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HATE CRIME IN CANADA: A QUANTITATIVE ANALYSIS  
OF  
VICTIMIZATION SURVEY DATA

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## ABSTRACT

Hate crime victimization in Canada is a criminal justice issue that has received insufficient attention. To address this lack of information, Statistics Canada included two questions concerning hate crime on the 1999 administration of the General Social Survey. The data from this survey were analyzed for this thesis. Differences between hate crime and non-hate crime respondents were examined. Subsequently, the three most frequently reported hate crime motivation categories of race/ethnicity, sex and culture were compared.

The results of the analysis revealed that while differences exist between hate crime and non-hate crime respondents, the main differences appeared between respondents reporting sex-motivated hate crimes and those in the two remaining categories of race/ethnicity and culture. The main variations were in the reasons respondents cited for not reporting the incident to the police and their psychological reactions to the event.

Those who perceived their victimization to be based upon their race/ethnicity or culture did not report the incident to the police because they felt it was not important enough. Respondents victimized on the basis of their sex indicated that they did not bring the incident to the attention of the police because they felt the “police do nothing”.

While respondents of the three motivation categories of hate crime examined in this study reported being fearful as a result of their victimization, respondents who perceived themselves as having been the victim of a sex-based hate crime were substantially less likely than those victimized as a result of their race/ethnicity or culture to report that they were not effected that much.

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*"...I am always reminded that we are all basically alike: we are all human beings. Maybe we have different clothes, our skin is a different colour, or we speak different languages. That is on the surface. But basically, we are the same human beings. That is what binds us to each other."*

*- His Holiness, The Dalai Lama  
Nobel Peace Prize Speech, Dec 11, 1989.*

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CHAPTER ONE  
LITERATURE REVIEW

Introduction

Although a number of Canadian studies have examined hate crime (Roberts, 1995; Faulkner, 1997) there has yet to be an investigation of this social problem at the national level and from the perspective of the victim. In 1999, Statistics Canada included two questions relating to hate crime in its nationally representative General Social Survey (GSS) on victimization. The purpose of this thesis is to analyze these data as they relate to hate crime in order to examine patterns and broad trends of self-reported hate crime in Canada nationally. This thesis will examine two levels of hate crime victimization. First, responses of hate crime and non-hate crime victims will be compared in order to determine whether differences exist between these groups. Second, the analysis will investigate the three most prevalent hate crime motivations in order to determine if there is any variability between groups.

This thesis begins with a review of the literature as it pertains to hate crime, including the effects of this form of victimization, the legislation relating to this type of criminal behaviour as well as a discussion of the methodological issues specific to the collection of hate crime statistics. Chapter 2 describes the specific methodology used in this investigation, including details regarding the construction and administration of the GSS as well as how the data from this survey will be analyzed. Chapter 3 presents the findings from the analysis. The final chapter contains an overview of hate crime in Canada, a discussion of the limitations of the hate crime questions posed in the 1999 GSS as well as proposed areas for further research.

## Literature Review

“Hate crime” is a new label used to describe a very old social problem. The term “hate crime” includes a broad range of behaviours, ranging from state-sponsored forms of genocide such as the mass extermination of Jews and others by the Nazis during the Second World War, crimes by hate advocacy groups and to individual crimes of property and interpersonal violence. Contemporary examples of the former include the genocide in countries such as Tibet and Rwanda, and the ethnic cleansing in Bosnia-Herzegovina (Hamm, 1994). It is the latter two types of hate crime, however that will be the focus of this thesis, as they are more relevant to the Canadian context. In Canada, like the United States, while individuals are responsible for the vast majority of hate crimes, relatively few incidents are the result of organized hate advocacy groups (Janhevich, 2001:9).

While prejudice and discrimination on the basis of race and other characteristics have long been public problems, the move to address behaviours motivated by bias through the criminal justice system is relatively recent. The civil rights movement contested the subordinate position of Blacks and other racial minorities in the United States by highlighting the social, legal and economic injustices they suffered due to their race. The second wave of feminism framed violence against women as a pervasive example of sexism. Not only did these movements question the established social arrangements, they helped to coordinate and mobilize smaller, “grass roots” organizations to achieve a common goal (Jenness & Broad, 1997:21-26). Despite the advances achieved through these social movements, homosexuals, visible minorities, religious

groups, women and other categories of persons remain targets for prejudice and discrimination (see Box 1.1).

A major limitation in addressing the problem is that little is known about the prevalence of or trends in hate crime in Canada; there is no systematic and uniform method of collecting hate crime statistics. To better explore the scope, nature and magnitude of the problem, Statistics Canada included a section on hate crime in its national 1999 General Social Survey (GSS). The data collected through the GSS pertaining to hate crimes will be analyzed in this thesis to provide a picture of self-reported hate crime victimization in Canada. Before examining the data it is necessary to have an understanding of the effects that hate crimes have on victims and communities as well as an overview of the legislation pertaining to this form of offending. The discussion will then shift to an exploration of the methodological difficulties associated with the collection of hate crime statistics in Canada.

A distinguishing characteristic of hate crime incidents is that the victims in these incidents are interchangeable; the sole requirement is that they share the characteristic(s) of, or membership in, the targeted group or groups based on one or more characteristics such as race, ethnicity, religion and sexual orientation (Lawrence, 1999:41; Marovitz, 1993:50). As a result, it is thought that these crimes are deindividuating, adversely affecting not only the specific individual victim, but also anyone who perceives themselves as belonging to one or more of the same groups as the victim. The consequences of hate crime victimization include increased levels of fear, anger and isolation within a community, which can exacerbate the level of intergroup conflicts

### **Box 1.1 R v. Miloszewski, Synderek, Nikkel, Leblanc & Kluch**

*In the early hours of January 4, 1998 in Surrey, British Columbia, five young white males scaled the locked fence surrounding the Guru Nanak Sikh Temple with the intent of vandalizing cars belonging to people in the Indo-Canadian community. Shortly thereafter, Mr. Nirmal Singh Gill, a 65-year-old Indo-Canadian who was the Temple caretaker and who lived on the grounds, appeared in the parking lot to unlock the fence and open the temple for the day. Before Mr. Gill could perform this task he was kicked to death by the five men who subsequently pleaded guilty to manslaughter (Stewart, 1999).*

*The judge in the case concluded that the motivation behind this offence was hatred of Sikhs. All five men were skinheads and the man who initiated the attack on Mr. Gill did so in the hopes of becoming a member in a racist group. After the killing of Mr. Gill, it was discovered that the offenders were proud of their actions, recounting the event with enthusiasm and describing the victim in a derogatory manner. One offender referred to his role in the murder of Mr. Gill as his "good deed for the lifetime" (Stewart, 1999:31).*

*According to Canada's Sentencing Reform Act (Bill C-41), the element of hate is to be considered an aggravating factor at the time of sentencing. Judge Stewart sentenced three of the offenders to fifteen years imprisonment and the remaining two to eighteen years incarceration, sentences considerably harsher than the average sentence for manslaughter.*

(Tomaso, 1993:99; Sanderson, 1993:90; Garofalo & Martin, 1993:66). Hate crimes are thought to cause disproportionate harm as they are “message crimes” to the extent that they warn members of certain groups that they are unwanted and unwelcome in a given social milieu (APA, 1998:5, Roberts, 1995:4). Thus,

“hate-motivated violence is, in effect, a form of group intimidation intended to express loathing towards a particular group and to instil fear among that group as a whole. As a result, hate-motivated violence affects entire minority communities because they know that they are all potential targets of such violence” (Shaffer, 1995:211).

### Effects of Hate Crime Victimization

Hate crimes are purportedly substantively different from other crimes in terms of their consequences for the victim’s emotional and psychological well being. After being the victim of a crime, some people may find that they have little difficulty in adjusting to life subsequent to the event and suffer minimal psychological upset whereas others may have trouble coming to terms with their victimization (Garnets *et al.*, 1990:367). By contrast, research conducted in the United States indicates that that the motivation of hate in the commission of the offence exacerbates the victim’s emotional distress, and can have long-lasting, psychological effects (Herek *et al.*, 1997a: 196; APA, 1998:4-5; Berrill, 1990:275). Indeed, hate crime victims have been likened to sexual assault victims “in that the physical harm associated with the crime, however great, is less significant than the powerful accompanying sense of violation” (Lawrence, 1999:40; Weiss, 1993:182).

A study by Shaffer (1995:212) found that victims of hate-motivated activity experienced “21% more of the standard psycho-physiological symptoms of stress than

did victims of similar acts of ordinary violence or abuse". These symptoms include higher blood pressure, stress disorders, depression and psychological problems (Yen, 1993:602). A study conducted on 150 gay men and lesbians confirms that those who were victims of hate crime experienced higher levels of depression, anxiety and symptoms of Post Traumatic Stress Disorder (PTSD) than those who were victims of a similar offence committed without the element of hate (Herek *et al.*, 1997:197). The American Psychological Association has also found that hate crime victims are more likely to suffer from PTSD, with symptoms ranging from intense feelings of anger toward the offender, vulnerability and depression. Other effects include, but are not limited to, insomnia and nightmares, difficulty concentrating, headaches, anxiety and interpersonal problems stemming from a heightened mistrust of others (Shaffer, 1995:212; Garnets *et al.*, 1990:367; Herek *et al.*, 1997a:210).

An inconsistent pattern in the findings emerges with respect to the self-esteem of hate crime victims. Herek *et al.* found that hate crimes had an adverse effect on the victim's level of self-esteem, whereas Barnes & Ephross found that "a major difference in the emotional response of hate crime victims appears to be the absence of lowered self-esteem" (1994:250). The authors speculate that this finding could be attributed to the victim regarding the offence as stemming from another's intolerance and prejudice and consequently not blaming themselves for their victimization. These conflicting findings may also be attributed to variances in methodology and sample size; clearly this is an issue that requires more (and more careful) empirical research.

Not only does hate crime affect the emotional well being of victims, but there are also serious implications for victim's subsequent interactions with, and perceptions of,

others including behavioural adaptations to minimize the likelihood of revictimization. Hate crime victims who reported the offence to police were more likely to move out of the community, purchase a gun and invest in home security devices, while also limiting their participation in social events (Barnes & Ephross, 1994:250). Furthermore, research indicates that hate crime victims require up to five years to overcome the effects of the bias-motivated incident, whereas victims of non-hate offences experienced a decrease in the crime-related psychological upset within 2 years (APA, 1998:4).

Given the serious consequences of hate crime victimization, the federal government in Canada has recognized that hate crimes represent a serious threat, not only to individual Canadians, but also to the existence of a multicultural society. For these reasons, among others previously noted, the government of Canada has addressed this issue by means of statutory reform of the sentencing provisions in the *Criminal Code*.

### Legislative Changes

Addressing hate crime through the criminal justice system is a difficult endeavour. Gilmour (1994:18-21) raises a number of questions relating to issues surrounding the development of hate crime legislation. Which activities motivated by hate should be considered offences? When is freedom of expression, as guaranteed by the *Charter of Rights and Freedoms*, to be restricted? How is hate motivation to be proved? Hate itself does not constitute a substantive offence as defined by the *Criminal Code of Canada*. Currently the only offences in the *Criminal Code* relating to hate crime are the hate propaganda laws covered under ss. 318-320, which classify disseminating hate propaganda or advocating genocide as indictable offences. However, the September 11, 2001 attacks in New York City and Washington D.C. and the subsequent retaliatory

acts against Arab and Muslim-Canadians (Bourrie, 2001:1-2), have prompted the federal government of Canada to table legislation which would create a “*new offence of mischief motivated by bias, prejudice or hate based on religion, race, colour, or national or ethnic origin, committed against places of worship or associated religious property*”. This hybrid offence would be subject to a maximum eighteen month penalty when convicted summarily or ten years when prosecuted on indictment.

The Federal Government, aware of the difficulties related to addressing hate crime legislatively, made the element of hate a statutory aggravating factor at the time of sentencing. This was accomplished by the 1996 enactment of Bill C-41, *the Sentencing Reform Act*. Section 718.2 (a)(i) of the bill states that when imposing a sentence, the court must consider “*evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any similar factor*” as an aggravating circumstance. Despite section 718.2 (a)(i) being but a few lines in a much longer statement of purpose and principle, it subsequently became known as the “hate crime” bill (Roberts & von Hirsch, 1999:54) based upon the debates surrounding this issue<sup>1</sup>.

Prior to its enactment, concern had been expressed by criminal justice experts regarding the lack of substantive changes Bill C-41 would achieve because of the absence of sentencing guidelines for judges (Roberts & von Hirsch, 1995:225-226). These concerns do not appear to have been justified. In their review of hate crime cases brought to court after 1996, Roberts and Hastings (in press:14) observe that judges do take into

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<sup>1</sup> Most notably was the controversy surrounding the inclusion of sexual orientation in the bill. Interestingly, the House of Commons debates and some of the Standing Committee testimony are illustrative of the extent that anti-homosexual sentiment persists in Canadian society and further reinforces the point that those with alternative sexual preference do require protection through legislation.

consideration the directives established in Bill C-41 with respect to sentencing enhancements<sup>2</sup>. Further, the legislation is believed to have a symbolic effect, in that it sends a clear message to the public that offences motivated by hate will not be tolerated (Carter, 2000:407)<sup>3</sup>.

