

Hot Line:

Improving the Recording and Reporting of anti-LGBT Hate Crimes

Project report

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Executive summary

The report presents the activities undertaken within the project *Hot Line: Improving the Recording and Reporting of anti-LGBT Hate Crimes* implemented by Lambda Warsaw in 2017. Special attention is paid to the outcome of the process of collecting information about anti-LGBT incidents that took place in 2017 and were reported to Lambda and registered.

Building on ILGA-Europe's methodology, Lambda Warsaw elaborated a dedicated tool for registering and analyzing information about cases. Staff were trained on how to recognize hate crimes and other incidents and how to record them using the questionnaire. An outreach campaign involving social media and LGBT events was carried out throughout 2017 to raise awareness about anti-LGBT hate crimes and to encourage victims and witnesses to report.

28 cases of anti-LGBT incidents were recorded in the project using a variety of methods of data collection. Content analysis suggests that the types of incidents collected in this exercise are similar to those usually reported to LGBT NGOs in Poland, with majority of reports involving verbal abuse. At the same time, the relatively low number of reports confirms that underreporting remains an issue in Poland. It also suggests that more efforts need to be put in reaching out to victims and encouraging them to report.

About Lambda Warsaw

Association Lambda Warsaw is the oldest LGBT rights organization in Poland (est. 1997) and the largest provider of support services to members of the LGBT community. Lambda's activities include, inter alia, providing legal and mental health support to victims of violence and discrimination based on sexual orientation or gender identity; conducting surveys, collecting cases and monitoring the legal and policy situation of LGBT people in Poland as well as conducting advocacy activities.

About Lambda's LGBT Safety Programme

"Safety" programme was established at the beginning of 2017. Aimed as a programme that builds bridges between the support branch of the organization and research and advocacy activities, it consists of two pillars: safety of LGBT people and safety of the organization. The strategic goals of the programme are:

- improving the level of **safety of the organization**: physical, cyber and financial,
- Improving the level of **safety of LGBT people in Poland**.

Safety of the organization is build on two key elements: capacity building and skills as well as actual tools and equipment.

Working on the safety of LGBT people means undertaking activities to:

- Improve the level of reporting of bias-motivated violence
- Improve the systems of recording of such attacks in Lambda Warsaw and other organizations
- Raise awareness about hate crime and anti-LGBT violence among the LGBT community and general public
- Build capacity of professionals in reporting centres and victim support service providers
- Build and strengthen collaboration with organizations working to support women, children, persons with disabilities, migrants and people of different ethnic origins as well as victims of crime and other marginalized groups.

Currently there are two projects run within the programme:

- *"COME FORWARD: empowering and supporting victims of anti-LGBT hate crime"* (lgbthatecrime.eu),
- *"CALL IT HATE: raising awareness of anti-LGBT hate crime"*.

The project that were a part of the program were also:

- *“Hot Line: Improving the Recording and Reporting of anti-LGBT Hate Crimes”* which was run in 2017 and is described in this report,
- *“If you hear this, if you say this”* - a social campaign aimed at raising awareness about domestic violence against LGBT people and encouraging victims, witnesses and perpetrators to report and use support.

Introduction

This report is a result of the work conducted in the framework of the project **Hot Line: Improving the Recording and Reporting of anti-LGBT Hate Crimes** implemented by Lambda Warsaw in 2017 and co-funded by ILGA-Europe. It presents the results of the activities regarding collection of data on hate-motivated violent incidents against LGBT people in Poland in 2017.

The aim of the project was to create a tool to collect information about hate crime (improve collecting and recording data), to encourage members of the LGBT community to report cases in which they were victims or witnesses and to raise awareness about what anti-LGBT hate crime is. The aim was also to raise knowledge and skills among professionals who work with the community so they can recognize hate crime cases and register them using the new tool.

While consecutive surveys confirm high level of LGBT victimization in Poland, they also show that fewer than one in nine victims report the crime to the competent authorities.¹ Annual reports on cases collected by Lambda Warsaw and Campaign Against Homophobia confirm that people are unwilling to come forward, as fewer than 50 incidents are reported in the country of 38 million people per year.² Still, the figures reported by civil society groups are higher than those officially recorded: In 2016, the Polish Police recorded mere 12 cases of anti-LGBT crimes.³

