression.<sup>50</sup> Hate crimes against transgender persons are not included under hate crimes motivated by sexual orientation, as a transgender person can be homosexual, bisexual or heterosexual.

## Level

In 2008, 14 reports were identified as having a transphobic motive as their primary offence. As the number of reports with a transphobic motive is low, it is important to consider this when interpreting the results. This creates greater uncertainty in the breakdown of different categories and can contribute to large variations between years.

In the majority of reports, the transphobic hate crime is aimed against persons who have had a sex change and, as a result, have been subjected to a hate crime by the perpetrator attacking the victim using violence, harassment or carrying out criminal damage to a victim’s home and property.

The most common transphobic hate crimes are molestation/unlawful threats (9 reports) followed by assault (4 reports). In the majority of the reports, the perpetrator was *unknown* to the victim. The most common locations for being subjected to transphobic hate crimes are *public places* and *other places* and in the victim’s own *home*.

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<sup>50</sup> Darj and Nathorst-Böös (2008, p. 6).

# White power ideology motivated hate crimes

This section accounts for reports where the crime is assessed to be motivated by white power ideology, meaning hate crimes motivated by the perpetrator's extreme right-wing values or national socialist ideology.<sup>51</sup>

Hate crimes where the motive includes white power ideology are of a number of typical cases. They may be about perpetrators shouting "siege heil" or making so-called Hitler salutes in town. There may be fliers in schools and in public places, with white power ideology messages linked to organisations. It is also common for swastikas and ideological messages<sup>52</sup> such as "ZOG"<sup>53</sup> or "88" being graffitied onto cars belonging to victims, on letterboxes or doors of victims' houses or other premises.

## Level and development

Of all reported hate crimes in 2008, just over 5,895, 12 per cent were motivated by white power ideology. This corresponds to just under 700 reports. The proportion is the same as last year, but as the definition of what constitutes a hate crime changed in 2008, the level of the number of hate crimes is not directly comparable to last year. The most common types of crime (primary offence)<sup>54</sup> in the hate crime reports motivated by white power ideology in 2008 were criminal damage/graffiti (36 per cent) and agitation against ethnic group (30 per cent), followed by unlawful threat/molestation (22 per cent).

## Links to organisations

In just over one third (almost 240 reports) of hate crime reports motivated by white power ideology, a link to an organisation was identified. In order to determine organisational affiliation in hate crimes motivated by white power ideology, the information contained in the narrative text of the reports was used. This means that a total of 6 per cent of all hate crime can be linked to a national socialist organisation or right-wing extremist group. This is an increase of 126 reports compared with last year, when a total of 3 per cent of all reports could be linked to a national socialist organisation or right-wing extremist group. Seventy-two per cent of the just over 240 reports in total were xenophobic/racist. An example of a hate crime where there is a link to an organisation is:

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<sup>51</sup> In its annual reports up to 2004, *Criminality linked to the internal safety of the nation*, the Swedish Security Service has kept a great focus on crimes linked to the white power environment. See also the Swedish Security Service, for instance 2001 and 2005.

<sup>52</sup> See Gestrin (2007, p. 85–122) for a description of right-wing extremist movements and their symbols, number symbols, anniversaries and abbreviations.

<sup>53</sup> ZOG is an abbreviation sometimes used during white ideologically motivated hate crimes, where the abbreviation represents an idea of the world being run by a Jewish conspiracy, called the Zionist Occupation Government.

<sup>54</sup> In comparisons of types of crime over time, large percentage changes from one year to another may arise because of low absolute figures.

*When Jenny went to collect the post, it turned out that someone had been distributing information leaflets with racist propaganda to those living in the area. The information sheet claimed, among other things, that “racial mixing = genocide”. Families with immigrant backgrounds live in the area. The group distributing the leaflet also referred to its website.*

# Complainants

An important part of analysing hate crimes is to see which persons have reported to the police that they have been exposed to these crimes. In 2008, just under 6,000 persons were registered as complainants in reports to the police of crimes where xenophobic/racist, antireligious, homo/bi/heterophobic or transphobic motives had been determined. For most of those exposed to a hate crime in 2008, the motive was xenophobic/racist, which corresponds to the distribution of all hate crimes. Of those exposed to hate crimes in 2008, 7 per cent were exposed to hate crimes motivated by white power ideology. Around 65 per cent of the victims were men and around 35 per cent were women.