Ironically, and despite the well-intentioned efforts by Parliament, there are indications that hate crime legislation may have adverse, unforeseen consequences. First, this type of legislation may place minority groups at a greater disadvantage in that the larger society may interpret the enumerated groups in the laws as being afforded special treatment or protected status. Second, hate crime laws may disempower minority groups by inadvertently conveying the message that these groups require greater protection because they are unable to defend themselves (Gilmour, 1994:18-21; Cowl, 1995:i). A third negative consequence has been that these laws have been used against the very groups they were designed to protect. In the United States, for example, hate crime laws have been applied in such a manner that they have resulted in more convictions of non-white people than whites (Cowl, 1995:6).

Notwithstanding the possible negative effects of hate crime legislation, Roberts stressed in his testimony before the Standing Committee on Justice and Legal Affairs that the ability of the state to recognize the disproportionate harm caused by hate crime is limited by the absence of information on the extent of the problem in Canada. As Roberts noted: "There are certain groups, particularly B'nai Brith, that collect data on

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<sup>2</sup> There is, however, variability in the how much the sentence should be increased as a result of the aggravating factor of hate motivation. For a deeper discussion of this, see Roberts & Hastings (in press).

<sup>3</sup> Carter further states that increasing the sentence can fulfill other purposes of sentencing such as deterrence and retribution.

hate-motivated incidents, but it is not something we have done very rigorously in this country” (Allmand, 1995:12). A more informed analysis of the problem would permit a more rational allocation of criminal justice and community resources.

Attempts at regulating hate crime through criminal justice interventions have been met with minimal success at best. In particular, this highlights the necessity for comprehensive empirical research. Unfortunately this is complicated by methodological problems that beset research on hate crime. These problems are explored in the following section.

### Hate Crime Statistics: Methodological Issues

The collection of hate crime data has become a central challenge for the criminal justice system in Canada and other western nations. Police services across the country have implemented various strategies to respond to hate crimes and evaluate the level of hate crime locally (Roberts, 1995:22-27; Janhevich, 2001:16). Despite these efforts, there is to date no standardized method of collecting statistics on this issue. At present, hate crime statistics have been collected by three sources: the police, advocacy groups, and victimization surveys. Each of these methods of collecting hate crime statistics will be discussed and evaluated.

#### *Police Statistics*

Canada does not have a systematic manner of collecting official hate crime statistics. The United States has been the only country thus far to establish a Hate Crime Statistics Act, passed in 1990, which requires each state to collect and submit hate crime statistics to the FBI’s Uniform Crime Report (UCR) databank (Hagan, 1997:184).

Canada has yet to implement such a piece of legislation despite strong recommendations that it do so by some criminal justice experts (Roberts, 1995: 51). However, most police departments have implemented strategies to address this form of criminality. In fact by 2001, of 34 major police departments examined across the country, 24 had hate crime policies in place and three used related policies (Janhevich, 2001:19-20). It is encouraging to see that police departments are responding to the problem of hate crime, however, their statistics on this issue are limited to the local level. The adoption of these types of procedures does little to further our knowledge as to the magnitude of the problem on a national scale.

### *Limitations of Police Statistics*

The utility of police statistics in assessing the nature and extent of hate crime victimization is limited for two main reasons, each of which will be discussed in the following section: 1) lack of a uniform definition of what constitutes a hate crime, and 2) low reporting rates.

#### 1.1 Lack of a Uniform Definition

A major impediment to the advancement of a national database of official hate crime statistics is that police forces do not employ a uniform definition of a hate crime, despite the Canadian Association of Chiefs of Police (CACCP) approval of such a definition based on section 718.2 (i)(a) of the *Criminal Code* (Janhevich, 2001:20).

Some police forces, such as the Metropolitan Toronto force, employ an exclusive definition of a hate crime whereby an offence is to be considered a hate crime only if it was committed *solely* because of the victim's race, religion, nationality, ethnic origin,

sexual orientation, gender or disability. Other services like the Halifax police service have enacted an inclusive definition, stating that the offence must be based *in whole or in part* upon the victim's race, religion, nationality, ethnic origin, sexual orientation, gender or disability.

An absence of a standard definition of a hate crime for police forces results in considerable variability in the number of incidents classified as hate crimes (Roberts, 1995:8). Police services employing an inclusive definition will obviously record a greater number of hate crime incidents than forces using an exclusive definition. Those adhering to an exclusive definition are not recording offences that may have otherwise been deemed a hate crime. "If definitions of what constitutes a hate crime are highly variable, this will generate inconsistency in statistics purporting to measure their activity" (Roberts, 1995:7). Furthermore, statistics are affected by the discretion of individual police officers to classify an incident as a hate crime or not. This can be difficult to do, especially in cases where hate motivation is ambiguous (Roberts, 1995:17).

### 1.2 Low Reporting Rates

A second, perhaps more obvious problem when examining official statistics, for any type of crime, is that they are incomplete due to the fact that not all offences are brought to the attention of the police. Research on hate crime victims indicates that for various reasons, victims remain reluctant to report incidents to the criminal justice system (Levin & McDevitt, 1993:70; Comstock, 1991:159). "Of all forms of criminality, hate crimes are likely to be among the most underreported offences" (Roberts, 1995:14). A common reason for not reporting the incident is that victims are fearful of retaliation by the offender(s) if they report the incident to the police. Research has found that victims

of extremely violent hate crimes were the least likely to report the incident for fear of once again coming into contact with their assailant (APA, 1998:4). Hate crime victims who are recent immigrants may also be deterred from reporting the offence to the police because of negative experiences they may have had with the criminal justice system in their country of origin. Additionally, they could fail to report as a result of language barriers (Roberts, 1995:15; Weiss, 1993:180).

Gays and lesbians may be the least likely of all groups specified in section 718.2 (i)(a) to report incidents of hate crime, despite the fact that they have long been a “prime target for hate-motivated crimes” (Roberts, 1995:31). This may be due to the reluctance of many gays and lesbians to publicly disclose their sexual orientation either to family, friends or to the police. Comstock (1991:160) found that police-related reasons for non-reporting were substantially higher for victims of anti-gay/lesbian crimes than for victims of conventional crimes. While victims of crimes where no bias motivation was present stated that they were reluctant to report the offence because they believed that the police would be indifferent or unhelpful, gays and lesbians reported that they anticipated hostility and abuse from the police (Comstock, 1991:160; Berrill & Herek, 1990:404). Indeed, there have been numerous allegations made by gays and lesbians that they have been victims of hate crime at the hands of police officers (Comstock, 1991:158-159; Roberts, 1995:34).

Hate crime victims are commonly members of groups that have long been stigmatized and oppressed. Their reluctance to report the offence to the authorities may be due to an historical distrust of, and abuse from, the police (Comstock, 1991:157-158; Herek & Berrill, 1993:32; Cunningham & Griffiths, 1997:153). Victims of racially

motivated violence are reluctant to turn to the criminal justice system as they view it as an inherently racist institution. For example, a coroner investigating the death of a black man by police officers in Montreal concluded that there was a “totally unacceptable” level of racism in the Montreal Urban Community police service (Cunningham & Griffiths, 1997:151).

Given that a large number of hate crimes are not reported to the police, and in light of variances in the definition and recording of hate crimes by police forces, “it would be a mistake to measure the importance of hate crimes simply by the number of incidents reported by the police” (Roberts, 1995:3).

### *Advocacy Group Statistics*

One way of addressing the limitations of police statistics is to examine statistics collected by advocacy groups as they may be helpful in highlighting trends over time. The League of Human Rights of B’nai Brith is the best example<sup>4</sup> as it has been compiling its own statistics on anti-Semitic incidents since 1982, using the same definition consistently for almost two decades. The advantage of this initiative is that it provides consistent and comparable data on hate crime spanning almost two decades, making it arguably the most authoritative indicator on this particular form of hate crime.

Statistics are entered only after B’nai Brith investigates the incident and establishes that it was motivated by hate (Roberts, 1995:30). The data amassed by B’nai Brith are qualitatively different from those collected by police as B’nai Brith includes

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<sup>4</sup> Other groups in the community also collect statistics on hate crimes. For example, Toronto’s 519 Church Street Community Centre collects information pertaining to hate crimes motivated by sexual orientation. Refer to E. Faulkner’s 1997 report, Anti-Gay /Lesbian Violence in Toronto: The Impact on Individuals and Communities. One community organization is examined here for the sake of simplicity.

incidents that may not qualify as offences according to the *Criminal Code* definitions. Specifically, statistics compiled by this group categorize incidents reported to them under two general categories: vandalism and harassment. In its 1999 Audit of anti-Semitic incidents, vandalism is defined as:

“an act involving physical damage to property. It includes graffiti, swastikas, desecration of cemeteries and synagogues, and other property damage, arson and other criminal acts such as thefts and break-ins where an anti-Semitic motive can be determined” (League for Human Rights, 1999:4).

Harassment includes:

“ anti-Semitic hate propaganda distribution, hate mail and verbal slurs or acts of discrimination against individuals. Death threats and bomb threats against individuals and property, as well as any kind of physical assault are also included in this broader category. This category also includes systemic discrimination in the workplace, schools and campuses, and stereotyping in the media” (League for Human Rights, 1999:4).

### *Limitations of Advocacy Group Statistics*

A limitation when examining advocacy groups' statistics is that they may include incidents that are not defined as crimes within the *Criminal Code* definition. B'nai Brith, for example obtains its statistics from victims who report the incident to the organization. These data are incomplete. For different reasons, not all incidents will be reported to advocacy groups. One reason is that community members simply may not be aware that such a service exists. There may also be duplication in the sense that victims who report an incident to advocacy groups may also report the crime to the police. Caution should therefore be used when examining hate crime statistics collected by community organizations, irrespective of the quality of recording procedures, in that they are not an accurate reflection of the amount of hate incidents committed.

### *Victimization Surveys*

Victimization surveys present an alternative to police statistics. Whereas police data are based on the officer's perceptions that the offence was motivated by hate, victimization surveys are based on the victim's perspective of the incident, regardless of whether it had been reported to the police. These surveys are useful in that the results obtained may reveal the extent to which some offences go unreported to the police and may give a clearer portrayal of the extent and nature of crime (Roberts, 1995:28). Victimization surveys collect information that is not captured by police reports (e.g., victims' contact, and satisfaction with the criminal justice system, cost of crime, etc.).

Prior to the 1999 GSS cycle on victimization, there had been no national victimization survey conducted on the issue of hate crime in Canada. The GSS will be the source of data employed in this thesis.

### *Limitations of Victimization Surveys*

As with all databases, the statistics gathered from victimization surveys are incomplete and subject to various sources of error. The following discussion highlights various limitations of utilizing victimization surveys as a measure of criminal behaviour.

Some individuals may not wish to disclose their victimization even in the context of a victimization survey. Victimization surveys are dependent upon the willingness of the respondent to participate, and accuracy of the memory of the respondent. These types of surveys are generally restricted to a specific reference period. The reference period for the GSS 13 is twelve months; the National Crime Victimization Survey in the United States is six months. As time passes, respondents may forget the details of the incident.

Alternatively, “telescoping” may occur. Respondents may have been victimized prior to the reference period, but may state that the incident occurred within the allotted time period – perhaps to please the interviewer. When respondents complete a survey of this nature there is also the possibility that they may be inaccurate in recounting the details of their victimization (Hagan, 1997:185).

Respondents may report incidents that they would ordinarily believe to be too minor to warrant police involvement or not considered a criminal offence as defined by the *Criminal Code*. Alternatively, victimization surveys have been criticized for their inability to provide a pattern of repeat victimization as continuous low-level incidents may not be possible to define within a specific time period (Virdee, 1995:19; Mayhew, 2000:105). In his critique of a local survey on racial violence, Bowling (1993:238) argues that crime, especially racial violence, should be viewed as an on-going process rather than in an event-oriented fashion. He states that:

“Conceiving of racial violence and other forms of crime as processes implies an analysis, which is dynamic; includes the social relationships between all the actors involved in the process; can capture the continuity across physical violence, threat, and intimidation; can capture the dynamic of repeated or systemic victimization; incorporates historical context; and takes into account the social relationships, which inform definitions of appropriate and inappropriate behaviour.”

Furthermore, a more informed analysis of hate crimes and their implications for victims would be obtained by incorporating qualitative interviews with victimization surveys (Bowling, 1993:241-242).

The victimization survey - like any data source - is never complete and does not capture every victimization incident. The GSS is restricted to non-institutionalized persons over 15 years of age. Incidents committed against institutions, such as the

desecration of tombs or religious institutions are not captured. This is especially problematic when examining hate crimes.

## Chapter Summary

Hate crimes are considered to be a particularly insidious form of criminality because of victim-interchangeability as well as the fear experienced by others who identify with the immediate victim. Victims of hate or bias-motivated incidents are thought to suffer greater psychological distress than non-hate crime victims, as a consequence of their victimization. To address this form of criminality, the federal government enacted legislation in 1996, making the motive of hate an aggravating factor at the time of sentencing.

Gaining a clearer picture of the magnitude of the problem of hate crimes is not a simple task due to the variable methodologies and definitions employed by police forces and community agencies and the absence of information on hate crimes from victimization surveys. This is further compounded by victims' reluctance to report these incidents. It has been duly noted that "the elusive nature of hate crimes means that perhaps more than any other type of criminality, a true picture of the prevalence of this crime can only be obtained by drawing upon diverse sources" (Roberts, 1995:18).

