

Policing LGBT-Hate crimes in France

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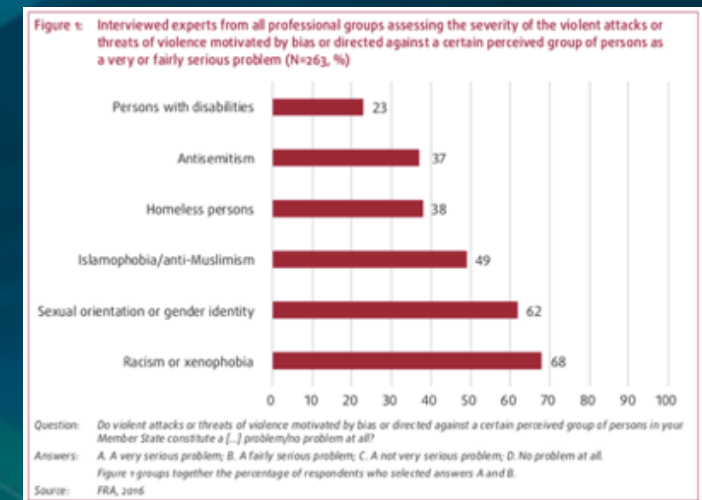
Policing LGBT-Hate crimes in France



- What is a Hate Crime ?
- The French context
- Statistics on LGBT-phobic acts in France
- Why people do not report ?
- How to better address anti-LGBT hate crimes ?
- Conclusion

What is a Hate Crime ?

- The term "hate crime" or "discrimination-based crime" describes a certain type of crime, committed to put pressure on the victim and their community because of their group characteristics.
- If hate crimes are treated as ordinary crimes, regardless of their particular nature, they are often not adequately addressed.
- This concept does not exist in the French law. Only "aggravating circumstances" exist.
- According to a Fundamental Rights Agency survey (FRA, 2016), anti-LGBT crimes are among the most severe crimes in Europe.
- 26% of the LGBT FRA-Survey respondents have been assaulted or threatened with violence in the last 5 years (and 35% for all transgender respondents).



The French context (1)

IGO observations and recommendations

Observations & Recommendations by UN, with regard to recording and collecting data on hate crime, 2013-2017	n/a
Observations & Recommendations by ECRI, in relation to recording and collecting data on hate crime, 2015 <i>Fifth report on France</i>	109. ECRI recommends that the French authorities [...] take step to implement the Ministry of Justice's instructions on recording racist offences in the form of a formal complaint and not as a record in the police daybook, and to extend this arrangement to homophobic/transphobic offences.
Observation by OSCE/ODIHR in relation to recording and collecting data on hate crime, 2016 <i>OSCE/ODIHR hate crime reporting France</i>	France has not reported to ODIHR the numbers of prosecuted hate crime cases.

France does not transmit data on anti-LGBT hate crimes to international agencies as the OSCE. Only racist, anti-Semitic and Islamophobic crimes and offences have been recorded since 2007

In a 2018 report, the European Union Agency for Fundamental Rights still stresses that much progress remains to be made in France, particularly in accounting for anti-LGBT hate crimes.

