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SOCIAL AND PSYCHOLOGICAL FACTORS INFLUENCING REPORTING OF HOMOPHOBIC HATE CRIME

Existing research in Slovenia shows that more than two thirds of gay men and lesbian women have been a victim of antigay violence; the data also suggest this type of violence is significantly underreported. This is a global problem, and while the majority of research on homophobic hate crime focuses on the psychological impact of these incidents, little research exists addressing reporting behaviour and/or explaining why some people report homophobic hate crime, but most seem not to. With the key question in mind 'What informs the decision to report homophobic violence?' this study examined the willingness of lesbian, gay and bisexual people to report homophobic incidents and the role of the Slovene reporting (police) and support system (NGOs) in this process. The results clearly demonstrate different perceptions of violent incidents and crime significantly influence the willingness to report as well as the decision of which agency to report to. In its conclusion the study relates the findings to social work practice and suggests that more active involvement of social services might also contribute to building the trust of gay and lesbian communities in non-LGBT services and in long term result in improving reporting levels for this particular minority.

Key words: antigay violence, police, victim support services, gay, lesbian, social work.

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DRUŽBENI IN PSIHOLOŠKI DEJAVNIKI, KI VPLIVAJO NA POROČANJE O HOMOFOBNEM NASILJU

Obstoječe raziskave v Sloveniji kažejo, da sta bili več kot dve tretjini gejev in lezbijk žrtve homofobnega nasilja; podatki tudi kažejo, da ta vrsta nasilja velikokrat ostane neprijavljena. To je globalni fenomen. Večina raziskav o homofobnem nasilju se osredotoča na psihološki vpliv teh incidentov, obstaja pa le malo raziskav o prijavljanju oz. iskanju razlag, zakaj nekateri homofobno nasilje prijavijo, večina pa ne. Na podlagi ključnega vprašanja »Kaj vpliva na odločitev o prijavi homofobnega nasilja?« je raziskava preučila pripravljenost lezbijk, gejev in biseksualcev, da prijavijo homofobno nasilje, ter vlogo, ki jo imata v tem procesu slovenska policija in podporni sistem (nevladne organizacije). Rezultati jasno kažejo, da percepcija nasilja odločilno vpliva na pripravljenost prijaviti nasilje kot tudi na odločitev, na katero organizacijo se obrniti. V sklepnem delu raziskava poveže rezultate s prakso socialnega dela in predlaga, da bi aktivnejše vključevanje socialnovarstvenih služb lahko povečalo zaupanje skupnosti LGBT v splošne podporne storitve in vodilo k povečanju prijav homofobnega nasilja.

Ključne besede: protigejevska nasilje, policija, storitve za podporo žrtvam, gej, lezbijka, socialno delo.

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Introduction

Hate crime has commonly been noted as a criminal act which is motivated by hatred, bias or prejudice against a person, community or property, based on the actual or perceived race, ethnicity, gender, religion or sexual orientation of the victim (Ardley 2005, Stotzer 2010). Grattet and Jenness (2001: 283) note that in the US, but also elsewhere, the idea of hate crime emerged through several social movements, most notably the black civil rights movement, the women's movement, the gay and lesbian movement, the disabilities rights movement, and the crime victim movement:

Even though these movements differ in important ways, historically they have shared a common commitment to publicizing, framing, and combating violence directed at minorities because of their minority status.

The main source for the prohibition of hate crime in Slovenia, including homophobic violence, is the Criminal Code. Kogovšek Šalamon (2012) observes that the fact that sexual orientation is included as an aggravating motive is the result of very recent developments. The Slovene

police however are not required to keep separate statistics on homophobic violence, nor is the perception of the victim a determining factor in resolving the motive of the offender. Moreover, up to now only one criminal case concerning hate crimes on the grounds of sexual orientation has been decided by the criminal courts in Slovenia.¹ Kogovšek Šalamon describes how on 25th June 2009 during the Pride week in Ljubljana, a group of masked men, using torches, stones and blocks of granite attacked a gay friendly bar, Open Café. One of the patrons suffered light bodily harm and there was also material damage. Three of presumably eight attackers were identified, caught and prosecuted for various crimes, including for the crime of incitement to hatred, violence and intolerance. Each defendant was also consequently sentenced to imprisonment for 18 months; however, after appeals the sentences were ultimately lowered to seven months for two and to five months for the third defendant².

Despite there being no official police statistics on homophobic incidents, research in Slovenia conducted by Kuhar, Magič, and Kogovšek (2008), demonstrated that more than 60% of gay men and lesbian women had experienced a high level of verbal and physical antigay violence within the previous five years. Furthermore, data shows that around 90% of these incidents were never reported, either to the police or non-police services. Whilst the findings do not discuss why the victimisation is rarely reported to non-police services, the limited data relating to the police suggests trivialization of violence and the belief that 'police could not have done much' seem to be the main reasons for homophobic violence going unreported in Slovenia. The data also implies that there is fear within the LGBT community of a negative reaction by the police; although the authors of the research suggest this fear seems mostly anticipated rather than based on actual experience.

Most of the studies examining hate crime in relation to its consequences for an individual, tend to focus on the characteristics of the crime, type of violence and the impact of hate crime, along with the appropriate practical and emotional support needs of victims (Bosick *et al.* 2012, Kuehnle, Sullivan 2003). Little academic research exists on reporting practices addressing the question of why some people report homophobic hate crime but most seem not to (Peel 1999, Wong, Christmann 2008).