## CHAPTER TWO

### METHODOLOGY<sup>5</sup>

#### Introduction

This thesis will analyze data from the 1999 General Social Survey (GSS), which was constructed and administered by Statistics Canada. This nationally representative survey captured data from non-institutionalized persons, 15 years old and over from the ten provinces, using the Computer Assisted Telephone Interviewing technique (CATI). Households from 10 provinces were randomly selected using Random Digit Dialling (RDD). In total, 25,876 people were interviewed for the 1999 survey (Statistics Canada, 2000). The data were weighted using Census projections for the entire non-institutionalized population 15 years and older in order to obtain an accurate reflection of hate crime in Canada. Various statistical tests were used to analyze and describe the data where possible.

#### Key Concepts

Before entering into a discussion relating to the methodology employed in this study, it is necessary to define some key concepts. For the purpose of this study, any reference to a criminal event or offence excludes incidents of elderly and spousal abuse as these forms of criminality are addressed in separate modules of the GSS. Respondents were asked if they believed that they had been the victim of a criminal offence within the

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<sup>5</sup> Much of the information contained in this chapter is from Statistics Canada published and unpublished working papers relating to the methodologies used for the 1999 GSS.

previous twelve months. When an affirmative answer was given, the respondent was asked to specify the type of offence from a list of offences provided by the interviewer (this includes attempted and completed offences).

For the purpose of this study, the *Criminal Code* definition of a hate crime, as outlined in section 718.2 (i) (a), will be used: a hate crime is defined as “*an offence motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any similar factor*”. This is done in order to achieve consistency as the hate crime questions in the GSS were partially based upon this same definition. For clarity and simplicity, the term non-hate crime or conventional crime will be used when speaking about offences that were not hate-motivated.

Initial analysis of the data revealed that the three motive categories of race/ethnicity, sex and culture accounted for more than three-quarters of all hate crime incidents captured by the 1999 GSS. The percentages of incidents falling into the remaining six categories of age, sexual orientation, religion, language, other in *Criminal Code*, and disability, were too small to be discussed separately, thus were collapsed to create a fourth motivation category, which for the purpose of this thesis will be referred to as “other”. Because the “other” category aggregates several motivation categories, relevant findings may not emerge when examining the categories jointly. Percentages for this category will be presented in the tables, but excluded from the analysis.

Respondent characteristics and incident characteristics are relevant to this study in order to obtain an accurate portrayal of hate crime victimization in Canada. Respondent characteristics include socio-demographic variables such as age, sex, visible minority

status, fear of crime and other similar factors as they apply to the victims of a crime.

Incident characteristics relate to the crime itself and include such things as the type of offence experienced, the location of the victimizing event, perpetrator characteristics and other pertinent factors.

## Survey Instrument

The 1999 General Social Survey was the third time that the GSS has collected information on the nature and extent of criminal victimization in Canada. Eight offences were examined in this cycle of the GSS. These included four property offences (break and enter, motor vehicle theft, theft of household property, and vandalism) and four personal injury offences (sexual assault, robbery, assault, theft of personal property). This survey also gathered information on the public's level of fear of crime as well as public perceptions of, and level of satisfaction with, the criminal justice system. Special sections were devoted to spousal and senior abuse. Of particular interest to this research study was the introduction of two questions relating to hate crimes.

The sections of the survey that were examined in this research study generally involved closed-ended questions in which the respondent was asked to choose a response from a list read by the interviewer. In instances where the interviewer required further information or clarification, the respondent was asked to specify or provide greater detail. Open-ended questions were also asked.

Three sections of the questionnaire are relevant to the current study. The "Classification" section provides information on the background characteristics of all respondents in the survey, regardless of whether they had been crime victims or not. This section includes demographic variables and other relevant measures. The "Criminal

Victimization Screening” section screened all respondents to determine whether they believed they had been the victim of a crime within the last 12 months. When a respondent stated that they had been a victim of a crime, questions were then asked to determine the nature of the criminal incident, as well as its impact on the respondent.

For each criminal victimization incident reported by a respondent, a “Crime Incident Report” was completed. This section collected information on the incident, including when and where it occurred, alleged perpetrator characteristics (e.g., age and sex) and characteristics pertaining to the respondent at the time of the incident. Additional questions examined the financial, physical and emotional consequences experienced by the respondents as a result of their victimization. Further information was gathered concerning whether the respondents had sought medical attention and whether they had reported the incident to the police. When respondents indicated that they had reported the incident, questions relating to their level of satisfaction with the services provided by the police were then asked. If the respondent indicated that they had not reported the incident, they were subsequently asked the reason(s) for not reporting to the police.

Included in the “Crime Incident Report” section were the two questions pertaining to hate crimes. In order to clarify what was meant by a hate crime, the following preamble was read to those respondents who had reported being the victim of a criminal incident in the previous 12 months: *“There is growing concern in Canada about hate crimes. By this I mean crimes motivated by a person’s sex, ethnicity, race, religion, sexual orientation, age, disability, culture or language.”* The first question was then asked: *“Do you believe that the incident committed against you was a hate crime?”* If a

respondent answered affirmatively to this question he/she was then asked: “*Was this because of the person’s hatred of your...*”

- (1) *Sex*
- (2) *Race/Ethnicity*
- (3) *Religion*
- (4) *Sexual Orientation*
- (5) *Age*
- (6) *Disability*
- (7) *Culture*
- (8) *Language*
- (9) *Other (specify)”*

Respondents were able to choose more than one of the enumerated categories provided by the interviewer. When the “other” category was specified, responses were verified and Statistics Canada experts determined whether the stated reason fell within the legal definition of a hate crime.

A limitation of the hate crime questions posed in the 1999 GSS is that the motivation categories respondents were asked to choose from were partially based upon the *Criminal Code* definition of a hate crime. Specifically, the GSS aggregated the related, but conceptually distinct, categories of race, national or ethnic origin and colour into a single motivation category labelled “race/ethnicity”. Statistics Canada also included “culture” as a motivation category and this was not enumerated in section 718.2 (i)(a) of the *Criminal Code*. Not only was this category included, but no definition was provided to respondents as to what was meant by this term, thus no consistency can be achieved. No explanation was provided in any material relating to the GSS on the decision to include this category, thus what is meant by “culture” varies by individual respondent and consequently, no definition for this term can be provided for this thesis.

In the “Incident Report” section, not all questions were posed to all respondents who indicated that they had been a victim of a criminal incident. If respondents replied that they felt they had not been a victim of a hate crime, the related questions were not relevant, and thus were not asked.

The 1999 GSS was thoroughly pre-tested in accordance with Statistics Canada practice. A large-scale field test and a focus-test were conducted to ensure that the questionnaire was clear and free from misinterpretation. These tests made certain that the survey and the ensuing data were reliable and valid.

## Data Collection

Data collection for the 1999 GSS lasted from February to December 1999 inclusive, with the sample being evenly distributed over the 11 months. All interviews were conducted from four regional offices of Statistics Canada (Halifax, Montreal, Winnipeg and Vancouver), with each regional office responsible for surveying particular geographic areas.

Computer Assisted Telephone Interviewing (CATI) was utilized to collect the data. This technique allowed the interviewer to input the data directly into the computer at their workstation monitors as the interview progressed. The CATI method is advantageous for two reasons: first, it is less costly than face-to-face interviews; second, it is efficient as it reduces the length of the interview and makes built-in edits possible, eliminating many steps in the data processing. Data collected by the CATI system were subsequently transmitted electronically to the head office in Ottawa for more detailed editing.

Interviewers were trained in conducting telephone interviews using CATI as well as in survey content and procedures. Due to the sensitive nature of the survey topic, a psychologist provided interviewers with personal preparedness training, to ensure that interviewers and those sampled in the survey experienced as little psychological upset as possible. Most interviewers had previous experience in conducting interviews for the GSS.

### Sampling Procedures

To carry out sampling, each of the ten provinces was divided into strata or geographic regions, resulting in a total of 27 strata. Larger Census Metropolitan Areas (CMAs) formed their own sub-strata and the remaining CMAs and non-CMA areas composed other strata (for example, Montreal and Quebec City were sub-strata for Quebec, and Toronto, Hamilton and Ottawa constituted sub-strata for Ontario). Prince Edward Island due to the small size of its population, was the only province that did not have sub-strata.

The method of dividing the population into strata and sub-strata ensures that each area is sampled sufficiently in accordance with its population size and socio-demographic characteristics to obtain a representative sample. The three largest CMAs were over-sampled in order to obtain more detailed information relating to minority populations. This over-sampling allows researchers to investigate offences, such as hate crimes, that do not occur as frequently as other forms of criminality. In addition, a more comprehensive analysis of these sub-populations is possible with over-sampling.

Respondents were randomly selected using Random Digit Dialling (RDD). This technique ensures that all phone numbers within a given stratum had an equal probability

of being included in the sample. When a household was called, a person who was 15 years or older was randomly selected from that household to respond to the survey (interviews by proxy were not permitted). Households without telephones were excluded from this survey as were individuals residing full-time in an institution. A limitation with conducting telephone interviews is that populations with lower educational attainments and lower incomes are the least likely to own a phone, thus these groups may be excluded from the sample. Overall, approximately 2% of the targeted population was excluded.

### Response Rate

The response rate of the 1999 GSS was 81.3%. This is comparable to the 1988 (82.4%) and 1993 (81.6%) administrations of the General Social Survey focusing on victimization. The sample size for the 1999 cycle of the GSS was more than double the sample size of the two previous cycles measuring victimization, with 25,876 non-institutionalized individuals 15 years of age and older residing in the 10 provinces having been interviewed. The manner in which the questionnaire was constructed and administered resulted in a nationally representative survey. The principle behind this is that each person sampled represents a certain portion of the general population. In order to perform the data analysis so that it is nationally representative, the sample was weighted using Census projections. The GSS data are estimates based on a sample of the population and thus are subject to sampling error. Estimates of proportions of sub-populations will have wider confidence intervals.

Non-response occurred when the randomly chosen respondent was not available, refused to participate in the interview or was unable to speak either French or English.

Telephone numbers for which no contact was established and that could not be eliminated as being out of service; seasonal, business or institutional were also considered non-responses.

### Data Limitations

While the GSS provides data that are not available through police statistics, there are some limitations to these data that must be considered when analyzing hate crimes. Many property crimes motivated by hate are directed at community centres, synagogues, churches and other institutions (Roberts, 1995:23). The GSS captures data relating to personal and household victimization only, thus hate activities directed towards communities and businesses are excluded from the analysis. Research also indicates that a large proportion of hate crimes are committed by youths against youths (Khanna, 1998:3). The GSS interviews respondents who are 15 years of age or older. Consequently, hate crime victims under the age of 15 are not included in the GSS.

The GSS is a victimization survey and responses are based upon the victims' perception of the incident and whether they believed it to be a hate crime or not. There is obviously no independent validation of the respondent's perception with respect to whether the incident constituted a crime or a hate crime, except for instances where one of the main hate motivations was not chosen. A certain proportion of hate motives that fell under the "other" category were excluded from the analysis if Statistics Canada experts determined that the motive specified did not qualify as falling within the *Criminal Code* definition of a hate crime as outlined in s.718.2 (i)(a). In total, 639 hate crime incidents were recorded. When incidents defined by the respondent as a hate crime, but

which did not qualify as hate motives under the *Criminal Code* were eliminated, there remained 424 hate crime incidents.

## Data Analysis

To describe hate crime in Canada on a national level, quantitative data analysis was performed. The data in this thesis are representative of those in the general population of Canada (excluding persons in the three Territories and persons residing in institutions) over the age of 15 who believed that they had been the victim of a hate crime. Non-responses and other missing data were excluded from the present analysis.

Univariate and bivariate analysis were conducted using SPSS 10.0 (Statistical Programming for the Social Sciences). Initially, frequency distributions were used to provide counts as well as for comparative purposes. The majority of the data analysis used crosstabulations in order to examine the relationship between two variables. The chi-square statistical test was conducted in order to ascertain whether the relationship between the two variables in the contingency table is statistically significant. Chi-square tests are useful for two main reasons. First, this test determines whether the relationship observed in the contingency tables is a random occurrence or if an association exists between variables. Second, the chi-square statistical test permits researchers to make inferences about the general population based on the information supplied by the sample used (Punch, 1998:133-134). When it was determined that the relationship between the two variables was statistically significant, the Cramer's V statistic was subsequently used in order to measure the strength of the relationship.

The data analysis begins by examining the characteristics of the incident, including what type of offence was experienced, the location where the offence occurred

and regional differences. The analysis then shifts to an examination of victim characteristics, including the sex, age, visible minority status and country of origin of the victim. Characteristics of the alleged perpetrator(s), such as sex, age, number of individuals involved in the incident and their relationship to the victim, are also examined. The analysis then proceeds to examine reporting characteristics, including if the respondent reported the incident or not as well as the reasons for reporting or non-reporting. Respondent satisfaction with the police response is also measured. Finally, the effects of the victimizing incident on the respondent's life are considered. Each section of the study is analyzed in the same fashion. Initially, hate crime and non-hate crime incidents are compared to establish if there exists any differences or similarities between these two categories. Subsequently, the three most common hate motivation categories of race/ethnicity, sex and culture are compared to determine if hate crime characteristics vary by motive.