¹ Magdalena Świder and Mikołaj Winiewski, eds., *Sytuacja społeczna osób LGBT. Raport za lata 2015 - 2016 [The Social Situation of LGBT People. Report for the Years 2015 - 2016]* (Warszawa: KPH, 2017), <https://drive.google.com/file/d/1b4KKia7c3C1Ch9DcJLQ8WQuy7-qdw5pB/view>; Mirosława Makuchowska and Michał Pawłęga, eds., *Situation of LGBT Persons in Poland. 2010 and 2011 Report* (Warsaw: KPH, LW, Trans-Fuzja, 2012), http://lambdawarszawa.org/wp-content/uploads/2015/08/2bdac200d225193bdf8440f2fab798c_report_LGBT_survey_2010_2011.pdf; Marta Abramowicz, ed., *Situation of Bisexual and Homosexual Persons in Poland. 2005 and 2006 Report* (Warsaw: Kampania Przeciwko Homofobii, Lambda Warszawa, 2007), http://kph.org.pl/images/stories/raporty/raport_homofobia_2007_EN_screen.pdf; Paulina Górską et al., *Raport o Polsce [Report on Poland]* (KPH, 2016), <http://kph.org.pl/wp-content/uploads/2016/08/hnm-raport-pl-www.pdf>; FRA, 'Survey Data Explorer: LGBT Survey 2012' (FRA, 2013), <http://fra.europa.eu/DVS/DVT/lgbt.php>.

² Magdalena Świder, Marta Rawłuszko, and Piotr Godzisz, eds., 'Submission to ODIHR Hate Crime Reporting 2016' (Lambda Warsaw, KPH, April 2017), <https://drive.google.com/file/d/1sneOD2VUle5n36H5J-aULTio85Fd5Ue4/view>; Piotr Godzisz, Paweł Knut, and Magdalena Świder, eds., 'Submission to ODIHR Hate Crime Reporting 2015' (Lambda Warsaw, KPH, November 2016), http://kph.org.pl/wp-content/uploads/2016/11/LAMBDA_KPH_OSCE_raport_2016_11_17_.pdf.

³ See ODIHR's hate crime reporting website www.hatecrime.osce.org/poland.

Methodology

Sources of information

Cases documented were reported directly to Lambda Warsaw either by users of support services provided by Lambda (help line, mental health support, legal support) or when reporting the case was the only reason for contacting the organization. The rest of the cases were reported in the media and registered by Lambda with the use of the tool. In most cases, Lambda attempted to verify the report by contacting the original poster / victim.

All the cases that were documented within the project took place in 2017.

Questionnaire

Cases were recorded using the questionnaire developed by Lambda Warsaw based on the methodology of ILGA-Europe. ILGA-Europe's questionnaire was translated, adapted to the Polish reality and standardized.

The questionnaire contains 42 questions (plus a comment box) in five sections:

- Basic information
- Information about the recorder
- Victim's identity
- Circumstances of the incident.

Training

Staff responsible for recording cases were not only trained, but also actively involved in developing the data collection tool. This ensured that the tool was adjusted to their needs, and any doubts about collecting data (e.g. client-lawyer confidentiality) were discussed. Two training / feedback sessions were organized for Lambda Warsaw's staff to familiarize them with the process of data collection.

Outreach and dissemination activities

Lambda Warsaw informed about collecting information about anti-LGBT violence throughout most of 2017. The work has been carried out in the framework of two campaigns:

- the anti-LGBT hate crime campaign conducted as part of the Hot Line project (mostly Q3 and Q4 2017)
- the anti-LGBT domestic violence campaign *If you hear it / if you say it* (mostly Q2 and Q4 2017).⁴

Both campaigns aimed at raising awareness of various types of anti-LGBT violence and encouraging reporting. The Lambda Warsaw's help line was promoted as a way to report crimes and access support services.

The domestic violence campaign, funded by the city of Warsaw and with a budget of 21,000 EUR, used a range of media, including outdoor (city lights), posters, events, community meetings, leaflets, social media and a video (online and cinemas).

The hate crime campaign included social media, leaflets, community meetings and a video.⁵ A set of info-graphics and a leaflet was created, explaining what hate crime is, giving examples of hate-motivated incidents and encouraging potential victims to report. A meeting with the local LGBT community in Poznań was organized in March 2017 following a violent incident in that town (in cooperation with Grupa Stonewall association). Over 500 leaflets were distributed at events around the country including equality marches in Warsaw, Poznań, Wrocław and Toruń. Another 500 were sent to LGBT organizations across Poland.

In addition to outreach and awareness-raising activities, information about both campaigns, as well as information about cases collected by Lambda in 2016 were regularly reported on in the media. Press conferences were organized in May 2017 (launch of the *If you hear it/if you say it* campaign) and in November 2017 (Lambda and KPH's report on hate incidents collected in 2016), generating a lot of publicity.