## **Age distribution of those exposed differs from the age distribution in the population**

The age distribution of the people exposed to hate crime in 2008 is not, like last year, similar to the distribution of age groups in the population. Of those exposed to hate crime, the proportion of *children* (0–14 years) is 9 per cent, while their proportion of the population is 17 per cent. The corresponding proportion for *older people* (55 years and over) is 8 per cent, while their proportion of the population is 32 per cent. Children and older people are thus underrepresented in terms of exposure to hate crime in relation to their numbers in the population.

# Suspected persons

In 2008, just over 1,830 persons were identified as suspected of crimes in the reports where the motive was determined to be xenophobic/racist, antireligious (Islamophobic, anti-Semitic and other antireligious), homo/bi/heterophobic or transphobic. In just over 31 per cent of the hate crime reports, it was possible to identify a suspected perpetrator, which is comparable to last year. The risk of discovery also varied depending on the type of crime. Violent crime is an example of a crime category where there is much more often a suspected person than for other types of crime, such as agitation against ethnic group or criminal damage/graffiti.

## Younger suspects overrepresented in hate crimes

Of the suspected persons identified in 2008, just over 40 per cent (just over 700 persons) were *younger* than 20. Almost 230 persons (13 per cent) were younger than the age of criminal responsibility, 15 years, while this group constituted 17 per cent of the population in 2008. At 46 per cent, criminal damage/graffiti was the most common type of crime committed by young people in 2008.

Half of the suspected persons (51 per cent) were in the age group 20–54 years, which constitutes 46 per cent of the population. Also, just over one tenth (11 per cent) of those suspected were *older* (55 years and over), an age category that constitutes 31 per cent of the population. Examples of types of crime common among older suspects are unlawful threats/molestation (13 per cent) and defamation (18 per cent). In total, younger people are therefore overrepresented in the statistics when it comes to suspected persons in relation to the population, while older people are underrepresented.<sup>55</sup>

## Previous criminal convictions

Questions are often asked about suspected persons' previous criminal acts. Have they previously been prosecuted for crimes or have they no previous convictions? This section describes the criminal records of the suspected persons of hate crimes in 2008. The criminal records are described on the basis of the number of legal proceedings, which are convictions in a district court or statutory punishments issued by a prosecutor or waivers of prosecution over the past 10 years (1998–2007). Studying legal proceedings is of great value, as they describe what the legal system actually does to people who have been found guilty of crimes. However, it is *not* possible to see whether the legal proceedings have included previous hate criminality.

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<sup>55</sup> In 2004, Brå and Living History Forum published the report *Intolerans* (Intolerance), which investigated tendencies to xenophobia, Islamophobia, anti-Semitism and homophobia in Swedish school children. The sample consisted of pupils in years 8 and 9 in lower secondary school and years 1, 2 and 3 in upper secondary school. In total, 10,600 pupils responded and the response frequency was 76.2 per cent. The results showed that the majority of schoolchildren had a mainly positive attitude to the various minorities, varying between 66 and 72 per cent.

### **Majority previously without convictions**

More than half (59 per cent) of the suspected persons of having committed a hate crime in 2008 were *without previous convictions*, in respect of the 10 years immediately preceding the current suspicion. Around one quarter of those suspected of hate crimes had been prosecuted *once or twice*, while 1 in 20 had been prosecuted *10 or more times*. The number of crimes a person has had time to be found guilty of is partly dependent on the age of the person. As the criminal convictions mapped go back over the past 10 years, the younger persons (15–24 years) had had a shorter time in which to get prosecuted than the persons older than 24 years, who had been of the age of criminal responsibility during the entirety of the period mapped.