The present research aims to address this gap and bring to light some of the social and psychological factors behind the reporting of homophobic hate crime. Specifically, the research seeks to address how perception of violence and the perceived competence of reporting and support systems, e. g. police and NGOs, impact on the decision to report. With the key question in mind 'What informs the decision to report homophobic violence?', the study employed a qualitative and quantitative (mixed method) approach to identify and examine various situational factors that need to be understood and met if reporting is to take place. The study draws on the findings and recommendations of prior research on the victim decision-making process and police attitudes towards gay men and lesbian women (*cf.* Bernstein, Kostelac 2002, Peel 1999, Wong, Christmann 2008) and the results of an activist-research project on rights violations against lesbian women and gay men in Slovenia (Kuhar *et al.* 2008).

In its conclusion the article positions homophobic hate crime and its implications within the social work domain and argues that social work as a science and profession should develop an active interest in addressing systematically the issue of hate crime including actively engaging with lesbian, gay, bisexual and transgender LGBT community/ies offering support, expertise and knowledge from the field. Still present heterosexist practices and services are often criticised and the inaccessibility of mainstream social services to those who identify as LGBT is regularly observed by scholars (Charnley, Langley 2007, Chinell 2011).

¹ Slovene Court Decisions On-Line: <http://www.pisrs.si/Pis.web/pregledPredpisaSodnaPraksa?id=ZAKO5050&loadAll=true&izbranClen=297#> (In Slovene only), (28. 7. 2014).

² E.g. Obdolženci za napad na Open danes pred sodiščem: <http://www.narobe.si/myblog/domnevni-napadalci-na-open-danes-pred-sodiscem> (27. 7. 2014). Mladim homofobom za napad na Cafe Open zaporne kazni: <http://www.delo.si/clanek/101148> (27. 7. 2014).

On the other hand, hate crime reports continue to claim social services' role in both prevention and the post-victimisation process as crucial (Bell Associates 2006, Kelley 2008, Perry 2009). The conclusion also highlights the view that responding to hate-crime cannot only be a task for the law enforcement and other directly affected services (e. g.: LGBT organisations) but that strategies are needed that include professional and inclusive social services offering support to victims.

The study reported here is part of a larger action research project applying an interdisciplinary approach connecting the fields of psychology, sociology and criminology with social work practice. The overall research hopes to influence and develop policy and practice within the existing reporting and victim support services in Slovenia, specifically in relation to the police and Information Centre Legebitra³. Within the context of this article, however, only selected preliminary data is presented.

Sample and method

The study took place in Slovenia, between April and August 2013 and drew upon a sample of 30 self-identified gay, lesbian and bisexual individuals who took part in 6 focus groups, along with an internet survey which included 260 respondents. The study employed a mixed method approach, combining quantitative data from the survey and qualitative data from the focus groups to provide both width and depth in understanding the experience of the LGBT community.

The overall study employed non-probability, convenience sampling, primarily targeting those over 18, who identified as LGB and/or T. With non-probability sampling, the sample cannot be considered random or truly reflective as there is no way of checking if this kind of sample is in any way representative (Bettinger 2010). Nevertheless, even though the study could not produce representative samples of the population, the methods were implemented with the utmost consideration of their advantages and disadvantages for the population studied, allowing the results to provide high quality information about the group taking part in the research, as well as new insights that can be addressed and used in the future research.

Internet survey

Despite the fact that online surveys often result in limited sampling and respondent availability, e.g. certain populations are less likely to have internet access to respond to online questionnaires, researchers note that online research nowadays is one of the best options to gather data when studying hidden groups such as sexual minority populations (Swank, Fahs 2012). With hidden groups, online surveys are also convenient as, due to the lack of personal contact, respondents may be more willing to share personal information because they are not disclosing it directly to a particular person.

Participants were recruited online via online LGBT discussion boards (forums), community and social networking websites, and via e-mails sent to LGBT networks or personal contacts. The survey was anonymous in order to encourage participation by LGBT-identified persons, who may not have disclosed their sexual orientation, and asked participants to complete the questionnaire in full. They were informed that failure to do this would mean their (partial) data would not be included in the study. The online questionnaire was based partly on the

³ The police are usually the first contact for a victim and their behaviour significantly influences the victim's emotions, feelings and perception of his or her own situation and attitude towards law enforcement and the legal system (Areh *et al.* 2009). Therefore it is important to understand the perception and expectations of the LGBT community towards the police when encouraging hate crime reporting. As a social service agency, Information Centre Legebitra is established LGBT human rights NGO in Slovenia, one of the two NGOs that actively promote hate crime reporting and the only NGO formally cooperating with social services, health professionals and legal services, including police, in combating and mitigating the consequences of homophobic incidents.

model developed by Wong and Christmann (2008) in their study examining the role of victim decision-making in reporting of hate crimes⁴. For the purpose of this article the key themes addressed in the survey include:

1. perception of homophobic violence and biased crime,
2. willingness to report incidents of homophobic violence and
3. perception of reporting and victim support system.

The criteria for inclusion of respondents in the data analysis were as follows: (a) self-identification as gay, lesbian, bisexual and/or transgender person; (b) over 18 and c) fully completed questionnaires.