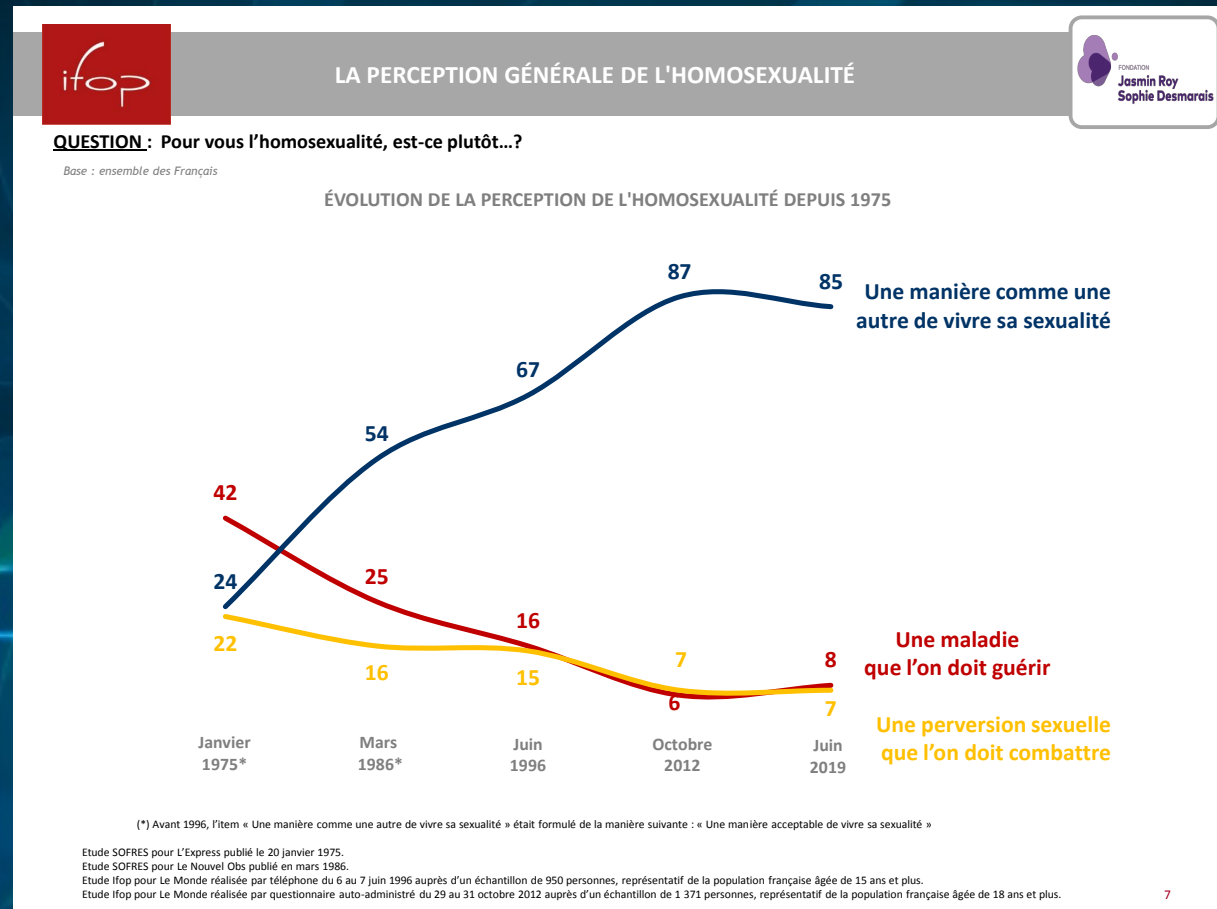
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Actions and threats with a racist or xenophobic character	723	864	1,026	886	865	1,008	625	678	797	608	518
Actions and threats with an antisemitic character	402	459	815	466	389	614	423	851	808	335	311
Actions and threats with an anti-Muslim character	-	-	-	116	155	201	226	133	429	185	121

Note: Data on actions and threats of an anti-Muslim character were not published prior to the year 2010.
Source: FRA, 2018 [based on data from the Ministry of the Interior provided for the *Annual report on the fight against racism in all its forms* of the National Consultative Commission on Human Rights (Commission nationale consultative des Droits de l'Homme)]

The French context (2)

Regular surveys conducted since 1975 show that French population considers more and more being gay or lesbian as « a way like another to live its sexual life »