### **Lowest criminal convictions among suspects of homophobic, biphobic and heterophobic hate crimes**

The number of previous criminal convictions was lowest among those suspected of homophobic, biphobic and heterophobic hate crimes, while the suspects of xenophobic/racist hate crimes were the most likely (43 per cent) to have previous criminal convictions compared to those suspected of other hate crimes. In-between come antireligious hate crimes, where 40 per cent of the persons had previous criminal convictions. For xenophobic/racist hate crimes, one fifth (20 per cent) had been prosecuted three or more times since 1998. Around one tenth of those suspected of hate crimes motivated by white power ideology had been prosecuted three or more times since 1998. The average age of those suspected who, in addition to having a hate crime motive, could be linked to a white power ideology motive was 23 years, while the average age of those linked to all hate crime motives was 30 years.

# Regional distribution

This section accounts for the regional distribution of hate crimes reported by county, and for Sweden's three large city municipalities, Stockholm, Gothenburg and Malmö. A new feature for 2008 is that the account is based on a new definition of hate crime, which makes comparisons with previous years unsuitable. Where in the country the most hate crimes are identified is partly influenced by the police and prosecution authorities' campaigns and work against hate crime.

## Counties

### **Most reports in Stockholm County**

Just under one third (1,975 reports) of all hate crimes in 2008 were identified in Stockholm County. Even when taking differences in populations into account, Stockholm County has the most identified reports with hate crime motives (100 per 100,000 average population). One explanation may be that the Stockholm County Police continued its efforts against hate crime in 2008. A hate crime unit, where six investigators are now working full-time, has continued its work. They are specialists on investigating and receiving reports that are hate crime related. Together, these measures may very well turn out to be one of the explanations for the increase in the number of reports in Stockholm County.

### **Hate crime is not a phenomenon that is only found in the cities**

Although Stockholm County has the largest number of reported hate crimes, it is not possible to say, on the basis of the results of this report, that hate crime is a type of criminality that exists mainly in large cities. When taking average population size into account, the largest number of reports identified, after Stockholm County, have been in Västmanland County (between 75 and 79 reports per 100,000 of population).

Östergötland and Skåne counties, among others, can be found among the counties in the average category (52 to 61 reports per 100,000 inhabitants), with 60 and 61 reports, respectively, per 100,000 inhabitants. The lowest number of hate crime reports per inhabitant was identified in Kronoberg County (34 reports per 100,000 inhabitants). Halland, Västra Götaland and Västerbotten counties also had relatively few reports (38 to 43 reports per 100,000 inhabitants). The three large city counties, Stockholm, Skåne and Västra Götaland, thus end up in different categories. In Stockholm County, where a number of initiatives have been taken, the number of hate crime reports is also the highest. In Skåne, on the other hand, where special initiatives also have also been taken in the work against hate crime, the number of identified hate crimes is lower. In Västra Götaland, which has relatively few reported hate crimes, the police report that no work has been carried out on projects relating to hate crimes in 2008.

### **Large spread between counties of the proportion of hate crimes cleared up**

The reports (principal offence) that were made, in 2007, to the police, prosecution authorities and other crime investigating authorities were followed up until

March 2009.<sup>56</sup> By this time, 68 per cent of all the 2007 reports with hate crime motives had been cleared up. In total, 59 per cent of the reports were cleared up *technically*, which, for instance, means that a crime could not be confirmed. Eight per cent of the reports were *personally cleared up*, of which the majority were cleared up through a decision to prosecute. When it comes to hate crimes cleared up, there is a high level of variation, depending on the county in which a crime was reported. Figures for personally cleared up crimes vary from 6 per cent in Jämtland, Kalmar and Västra Götaland counties to 14 per cent in Västerbotten County and 23 per cent in Gävleborg County. Technically cleared up reports where, among other things, the act may have been found not to be a crime, vary from 44 per cent in Jönköping County to 86 per cent in Gotland County. The number of reports not cleared up, for instance by the investigation still being in progress, is highest in Jönköping County, with 48 per cent, and lowest in Gotland County, with 7 per cent.