Of the 260 participants who completed the online survey, 235 were eligible for further analysis with 48.5% identifying as gay, 36.6% as lesbian, and 14.9% as bisexual. The age range was 18–65, with 78.3% falling into the 18–35 category. Older LGB people and those living outside of urban areas proved especially difficult to access, resulting in a disproportionate number in the 18–35 age group compared to 35+, and the prevailing number of respondents identifying as living in urban areas (85.6%). It is most likely that the survey being publicised mostly by means of social networks influenced the diversity of respondents with regard to age and location in the sample. In terms of relationship status, 60.4% of respondents stated they were in a relationship with a same sex partner and almost 60% of respondents claimed to be ‘mostly’ open about their sexual identity or gender expression. In addition, 87.4% stated they are comfortable identifying as a lesbian, gay, or bisexual person.

Relating to their level of engagement with/in the LGBT community, 75% of the respondents stated they were not members of, nor actively involved in any of the existing organisations or civil initiatives advocating for LGBT human rights, but 43% self-identified as being otherwise involved in social or political processes which did address LGBT human rights.

Focus groups

As a method of collecting data focus groups have become increasingly popular especially in social sciences such as social work research. Many consider focus groups to be a form of group interview enabling the researchers to collect a wide range of information on the subject discussed (Linhorst 2002) in a short space of time. Scholars note that the main purpose of the focus group approach is to ‘gain insight into the views, feelings, experience and reaction of the participants, which would not be possible using other methods’ (Švab, Kuhar 2005: 34), and emphasise interaction as a crucial element of all focus groups, enabling the participants to question and reflect on their own views in the context of various shared experiences.

The sample was obtained by the snowball method (Heckathorn 2011), the starting point for which was the organisational network of Information Centre Legebitra. Selected representatives of active LGBT NGOs in Slovenia were also crucial in the process of publicising information and recruiting participants via their own networks. Six focus groups in all were organised between May and August 2013, four (4) groups took place in the city of Ljubljana and two (2) in the city of Maribor. There were 30 participants in total, most of whom also filled in the online survey. The average group size was five participants.

The focus groups included 21 men (70%) and 9 women (30%). The majority were from the city of Ljubljana and the city of Maribor (83%) and 17% were from smaller towns or from the countryside. The majority of participants were in the 26–35 (47%) or the 18–25 (40%) age groups, and the rest, 13%, belonged to the 36–45 age group. The level of disclosure among the participants was quite high, 70% claiming to be mostly open about their sexual orientation. At the time of conducting the focus groups, the majority of participants were in a relationship with a same sex partner (54%).

⁴ The model was used and adapted with the permission of the authors.

Methodological challenges and limitations

Social work academics and practitioners writing on action research unanimously emphasize the specific characteristic of action research, which lies in its social interdependency between a researcher and the researched, implying often that action research is the self-study of 'action often with the intent to lead to better action, but it is special in that it is carried out by the people directly responsible for action' (Stake 2010: 159). Even though action research developed as a result of the limitations of quantitative and qualitative methods of traditional science (Karim 2001) it is however not without limitations. In fact it is its most characteristic feature, the relationship between the researcher and the researched that is mostly the subject of various critiques.

To a large extent the present research is rooted in the results of a small-scale, activist-research project on rights violations against lesbian women and gay men in Slovenia (Kuhar *et al.* 2008). As one of the co-authors of the research, as well as a service manager of the hate-crime reporting program at Legebitra and the co-founder of the organisation, I hold a unique position within the present research, as I have a previously established relationship with most of the participants, especially those engaged in focus groups. Some know me as an LGBT activist, co-worker, co-counsellor, co-manager of an LGBT NGO or as an acquaintance; with others I have forged close personal relationships. Last but not least, quite a few members of the Slovene LGBT community were actively involved in the development of the present research.

This complex relationship, my personal experience and my familiarity with the community, I believe is particularly reflected in the degree of participation, which I consider beyond satisfactory. However these circumstances, which I have also helped to create, undoubtedly influence participation in this research, my view and perspective. Understanding this unique position, with its advantages, but also its pitfalls, I acknowledge I am *a priori* biased in my position, perception, values and narrative. On the other hand, recognition that action research is highly motivated by the goal of changing things also by the involvement of the 'researched' calls for acknowledgment of a lack of objectivity also on behalf of the participants. This makes impartiality on the whole, not only within this article, but research overall, impossible.

The analysis of results will thus apply a pluralistic approach recognising the diversity of views and stands as a contribution to the understanding of the situation. Accounts and data findings will not be generalised to develop a single story, nor will I aim to generalise my own understanding and knowledge generated by this research and deliver it as the community's needs.

Key findings: questionnaire and focus groups data analysis

Goudriaan *et al.* (2004) note that existing literature often assumes that the victim's decision to report any crime to the police is made on the basis of a cost-benefit calculation to determine whether contacting the police is worth the effort. The cost-benefit factor in relation to homophobic hate crime is also observed by Peel (1999) and Bosick *et al.* (2012). Interestingly though, despite quantitative data, Peel's study shows that aspects influencing the actual decision of lesbian women and gay men to report to the police are similar to those influencing any social group; the author recognises that qualitative data obtained within the study contrasts with the quantitative data and that many respondents, given a chance for lengthier narrative, base their decisions outside of an individualistic and situational context and, rather, locate it within a much broader (situational) social and political context.

Wong and Christmann (2008), studying reporting factors relating to general hate crime reporting in the UK, note that there is a complex interaction of factors that influence the decision process. The most obvious elements include recognition that a hate-crime has taken place, consideration of what to do, the responses of family and friends and the characteristics of victims. They assume that for homophobic hate-crime victims some factors may be more important than others and suggest that the willingness to report the incident to any agency primarily depends on the severity of the incident.