In addition to the above, the information about Lambda's activities with regard to hate crime data collection, monitoring and reporting was presented in 2017 at several professional events, including the international conference on hate speech in Warsaw in February, the seminar for local police officers, prosecutors, lawyers and social workers in Wrocław in October 2017, the annual conference of the European Forum on Urban Security in Barcelona in November, the conference on hate crime victims in Warsaw in December and the conference on hate speech in Gorzów Wielkopolski in January 2018.

⁴ See the website of the campaign *If you hear it / if you say it* at www.jeslitoslyszysz.pl.

⁵ The video "Violence against LGBT people - get help!" <https://www.youtube.com/watch?v=GqFa0pF8FMs> was published in January 2018.

Analysis of 2017 reports

Out of 28 cases collected, 18 were reported directly to Lambda, while 10 were registered based on the information from the Internet and other media. Out of the ones reported directly to Lambda, three came through a direct conversation aimed at reporting an incident; five came through the help line; and 10 came through social media or email dedicated for those who seek support from Lambda. 15 cases came directly from victims, while nine were reported by witnesses. Four cases were reported by those who had heard about the incident from a victim or an eye-witness.

Victims

In 12 cases there were individual people who experienced attacks being on their own, in nine cases it was more than one person (a couple or a few individuals who knew each other) and in seven cases it was a group/a crowd of people.⁶

Gender

In terms of victims' gender, there were 10 men and 10 women attacked. In seven cases when big groups/crowds were attacked, the category of gender was not taken into consideration. In one case there is no information about the victim's gender.

Sexual orientation

Considering the sexual orientation of the victims, seven gay men, four lesbians, one bisexual and one heterosexual individual were attacked. In three cases the person was not able to define themselves and in four cases the person who received the report could not tell as this information was not revealed. In eight remaining cases it was a group of people attacked.

In most cases there was no information about the extent to which victims were out about their sexual orientation or gender identity. Five people were out of closet among friends and LGBT community, seven within families and four in their work place.⁷

Age

In 15 cases those who reported indicated the age of a victim (six of them were under 20 years of age, seven under 30 years and two were over 40 years of age). In the rest of cases the age was not indicated.

⁶ In cases of incidents where there were couples or small groups attacked, further information about the case (e.g. demographics or experience with the police) refers to one person who was considered the main victim.

⁷ These figures may be overlapping, as it was possible to indicate more than one option (e.g., the same person is open both in the family and at work).

Activism

Six reports involved victims who were engaged in LGBT activism, while another six happened to those who at least once attended an LGBT event. In other cases, the level of engagement was not revealed.

Locations

Most incidents (18) took place in public spaces (e.g. three in a restaurant or a club and two in an LGBT venue). Six incidents happened at a work place, university or during a work-related trip. Two incidents happened in private spaces (a victim's home or another private apartment), one was connected with service delivery (hairdresser) and one took place online.

Most cases (23) took place in big cities. Only two reported incidents happened in smaller towns.

Types of incidents

Verbal violence was the most common type of incident (15).

There were 10 physical attacks including one serious assault and two attacks on property that were also dangerous for a person involved; four cases of threats; and one case of blackmailing. Five cases involved psychological violence, such as bullying or stalking.

There were nine attacks on property, including seven cases of damage of property and two cases of theft.

Two cases can be classified as hate speech/incitement to hatred. In three cases a person was discriminated against and in one case a person was arrested without any reason.

In two cases of loud whistling or screaming was used to disturb the event/meeting.

Perpetrators

In most reported incidents (19) there was more than one perpetrator. The attackers were mostly private individuals (22 cases). Within this group, 15 attackers were strangers. The rest included, e.g., members of a group, a partner or a co-worker.

In one case the perpetrator was a police officer.

Motivation

In each case the incident was motivated by bias based on the sexual orientation of the victim. In addition to that, also gender identity (4) and gender expression (2) were indicated as motives. Others were: anarchist attitudes and open support of LGBT community/Pride.

The motivation was revealed through: the language the perpetrator used (in 15 cases) and by the fact that a person who attacked knew or could have known with a high probability that they are attacking an LGBT person (18 cases).

Reporting

Some victims reported the incident to the police (11), some did not (seven). In 10 cases there was no information about reporting.