## Large cities

In 2008, Stockholm, Gothenburg and Malmö counties were responsible for almost a quarter of all hate crime reports (just over 1,490 reports out of just under 5,900). Two thirds of these reports were identified in Stockholm. After taking differences in population into account, the largest number of reports was drawn up in Stockholm, followed by Malmö and then Gothenburg (127, 72 and 53 per 100,000 respectively).

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<sup>56</sup> As hate crimes cleared up are based on reports made in 2007 and followed up until March 2009, only hate crimes based on the older hate crime definition have been followed up. This means that the follow-up concerns fewer reports than for 2008, as the reports followed up are from the previous year.

# Future possibilities

This report has accounted for hate criminality reported to the police in Sweden in 2008 and self-reported exposure to hate crime based on the SCS.

## **Making hate crime visible by quantifying criminality**

Statistics for hate crimes are important, as they show the scope and character of this type of criminality in Sweden. In order to get a comprehensive image of exposure to hate crime, the SCS is used as a supplement to the statistics covering hate crime. One of the aims of the statistics is to provide the judicial system with background material for preventing this type of crime, and to contribute knowledge to the research carried out in the area. By making attacks on the equal value of individuals visible, strategies can be identified for active work to promote human rights. Together, several sources and different methods provide a more complete picture and can be used as complements to each other.

## **Main findings in the statistics**

In 2008, just under 5,900 hate crimes were reported in Sweden. All motives have increased in comparison with last year. One explanation for this is that a large-scale change in definition has been introduced, and that the method selection has been augmented. Over and above this, part of the increase can probably be explained by, for instance, groups reporting hate crime more as well as initiatives against hate crime being set up. However, this does not exclude the fact that it also reflects an actual increase.

Unlawful threats/molestation is still the most common type of crime, followed by violent crime, for most hate crime motives. There are also patterns that differ. For instance, in anti-Semitic hate crimes, agitation against ethnic groups is a more common type of crime than in other hate crimes. In the same way, criminal damage/graffiti is considerably more common in other antireligious hate crimes, where it represents half of all reports. For all antireligious hate crimes, it is also less common to be exposed to a violent crime (9 per cent) than in hate crimes where sexual orientation is included in the motive (27 per cent). In all hate crimes, it is common to be subjected in everyday scenes of life, such as one's own home, place of work, places where the victim has a cup of coffee, takes exercise or in public places, such as in a park or a market. There are also motives that differ; one such example is anti-Roma hate crimes, where it is much more common for the scene of the crime to be other places indoors, such as shops. For hate crimes where white power ideology is also part of the motive, schools are the most common scene of the crime (23 per cent). The results in this report also show that young people are overrepresented, both as victims and as suspects of this type of criminality. Apart from suspected perpetrators often being younger, they are usually also unknown to the victim. Suspects of hate crime are considerably more often men (80 per cent) than women (20 per cent). This pattern also occurs for other types of criminality. If the different hate crime motives are considered, it emerges that a larger proportion of women are subjected to xenophobic/racist hate crimes, while a larger proportion of men are subjected to homophobic hate crimes. The information above is a summary of the main character-

istics of the hate crime statistics. However, a more thorough analysis may be possible in future.

### **New hate crime definition in 2008**

The definition of what constitutes a hate crime has changed from last year and has become more inclusive. Now, all reports where the motive includes ethnic background, skin colour or nationality, religious faith, sexual orientation and transgender identity or expression are mapped. This means that all who are exposed to hate crime because of their ethnic origin, namely Romas, Afro-Swedes, Sami, persons with Swedish, Finnish or Turkish ethnic background, etc., are included in the statistics. Religious faith, for instance, includes Christians, Buddhists, Muslims, Jews and others. When it comes to sexual orientation, homosexuals, lesbians, bisexuals and heterosexuals are included in the statistics. Transgender identity or expression is included in the statistics for transgender persons.