- 24 % in 1975
- 54 % in 1986
- 85 % in 2019

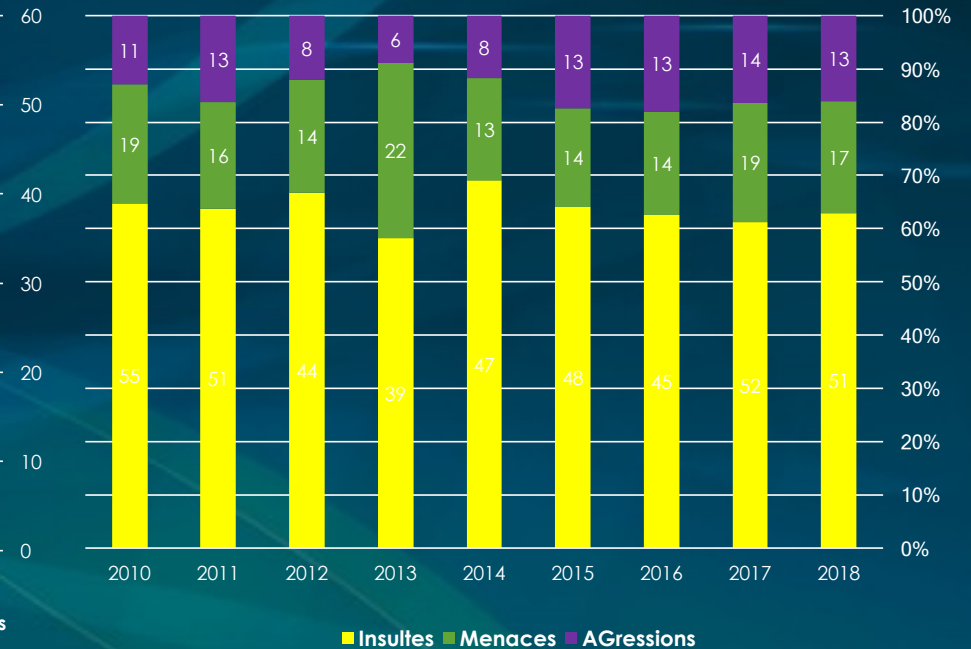


Data on LGBT-phobia collected by SOS-H hotline 2010-18

Places LGBT-phobia France 2010-2018, SOS-H, %



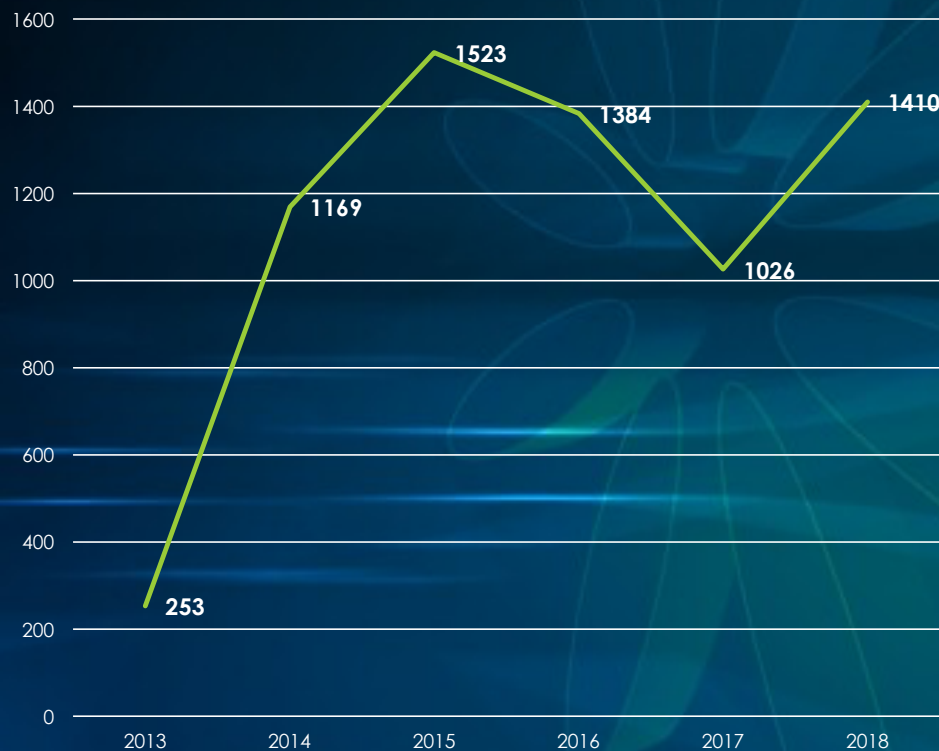
Insultes, Threats, Agressions, 2010-18, SOS-H, %



From **17.000 complaints collected** through the hotline, one can notice that LGBT-phobia is particularly present on the Internet ; then in public places then at the work place. More of 60% of the of apelant faced insults.

Official Data on LGBT-phobic acts in France (1)

Complaints for LGBT-phobia, Police, France, 2013-18



- According to the CVS (*Cadre de vie et Sécurité*) victimization survey, conducted every year in France since 2007, anti-LGBT **threats** and **insults** affect around **22,000** and **160,000** people each year, whereas the police only registers around 1000 complaints/year.
- **Filing of a complaint is a very rare step** taken by victims : only 5 % of victims of anti-LGBT insults and around 20 % of victims of anti-LGBT violence confirm having gone to the police or gendarmerie.
- The police statistical direction is aware about this under-reporting situation !