Drawing on these conclusions the present study considers both micro-social and mezzo-social level factors (*cf.* Goudriaan *et al.* 2004) taking into account aspects such as: perception of homophobic violence and biased crime, willingness to report incidents of homophobic violence, and perceived competence of police and victim support system, to establish some of the factors influencing the decision to report within the Slovene context.

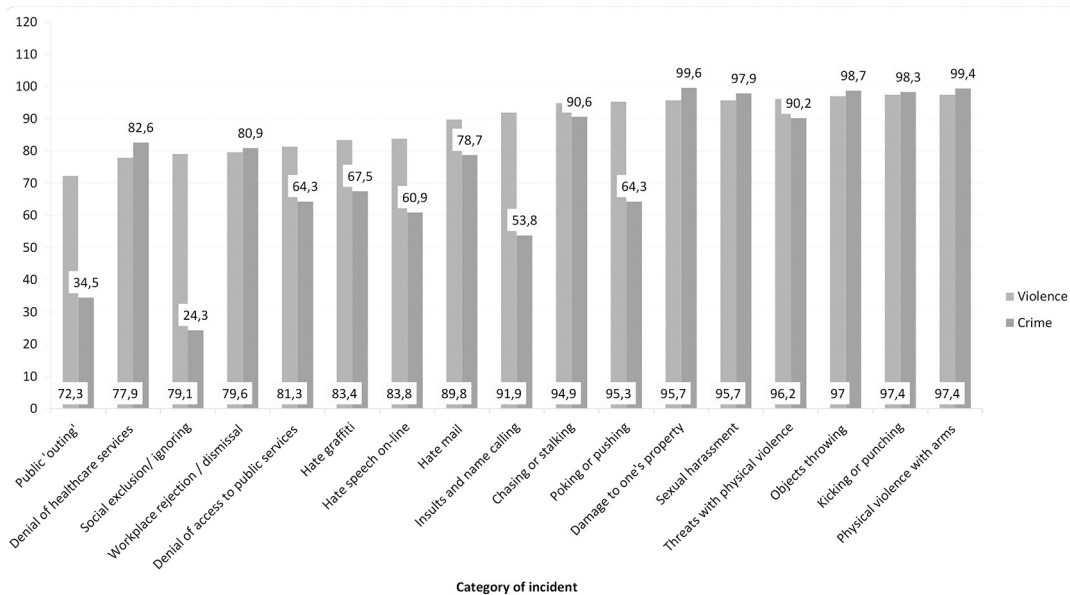
The data presented below are drawn from both the questionnaire and focus group discussions.

Perception of violence and crime

The first thing the study wanted to explore was the disparity between what is perceived as violence and what is perceived as, legally defined, crime. This was done with the aim to test the premise that when an act of violence is perceived as a crime or an act of discrimination punishable by law it increases the likelihood that it will be reported. Namely, the criminology literature consistently demonstrates that the higher the perceived seriousness of a crime the greater the probability that this will be reported to the police (*ibid.*).

This was tested via a presentation of a wide range of categories of incidents, which varied by severity (from the mildest: i.e. public outing, to the most violent: i.e. physical violence with arms). The respondents were first asked to indicate whether they perceived these categories as violent and furthermore whether in their perception they constituted a crime. Table 1 presents the responses to what participants regarded as violence and crime in the internet questionnaire, ranked by frequency (in %) and summarises the responses to the questions 'Which of the following do you regard as an act of violence' and 'Which of the following do you regard as a crime'.

Table 1: Perception of violence vs. crime (%).



The study found that the perception of various situations as violence is quite linear and consistent throughout the sample ranging from 72 % (public outing) to 97 % (physical violence with arms), suggesting that awareness of diverse forms of violence, including psychological violence, and diverse forms of homophobic discrimination (e.g. social exclusion) is quite high. However, perception of what constitutes a crime is less linear; figures on the one hand dropping to 24 % (social exclusion) and increasing all the way to 99 % (damage to one's property). Nevertheless, except for 'public outing' and 'social exclusion' all the other incidents

including 'poking and pushing' and 'denial of access to public services' received quite a high level of agreement from the sample (both at 64 %) that these do constitute a crime.

