

75

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HATE CRIMES AND DISCRIMINATION: PERPETRATORS AND VICTIMS

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INVEsbREU

Introduction

The purposes of the Centre for Legal Studies and Specialised Training (CEJFE in its Catalan acronym) include promoting and publicising the latest scientific developments in justice and criminology, and one of the ways in which it does this is its *Invesbreu* newsletter for disseminating research. In issue number 75 it presents two papers which address the question of hate crimes and discrimination from the standpoint of the perpetrators and the consequences for victims.

Both studies received financial support from the CEJFE in the annual public call for research grants in 2017. By promoting these papers the Centre fosters lines of research and action aimed at introducing improvements into the work processes of practitioners in the field of criminal enforcement.

The first paper is an extensive survey of groups whose common denominator is potentially proposing the use of violence as one of their characteristic identifying traits. It sets out numerous external and internal features of each group including their ideology, ways of dressing, symbologies, languages, music, etc. The aim is descriptive and may help the reader to recognise and begin to understand how these groups operate. Such insight will make it easier to adopt a professional approach in the scenarios and settings in which work is needed.

The second paper looks at juvenile justice and examines the profiles of perpetrators and victims of hate crimes and discrimination. It analyses offences reported between 2014 and 2017 in which minors were involved. It depicts the characteristics of offenders and victims, the vulnerability of people subjected to this type of crime and how it impacts them, the features of these types of hate behaviours, coping techniques and how the courts and professional practitioners respond to them.



Violent Urban Gangs and Hate Crimes. Using Violent Symbology as a Determinant in Criminal Behaviour. Tools for Practitioners to Detect the Hate Speech and Symbols of Violent Urban Gangs.

Author: Joan Ramon Caballero Casas

Introduction

Are practitioners trained to identify violent symbology and hate speech? This paper is intended to be a useful tool for practitioners in various areas of public administration in which they can clearly recognise the fanaticism or radicalisation and hate speech of members of Violent Urban Gangs (VUG).

Research objectives

- 1) Identify VUG violent symbology and hate speech.
- 2) Recognise the modes of exhibition and use of all VUGs.
- 3) Provide experimental indicators to examine the thinking, behaviour and lifestyle of the members of the largest VUGs.
- 4) Identify the approximate degree of polarisation of a person in a VUG from the sum of indicators and whether they are in a passive indoctrination stage and the role they play in the group.

Methodology

Extensive qualitative analysis has been conducted consisting of:

- 1) Criminological analysis of 205 court sentences which shows habitual patterns of behaviour related to the use of appearance and hate speech based on the prejudice of the person convicted. Normally they are crimes with a background of hatred for what is different, and how and why they have chosen their victim can also be identified.
- 2) Personal interviews with members and former members of VUGs, NGO professionals, members of law enforcement agencies, the State Prosecutor's Office, workers in juvenile centres and prisons.
- 3) A survey was conducted on social media aimed at profiles of all ages and resident in Spain. The response time was four months from December 2016 to March 2017. The purpose was to explore the socio-political tendencies of people who are members or former members of VUGs. The questionnaire was answered by a total of 2,007 people in this period.
- 4) The lyrics of 1,000 songs by a hundred Spanish groups were examined as an adjunct to a research project the author took part in at the University of Lleida about violent politicised music.
- 5) Other documents such as press articles, use on social media, etc.

Results

Some of the most significant results are as follows:

1. VUG structures and organisations are very similar. Some groups are ideological while others imitate organised crime structures.

In many groups the way of dressing is identical and the only difference is the ideology, nationality or name of the group accompanied by each one's symbols.

2. VUGs have a wide repertoire of violent symbology which they disseminate through numerous channels. They seek to distil hate speech and violence into an image, object or way of dressing. They do not convey any positive values to the members of the group; they are organisations in which the foundation of their cosmovisions and socialisation combines admiration for violence and hatred for anyone different or a rival. Violent ideology involves committing to a set of roles, values, rules, beliefs and norms that legitimise an aggressive discourse and symbols. Dichotomy (*black or white*) divides the world into *us and them*. The most widespread way of externalising (objectifying) aggression and fanaticism is through symbols and discourse.



Illustration 1. Ways of externalising aggressiveness through symbols

3. Violent politicised music is one of the first transmission channels for young people in which it is easy to identify the impact of violent and hateful messages. They proselytise through songs. The singers and groups are aware of this violent ideological dissemination. Specialised prosecutors pursue these behaviours and ban concerts and the dissemination and distribution of these contents.

4. Linked to violent politicised music, a habitual linguistic pattern is repeated in hate speech irrespective of the extreme political aspect and is mainly disseminated on social media. Practitioners need to draw up an appropriate counter narrative.