Data on LGBT-phobic acts in France (2)

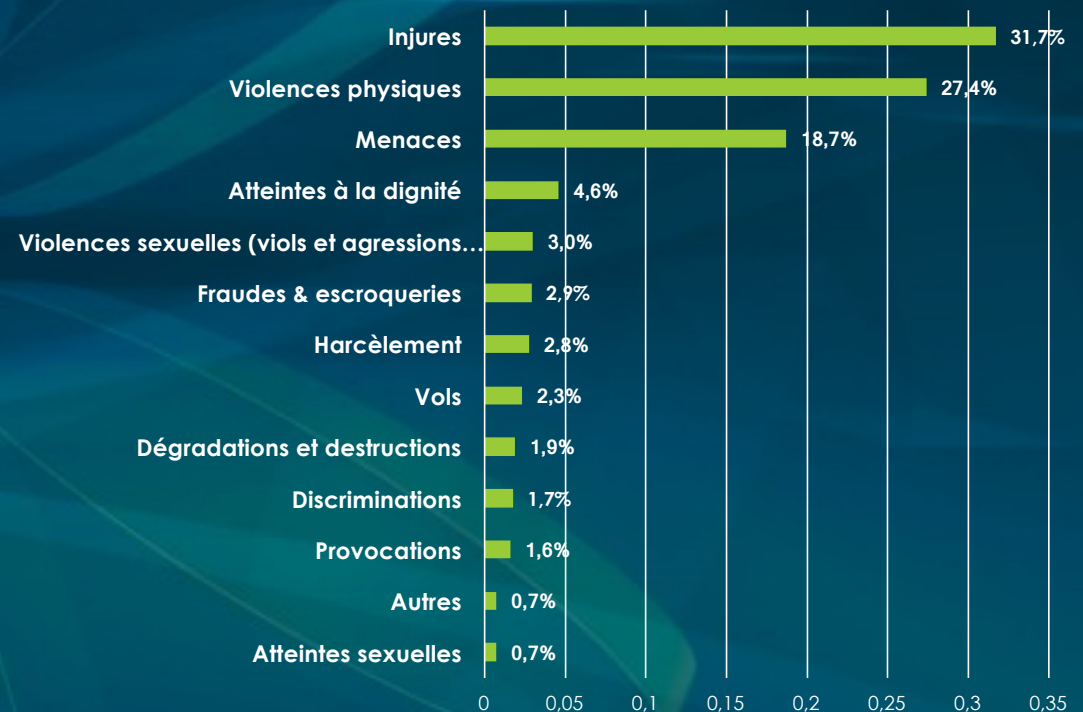
70% of victims are cis-men. For threats, cis-men also remain the majority at 54%.

- 25 % of the victims live in Paris conurbation,
- 40% in other conurbations with more than 100,000 inhabitants,
- 12% in rural areas

With regard to the data available to us, on 1380 registered complaints in 2018, they concern :

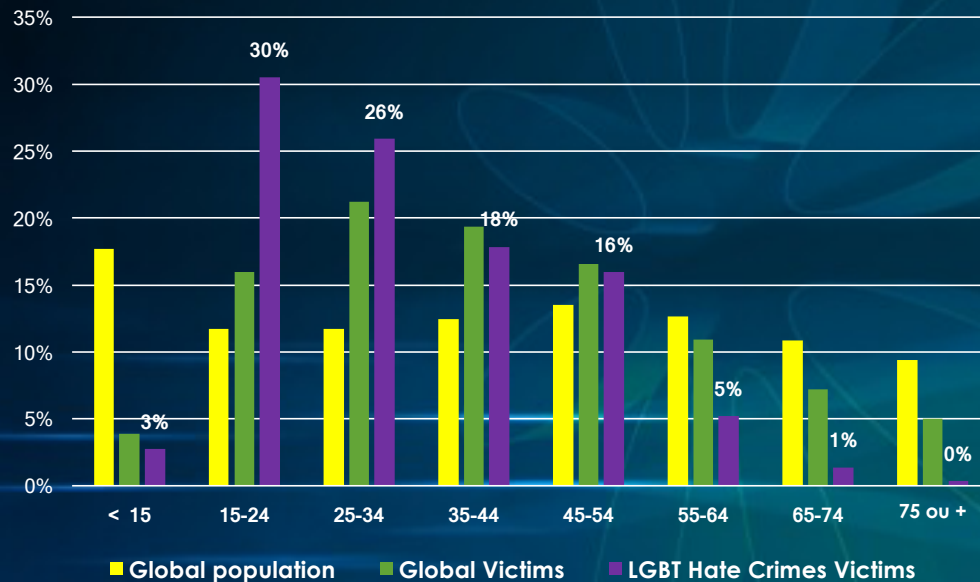
- 1- insults (32 %) ;
- 2- physical violence (27%)
- 3- threats (19%)