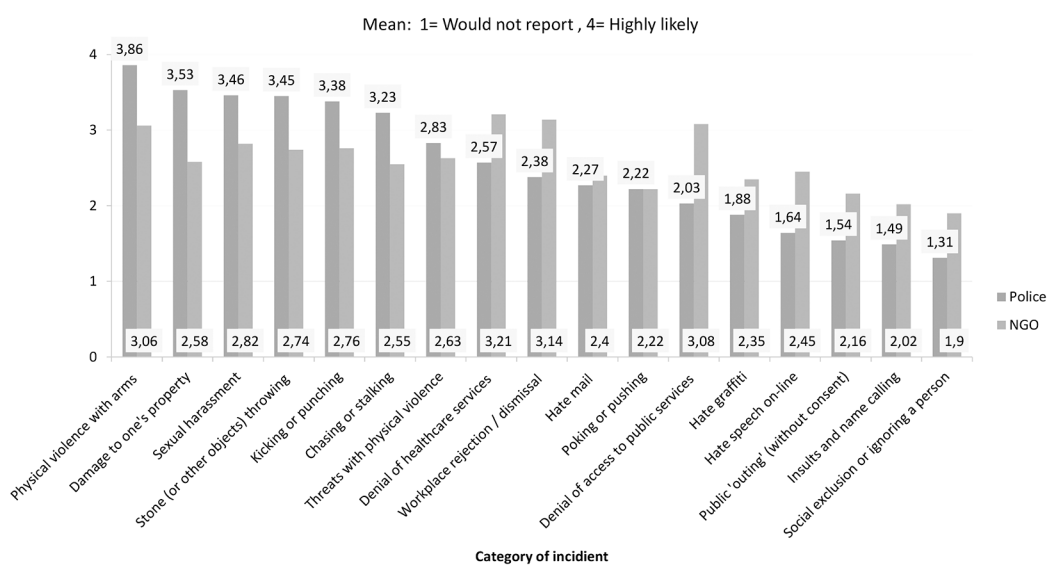
Not surprisingly, the agreement on incidents perceived both as violence and crime is the highest in the following categories: damage to one's property (99.6 %), physical violence with arms (99.4 %), throwing stones (or objects) (98.7 %), kicking or punching (98.3 %), sexual harassment (97.9 %), chasing or stalking (90.6 %) and threats with physical violence (90.2 %). These are also the categories which most criminological scholarship regards as severe crimes and are within existent literature identified as most likely to get reported (Peel 1999, Wong, Christmann 2008).

Willingness to report homophobic violence

Within this context the study explored willingness to report the above defined categories of violence to police or non-police services (NGOs) and also tried to examine some of the conditions that need to be met for the reporting to take place.

Table 2 demonstrates that the incidents most likely to be reported to the police are those perceived as 'severe', whereas NGOs are more likely to receive non-physical homophobic incidents, such as incidents of homophobic discrimination.

Table 2: Willingness to report



This suggests a clear divide in willingness to report what is perceived as 'serious' crimes as opposed to what is perceived as 'non-physical', 'minor' or 'trivial' incidents, as one of the respondents notes:

I seriously cannot be bothered with name calling ... What is more, I honestly think I'd be laughed at if I even attempted to report name calling to the police.

With previous studies on the topic, and also within this sample, the police are perceived as the primary agency for reporting of severe violence; on the other hand what is perceived as 'minor' violence or crime is less likely to be reported to any agency. Exceptions to this, however, can be noted with incidents of homophobic discrimination such as: 'workplace rejection', 'denial of public services' and 'denial of health services', where the findings suggest these particular types of incidents are very likely to get reported to NGOs.

Across the focus group discussions the participants agreed they were willing to report any kind of homophobic crime or discrimination as long as they could substantiate its occurrence and there was a legislative mechanism to sanction it, as one of the focus group respondents noted:

If name calling and social exclusion were criminal offences, I would not hesitate to report.

As with the quantitative sample, participants were especially keen to report incidents of homophobic discrimination and harassment occurring in the workplace. It can be safely assumed that hypothetical willingness to report this particular type of antigay behaviour might be due to the fact that any kind of discrimination in the workspace is clearly sanctioned within national anti-discrimination legislation, such as the Principle of Equal Treatment and the Employment Relationship Act.

On the other hand both quantitative and qualitative findings suggest that ‘hate graffiti’, ‘hate speech on line’, ‘public ‘outing’ and, foremost, ‘insults and name calling’ as well as ‘social exclusion’ are unlikely to get reported – to any agency. This is especially relevant since these forms of psychological violence are, at present, considered the most common form of homophobia (Chinell 2011, Kuhar *et al.* 2011). Relating to the findings above, the fact that ‘hate graffiti’ and ‘hate speech online’ are unlikely to get reported is slightly surprising, as any form of hate speech is clearly defined as a crime under the Slovene Penal Code under articles Violation of Equality (131) and Incitement to Hatred, Violence and Intolerance (297). What this suggests is that either respondents are not aware of this particular legislative framework or might not perceive it as an efficient mechanism in tackling homophobic hate crime. On the other hand, existing research shows that ‘insults and name calling’ and other forms of verbal violence are, among LGBT individuals ‘experienced so routinely as not to be worth reporting’ (Wong, Christmann 2008: 24).

The focus group discussions also brought out that willingness to report increased with frequency of violent incidents. For example, even though respondents across all focus groups were in agreement that minor offence or verbal violence generally would not be taken up with the police or other reporting agencies, some mentioned that within certain contexts, such as family, workplace and school setting, frequency of experienced violence, even if verbal, would have some bearing on the willingness to report. Also there was a prevailing reluctance across all focus groups to report to the police if the likelihood of identification of the perpetrator (and consequently prosecution) was small.