A major problem of the hate crime question included in the 1999 GSS relates to multiple responses to motives for hate crimes. Respondents who stated that they believed the incident had been hate-motivated could choose to describe the event as having been motivated by any or all of the listed motivation categories. This means that statistical tests cannot be done that compare motive categories as the categories are not mutually exclusive. This problem of overlap means that the presence of the same individual in each of the motive categories, will inflate the association measured by any statistical test, resulting an artificial association between variables.

There are two types of tabular analysis for this study. The first type of table is a standard table, in which statistical tests can be executed. All analyses measuring

differences between hate crimes and non-hate crimes are standard tables. When examining differences between motive categories, the standard table is used when motives are being examined separately. Tables 2.1 to 2.3 are examples of standard tables.

Table 2.1 Example of Standard Table: Hatred of Respondent's Race/Ethnicity by Sex of Respondent

<u>Sex of Respondent</u>	<u>Hatred of Respondent's Race/Ethnicity</u>		<u>Total</u>
	<u>Yes</u>	<u>No</u>	
Male	42.8%	57.2%	100%
Female	23.8%	76.2%	100%

$C_v=.202, p<.000$

Table 2.1 shows that the categories being compared are males and females who perceived the incident committed against them to be a racially/ethnically motivated hate crime (this falls under "yes") as compared to those who perceived the incident as *motivated by something other than the respondent's race/ethnicity* (this falls under the "no" cells). The above table indicates that men are almost twice as likely to perceive the hate crime committed against them as racially/ethnically motivated as are women.

Table 2.1 demonstrates that the relationship presented in this table is statistically significant as the probability level (or p value) is less than .000. By convention it is held that a statistically significant relationship exists when the probability level is at or less than 0.05. When a chi-square test shows a probability level at 0.05, it means that in less than five times out of one hundred the observed result is because of chance. When the

probability level is at or less than .001, it means that in less than ten times in a thousand that relationship could have arisen as a result of chance factors (Punch, 1998:133-134).

The Cramer's V (or  $C_V$ ) test is conducted when the chi-square test establishes that a statistically significant relationship exists between the variables examined. The Cramer's V is employed to establish the strength of the association between variables. As a rough guideline, when the  $C_V$  has a value under 0.1, it is taken to indicate a weak relationship. Values between 0.1 and 0.19 shows a moderately weak relationship. A moderately strong relationship is deemed to exist when the  $C_V$  is between 0.2 and 0.29 and a strong relationship exists when the  $C_V$  has a value of 0.3 and higher (Corbett, 1993:153). The  $C_V$  in Table 2.1 is .202, indicating that the relationship between the variables is moderately strong.

Table 2.2 Example of Standard Table: Hatred of Respondent's Sex by Sex of Respondent

<u>Sex of Respondent</u>	<u>Hatred of Respondent's Sex</u>		<u>Total</u>
	<u>Yes</u>	<u>No</u>	
Male	4.4%	95.6%	100%
Female	24.8%	75.2%	100%

$C_V=.283, p<.000$

Table 2.2 shows that the categories being compared are males and females who perceived the incident committed against them to be a sex motivated hate crime as compared to those who perceived the incident as *motivated by something other than the respondent's sex*. The above table shows that there exists a moderately strong relationship indicating that women are much more likely to perceive the hate crime committed against them as having been motivated by the sex than do men.

Table 2.3 Example of Standard Table: Hatred of Respondent's Culture by Sex ofRespondent

<u>Sex of Respondent</u>	<u>Hatred of Respondent's Culture</u>		<u>Total</u>
	<u>Yes</u>	<u>No</u>	
Male	11.8%	88.2%	100%
Female	11.4%	88.6%	100%

p&gt;.05

As the p value is greater than 0.05, no relationship exists between men and women and the culture motivation. Men and women are equally as likely to perceive the hate incident as having been motivated by their culture.

For the purpose of this study, the "no" responses in the standard tables are of no interest as these percentages refer to respondents who did not perceive the incident to be motivated by the particular motive examined. The second tabular analysis involves two different variations. The first variation is a summary table of the standard motive tables (refer back to Tables 2.1 to 2.3) which includes the "yes" percentages only. Included in this summary table are the statistical tests of each standard table. Table 2.4 is an example of a summary table.

Table 2.4 Example of a Summary Table: Motivation Category by Sex

<b>Sex of Victim</b>	<b>Motivation Category</b>		
	<u>Race/Ethnicity</u> %	<u>Sex</u> %	<u>Culture</u> %
Male	42.8	4.4	11.8
Female	23.8	24.8	11.4
	$C_v = .202, p < .000$	$C_v = .283, p < .000$	p>.05

A second form of a summary table is used when motive is the independent variable. As this type of summary table is not comprised of standard tables, no statistical information is provided. A consequence of multiple responses for motivation for the hate crime is that tests of significance cannot be conducted across the summary tables relating to motives. However, it is possible to make general comparisons between motivation groups by examining large percentage differences and/or distribution patterns, which can be taken to indicate a possible relationship (Punch, 1998:116).

### CHAPTER THREE

#### RESEARCH FINDINGS

This chapter presents the findings of the 1999 GSS examining the nature of self-reported hate crime victimization in Canada at the national level. The bivariate analysis is two-tiered. Initially, tests of significance were conducted on the relationship between all incidents by crime type (i.e., the perceived presence or absence of hate), in order to determine if any differences exist between hate crimes and offences where bias motivation is absent. Hate crime incidents were subsequently broken down into different motivation categories (e.g., race/ethnicity, sex, culture) in order to ascertain the degree of variability between these groups. Due to the fact that respondents were permitted to indicate multiple motivations for the hate crime incident, tests of significance were precluded. In order to address this limitation, large percentage differences of eight percent or higher were taken to indicate a possible relationship between variables. The analysis includes:

- incident characteristics
- the number of hate crimes reported in the 1999 GSS
- the distribution of these offences across Canada.
- offence type (i.e., personal or property)
- the location of where hate crimes occurred
- victim and perpetrator characteristics
- the reasons for reporting and non-reporting of incidents
- the effects of victimization on the respondent.

### 3.1 Incident Characteristics

The 1999 GSS included two questions examining hate crime victimization in Canada. Respondents who reported having been a crime victim were subsequently asked if they believed that the incident had been motivated by hate or bias. If the respondents believed that they had been the victim of a hate crime, they were then asked to specify what they perceived to be the motivation behind the incident. Respondents were permitted to identify more than one motivation category.

#### 3.11 Incidence of Hate Crime

Based upon estimates from the 1999 GSS, approximately 25% of the Canadian population experienced some form of criminal victimization in 1998 (Besserer & Trainor, 2000:4), of which 4.8% were identified by the respondent as having been motivated by some form of hate or bias. The number of incidents identified by the respondent as being a hate-motivated crime recorded in the 1999 GSS is five times greater than the only previous estimate (see Roberts, 1995:28). Based on the GSS, there were an estimated 272,732 incidents which were identified by the respondent as having been motivated by hate<sup>6</sup>. The only prior study that attempted to estimate the number of hate crimes committed nationally concluded that there may be up to 60,000 hate crimes occurring in Canada annually (Roberts, 1995:28). This figure was obtained by extrapolating relevant police statistics collected from one urban area (Ottawa-Carleton) to the rest of Canada.

While the data-bases are not readily comparable, there are two explanations for the discrepancy between the GSS estimate and the previous estimate made by Roberts

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<sup>6</sup> This finding excludes responses that do not fall within the definition of a hate crime as outlined in section 718.2 (i) (a) of the *Criminal Code*. "Don't know/not stated" responses are also excluded from the analysis.

(1995). First, Roberts' estimate was based upon "official" crime statistics – incidents reported to and recorded by the police. This estimate would not include incidents that remain unreported, or incidents reported to the police that were subsequently discarded as being "unfounded"<sup>7</sup>. As well, the GSS is a "victim-based" survey – this means that it captures any incident considered by the respondent to have been (a) a crime, and (b) a crime motivated by hate. Some of the incidents captured by the GSS would not constitute crimes according to legal criteria, and of the crimes captured by the GSS, not all those identified by the respondent as motivated by hate would actually have been bias crimes according to a legal definition. A second explanation for the significantly higher estimate of the volume of hate crime captured by the GSS is that there has been an increase in the actual number of incidents of this form of criminal activity since 1994 (when Roberts generated his estimate). It is possible that there has been heightened awareness of hate crimes as a result of the legislative enactment of Bill C-41 as well as the subsequent media coverage of hate crime cases (Roberts & Hastings, in press:3) and the rigorous anti-discrimination campaign mounted by the federal government.

Roberts' study was based upon statistics collected by the police in 1994. His research therefore pre-dated the enactment of Bill C-41. This legislation as it relates to hate crime serves a symbolic function, by making a public statement that hate crimes are intolerable in a multicultural society. It is thus possible that there has been an increased awareness and reporting of hate crimes since the enactment of Bill C-41, accounting for a greater number of people perceiving an incident committed against them as being

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<sup>7</sup> Incidents reported to the police are deemed to be unfounded when the officer does not believe that there is sufficient or strong enough evidence to gain a conviction (Nelson & Fleras, 1995:101).

motivated by hate. The legislation may not only have increased people's awareness of hate crime, but also affected their willingness to report these incidents to the police.

The finding that hate crimes appear to be more prevalent than previously thought has profound implications for Canada's multicultural society. Multiculturalism was adopted with the aim of nation-building through tolerance of different groups (Nelson & Fleras, 1995:260-266). This form of criminality is viewed as especially harmful due to its divisive capacity through the aggravation of intergroup conflicts, as it not only affects the immediate victim, but may also harm anyone who identifies with the victim, or shares the characteristics giving rise to the crime. Further, bias-motivated activities incite imitation and retaliation. It is therefore important that this form of criminal behaviour is effectively addressed before the philosophy of multiculturalism is undermined. An effective response must be preceded by a sound understanding of the phenomenon, which is the purpose of this study.

### 3.12 Categories of Motivation

Based on personal and property incidents<sup>8</sup>, the most frequently reported motivation for a hate crime was race/ethnicity (44.6%), followed by sex (21.0%) and culture (15.8%). The percentages of incidents falling within the remaining six categories were too small to be discussed separately - the largest single category among the six was the age motivation, which accounted for 12.5% of hate crime events (Table 3.1).

Accordingly the remaining motivation categories were collapsed to create a fourth hate crime motivation category, which for the purpose of this thesis will be referred to as

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<sup>8</sup> Excludes incidents of domestic violence and elderly abuse. This will result in an under-estimation of the total volume of hate crime victimization in Canada.

“other”. The “other” category includes the motivation categories of: age, sexual orientation, religion, language, other in *Criminal Code*, and disability. Because the “other” category aggregates several motivation categories, any important findings may not emerge when examining the categories jointly and thus will be excluded from this analysis.

The present analysis will focus upon the three most frequent motivation categories as they account for more than three quarters (81.4%) of all hate crime incidents reported in this administration of the GSS. Although there is only a slight difference in the proportion of respondents who perceived the motivation of the hate crime committed against them as being based upon their culture (15.8%) or age (12.5%), it was decided to examine the three most frequent categories. In light of the fact that this is the first examination of hate crime victimization at the national level and that “culture” is self-defined by respondents, the focus of this research is to examine broad patterns and to establish whether cultural hate crimes are similar to hate crimes motivated by race/ethnicity or not.

Table 3.1 Distribution of Perceived Hate Crime Motivation<sup>a</sup>

Motivation Category	Yes	
	n	%
Race/Ethnicity	189	44.6
Sex	89	21.0
Culture	67	15.8
Other	148	34.9

a: These percentages will not sum to 100% because each respondent could give any or all motivation categories. The “Other” category collapses six motivation categories into a single variable where a response of yes to any or all motivation categories counts only once in the “Other” category.

Consistent with hate crime statistics derived from police services across Canada and the United States, race/ethnicity was the leading motivation of hate crime incidents captured by the 1999 GSS. Roberts' (1995) estimate based on Canadian police statistics suggest that the second most common motivation for hate crimes was religion, followed by sexual orientation. The perception of the GSS respondents however, is that the incidents committed against them were based more often on sex, followed by culture. The differences between the GSS trends and Roberts' estimate using police statistics could be attributed to two possible explanations. The first explanation is based upon variations across groups in reporting incidents to the police, which may be influenced by the strength of police liaison networks with minority groups. For example, the Ottawa-Carleton Hate Crime Unit meets regularly with members of the gay and lesbian community to discuss their concerns. This communication may facilitate police relations with the gay and lesbian community and consequently, increase confidence in and reporting to the police. These statistics are also limited by the classification of incidents as hate crimes by police services.

A second explanation for the differences between official statistics and those provided from the GSS may be the result of the methodology employed to collect the statistics. The GSS collected information based upon the respondents' *perceptions* of their victimization. Conversely, police statistics were dependent upon the officer's interpretation of the event. Additionally, police statistics were collected for offences committed against individuals, households and commercial and institutional establishments. The GSS was restricted to gathering data relating to personal or household victimization. This resulted in a probable underestimation of the volume of

hate activity motivated by religion as this form of hate crime is predominately directed toward places of worship and burial grounds than at individuals or households<sup>9</sup> (Roberts, 1995:25; Garofalo, 1997:139).