Police statistics, LGBT-Phobia, 2018, FR

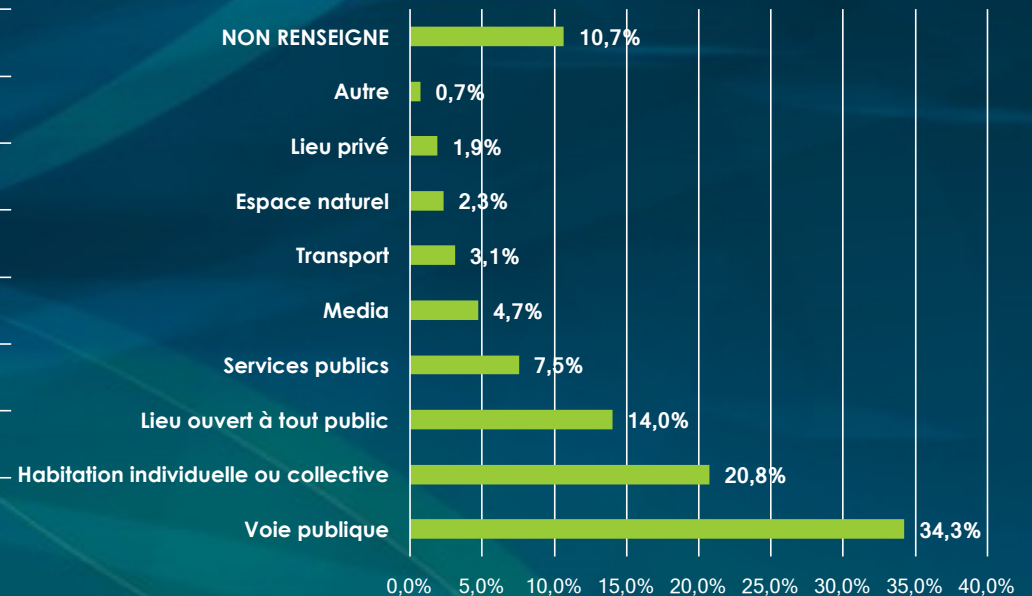


Data on LGBT-phobic acts in France (3)

Age of victims, Police FR, 2018



Where the attack took place, 2018, Police, FR



- LGBT hate crime motivated victims are rather young (mostly between 15 and 24).
- Their profile differs from other victims, which are distributed differently throughout the population
- **Most of them have been attacked outside** (50 % = 34 % + 14% + 2%)

Why people do not report ? (1)