The quote below demonstrates a central message articulated in a number of different ways across all six focus groups relating to categorisation of violence, willingness to report and perception of police and non-police services in this process:

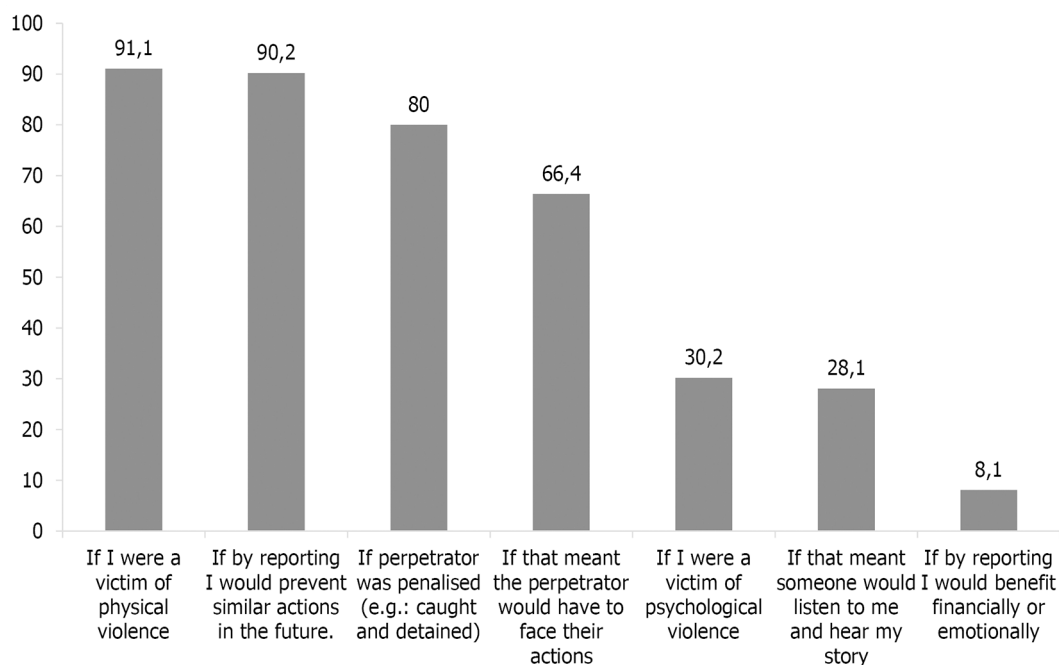
Whether I would report would highly depend on what happened. If it was severe and of physical nature, I’d go to the police, however with name calling, even threats ... I would not want to deal with the police ... If I could not handle it myself, I would probably turn to an NGO. (Focus group participant.)

Factors for reporting or not reporting homophobic violence

Exploring the conditions to be met if the reporting is to take place, Table 3 sums up a question ‘What would significantly inform your decision to report homophobic violence?’. The results again confirm that severity of the incident is vital for the decision-making process (91%), however equally important psychological or social factors also seem to be related to the feeling of safety, one’s own or of others (90%), police response in the form of reprimand and detention (80%) and the chance to confront the abuser with their actions (66%). On the other hand the responses clearly reaffirm that within the sample psychological violence will in most cases stay unreported to any agency.

What might be slightly surprising is that within the sample the ‘emotional or financial’ compensation seems to have little role in the decision making process. Goudriaan *et al.* (2004)

Table 3: Factors informing the decision to report (to any agency, in %).



and other scholars (*cf.* Peel 1999) place a perceived chance to receive some sort of compensation (e. g., recovery, repair, punishment of offender, payment by insurance company, etc.) among relevant cost/benefit considerations relating to reporting to the police in response to criminal victimisation.

In addition to the above, the focus groups brought out a number of other reasons for non-reporting. Among others, a recurrent topic of the discussions was the relationship between the victim and the perpetrator within the familial, intimate and educational setting. The majority of respondents would be reluctant to report to the police particularly if the violence took place within a family setting or in a same-sex partnership due to ‘unnecessary trouble’ they believed such reporting would inevitably bring. On the other hand mistrust in the efficiency of social services was the primary reason homophobic violence remains underreported in schools:

When I came out in high school I faced a lot of abuse, including physical abuse and name calling. I considered reporting, but never did. Maybe because I didn't feel it was an option...I didn't feel the complaint would actually be taken on by the school's social services. (Focus group participant.)

However, experience of homophobic violence in familial setting and in schools is very likely to be shared with NGOs albeit with a different purpose. Whilst some of the participants would expect NGOs to concretely react, link with schools and the media when homophobic violence was reported, dealings with (a) homophobic family member/s would in most cases not seek public attention, but counselling and other psycho-social support. Within these contexts, the role of social services was emphasised as crucial, especially if violence was perceived as severe emotional and physical abuse. The discussion also brought out the need for social workers in secondary schools to be more informed of LGBT needs and visibly inclusive of LGBT issues.

In relation to partnership abuse, participants across all groups speculated police as well as non-police services have little experience with cases of same-sex domestic violence. The discussions also revolved around same-sex intimate partner violence not being addressed visibly by LGBT NGOs; all this considerably influencing the willingness to report this type of violence to any agency.

A major factor influencing non-reporting to the police was also a previous negative or at least an inefficient personal or second hand encounter with the police; some of the participants

described diverse, mostly non-crime related encounters, where the experience for the individual would be, in most cases, if not negative then ‘confusing’, or somewhat ‘unpleasant’, and the police would be perceived as ineffective or ignorant. As one of the participants recalls, ‘I was involved in a minor traffic accident sometime ago, and the arrogance I experienced from the police on that occasion was unbelievable’.

The focus groups also touched upon the threat of possible consequences of reporting if anonymity is not guaranteed, especially if the incident happened in a smaller community: ‘I reported a smaller incident, and only caused more problems for myself.’ Other situational or psychological factors mentioned across the focus groups relevant to non-reporting to any agency were also an individuals’ comfort with their sexual identity, level of involvement with the LGBT community and the visibility of agencies’ work in the area of homophobic hate crime.