### 3.13 Jurisdictional Comparison of Hate Crime

The ensuing comparison of hate crime victimization by jurisdiction is not a pure comparison. The American data are based upon police statistics compiled by the FBI as mandated in the 1990 *Hate Crime Statistics Act*. This results in an underestimation of the volume of hate crimes captured. The American data presented here are based on offences classified as hate-motivated. Despite these limitations, a jurisdictional comparison is useful in showing the international scope of this social problem (Roberts, 1995:19) as well as highlighting the similarities and differences of this form of criminality between nations.

Table 3.2 Jurisdictional Comparison of Hate Crime Victimization for 1999

Bias Motivation	Jurisdiction	
	Canada	United States
Ranking of Motivation Categories	1. Race/Ethnicity (44.6%)	1. Race (56%)
	2. Sex (21%)	2. Religion (17%)
	3. Culture (15.8%)	3. Sexual Orientation (16%)

<sup>9</sup> B'nai Brith statistics also indicate that religiously motivated hate crimes are often directed toward places of worship.

### 3.14 Regional Distribution of Hate Crime Incidents

Consistent with patterns of victimization across the country (Besserer & Trainor, 2000:6), people were slightly more likely to perceive being the victim of a hate crime in Ontario (5.4%) and the least likely to have experienced a hate crime in the Maritimes (2.4%). Hate crime incidents were higher in and to the west of Ontario (see Table 3.3).

Table 3.3 Distribution of Type of Crime by Region

Region	Crime Type				Total	
	Hate Crime <sup>b</sup>		Non-Hate Crime		n	%
	n	%	n	%		
Maritimes	14	2.4	561	97.6	575	100
Québec	77	3.8	1929	96.2	2006	100
Ontario	161	5.4	2835	94.6	2996	100
Prairies	78	5.1	1438	94.9	1516	100
British Columbia	93	5.1	1727	94.9	1820	100
<b>Canada</b>	<b>423</b>	<b>4.8</b>	<b>8490</b>	<b>95.2</b>	<b>8913</b>	<b>100</b>

$C_v = .040, p < .01$

b: Hate Crime includes all motivation categories that fall within the *Criminal Code* definition

The distribution of hate motivation categories is not uniform across Canada. Significantly, people had a greater likelihood of experiencing a hate crime motivated by race/ethnicity in Ontario (see Table 3.4). This may be explained by demographic variations across Canada. Census information from 1996 shows Toronto as having the largest visible minority population and the highest proportion of immigrants of any Canadian metropolis (Statistics Canada, 2001:87). Conversely, the lower proportion of hate crime victimization in the Maritime provinces may reflect the greater homogeneity of the population.

Table 3.4 Proportion of Hate Crime Victims Reporting Motivation Category by Region

Region	Motivation Category							
	Race/Ethnicity		Sex		Culture		Other <sup>c</sup>	
	n	%	n	%	n	%	n	%
Maritimes	7	24.1	3	10.7	3	10.3	6	0.9
Québec	26	21.0	35	28.2	10	8.1	21	1.0
Ontario	81	39.1	28	13.5	15	7.2	64	1.9
Prairies	36	35.3	14	13.7	9	8.8	22	1.3
British Columbia	39	33.6	9	7.7	30	25.6	35	1.6
	C <sub>v</sub> = .150 p<.05		C <sub>v</sub> = .196 p<.000		C <sub>v</sub> = .222 p<.000		C <sub>v</sub> = .031 p<.05	

c: The “Other” category collapses six motivation categories into a single variable where a response of “yes” to any or all categories counts only once in the “other” category. For this reason, percentages in the row are not meant to be summed.

Higher levels of racially/ethnically motivated hate crimes were reported in Ontario, the Prairie provinces and British Columbia, however British Columbia had the highest proportion of culturally motivated hate crimes in Canada. This finding could be the result of differences in minority group composition across the country and the way in which these groups perceive the designations of “race/ethnicity” and “culture”. According to 1996 census data, Toronto had the greatest proportion of visible minorities, with most being Chinese, South Asians and Blacks. Vancouver had the second largest number of visible minorities, with more than half being Chinese and significant proportions of Indians, Koreans, South Asians and Filipinos (Statistics Canada, 2001:87-88). It may be that minority groups in British Columbia are more inclined to frame their victimization in terms of culture as opposed to race/ethnicity. Hate crimes based on sex were most commonly reported in Québec. This is likely the result of the low rates of racial/ethnic and cultural hate crimes reported in this region.

### 3.15 Distribution of Offence Type

Due to the small number of individuals who reported having been the victim of a hate crime, the eight offence categories in the 1999 GSS (sexual assault, robbery, assault, break and enter, motor vehicle theft, theft of personal property, theft of household property and vandalism) were collapsed into three categories: 1) assault, including assault and sexual assault, 2) robbery, and 3) property offences, including break and enter, motor vehicle theft, theft of personal property, theft of household property and vandalism.

When examining the distribution of incidents a significant difference emerged between offences motivated by hate and those in which there was no hate motivation present. More than half (53.2%) of all hate crime incidents captured by the GSS involved some form of assault (see Table 3.5). In contrast, non-hate crimes are much more likely to be property crimes (71.8%) than to involve assault and robbery combined (28.1%). Overall, hate crime victims were approximately twice as likely to experience personal injury offences than were victims of conventional crimes. When hate crimes were examined by category of motivation, no significant differences emerged. Assault was the most common specific offence reported, irrespective of motive.

Table 3.5 Distribution of Offences by Crime Type

Crime Type	Offence Type						Total	
	Assault		Robbery		Property Offence		n	%
	n	%	n	%	n	%		
Hate Crime	192	53.2	34	9.4	135	37.4	361	100
Non-Hate Crime	1964	24.9	255	3.2	5661	71.8	7880	100

$C_v = .156, p < .000$

Previous research on hate crimes indicates that the vast majority of hate *incidents* involve less serious forms of behaviour - such as harassment and racial slurs - which may not constitute a criminal offence (Bowling, 1998:189, Garofalo, 1991:165). However, studies indicate that when an *offence* is motivated by hate it is more likely to involve personal injury than property, with the exception of hate crimes directed at places of worship such as synagogues (Garofalo, 1991:165; Roberts, 1995:25). Thus the data concur with previous research.

### 3.16 Location of the Incident

No statistically significant relationship exists between crime type and the location of the incident; half of all incidents reported were committed in or around the victims' home and were the least likely to be perpetrated on another property, irrespective of crime type.

Similar to conventional crime, approximately half of all hate incidents were committed in or near the respondent's home irrespective of the specific category of motivation (Table 3.6). This is consistent with patterns of racial victimization in Britain (Bowling, 1998:198), but is inconsistent with findings from the United States, which report that the majority of hate crimes occur in public settings (Garofalo, 1997:141).

It appears that racially/ethnically motivated hate crimes were more likely to occur in a commercial or institutional setting than any other motivation category. Cultural hate crimes show a tendency to take place in a public space. As can be seen from Table 3.6, the greatest variation by motivation category exists for the street/public space location. More information relating to the incident is necessary to adequately address this finding.

Table 3.6 Location of Incident by Motivation Category

Motivation Category	Location of Incident								Total	
	Respondent's Home		Other Property		Commercial or Institution		Street/Public Space		n	%
	n	%	n	%	n	%	n	%		
Race/Ethnicity	93	50.3	7	3.8	71	38.4	14	7.6	185	100
Sex	48	56.5	1	1.2	22	25.9	14	16.5	85	100
Culture	29	42.6	1	1.5	20	29.4	18	26.5	68	100
Other	88	59.9	5	3.4	33	22.4	21	14.3	147	100

## 3.2 Victim Characteristics

In order to obtain an accurate reflection of hate crime victims the analysis should be limited to personal injury offences. Property offences affect the whole household, with household members possessing varying characteristics, but it is the characteristics of a respondent in a particular household that is captured by the GSS, not the household in general. However, to eliminate property offences from the analysis would greatly reduce the size of the sample. For the purpose of this research, victims of all offences will be considered in the analysis. The demographic variables examined include the sex, age, visible minority status, and country of origin of the victims.

### 3.21 Victimization by Sex

Men and women reported similar levels of victimization, regardless of whether the incident was perceived to be a hate crime or not. Statistical tests in Table 3.7 show no gender<sup>10</sup> differences for the culture or other motivation categories. Statistically

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<sup>10</sup> Although sex is a biological concept and gender is a sociological construct, these terms will be used interchangeably in this study.

significant findings emerge when examining the sex of the respondent and the motives of race/ethnicity and gender. Men were twice as likely as women were to report having been victimized as a result of their race or ethnicity. Not surprisingly, women were fully six times more likely than men to perceive the hate crime committed against them as being motivated by sex. Males are responsible for the vast majority of crimes recorded by the police, and violence against women in particular, is almost exclusively perpetrated by men (Stanko, 1998:60). This is perhaps also a reflection of the historical and current oppression of women by men due to their socially subordinate status.

Table 3.7 Motivation Category by Sex

Sex of Victim	Motivation Category							
	Race/Ethnicity		Sex		Culture		Other	
	n	%	n	%	n	%	n	%
Male	116	42.8	12	4.4	32	11.8	80	1.5
Female	73	23.8	76	24.8	35	11.4	68	1.4
	C <sub>v</sub> = .202, p<.000		C <sub>v</sub> = .283, p<.000		p>.05		p>.05	

Patriarchy has structured society in a hierarchy of institutionalized power where men are placed in positions of dominance and privilege and women are relegated to the subservient roles (Dobash & Dobash, 1979:43-44). Despite the fact that women have fought for the right to higher education, to vote, work and be treated as the equals of men, they still have unequal access to important economic and political resources (Bogard, 1988:14). Women's advancement in society has been minimal due to the fact that the hierarchal structure of society has not changed except on a superficial level as collectively women do not possess the legitimate means of changing social institutions

that perpetuate male dominance. Substantive changes to the redistribution of power would require a massive overhaul of existing social systems and institutions that have historically benefited men (Snider, 1990:161). Patriarchy is sustained through societal acceptance of the ideology that male superiority, hierarchical order and scientific truth are natural and therefore unchangeable.

### 3.22 Victimization by Age

The results of the analysis indicate that age is not significantly related to whether a person reports having been the victim of a hate crime (see Table 3.8). While this finding contradicts the literature on hate crimes, which states victims of this form of criminality tend to be young (Garofalo, 1997:141; Khanna, 1998:1), it is consistent with the nature of hate crime. Any person whom the perpetrator perceives as belonging to the targeted group stands a chance of being victimized (Levin & McDevitt, 1993:15). Differences might emerge if one were to examine personal and property crimes separately and if people under the age of fifteen were included in the sample.

Table 3.8 Age of Victim by Crime Type

Age Group of Respondent	Crime Type			
	Hate Crime		Non-Hate Crime	
	n	%	n	%
15 to 34	263	5.2	4838	94.8
35 to 54	133	4.3	2935	95.7
55 and older	27	3.6	716	96.4

$p > .05$

This finding is also at variance with criminological research which has generally found age to be a strong determinant of victimization, with the probability of being victimized being much lower for older age categories (Laub, 1997:13; Kuehnle & Sullivan, 2001:928; Besserer & Trainor, 2000:7, Fattah, 1991:119).

With the exception of race/ethnicity, no age differences emerge when results were broken down into motivation category. Respondents who were 55 years old and older (13.5%) were significantly ( $C_v = .107, p < .05$ ) less likely to perceive having been the victim of a hate crime motivated by race/ethnicity than persons aged 15 to 34 (34.2%) or those between the ages of 35 and 54 (33.7%). The finding that older people were less likely to perceive having been victimized as a result of their race/ethnicity may be attributable to lifestyle and where this type of hate activity occurs. Recalling that racially/ethnically motivated hate crimes were the most likely of the motivation categories to be committed in a commercial or institutional setting, such as an office building, school or bar, older people are less inclined to have lifestyles that would expose them to opportunities for criminal victimization. For example, they are more likely to be out of school, retired and less likely than are younger people to frequent bars.

### 3.23 Victimization by Visible Minority Status

For the purpose of this thesis, visible minority status is based upon data collected by the GSS relating to the respondent's self-designation of their racial and ethnic background. Not surprisingly, visible minorities are twice as likely as those who are not visible minorities to perceive the incident committed against them as a hate crime (see

Table 3.9). This is consistent with the nature of hate crimes, which are generally committed due to the “dislike of the unlike” (Marshall, 1998:163).

Table 3.9 Crime Type by Visible Minority Status of Respondent

Visible Minority Status of Respondent	Crime Type				Total	
	Hate Crime		Non-Hate Crime		n	%
	n	%	n	%		
Visible Minority	87	9.7	811	90.3	898	100
Not a Visible Minority	335	4.2	7550	95.8	7885	100

$C_v = .077, p < .000$

As Table 3.10 shows when broken down by motivation category, visible minority respondents were substantially more likely to perceive themselves to be victims of hate crimes motivated by race/ethnicity or culture than those not of visible minority background. This finding is consistent with hate crime research where visible minorities are more often the victims of racial/cultural crimes (Roberts, 1995:23; Garofalo, 1997:137). For example, Toronto Police Service statistics indicate that less than 10% of racially/ethnically motivated hate crimes reported to the police were directed towards white people (Roberts, 1995:23). People who are not a visible minority were more likely to perceive the crime to be motivated by their sex.