### **Factors for and against the new definition**

In spring 2008, a number of seminars were arranged to capture the views of various actors<sup>57</sup> concerning a changed definition of hate crime. The previous definition was criticised for being exclusive and old-fashioned. For example, the statistics for xenophobic crimes only included crimes where a person of Swedish origin insulted a person of foreign origin. Thus, insults where expressions such as “bloody Swedie” were uttered were not included. A number of advantages of a more inclusive definition were put forward, such as it being valuable if Brå’s definition of hate crime was closer to that of legislation and the police and that used in other countries. The criticism aimed against the proposal of a wider definition was that the power perspective is not illustrated in a definition where the exposure of majority groups is also accounted for. This was countered by the argument that it is still possible to make a power analysis of hate crime, but that an augmented definition better reflects what the entire exposure to infringements looks like. In total, the advantages of changing the definition outweighed the disadvantages.

### **Consequences of using a new definition**

Changing the definition of what constitutes a hate crime is not entirely without problems. One consequence is that more hate crimes have been identified. This means that direct comparisons between this year and previous years, in terms of all hate crimes and xenophobic/racist hate crimes, are not suitable. On the other hand, there are time sequences stretching back in time and opportunities for creating a new time series sequences in the future. It is also possible to still make comparisons over time in terms of Islamophobic, anti-Semitic and homophobic hate crimes. The starting point of the previous definition of hate crimes was, in particular, that minorities should be protected. At the same time, there were hate crimes against minority groups that were not captured by the statistics, for instance against transgender persons, religious minorities other than Muslims and Jews and xenophobic/racist hate crimes between minorities.

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<sup>57</sup> Researchers, interest organisations, authorities, the judicial system and others.

Does the change in definition in the statistics mean that “everyone” can become a victim of hate crime? To some extent, the earlier idea of only investigating exposure among minority groups has changed. The new definition also makes it possible to analyse exposure to hate crime from the perspective of the majority. The new definition creates opportunities for a more detailed breakdown into different sub-categories. For instance, for the first time, xenophobic/racist hate crimes against the majority have been investigated. The results show that only 3 per cent of all xenophobic/racist hate crimes reported are hate crimes against a person of Swedish extraction. The absolute majority (96 per cent) of hate crimes based on this motive are committed against minority groups. Thus, to some extent, the original goal of the statistics has changed. Instead of just analysing one part of xenophobia/racism, the statistics capture more and new sections.

### **New categories, but also a delimitation**

Xenophobic/racist hate crimes against Afro-Swedes and Romas have been accounted for separately. A fourth motive has also been added to the changed definition, hate crimes where the motive includes transgender identity or expression. When reading the reports, these three groups have emerged as being particularly vulnerable. Both internationally and nationally, arguments for the separate accounting of the exposure of these groups have been made.<sup>58</sup> There are also few previous studies describing the exposure of these three groups to discrimination and hate crimes in Sweden.

Even if the definition has changed, a delimitation has simultaneously been made, as only four different motives have been investigated in the hate crime statistics. In an international comparison, this is more than most countries, but fewer motives than in a couple of countries. One argument that is often brought up in a discussion about the motives to be investigated is that it is most important to investigate the type of criminality that other statistics or investigations do not capture. The possibilities for categories are unimaginable, but the question that must be asked is about the usefulness, possibilities and interest of accounting for exposure based on different motives. One motive that is often put forward is sex, and that women and men can be subjected to hate crime from a point of view relating to their sex. The argument for not producing hate crime statistics by sex is usually that crime statistics already exist which describe exposure to violence and infringements based on sex. On the other hand, when it comes to motives that are currently identified as being valuable to include in hate crime statistics, there are no comparable sources of information.