5. Identifying with a violent ideology entails entering the dangerous prelude to violent extremism or fanaticism.

Only dichotomous thinking prevails. This aggressiveness is learned gradually. There are gangs with a manipulated discourse and coercive manipulation gangs. It is established as a single discourse generating cognitive rigidity. Violent ideology leads to affective overestimation in beliefs which are passionately held. It does not trigger psychopathies or other mental illnesses in a generalised way because the most fanatical members demonstrate affection to their peers. This learning is related to the assimilation of the manipulated discourse and the cognitive distortions of each VUG.

Young people seek meaning in their lives through ideas that combine various aspects related to victimhood, real or perceived injustice, the search for guilty parties and to dehumanise them and the belief that the responsibility for one's actions is the consequence (and fault) of a cause (not) justified by ideology and the movement. The enemy is objectified and seen as something subhuman so emotions such as empathy or compassion are not needed.

Table 1. VUG categories in Spain

VUG category	Group type	Appearance
Ideological	National socialist	Skinhead, Punk, Hooligan, Casual
	Far left	Skinhead, Punk, Hooligan, Casual
Imitating organised crime structures	Latino gangs	Gangsta
	OMC 1%	Biker 1%

6. As a preventive measure it would be advisable to bring in specific protocols in security detention centres (juvenile educational centres and prisons) where the appearance and symbology a person exteriorises is taken into account on admission and when they are inside in order to implement preventive measures. It is common for criminal gangs to form in these centres for a number of purposes such as offering protection to their members or drug trafficking. Some gangs have support associations which describe people convicted of ideological crimes as prisoners of war, prisoners of conscience or political prisoners. In their view prison is a repressive tool of the de facto powers which seek to terminate their VUG.

7. The use of tattoos is very strictly regulated in VUGs. Only authorised people can get tattooed with the group's symbols because they are official emblems which identify them as full members. There are active members who get tattoos of their VUG inside detention centres and this will tell us whether the person remains in the VUG and its influence over particular inmates.

8. In general practitioners do not have specific training in this area. Basic knowledge about these issues helps to quickly identify the intrinsic aspects of VUGs and their relationship with hate crimes.

9. The best way of tackling this issue is to get down to its roots and work with people under 18 who are members of these VUGs and have committed minor criminal offences or with people under 18 who are in the surroundings of these VUGs but not yet fully members of them. Investing in prevention is cheaper and more effective than doing it later on in re-education. The protection that this entails for potential victims should also be taken into account.

Intervention in Cases of Hate Behaviour and Discrimination in Juvenile Justice

Author: María José Bartrina Andrés

Introduction

The purpose of this study is to initiate an area of research which has been little explored in the field and context of juvenile courts: behaviours prompted by hate and discrimination involving teenagers. The intention behind highlighting the problem and examining it is to raise awareness and contribute knowledge so as to introduce improvements in the work processes of practitioners in the field of criminal enforcement with offenders and also with their victims.

It is essential to raise the awareness of institutions and the educational community supported by the implementation of the legal and regulatory framework which has been rolled out over recent years. Addressing this problem among young people as it emerges in a society and community which are increasingly diverse and plural entails delivering and ensuring security and protection for victims who experience abuse, distress and injury.

Special attention should be paid to how this discourse of violence has been built into the discourse of teenagers online where social media undoubtedly play a key role.

This paper examines, raises awareness about and discusses this type of behaviour by teenagers in their immediate setting and also the experiences of victimhood it leads to which are extensively described in the research we present.

Objectives

This study's main objectives are the following five dimensions of analysis of the issue:

Dimension I: Profiles. Gaining an understanding of the features of the profiles of victims and offenders.

Dimension II: Hate and discrimination. Identifying the characteristics of these behaviours, the means used and the scene where the offences are committed and also exploring the causal attributions used to justify this type of behaviour.

Dimension III: Coping. This enables us to learn what the victims' coping strategies are.

Dimension IV: Intervention in the context of justice. We will examine the actions that take place as a sequence from the opening of a case with the complaint until the closure of the process.

Dimension V: Professional practice. Highlighting the problem among practitioners and fostering their awareness in order to enhance practice with the specific component of an educational response where needed.

Methodology

The study uses a descriptive and exploratory model of the issue to be examined. The sample under analysis was constructed by selecting a total of 73 complaints which came from 151 cases of teenagers aged 14 to 18 and a total of 89 victims. There were 201 defendants, of whom 32 were over 18 and another 14 were under 14 (the age of criminal responsibility).

The data were obtained by dumping the records of the teenagers in which a request for a report was filed with the technical teams following a complaint. Secondary data sources were used and the research also included a review of the technical reports drawn up by the practitioners involved in the case. The Juvenile Justice Information System (SIJJ in its Catalan acronym) and the Catalan Prison Information System (SIPC in its Catalan acronym) applications were used.

The territorial scope of this research is limited to Barcelona province and the population studied is offenders and their victims. Both groups have been attended to in juvenile justice units and areas in the pre-sentencing stage (counselling and/or mediation before the trial) and while enforcing measures (non-custodial and prison after a trial leading to conviction) between 2014 and 2017.