Table 3.10 Hate Crime Motivation by Visible Minority Status of Respondent

Visible Minority Status of Respondent	Motivation Category							
	<u>Race/Ethnicity</u>		<u>Sex</u>		<u>Culture</u>		<u>Other</u>	
	n	%	n	%	n	%	n	%
Visible Minority	47	47.0	9	9.0	25	25.0	23	2.3
Not a Visible Minority	141	29.9	79	16.8	42	8.9	124	1.4
	$C_v = .138$	$p < .001$	$C_v = .082$	$p < .05$	$C_v = .190$	$p < .000$	$C_v = .021$	$p < .05$

### 3.24 Victimization by Country of Origin of Respondent

Of those who reported having been the victim of a crime within the previous twelve months, respondents whose country of origin was not Canada were twice as likely to perceive that they had been a hate crime victim than those born in Canada (see Table 3.11). This finding may be partially explained by a reaction towards new Canadians as a result of the increased diversification and visibility of Canada's immigrant population since the 1960s (McVey & Kalbach, 1995:93; Nelson & Fleras, 1995:247; refer to Appendix A). Forty years ago, Western Europeans and Americans were the main immigrant groups in Canada. Immigrants arriving in the early 1990s are mainly visible minorities from Southeast and East Asia (Statistics Canada, 2001:85-87).

Table 3.11 Crime Type by Country of Origin of Respondent

Country of Origin of Respondent	Crime Type				Total	
	<u>Hate Crime</u>		<u>Non-Hate Crime</u>		n	%
	n	%	n	%		
Canada	298	4.0	7197	96.0	7495	100
Other Country	125	9.7	1170	90.3	1295	100

$C_v = .094, p < .000$

Table 3.12 reveals the results of a cross tabulation examining the relationship between country of origin and categories of hate crime motivation. Individuals whose country of origin is not Canada were more likely to report having been victimized due to their culture or race/ethnicity than were those born in Canada. Approximately 70% of Canada's current immigrant population are of visible minority status (Palmer, 1998:5), making them more likely targets for hate activity motivated by race/ethnicity and culture.

Table 3.12 Distribution of Hate Motivation Category by Respondent's Country of Origin

Respondent's Country of Origin	Motivation Category							
	<u>Race/Ethnicity</u>		<u>Sex</u>		<u>Culture</u>		<u>Other</u>	
	n	%	n	%	n	%	n	%
Canada	120	27.8	76	17.6	32	7.4	106	1.3
Other Country	69	48.9	13	9.2	35	24.8	42	2.9
	C <sub>v</sub> = .194 p<.000		C <sub>v</sub> = .100 p<.05		C <sub>v</sub> = .233 p<.000		C <sub>v</sub> =.047 p<.000	

Canadian born respondents were more likely to perceive themselves to be victims of hate based upon their sex than were those from other countries. Despite the fact that respondents were permitted to choose multiple motivations for their hate crime victimization, it is possible that immigrants, and in particular immigrant women might be more affected by racism than sexism. Consequently, they may perceive the crimes committed against them as being racially/ethnically and/or culturally motivated as opposed to gender-based. According to one writer, South Asian feminist thought in

Canada “emphasizes racism as more important than patriarchy in the lives of South Asian women” (Dua, 1991:8).

Tests of significance were carried out to determine if there was any variability between recent and long-term immigrants and their perceptions of hate crime. Recent immigrants are defined as those who immigrated to Canada in 1990 or later, long-term immigrants arrived in Canada prior to 1990. Significantly ( $C_v=.105$ ,  $p<.000$ ), recent immigrants (15.2%) were almost twice as likely as long-term immigrants (8.0%) to believe the incident committed against them was a hate crime. No association was found when examining recent and long-term immigrants by motivation.

It may be that recent immigrants are more identifiable than are long-term immigrants. For instance, recent immigrants may be less fluent in French or English than long-term immigrants or, as noted earlier, the newer immigrants (since the 1990s) are more often from non-white, non-European backgrounds and hence more visible.

### 3.3 Characteristics of Alleged Perpetrators

The 1999 GSS collected two sets of information relating to the characteristics of individual and groups of perpetrator(s). Differences between these two groups are beyond the scope of this research project, thus the information of the groups have been merged into a single variable. Specifically, the GSS posed questions to the respondent of the age of the oldest and youngest perpetrator involved. A new variable was made using the age of the single perpetrator and the age of the oldest perpetrator when multiple perpetrators were involved. Examined in this section are the number of perpetrators involved in the incident and their characteristics, including their age, sex and their relationship to the victim.

### 3.31 Number of Alleged Perpetrators Involved in the Incident

Hate crime incidents are significantly more likely to involve more than one perpetrator than other types of crime ( $C_v = .155, p < .000$ ). Only about a fifth (21.7%) of offences where hate was not present were committed by multiple perpetrators, while almost half (45.1%) of the hate crime incidents reported involved more than one individual. On the one hand, this confirms what has been presented in the literature: hate crime victims are more likely to be attacked by multiple perpetrators than are victims of other crimes. The group dynamic in the commission of a hate crime incident affords perpetrators an enhanced sense of anonymity, a diminished sense of blameworthiness, as well as feelings of power (Levin, 1993:6; Levin & McDevitt, 1993:14). On the other hand, this finding indicates that, in Canada, the proportion of hate crimes committed by multiple offenders may be slightly lower than has been reported in previous research, where half to three quarters of hate crimes involved multiple attackers (Levin, 1993:6; Garofalo, 1997:139; Berrill, 1992:30).

A possible explanation for the discrepancy between the literature and findings from the 1999 GSS is that much of the information known about hate crime perpetrators is based upon police statistics, which are more likely to include more serious incidents. Findings from this research project, and other studies (Roberts, 1995:22-25; Garofalo, 1997:139; Levin & McDevitt, 1993:11) indicate that most hate crimes involve personal injury offences. For personal offences generally, collective acts of aggression are more serious than those committed by a single individual as the options available to the victim to respond to the incident are diminished (Fattah, 1981:31). Since the seriousness of an incident is strongly correlated with the probability that it will come to the attention of the

police (Skogan, 1984:120-121; Frieze *et al.*, 1987:308), it may be that incidences involving multiple perpetrators are overestimated or conversely, that hate crimes committed by single perpetrators are underestimated.

A distinct pattern emerges with respect to the motivation of, and the number of perpetrators involved in, the incident suggesting a continuum. As the certainty of the victim characteristic upon which the incident is based decreases, the number of perpetrators increases. Sex is a readily identifiable personal characteristic. The results from Table 3.13 show a tendency that of the motivation categories, gender-based hate crimes are overwhelmingly committed by a single offender (83.3%). Culture is a more ambiguous feature, less apparent to onlookers, thereby making it more difficult than sex or race to ascertain. It is also the motivation category that reported the greatest percentage of multiple perpetrators involved in the incident. When the motivation characteristic is unclear, perpetrators may require the encouragement and participation of others to commit the incident.

Table 3.13 Number of Perpetrators Involved in the Incident by Motivation Category

Motivation Category	Number of Offenders				Total	
	<u>One</u>		<u>Multiple</u>		n	%
	n	%	n	%	n	%
Race/Ethnicity	68	69.4	30	30.6	98	100
Sex	55	83.3	11	16.7	66	100
Culture	18	48.6	19	51.4	37	100
Other	51	63.8	29	36.3	80	100

### 3.32 Sex of Alleged Perpetrator(s)

There is a weak, but statistically significant relationship ( $C_v=.058$ ,  $p<.01$ ) between the presence or absence of hate and the gender of the perpetrator(s). Non-hate crimes were more likely to be committed by men or mostly men (86.1%) than were hate crimes (83.3%). Hate crimes (4.9%) were twice as likely to be committed by mixed groups (i.e., both men and women) than were non-hate crimes (1.9%).

When broken down by motivation category, men were more likely than mixed groups and women to commit racially/ethnically motivated hate crimes ( $C_v=.151$ ,  $p<.01$ ). Interestingly, no significant differences by the sex of the perpetrator(s) emerge when examining the motivations of sex and culture (see Table 3.14).

The finding that gender-based hate crimes have an equal chance of being committed by men, women and mixed groups is unexpected. Most hate crimes are committed because of the bigoted views held by people against those who do not share the same characteristics as the perpetrator(s). This finding is probably the result of the small sample size. More information pertaining to the specifics of the incident is required to adequately explain this finding.

Table 3.14 Motivation Category by Sex of the Alleged Perpetrator(s)

Sex of Perpetrator(s)	Motivation Category							
	Race/Ethnicity		Sex		Culture		Other	
	n	%	n	%	n	%	n	%
All or Mostly Male	120	36.9	54	16.6	39	12.0	82	2.7
Both Male and Female	4	21.1	6	31.6	2	10.5	9	11.5
All or Mostly Female	11	18.3	13	21.3	4	6.6	13	3.0
	Cv=.151 p<.01		p>.05		p>.05		Cv=.062 p<.000	

### 3.33 Age of the Alleged Perpetrator(s)

Age is strongly correlated to criminality in general, with people less than 24 years committing a high proportion of all crimes, and with rates generally diminishing with age (Hartnagel, 1992:92-94). Consistent with patterns of offending and with most research conducted in the area of hate crime, Table 3.15 shows that almost half (46%) of the incidents reported in the 1999 GSS were committed by persons 24 years of age or younger, irrespective of type of crime. However, hate crimes were more likely to be perpetrated by people over the age of 45 than were non-hate crimes, suggesting that while most people mature out of conventional criminality, hate crime perpetrators continue to act upon their prejudicial attitudes (Webster, 1998:15).

Table 3.15 Age of Alleged Perpetrator(s) by Crime Type

Crime Type	Age of Alleged Perpetrator(s)						Total	
	<u>Less than 24 years</u>		<u>25 – 44 years</u>		<u>45 years &amp; over</u>		n	%
	n	%	n	%	n	%		
Hate Crime	134	46.0	108	37.1	49	16.8	291	100
Non-Hate Crime	1435	46.6	1276	41.5	367	11.9	3078	100

$C_v=.044, p<.05$

Table 3.16 provides a synthesis of the findings pertaining to the age distribution of the perpetrator(s) by motivation category. No difference exists between age and the race/ethnicity motivation category, with each age group being equally likely to commit a racially/ethnically based hate crime. This result is consistent with findings from other jurisdictions. Results from the British Crime Survey also found that people who commit acts of racial harassment also tend to be of all ages (Sibbit, 1997:vii).

As the age of the perpetrator increased, the likelihood of committing a culturally motivated hate crime decreased. Culturally motivated hate crimes are more likely to be committed by younger people. The earlier finding that culturally motivated hate crimes tend to be committed by multiple perpetrators may be due to the fact that this type of hate crime is most often committed by people under the age of 24. Young males who participate in the commission of a hate incident are generally insecure and require peer influence and approval in order to gain a sense of belonging and self-esteem (Levin, 1993:6; Levin & McDevitt, 1993:18-19).

Table 3.16 Motivation Category by Age of the Alleged Perpetrator(s)

Age of Alleged Perpetrator(s)	Motivation Category							
	Race/Ethnicity		Sex		Culture		Other	
	n	%	n	%	n	%	n	%
<24 years old	58	31.5	17	9.2	28	15.3	48	3.0
25-44 years old	50	35.7	31	22.1	14	10.1	31	2.2
45 and older	18	26.9	17	25.4	2	3.0	22	5.2
	p>.05		C <sub>v</sub> =.189 p<.001		C <sub>v</sub> =.141 p<.05		C <sub>v</sub> =.054 p<.01	

People 25 years and older were more likely than people under that age to commit a gender motivated hate crime. Since the 1970s an increasing number of women are working outside of the home and heading single-parent families (Nelson & Fleras, 1995:236-237). Consequently, it may be that people under the age of 24 are more likely to accept the evolving roles of women in contemporary society than are generations that were raised prior to the second wave of feminism.

### 3.34 Victim's Relationship to the Alleged Perpetrator(s)

The data show that there exists no relationship between crime type and the victim's relationship to the alleged perpetrator(s). Hate crime and non-hate crime victims reported similar rates of being victimized by a stranger or by someone known to them. This finding contradicts the literature on hate crime victimization, which states that this form of criminality is most often committed by a stranger (Garofalo, 1991:171; Berrill, 1990:283; Berk, 1990:341; Levin & McDevitt, 1993:18). However, much of what is known of hate crime victimization is derived from police statistics. Police statistics may be biased in that, typically, people are more reluctant to report an incident to the police when it was committed by someone known to victim (Besserer, 2000:43).

Tests of significance indicate that no relationship exists between people known and unknown to the respondent and the sex and culture motivation categories. A statistically moderate ( $C_v=.178$ ,  $p<.000$ ) relationship was found between the victim's relationship to the offender and the race/ethnicity motivation category. Unknown assailants (42.2%) were more likely to commit hate crimes motivated by race/ethnicity than people known to the respondent (25.4%). The current social climate in Canada is disapproving of prejudice and acts of discrimination against minorities (Nelson & Fleras, 1995:248). It may be that perpetrators of racially motivated hate crimes were more inclined to choose an unknown victim in order to avoid social scrutiny.

### 3.4 Reporting Rates

Analysis of the 1999 GSS found a weak but significant relationship ( $C_v=.022$ ,  $p<.05$ ) between reporting and crime type, with hate crimes slightly more likely to be reported to the police than non-hate crimes (see Table 3.17). There were no statistically significant differences between reporting rates associated with different categories of motive. It was determined that 40% of hate crime incidents came to the attention of the police irrespective of motivation.