### **Changes in the judicial system have led to a new method**

Hate crime statistics are based on crimes reported and are thus closely linked to the work of the judicial system, in particular the police and the prosecution au-

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<sup>58</sup> The Swedish Federation of Lesbian, Gay, Bisexual and Transgender Rights (RFSL), <http://www.rfsl.se/?p=324&aid=11315>. Downloaded 19 May 2009. For a more detailed discussion about Afrophobic and anti-Roma hate crimes, see the previous report, Brå 2007b, p. 90.

thorities,<sup>59</sup> on hate crime issues. For this reason, it is valuable to investigate how such issues are prioritised by the different police authorities and the Swedish Prosecution Authority. One change that has been made since last year is that all police authorities now mark, at the time the report is made, whether reports have a suspected hate crime motive. This new marking in RAR has had the effect of changing the method of searching for hate crimes in hate crime statistics. RAR reports marked as hate crimes are now included as a third subsidiary sample in the statistics.

### **The judicial system's work with hate crime**

In 2008, Brå sent out a survey to the authorities in the judicial system with questions about their work against hate crime. Some police authorities, such as Stockholm County with its hate crime unit, have continued working actively against hate crime during 2008. A number of police authorities<sup>60</sup> and the Swedish Prosecution Authority have also trained their staff during the year to take notice of, disseminate knowledge about and prevent hate crimes. As mentioned before, the police have introduced a new text field in RAR for registering hate crime, with the aim of improving the opportunities to follow up such crimes. The majority of the police authorities are using the information provided by the field. The survey question of how the information was used generated different answers, such as the field triggering thoughts in a member of staff that a hate crime may have taken place to a person monitoring and summarising statistics, and examines individual cases as necessary. The quality audit of the hate crime field, carried out by Brå during 2008, shows that the field can currently be used as sub-sample. However, the analysis shows that the police capture less than half of the identified hate crime reports in Brå's statistics. An evaluation of the field must be carried out at a later stage to see whether the quality has improved. Taking a more long-term perspective, there are several development works in progress in the legal system that will affect the hate crime arena; for instance, the police are developing a new system for coding information about crime. Here there will be room for so-called focus areas, of which hate crime could be one. In this way, detailed information about hate crime will be already registered at the time of reporting.

### **Crime prevention work against hate crime in Sweden**

In Sweden, as mentioned above, there has been a particular focus on the judicial system's preventative work against hate crime. However, in Sweden there is great commitment and many operations and projects carried out to disseminate knowledge and counter attitudes. Exposed groups are also working actively to counter this criminality. To mention just a few, in recent years projects have been carried out at both national and local level in the Crime Victim Compensation and Support Authority, the Swedish Committee Against Anti-Semitism, the

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<sup>59</sup> Swedish Prosecuting Authority, 2008, p. 7 and 2007b, p. 2. The development centre in Malmö is responsible for hate crime. In 2007, a legal memorandum was published concerning district court and appeal court judgments handed down since the end of the 1990s in relation to hate crime.

<sup>60</sup> According to the survey, the Swedish Prosecution Authority and the police authorities of Östergötland, Västmanland, Skåne and Kronoberg have invested in training during 2008.

crime victim hotline of the Swedish Federation of Lesbian, Gay, Bisexual and Transgender Rights (RFSL) and the Roma International Association.<sup>61</sup> They have worked on encouraging exposed groups to report hate crime and discrimination, have disseminated knowledge through seminars and worked actively to influence decision-makers and those in power.

### **Still few hate crimes are personally cleared up**

An area where relatively little research has been carried out is what happens to reported hate crimes further down the judicial chain.<sup>62</sup> The statistics for 2008 show what happens to the reported hate crimes (principal offence) later on in the judicial chain and the decisions taken by police and prosecutors when investigating these crimes. When the reports from 2007 were followed up until the end of March 2009, it emerged that only rarely could a perpetrator be tied to the crimes: only in 8 per cent of reports was a prosecution started, a statutory punishment issued by a prosecutor or a waiver of prosecution issued. In total, 68 per cent of the crimes were cleared up by the police. This is a slightly lower proportion than last year (73 per cent). The proportion of hate crimes not cleared up had increased by 4 percentage points since last year. How many of the hate crimes that are later given a more severe sentence by a court cannot be discovered from the result, but previous studies have shown that the rule of increased severity of punishment is rarely used – hate crimes do not often lead to more severe punishments.<sup>63</sup>