Comparison with previous years and official statistics

In 2015, Lambda Warsaw and KPH jointly recorded the total of 36 anti-LGBT incidents.⁸In 2016, this number rose to 45.⁹ Out of the incidents recorded in 2015, ODIHR recognized 16 as hate crimes.¹⁰ Three additional incidents were reported to ODIHR by the NEVER AGAIN association. In 2016, ODIHR recognized 23 anti-LGBT hate incidents reported by Lambda and KPH, and additional two incidents reported by the NEVER AGAIN association. Out of the 25 cases recognized by ODIHR as hate crimes in 2016, 10 involved violent attacks against people, nine involved threats and six were attacks against property.

When it comes to official figures, police statistics show that 12 cases of hate crimes motivated by bias based on sexual orientation or gender identity were recorded in 2016 (and zero in 2015). According to the information received through the freedom of information request from the Ministry of Interior by another NGO, five anti-LGBT hate crime cases were recorded in 2017. The government is, however, yet to report the official figures to ODIHR.

Concluding remarks

While resources were put into raising awareness of the problem of anti-LGBT violence in 2017 by Lambda and other organizations, the overall number of reports is likely to be only slightly higher than in the previous years, when no specific campaigns aimed at encouraging reporting were conducted.¹¹ This finding shows that more efforts and resources need to be put into encouraging victims to come forward. Isolated campaigns, limited financially and geographically, may be helpful in raising awareness, but have limited impact when it comes to increasing the number of reports. For that, systematic and long-term efforts, as well as - and this is perhaps the most important factor - the commitment of the authorities to address the problem is needed. Without the commitment of the police and prosecution services, as well as local authorities, to address underreporting of hate crime, effects of civil society-run campaigns will be limited.

⁸ Piotr Godzisz, Paweł Knut, and Magdalena Świder, eds., 'Submission to ODIHR Hate Crime Reporting 2015' (Lambda Warsaw, KPH, November 2016), http://kph.org.pl/wp-content/uploads/2016/11/LAMBDA_KPH_OSCE_raport_2016_11_17_.pdf.

⁹ Magdalena Świder, Marta Rawłuszko, and Piotr Godzisz, eds., 'Submission to ODIHR Hate Crime Reporting 2016' (Lambda Warsaw, KPH, April 2017), <https://drive.google.com/file/d/1sne0D2VUle5n36H5J-aULTio85Fd5Ue4/view>.

¹⁰ See the ODIHR hate crime reporting website at www.hatecrime.osce.org.

¹¹ The Lambda-KPH report will be compiled in April 2018.

The experience from the *Hot Line* project, however, suggests that civil society campaigns should continue. 18 cases were reported directly to the organization, with some people reporting only because they wanted their cases to be recorded. This suggests that the awareness of the necessity to document hate crimes may be rising among members of the community.

The experience from *Hot Line* also shows what kind of actions have the highest potential to generate reports. One meeting with members of the community in resulted in several people sharing their experiences of victimization. Calls to report incidents of violence following equality marches, shared on social media, also resulted in reports coming in. Active monitoring of social media posts in which people publicize their experiences (or even encouraging to share or report in the comments using the organization's profile) may help to increase the number of cases collected. Still, unless the institutions responsible for investigating crimes, as well as victim support services, recognize hate crime as a real problem, hate crimes will continue to be underreported.

Finally, it is important to consider the effect that the project *Hot Line* has had on Lambda. The experience of using the standardized questionnaire to record incidents has been a good one. Staff involved in service delivery, who, until now, have had no experience in documenting hate crimes, have been sensitized. Their awareness of the need to collect data for advocacy has been enhanced. While to ensure that the tool continues to work trainings should be repeated regularly in the future, it is safe to say that projects such as *Hot Line* should be implemented in other LGBT organizations in Poland. In particular, local organizations and groups should be encouraged to record cases brought to them by their members using the questionnaire developed here. Efforts to this end are envisaged within the scope of the Safety programme of Lambda Warsaw.

Recommendations

NGOs:

- 1) Implement tools to document bias-motivated incidents brought to the organization by clients and community members. Lambda staff are available for support and advice. The **questionnaire** may be used as a standardized tool to collect and analyse data.
- 2) Reach out to local communities with a clear message about the importance of reporting violent incidents to them.
- 3) Train staff working directly with community members (e.g. educators, counsellors) to recognize and record hate crimes.

Policy makers

- 1) Conduct an awareness raising campaign about anti-LGBT hate crime that would encourage victims to report incidents and encourage witnesses to react.
- 2) Provide training for police officers, prosecutors and victim support service providers to ensure that they recognize anti-LGBT hate crime when it is reported and are able to address specific support needs of LGBT victims.