Table 3.17 Proportion of Incidents Reported to the Police by Crime Type

Crime Type	Reported to the Police				Total	
	Yes		No		n	%
	n	%	n	%		
Hate Crime	117	42.2	242	57.8	419	100
Non-Hate Crime	3093	37.3	5197	62.7	8290	100

$C_v=.022$ ,  $p<.05$

This finding refutes the assertion that hate crimes are less likely than other forms of criminality to be brought to the attention of police (Comstock, 1991; Levin & McDevitt, 1993; Roberts, 1995). This finding is consistent with research conducted in the area of reporting crimes to the police. However, when examining results from victimization surveys from various European and North American countries, Skogan (1984:120-121) found that the seriousness of the incident is a major determinant of whether or not the offence is reported. Since hate crime incidents captured by the GSS often involved some form of physical injury offence, this may explain why hate crimes were generally more likely to be brought to the attention of the police.

When controlling for seriousness of the offence, researchers have found that reporting rates are essentially independent of victim characteristics (the exception being that young men are the least likely to report an offence to the police). Attitudes toward the police were also found to be unrelated to reporting, especially when the seriousness of the incident is considered (Laub, 1997:20-21; Skogan, 1984:122-125).

Findings from the 1999 GSS are consistent with research on reporting (Skogan, 1984:127-129; Greenberg & Ruback, 1992:10) as approximately three-quarters of all respondents, irrespective of the presence or absence of hate reported the offence to the police themselves rather than some other way. No relationship exists between how the police learned of the incident and motivation category; 75% of the victims in each motivation category brought the incident to the attention of the police as opposed to some other way. This finding challenges what has previously been found with respect to the unwillingness of hate crime victims to report the incident. It has been argued that hate crime victims are reluctant to report such incidents to the police due to the, at times,

antagonistic relationship between minority groups and the criminal justice system (APA, 1998; Comstock, 1991; Roberts, 1995).

### 3.41 Reasons for Reporting

Respondents were permitted to choose more than one reason why they decided to report the incident to the police. Three quarters (73.6%) of hate crime victims who reported the incident to the police did so because they wanted the incident to stop as well as to receive some form of protection. This compares to 43.3% of victims where there was no hate motivation present (see Table 3.18). Again, this may be because hate crimes are more likely than conventional crimes to involve some form of personal injury offence. Hate crime victims may also be more inclined to report the incident to the police as this type of victim is subject to multiple victimizations over time (Bowling, 1993:239; Herek *et al.*, 1997:202; Levin, 1993:7).

Victims of non-hate offences were more than twice as likely as hate crime victims to report the incident to the police for insurance purposes as this crime type is approximately twice as likely to involve property offences as opposed to personal injury (refer to Table 3.4).

Table 3.18 Reasons for Reporting the Incident to the Police by Crime Type

Crime Type	Reason for Reporting Incident to Police									
	<u>Stop Incident/</u>		<u>Catch/Punish</u>		<u>Insurance</u>		<u>Duty</u>		<u>Recommended</u>	
	<u>Protection</u>		<u>Offender</u>						<u>By Someone</u>	
	n	%	n	%	n	%	n	%	n	%
Hate Crime	95	73.6	96	75.0	25	19.4	95	73.6	22	17.1
Non-Hate Crime	955	43.3	1601	72.7	1081	49.0	1733	78.7	269	12.2
	Cv=.139, p<.000		p>.05		Cv=.136, p<.000		p>.05		p>.05	

Row total will exceed 100% due to multiple responses.

Hate crime victims and victims of conventional crimes have similar rates of reporting the offence to the police resulting from feelings of personal obligation, the desire to catch and punish the offender or based upon the recommendation of someone else. These findings are consistent with studies examining determinants of reporting (Skogan, 1984:120-122). Table 3.19 ranks the reasons that hate crime respondents gave for reporting the incident to the police.

Table 3.19 Summary Table of Reasons for Reporting the Hate Crime Incident to the Police

	<u>Main Reason For Reporting the Hate Crime Incident to the Police</u>	<u>Percentage</u>
1	Catch and Punish the Offender	74.9%
2	Felt it was Their Duty	73.9%
2	Stop the Incident & Receive Protection	73.9%
3	Insurance Purposes	19.5%
4	On the Recommendation of Someone Else	16.9%

Total will exceed 100% due to multiple responses

When broken down by motivation category, differences emerge in relation to the reasons why victims reported the incident to the police (see Table 3.20). Respondents who perceived the hate crime committed against them as being motivated by sex were the most likely to report the incident to the police in order to stop the incident and receive protection. This may be an outcome of gender differences as the majority of sex-based hate crimes were directed against women. Women express greater fear of crime (Besserer & Trainor, 2000:13; Madriz, 1997:43; Sacco, 1990:485) and engage in more “safety rituals” (Stanko, 1990:14) than do men, despite the fact that men and women experience comparable rates of victimization.

People who perceived having been victimized as a result of their sex were more likely to report the incident to the police on the recommendation of someone else than respondents who indicated that they had been the victims of racially/ethnically or culturally motivated hate crimes. This finding may be attributable to gender differences as women were more likely to report having been the victims of sex-based hate crimes than men. Research indicates that women more often turn to various social supports than do men when confronted with an emotional experience for the purposes of disclosure and advice (Fivush & Buckner, 2000:235-236). Furthermore, women may be more reluctant than men to become involved with the criminal justice system and may call friends, family or help lines, who subsequently recommend that they report the incident to the police.

People who had been victimized as a result of their sex and/or culture were 20% more likely to want to bring the incident to the attention of the police in order to catch and punish the offender than people who had been victimized as a result of their

race/ethnicity. More information relating to the incident is required to adequately address this finding.

Table 3.20 Reasons for Reporting the Incident to the Police by Motivation Category

Motivation Category	Reasons for Reporting Incident to Police									
	<u>Stop Incident/</u> <u>Receive Protection</u>		<u>Catch/Punish</u> <u>Offender</u>		<u>Insurance</u>		<u>Duty</u>		<u>Recommended</u> <u>By Someone</u>	
	n	%	n	%	n	%	n	%	n	%
Race/Ethnicity	32	64.0	33	64.7	10	19.6	41	82.0	5	10.0
Sex	25	89.0	23	85.2	3	10.7	20	74.1	11	39.3
Culture	16	72.7	19	86.4	6	27.3	17	77.3	3	13.0
Other	37	74.0	41	82.0	16	32.0	32	64.0	9	18.0

Row totals will exceed 100% due to multiple responses.

Respondents who indicated that they had been the victims of a culturally-motivated hate crime were more likely to report the incident to the police for insurance purposes than those who had been the victims of a gender or racially/ethnically-based hate crime incidents, suggesting that cultural hate crime victims experienced greater financial loss than racial/ethnic or gender hate crime victims. This is plausible given that most cultural hate crimes are committed by multiple perpetrators, which may result in greater financial loss through damage or theft than if a single perpetrator was involved.

**3.42 Reasons for Not Reporting the Incident to the Police**

Approximately 58% of all hate crime incidents captured in the 1999 GSS were not reported to the police. This compares to 63.7% of non-hate motivated incidents. Respondents were asked to identify the main reason they did not report the incident to the police. A weak ( $C_v = .070, p < .01$ ) but statistically significant relationship exists between

crime type and reasons for not reporting. Chi square measures of association are unreliable when low numbers or empty cells are present, thus these findings should be viewed with caution. Table 3.21 ranks the reasons for not reporting the incident to the police by crime type.

Table 3.21 Ranking of Reasons for Not Reporting the Incident to the Police By Crime

Type

	Hate Crime Respondents	Percentage	Non-Hate Crime Respondents	Percentage
1	Not Important Enough	30.0%	Not Important Enough	35.8%
2	Dealt With Another Way	18.8%	Dealt With Another Way	17.0%
3	Police do Nothing	16.3%	Police do Nothing	19.7%
4	No Police Involvement	7.9%	No Police Involvement	5.1%
5	Personal Matter	6.3%	Personal Matter	4.3%
6	Fear of Revenge	5.8%	Fear of Revenge	2.4%
7	Police Cannot Help	3.3%	Police Cannot Help	2.0%
8	Insurance Won't Cover It	<1%	Insurance Won't Cover It	1.3%
9	Nothing was Taken	0%	Nothing was Taken	1.6%
10	Fear of Publicity	0%	Fear of Publicity	<1%

There exists little variability in the ranking, and distribution, of reasons for not reporting the incident to the police by crime type. Consistent with findings from other research (Besserer & Trainor, 2000:11), the main reason for not reporting the victimizing incident to the police for both crime types was because the incident was not important enough to them. Previous research has established hate crimes as being more serious than conventional crimes (Lawrence, 1999:4; Sanderson, 1993:90; APA, 1998:5 and

others), therefore it is not surprising that hate crime victims were less likely to give this response than non-hate crime victims.

Differences in the reasons for not reporting the incident to the police emerge when broken down by motivation category (see Table 3.22). People who perceived having been the victim of a culturally motivated hate crime were more likely to state that they did not report the incident to the police for fear of revenge by the perpetrator(s) than those who perceived having been victimized as a result of their race/ethnicity or sex. This finding may be related to the number of perpetrators involved in the commission of the incident. It will be recalled that more than any other motivation category, culturally-based hate crimes were committed by multiple perpetrators. Victims may therefore be reluctant to report the crime for fear that not all the perpetrators involved in the incident would be apprehended.

As there are many different reasons cited by respondents to justify their decision not to report the incident to the police, only the greatest differences between motivation categories will be discussed. Specifically, respondents who experienced a sex-based hate crime have a tendency not to report the incident because they felt that the police could do nothing as opposed to racially/ethnically and culturally-based hate crime victims who more often reported that the matter was not important enough to warrant police involvement.

Table 3.22 Reasons for Not Reporting the Hate Incident to the Police by MotivationCategory

Reasons for Non-Reporting	Motivation Category							
	<u>Race/Ethnicity</u>		<u>Sex</u>		<u>Culture</u>		<u>Other</u>	
	n	%	n	%	n	%	n	%
Dealt With Another Way	16	14.5	19	18.0	8	21.1	13	15.7
Fear of Revenge	6	5.5	1	2.0	5	13.2	4	4.8
Police do Nothing	27	24.5	15	30.0	6	15.8	6	7.2
Police Can't Help	5	4.5	0	0	3	7.9	3	3.6
No Police Involvement	6	5.5	2	4.0	1	2.6	12	14.5
Not Important Enough	38	34.5	5	10.0	10	26.3	28	33.7
Personal Matter	6	5.5	6	12.0	1	2.6	8	9.6
Insurance Won't Cover It	1	.9	0	0	0	0	1	1.2
Nothing Was Taken	0	0	0	0	0	0	0	0
Fear of Publicity	0	0	0	0	0	0	0	0

Victims of racial/ethnic (34.5%) and cultural (26.3%) hate crimes were more likely to report that the incident was not important enough to them to warrant police involvement than victims of sex-based hate crimes (10.0%). Because assault was the most common form of offence experienced by every motivation category, this difference suggests disparity in the severity of the crime or that women are more likely to perceive their victimization incident as more serious than men. Results from the 1999 GSS demonstrate that individuals who believed that they had been victimized on the basis of their sex reported higher levels of psychological and behavioural effects as a consequence of the incident than any other motivation category, suggesting that men and women differ

in their psychological responses to victimization<sup>11</sup>. It would thus make sense that victims of sex-based hate crimes would be less likely to state that the incident was not important enough to them to warrant police attention than other motivation categories.

Women were less likely to view the hate crime incident as not important enough to warrant police involvement but nevertheless did not report the incident to the police as they felt that the police would not act. This may be a consequence of previous negative experiences with, and fear of secondary victimization by, the criminal justice system (Braithwaite & Daly, 1998:153; APA, 1998:4; Radford & Stanko, 1996:73-76).

### 3.43 Satisfaction With Police Response

Of the respondents who reported the incident to the police, those who believed the incident to be a hate crime reported lower rates of satisfaction with the police response than non-hate crime victims (see Table 3.23). This is similar to findings from studies conducted on the issue of violent racism in Britain (Bowling, 1998:235-237).

**Table 3.23 Respondent's Satisfaction with Police Response by Crime Type**

Crime Type	Respondent's Satisfaction with Police Response				Total	
	Satisfied		Dissatisfied		n	%
	n	%	n	%		
Hate Crime	89	52.4	81	47.6	170	100
Non-Hate Crime	2087	70.2	887	29.8	2974	100

$C_v = .087, p < .000$

<sup>11</sup> This will be discussed in greater detail in a later section of this chapter, under "Effects of Victimization".

This finding may be a function of the nature of the offence experienced by crime type. Recall that respondents who perceived that they had been the victim of a bias-motivated incident were more likely to experience a personal injury offence than non-hate crime victims. However, results from a bivariate analysis show that no association exists between the type of offence and the level of satisfaction with the police response ( $p > .05$ ). People reported having been satisfied with the police response irrespective of offence type.

Explanations for the high level of dissatisfaction with the police response reported by hate crime victims include the police did not do enough or did not keep victims sufficiently informed of the status of their case (Bowling, 1998:236-237). Because the motivation of the incident is often obscure (Cowl, 1995:i) “hate crimes are notoriously hard to clear by the laying of a charge” (Roberts, 1995:25) which may increase the level of dissatisfaction with the police service.