As this is a relatively unresearched area, Brå intends to start a study aimed at developing the judicial chain perspective in hate crime statistics. The Swedish Prosecution Authority's new case handling system, Cåbra, offers new opportunities to track a hate crime from reporting to judgment, thus developing statistics which will show the judicial system's effectiveness in this area. In this work, experiences from another project at the statistics unit relating to through-put times will be used.

### **Intensive international work against hate crime**

Knowledge about hate crimes are significant to enable active work against fear, hostility and hatred. Hate crime as a phenomenon exists in large parts of the world.<sup>64</sup> One arena that is more rarely noticed in the work against hate crime is the international one. Work is carried out internationally to make hate crime more visible and to create crime prevention strategies. Two big actors are described below. The Organization for Security and Co-operation in Europe

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<sup>61</sup> The section only mentioned *some* examples of actors.

<sup>62</sup> The researcher Eva Tiby has followed homophobic hate crimes from report to judgment on behalf of the Living History Forum (2006). In a previous report by Brå (2002), all reported crimes from 2000 were also followed up to district court judgment.

<sup>63</sup> Living History Forum (2006) and Brå (2002).

<sup>64</sup> The change in the definition of hate crime in Sweden means that more motive categories are accounted for. From an international perspective, Sweden is at the forefront, with more motives and information about victims and perpetrators. But having the same motive categories as other countries, such as the USA, Canada and Finland, does not mean that the statistics can be compared on an equal basis. There are still a number of differences that are significant, such as counting method, different procedures for identifying hate crime, and so on. On the other hand, having more motive categories in Sweden creates opportunities for carrying out a more thorough analysis of the material nationally.

(OSCE), OSCE's Office for Democratic Institutions and Human Rights (ODIHR)<sup>65</sup>, works by gathering statistics about hate crimes, legislation in the area, projects and initiatives (everything from local to national), etc. The 55 participating countries in OSCE, all the European countries, as well as the USA, Canada and the Central Asian countries, have appointed national contact points for this task.<sup>66</sup> The information received by ODIHR is accounted for in an annual report about hate crime and on their website.<sup>67</sup> In the EU, there is an agency for Fundamental Rights (FRA). An important task for the agency is to gather, analyse and disseminate information about the fundamental rights in the union's judicial area.<sup>68</sup> Each year, a report is produced about human rights, including hate criminality, in the European Union. In recent years, the office has published reports<sup>69</sup> about homophobia and discrimination because of sexual orientation and transgender identity or expression, anti-Semitism in the EU during the years 2001–2008, Islamophobia, incidents against Romas, racism and xenophobia, among others. There is, therefore, a large amount of knowledge upon which to build further.

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<sup>65</sup> <http://www.osce.org/odihr/20052.html>.

<sup>66</sup> In Sweden has the National Council for Crime Prevention (Brå) been appointed the role as the national point of contact for hate crimes and gathers yearly information about the work against hate crime from a large variety of actors, such as the judicial system, other relevant public authorities, non-profit organizations etc.

<sup>67</sup> To explore more about the legislation concerning hate crimes in different countries visit the web site: <http://www.legislationline.org/topics/topic/4> and to read more about the work against hate crimes in different countries visit TANDIS (the Tolerance and Non-Discrimination Information System): <http://tandis.odihr.pl/index.php?p=home>.

<sup>68</sup> The European Agency for Fundamental Rights (FRA).

<sup>69</sup> The European Agency for Fundamental Rights (FRA). [http://fra.europa.eu/fraWebsite/products/publications\\_reports/publications\\_reports\\_en.htm](http://fra.europa.eu/fraWebsite/products/publications_reports/publications_reports_en.htm). Downloaded 14 April 2009.

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