Finally, findings from both qualitative and quantitative parts of the study confirm that those participating in the research were much more familiar with the work of the NGOs in the area of homophobic hate crime than with the police work and competence in the field. The quantitative sample demonstrates that almost 48% of all participants believe they have excellent or good knowledge of police work in comparison to almost 71% in relation to the work of Information Centre Legebitra on homophobic hate crime. This information is relevant as Wong & Christmann (2008) suggest reporting can also be impacted by, among other factors, improving access to support services and the visibility of specific reporting services or programs. Not surprisingly, Legebitra and other NGOs were across all the focus groups also perceived as safer spaces for reporting, when compared with the police, relating to the LGBT experience:

For me the key difference with reporting to the police or an NGO is the knowledge that when I come to Legebitra, I have no worries over how people there will react to the fact that I am gay. I know I will feel safe there. I have doubts about the police though, and fear that the fact I am gay might be an issue even before I report anything. (Focus group participant.)

Discussion and implications for social work practice

Bearing in mind the methodological limitations of this research the main findings of the current study are largely in line with the findings of previous studies on hate crime, establishing that if a violent incident is perceived as grave that increases its probability of being reported. The data also demonstrates that respondents tend to make a clear distinction between what they perceive as ‘serious’ and ‘less serious’ violence and crimes.

Relating to perception of ‘seriousness’ of violence in relation to general reporting, Goudriaan *et al.* (2004: 946) observe that the presence of a weapon of any kind considerably influences the perception of crime seriousness, and emphasise that seriousness of a crime or violent incident is usually defined in terms of the degree of injury or loss:

Large losses make it worth the victim’s while to mobilize the police, since the police offer some hope of recouping those losses. The same is true for events with serious injury. The more severe the injury, the less likely it is that victims are able to help themselves and the more likely they are to seek help from others including the police.

The present research defines seriousness of violence and crime mostly by drawing on self-perceptions of focus group respondents, who through their narratives overtly distinguish between physical violence and non-physical violence, the latter being perceived as ‘serious’ violence and/or crime and the former, depending on the category, ‘less serious’, ‘minor’ or ‘trivial’ violence. The analysis also considers the division on ‘serious’ and ‘less serious’ violence as demonstrated throughout the study by Wong and Christmann (2008) which served as a basis for this research. Consequently homophobic incidents such as: damage to one’s property, sexual harassment, threats with physical violence, stone throwing, kicking or punching and physical violence with arms are within this text considered more serious than homophobic

incidents without weapons or physical contact (e.g. public 'outing' [without consent], denial of healthcare services, workplace rejection, hate graffiti and insults and name calling).

Incidents most likely to be reported to the police are those perceived as 'serious', whereas NGOs and social services are more likely to receive cases of 'less serious' homophobic crimes or discrimination. The findings also suggest that the frequency of incidents, as well as whether they can be prosecuted within the framework of national anti-discrimination legislation considerably increases the willingness to report, to both police and non-police agencies.

Verbal abuse and other forms of psychological violence are unlikely to be reported to any agency; this is mostly due to these particular types of violence being regarded as too trivial by the victim, or due to perceived limited competences of non-police agencies to deal with this particular form of violence in such a way that it would bear concrete and satisfactory outcomes for the victim. Within the sample 'emotional or financial' compensation seems to have little role in the decision making process as it is suggested in some literature on the topic.

Reasons for non-reporting were social, psychological or situational. Within these contexts the type of relationship between the victim and the perpetrator was discussed a great deal, the results suggesting that antigay violence occurring within the context of familial or intimate relationships is unlikely to be reported to the police. In relation to intimate relationships, among other factors, the reluctance to report also stemmed from the respondents' speculation that police as well as non-police services have little experience with cases of same-sex domestic violence. Due to the majority of respondents being permanently employed or students, reporting was also often discussed in relation to workplace and school settings, the results suggesting antigay violence in a school is unlikely to get reported to school social services, while homophobic harassment and discrimination in the workplace is very likely to get reported to NGOs.

Other relevant factor discussed in focus groups, relevant to non-reporting to any agency, were also a previous unpleasant or at least an inefficient personal or second hand encounter with police, individuals' comfort with their sexual identity, level of involvement with the LGBT community and the visibility of agencies' work in the area of homophobic hate crime.

The findings clearly emphasise that there is a complex interaction of factors, relating to social, psychological and cultural context within the sample that influences the decision to report antigay violence. However, the decision, which on one hand seems personal and situational, might also be structural and cultural as within the context of this research key findings suggest low reporting is a result of individual perceptions of violence and crime, existence of legislation framework and visibility and perceived competence of the reporting services. To increase the reporting of anti-gay violence would foremost require changing attitudes and perceptions of the LGBT community, as suggested by this and previous research on the topic (Peel 1999, Wong, Christmann 2008), especially in relation to psychological violence. Alternatively, this would require police and non-police reporting agencies to specifically acknowledge and raise awareness of the harm of psychological violence, establish or increase the visibility of anti-gay violence reporting programs, as well as to develop strategies to encourage anonymous reporting, and competently and rigorously document all forms of anti-gay violence.