Statistical mining was basically carried out with the IBM SPSS Statistics 22.0 package supplemented by the IRAMUTEQ program. This enabled us to analyse the hateful language used by the offender to perpetrate the harm and abuse which jeopardises the victim's integrity.

The data was analysed by means of descriptive data mining, data cross-referencing and setting the control variables which were the subject of this study based on the objectives and dimensions that had been set as research goals.

Results

The main results in the province and period examined show a prevalence that stands at 1.7%. Although this might be considered low, some of the situations studied were serious due to the gravity of the crime committed and in particular due to the harm, distress and traumatic experience inflicted on the victim.

The results show that we need to intervene quickly and effectively to alleviate this harm and the experience of victimhood generated while also providing an educational and learning experience for the teenager who is responsible for the offensive and harmful behaviour.

Most of the perpetrators (74.8%) and victims (67.4%) were indigenous Catalan teenagers.

The most numerous target group is lower secondary education students, especially in the second two-year period (ages 14-16).

Table 1 shows the distribution by age groups and gender of offenders:

Table 1. 14-18 offender age and sex

Age	Sex				Total	
	Male		Female			
	n	%	n	%	n	%
14	41	29.5	5	41.7	46	30.5
15	39	28.1	3	25.0	42	27.8
16	31	22.3	2	16.7	33	21.9
17	28	20.1	2	16.7	30	19.8
Total	139	100.0	12	100.0	151	100.0

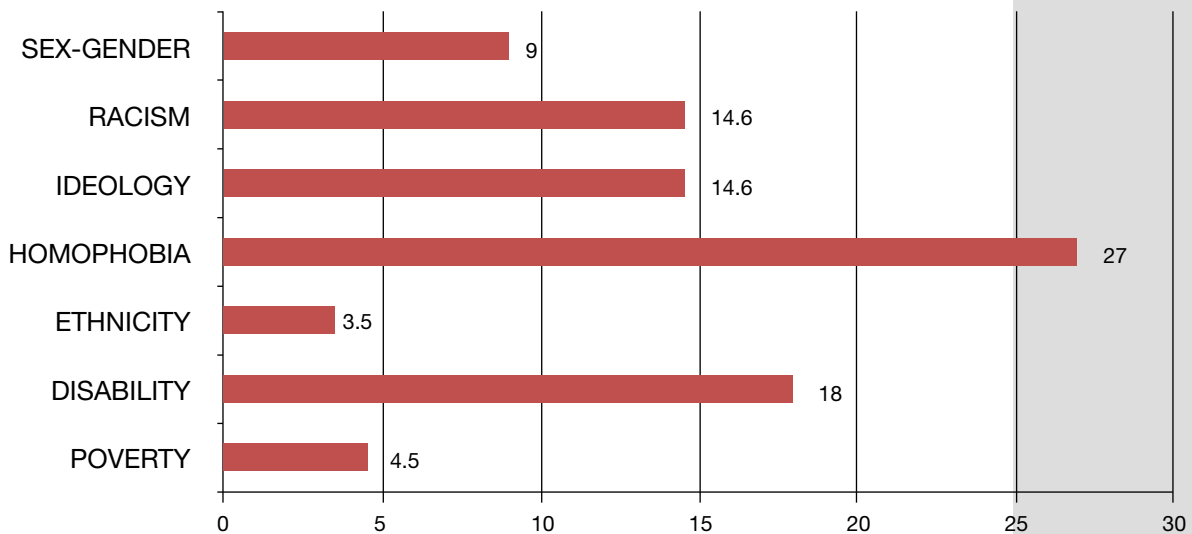
92.1% of juvenile delinquent cases involve young men, a total of 139, compared to 12 young women who only account for 7.9%.

The study displays the exponential growth in these behaviours through the work the school community has recently begun with these most vulnerable groups to raise awareness and highlight the problem. Mass internet and social media use in these age groups runs in tandem with this burgeoning of the problem.

We believe that documenting and learning about behaviours such as xenophobia, racism, discrimination and intolerance is essential while also seeking to ensure the protection of the most vulnerable people and groups who are subjected to these acts of gratuitous and intentional violence.

The relationship of these types of behaviours motivated by hatred and discrimination as experienced by the victims in our study is shown by the percentage distribution in the figure below. Homophobia tops the list at 27%.

Figure 1. Type of hate behaviour experienced by victims



The largest category of criminal acts is degrading treatment (64.9%).

The results also include analysis of the language used to insult and abuse the victim (Figure 2) which will enable subsequent educational intervention geared towards emotional, cognitive and moral development education.

Figure 2. The cloud of insults and abuse of the victim



Very often the victims are vulnerable and intentionally selected and subjected to gratuitous violence which threatens their safety and integrity leading to devastating moral, psychological and social effects which are frequently maintained over time.

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- 69 New intervention programmes for offenders in the community
- 70 Managing emotions in penitentiary centres
- 71 Penal execution in the provinces
- 72 Violent criminals and reoffending
- 73 The victims of young offenders
- 74 Prison, treatment and social reintegration

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