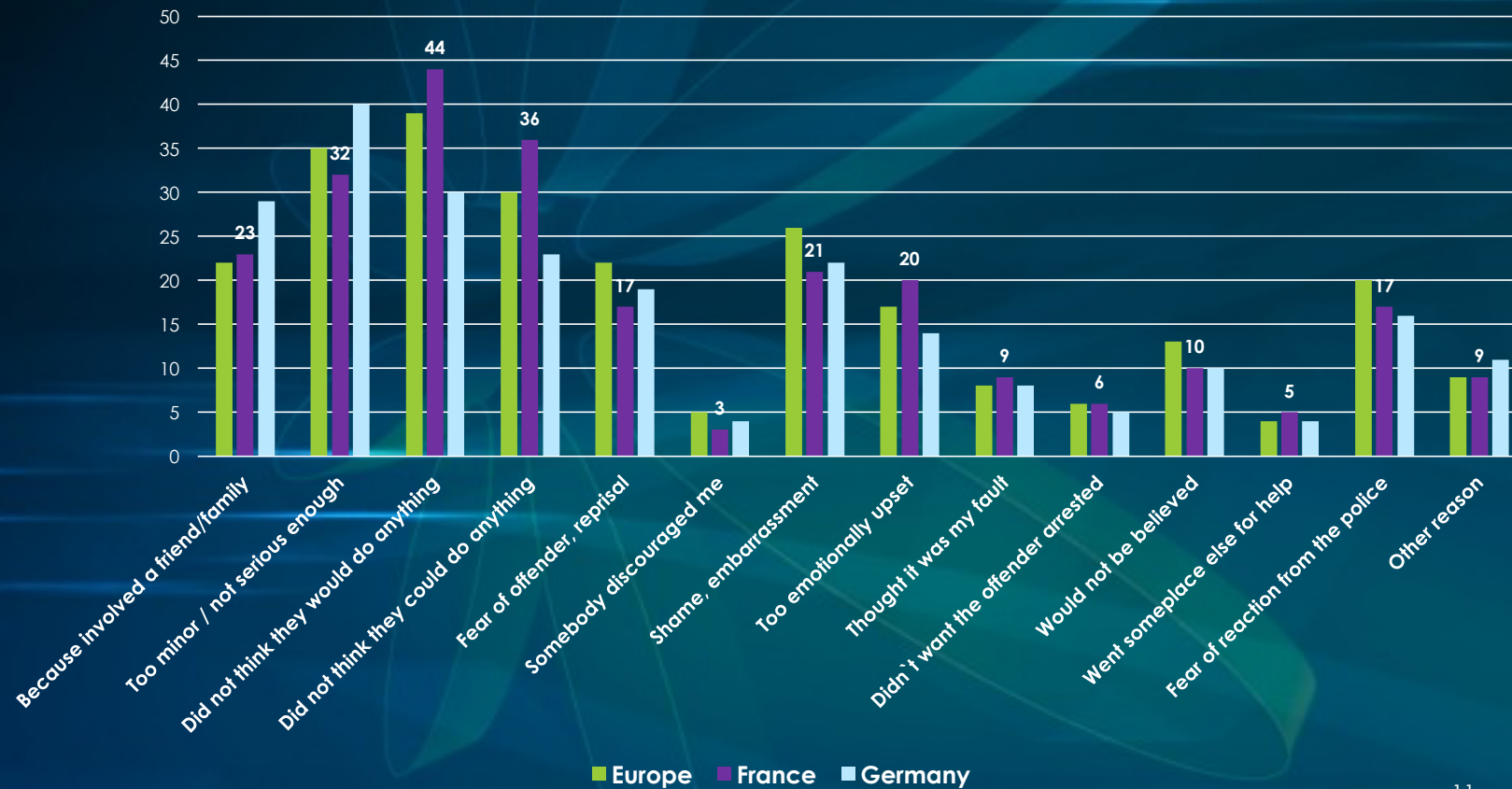
Comparison Report level 2018, %, FR	Insults	Threats	Violence	Other	Sum
Police	32	19	27	22	100
LGBT Hotline	51	17	13	19	100
Variation	19	2	14	3	0

In France, during many years, surveys underlined that the LGBT community had "bad relations with law enforcement. Police took the lion's share of testimonies relating to administrative homophobia (32%)
> This partly explains the reluctance of victims to go to the police

In the last FRA survey, it appears that fear of homophobic or transphobic reactions from the police force was one of the most frequent reasons given for not filing a complaint. The reception given to LGBT victims by the police force therefore seems to be an important reason to understand the low number of complaints filed

Why people do not report ? (2)

Why victims do not go to the police ? (FRA, 2013)



How to better address anti-LGBT hate crimes ?

One of the reasons cited for under-reporting anti-LGBT hate crimes is the victims' fear that they will not be taken seriously by the police. Several European countries, including Germany, have set up LGBT liaison officers to monitor LGBT-phobia cases and strengthen links between the police and LGBT communities

- 1st LGBT liaison officer, 1999, UK
- Their installation in France is new and experimental
- Full time GLO in Paris since oct. 19
- Part time GLO in Marseille

• Gay and lesbian Police liaison officer can provide an environment in which community members can freely discuss related LGBT incidents or issues

The GLO has 3 major objectives

Creating confidence

- Ensuring confidentiality and sensitivity to community members'
- Linking community members to external sources of support

- Working in order to raise police awareness of the LGBT community

Following up cases

Conclusion

- In France, the very low number of homophobic, lesbophobic and transphobic hate crimes and hate speech reported remains a problem.
- It has a negative impact on the quantity and quality of statistical data collected on these issues.
- It also highlights that the low number of complaints filed is mainly due to the fact that victims do not believe in the effectiveness of the authorities.
- Many victims of hate crimes still fear negative reactions from the police or consider filing a complaint unnecessary because « nothing would happen or change ».