Modern critical social work and [reporting of] hate violence/crime

In the introduction to this article I argue that responding to hate-crime cannot only be a task for the law enforcement and other directly affected services (e. g. LGBT organisations) but that strategies are needed that include professional and inclusive social services offering support to victims, which in turn might also impact reporting rates. This reasoning is based on both personal experience and past and present research findings. As a manager of a support service for victims of homophobic violence, which was run within Legebitra's hate crime monitoring program, I was often contacted by various mental health and social workers, working in various settings, from schools to mental health centres. These practitioners would

often seek advice ranging from basic information about the situation of LGBT individuals in Slovenia, to more complex knowledge relating to gender identity development, the process of overcoming internalized homophobia and supporting LGBT individuals in the process of coming to terms with homophobic violence and/or crime. Within this context the importance of reporting homophobic violence to appropriate institutions was often debated and so were the strategies of how to efficiently support victims in the process.

Within the context of mitigating internal and external consequences of anti-gay violence and its most violent manifestation, hate crime, the framework of anti-oppressive practice and anti-discriminatory social work provide practical as well as theoretical underpinning of how to work with LGBT service users. In her study on using an anti-oppressive framework in social work practice with lesbians, for example Hines (2012: 22) considers anti-oppressive practice as one of the most appropriate frameworks to work with lesbian service users as it involves taking and supporting action to advance both individual and structural change to improve the lives of lesbian clients.

In addition, Hines (2012) emphasises anti-oppressive practice characteristics that consider individuals' personal, institutional, cultural, and economic background and compels the practitioner to reflect and take into account all of these factors, including the knowledge of how these factors influence individuals' attitudes as a person living within an oppressive context.

Within the context of this research modern anti-oppressive practice and its poststructuralist framework (Brown 2012) suggests privileging rather than marginalising the identity and the voice of an individual victim as it brings about the claim that hate crime cannot be approached in a universal and unified manner but that it impacts different communities and individuals differently and that, consequently, the needs of those communities and groups, regardless of their identity/s base, are also different. Concretely this framework enables the identification of an individuals' position and status in relation to structures of power and provides an insight into how these affect the experiences and politics of resistance of LGBT individuals including their attitudes toward state run services (police), their understanding of homophobic violence and their decision to interact with the state or non-state support agencies in the process of reporting hate crime/violence.

Hate crime scholars often emphasise the role of social workers, particularly within post victimisation experiences of hate crime victims. Perry (2009: 2005) for example notes:

Social workers can specialise in a host of fields, including family, child and school issues or medical and public health or mental health and substance abuse. Given the likelihood that crime victims in general who seek professional assistance will at some time in the process interact with a social worker, many representatives of the social work profession see themselves as victims' rights advocates.

However, concretely addressing social work practice with LGBT individuals experiencing violence, Swigonski (2006) stresses that social work practice must go 'beyond healing the wounds of violence, hate speech, and hate crimes'. Swigonski recognises therapeutic work with victims as important, but not sufficient as it 'leaves the door open for future violence' (*ibid.*: 364) and introduces three levels of practice strategies to address homophobic hate crime and can establish practitioners to act as allies to LGBT individuals and communities. Within the framework of 'tertiary prevention' the role of the social worker is to assist victims to overcome the feeling of oppression, vulnerability and powerlessness. Swigonski suggests the main function of this strategy is to 'heal the wounds' (*ibid.*: 374).

This should be done by a mutual decision between the service user and practitioner on whether there is a need for crisis intervention, based on the type and frequency of homophobic violence experienced. If 'tertiary prevention' is focused on the concrete interaction between the victim and the social worker, 'secondary prevention' suggests social workers actively engage with LGBT and anti-violence organisations, working to end the current violence, by addressing short term socio-political goals.

Within this context social workers might contribute to documenting and monitoring of homophobic incidents, publicising the phenomenon of such violence to law enforcement

agencies, government officials, and the general population, advocating within the criminal justice system and contribute to or conceive campaigns to educate and raise awareness on the nature and extent of such violence. In the end Swigonski introduces 'primary prevention' within which the practitioner is to identify long term goals of political and social transformation and should aim to work on the changes affecting the social, economic, cultural and political constructions. Swigonski observes this strategy compels social workers to develop a critical consciousness based on social justice, care and human rights based attitudes and approaches.

Critical consciousness, however, should be combined with concrete action strategies needed to implement the long-term goal of a human rights based society, such as 'social workers contributing to the creation of social movements and to the development of social structures and interpersonal interactions' (*ibid.*: 380).

Conclusion

The problem of not reporting homophobic incidents has a decisive influence on the fact that violence and discrimination against gay men and lesbian women remain invisible; in the eyes of law enforcement and other public institutions as well as the public eye. Inadequate and inaccurate information about characteristics of homophobic acts also prevent more effective support services as well as anti-hate crime policies or initiatives for raising the awareness of society about the appearance, frequency and consequences of such violence. All this consequently creates an environment that not only accepts this kind of violence but even allows it (Kuhar *et al.* 2008, Loudes, Paradis 2008).

Although responsibility for responding to homophobic hate violence seems to be primarily allocated to the police, social workers work in various settings and might come across service users who have experienced homophobic violence. Knowing the main characteristics of hate violence, including situational, social and psychological factors influencing the decision to report, and being familiar with community resources that address homophobic hate violence, can concretely assist practitioners in working with LGBT victims or assist in educating societies about this problem.

Globally, other professional and academic fields, including psychology, sociology, law and criminology have already begun to address disparities and injustices associated with homophobic hate crime; however it seems social work, arguably the most skilled discipline in the area of community organizing and social justice, is still shying away from the issue (Charnley, Langley 2007, Pollack 2009). As in other situations concerning matters applicable to small populations, it may require the dedication and commitment of lesbian and gay individuals within the profession of social work to begin the process – a task this research is willing to take on in its own way.

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