Table 3.24 presents a summary of the motivation categories and the level of satisfaction with the manner in which the police responded to the incident. Tests of significance between motivation categories are precluded as respondents were permitted to choose more than one motivation. Overall, there is a tendency for people who were victimized as a result of their gender to report greater satisfaction with the manner in which the police dealt with the incident than any other motivation category. People who are victimized based upon their race/ethnicity and/or culture are approximately 25% more likely to express dissatisfaction with the police response as compared to respondents who reported gender as the motive.

Table 3.24 Satisfaction with Police Response by Motivation Category

Motivation Category	Satisfaction with Police Response				Total	
	<u>Satisfied</u>		<u>Dissatisfied</u>		n	%
	n	%	n	%	n	%
Race/Ethnicity	32	44.4	40	55.6	72	100
Sex	26	68.4	12	31.6	38	100
Culture	12	44.4	15	55.6	27	100
Other	31	51.7	29	48.3	60	100

Respondents victimized as a result of their gender were more often white (16.8%), whereas people who had been the victims of racially/ethnically motivated hate crimes were of visible minority status (47.0%). It has been established that visible minority groups tend to hold less favourable views of the police than white people (Smith *et al.*, 1991; Bowling, 1998:236; Bucke, 1996:2) and are more often the victims of systemic discrimination at every level of the criminal justice system (Lynch & Patterson, 1991). Thus, while race has been proven to be independent of reporting (Skogan, 1984:123), it may be related to the victim's satisfaction with the police response.

A second explanation for the finding that gender-based hate crime victims were more likely to express satisfaction with the police response is related to selection bias. It may be that those who reported sex-based hate crimes to the police hold a more favourable view of the police than those who decided not to report the incident.

### 3.5 Effects of Victimization

Respondents of the 1999 GSS were asked how the victimizing incident had affected their lives. Respondents were permitted to choose more than one response. Table 3.25 summarizes the effects of victimization experienced by respondents who

perceived the incident perpetrated against them as a hate crime compared to respondents who did not believe the incident committed against them was hate motivated. Both hate crime and non-hate crime victims reported similar effects of victimization, with statistically significant relationships occurring for five of the fourteen effects examined in the GSS. The finding that hate crime victims do not overwhelmingly differ in their reactions to the incident challenges previous research conducted in this area (Levin, 1994:7; APA, 1998:4-5; Herek *et al.*, 1997:209-210; Barnes & Ephross, 1994:250), suggesting that victims experience similar psychological and behavioural adaptations irrespective of the offence perpetrated against them. What may differ between various types of victims however, are the degree and duration of the effects.

A greater proportion of victims of conventional crime reported feeling annoyed (as opposed to fear) as a result of the incident, perhaps reflecting the type of offences experienced by these victims (as property offences comprise the majority of these incidents). Victims may express annoyance due to the inconvenience caused by the incident, such as replacing damaged or stolen items and/or having to file a police report in order to claim insurance.

Alternatively, hate crime victims reported feeling more fearful and depressed/anxious than respondents who did not believe that they had been the victim of a hate crime incident. Bias-motivated incidents often consist of serial attacks that range from harassment and name calling to more serious offences (Bowling, 1998:158-160; Weiss, 1993:180; Levin, 1994:7; Berrill, 1990:275). The continuous threat of being victimized, simply by virtue of the traits that s/he possesses may foster anxiety and fear in an individual. Stanko (1990:130-144) argues that the constant threat

of victimization experienced by subordinate groups in society, such as homosexuals, women and visible minorities, fosters a “climate of unsafety” whereby individuals negotiate their safety through the avoidance of people who they view as potential perpetrators and by minimizing and/or normalizing lower-level victimization incidents.

**Table 3.25 Summary Table of the Effects of Victimization by Crime Type**

<b>Effect of Victimization</b>	<b>Higher Proportion of Hate Crime Respondents</b>	<b>No Difference Between Hate and Non-Hate Respondents</b>	<b>Lower Proportion of Hate Crime Respondents</b>
Afraid for Children	√**		
Angry		√	
Annoyed			√*
Ashamed/Guilty		√	
Decreased Self-Esteem		√	
Depressed/Anxious	√***		
Fearful	√***		
Hurt/Disappointed		√	
More Cautious/Aware		√	
Not Much		√	
Problems Relating to Men or Women	√**		
Shock/Disbelief		√	
Sleeping Problems		√	
Upset/Confused/ Frustrated		√	

\* p < .05

\*\*p < .01

\*\*\*p < .000

Hate crime victims' feelings of fear are not limited to themselves. A higher proportion of hate crime victims reported feeling afraid for their children than did victims of non-hate crimes, as anyone possessing the characteristics of the victim is a potential target for such activity. It is possible that children have already been the victims of

prejudicial attitudes and lower level forms of discrimination. Some reports have suggested that youth are more likely to commit, and be the victims of, this form of criminality (Khanna, 1999:1).

Consistent with previous research (Herek *et al.* 1997:209-210; Berrill, 1990:275; Barnes & Ephross, 1994:250; Weiss, 1993:181) respondents who perceived the incident committed against them to have been motivated by hate also reported higher levels of subsequent interpersonal problems than respondents who had been the victims of conventional forms of criminality. This form of criminality often consists of multiple victimization incidents (Bowling, 1998:158-160; Berrill, 1990:275; Levin, 1994:5; Levin, 1993:7; Weiss, 1993:180), which may be committed by different perpetrators. Just as any person who possesses the characteristics targeted by the perpetrator(s) is a possible victim, anyone can be seen as a potential perpetrator, which can impact upon victims' relationships with others (Stanko, 1990:130-134).

There were four effects of hate crime victimization that differed across motivation categories. Specifically, respondents who perceived the hate crime incident as having been motivated by their sex more often reported three of these four effects as a result of their victimization compared to other categories of hate crime victims (see Table 3.26). Specifically, gender-based hate crime victims reported much higher levels of depression/anxiety, fear and hurt/disappointment than victims of racially/ethnically and culturally based hate crimes. The sole effect that gender-based hate crime victims reported less frequently than the other motivation categories was that the incident had not effected them that much.

As women comprised the majority of respondents who perceived the hate crime committed against them as being motivated by sex, these results may be a function of gender. In order to establish whether the differential responses relating to the consequences of victimization could indeed be attributable to gender differences, the data in Table 3.24 were manipulated by controlling for the sex of respondents for each motivation category. With the exception of feelings of depression/anxiety for the race/ethnicity and culture motivations, women were more likely to express these effects

Table 3.26 Effects of Hate Crime Victimization by Motivation Category

Motivation Category	Effects of Victimization							
	<u>Depressed/ Anxious</u>		<u>Fearful</u>		<u>Hurt/ Disappointed</u>		<u>Not Much</u>	
	n	%	n	%	n	%	n	%
Race/Ethnicity	6	3.2	46	24.5	15	8.0	31	16.5
Sex	12	13.6	33	37.5	19	21.6	3	3.4
Culture	3	4.5	19	28.4	5	7.5	12	17.9
Other	15	10.1	21	14.2	17	11.5	19	12.8

of victimization than did men<sup>12</sup>, thus supporting the claim that the effects demonstrated in this analysis of victimization are related to gender. The differential effect of hate crime victimization on men and women has not been examined in prior research.

Feminist literature contends that socialization and informal social controls prepare males and females for their future socially-predetermined roles as men and women (Gilligan, 1982:35; Fivush & Buckner, 2000:233; Hagan *et al.*, 1979:25-26; Pollock,

<sup>12</sup> This excludes the effect of "not much" where men more often chose this response.

1995:5-6). Girls are socialized into an “ethic of responsibility” which centres on care, relationships and others. Alternatively, boys are socialized to an “ethic of rights” which focuses on justice, rules and individuals (Gilligan, 1982:35). The result is that women are considered to be submissive, passive and emotional, whereas men are deemed to be aggressive, competitive and rational (Zammuner, 2000:49; Comstock, 1991:106).

An aspect of the socialization process is the gender-differentiated regulation of emotion. For example, research conducted on the issue of gender and emotion found that girls and women are more often rewarded for their expressions of emotion than are boys and men (Fivush & Buckner, 2000:239-244; Zammuner, 2000:54-55). The finding that women reported more effects of victimization than did men may be an outcome of men’s greater reluctance than did women to disclose their emotions.

A second explanation for the finding that female respondents more often reported experiencing various effects of hate crime victimization is related to the idea of the “legitimate victim”. Differential socialization of the sexes within patriarchal structures acts to “mould women into victims and provide the procedure for legitimizing them into this role” (Weis & Borges, 1973:81). Women may be more accepting of the victim status as it corresponds to the socialization expectations of passivity and submission. Conversely, men may be reluctant to admit that they had been adversely affected by the victimizing experience as it conflicts with masculine roles.

Table 3.27 Summary Table of Comparisons between Characteristics of Hate  
Crimes and Non-Hate Crimes

<b>Characteristic</b>	<b>Hate Crime</b>	<b>Non-Hate Crime</b>
<b><u>Incident Characteristics</u></b>		
Region	Rate higher in and to the west of Ontario	Rate higher West of Ontario
Offence Type	Personal Injury	Property
Most Likely Location	Respondent's Home	Respondent's Home
<b><u>Victim Characteristics</u></b>		
Sex	Male and Female equally as likely	Male and Female equally as likely
Age	All ages	All ages
Visible Minority Status	Visible Minority	Not Visible Minority
Country of Origin	Not Canada	Canada
Period of Immigration	Recent Immigrants	Long-Term Immigrants
<b><u>Perpetrator Characteristics</u></b>		
Number of Perpetrators	Multiple	One
Sex	Males	Males
Age	Less than 24 years old	Less than 24 years old
Victim-Perpetrator Relationship	Stranger to the Victim	Known to the Victim
<b><u>Reporting Characteristics</u></b>		
Reported Incident to Police	42.2%	37.3%
Main Reason for Reporting	Respondent Wanted to Catch & Punish Offender	Insurance Purposes
Main Reason for Not Reporting	Not Important Enough to the Respondent	Not Important Enough to the Respondent
Satisfaction with Police	Dissatisfied	Satisfied
<b><u>Effects of Victimization</u></b>		
Most Frequently Reported Effect	Respondent was Fearful	Respondent was Annoyed

Table 3.28 Summary Table of Comparison between Characteristics of  
Motivation Categories

Characteristic	Motivation Category		
	Race/Ethnicity	Sex	Culture
<b><u>Incident Characteristics</u></b>			
Region	Rate highest in Ontario	Rate highest in Québec	Rate highest in British Columbia
Offence Type	Assault	Assault	Assault
Most Likely Location	Respondent's Home	Respondent's Home	Respondent's Home
<b><u>Victim Characteristics</u></b>			
Sex	Mostly Male Respondents	Mostly Female Respondents	Men & Women Respondents
Age	Respondents over 55	Respondents of All Ages	Respondents of All Ages
Visible Minority Status	Visible Minority	Not Visible Minority	Visible Minority
Country of Origin	Country Other than Canada	Canada	Country Other than Canada
<b><u>Perpetrator Characteristics</u></b>			
Number of Perpetrators	One	One	Multiple
Sex	Male	Male & Female	Male & Female
Age	All Ages	45 years and older	Less than 24 years
Victim-Perpetrator Relationship	Stranger to the Respondent	Equal Chance of being a Stranger or Known to the Respondent	Equal Chance of being a Stranger or Known to the Respondent

<b><u>Reporting Characteristics</u></b>			
Reported Incident to Police	Approximately 40%	Approximately 40%	Approximately 40%
Main Reason for Reporting	Respondent Felt it was Their Duty	Respondent Wanted to Stop Incident/ Receive Protection	Respondent Wanted to Catch & Punish the Perpetrator
Main Reason for Not Reporting	Not Important Enough to the Respondent	Respondent Believed that the Police Do Nothing	Not Important Enough to the Respondent
Satisfaction with Police	Dissatisfied	Dissatisfied	Dissatisfied
<b><u>Effects of Victimization</u></b>			
Most Frequently Reported Effect	Respondent was Fearful	Respondent was Fearful	Respondent was Fearful

## CHAPTER FOUR

### DISCUSSION & CONCLUSION

In light of the volume of findings presented in the previous chapter, this one begins with a summary of the principal findings. The limitations of this research are discussed, and future research priorities in the field are identified. The chapter will then provide a discussion of the policy implications arising from the research.

#### Summary of Principal Findings

- Estimates from the 1999 GSS indicate that the prevalence of hate crimes in Canada is five times greater than Roberts' 1995 estimate.
- Racially/ethnically motivated hate crimes (44.6%) constituted the largest motivation category of hate crime, followed by hate crimes motivated by sex (21.0%) and culture (15.8%).
- Regionally, racial/ethnic hate crimes occur most frequently in Ontario; sex-based hate crimes are more prevalent in Québec and culturally-motivated hate crimes tend to occur in British Columbia.
- Hate crime victims report physical injury offences more often than non-hate crime victims.
- Women are six times more likely to report having been the victim of a gender-based hate crime than were men. Alternatively, men are more likely to perceive their victimization as being racially/ethnically motivated than are women.

- Visible minorities and individuals whose country of origin is not Canada are more frequently the targets for hate crimes than are individuals not of visible minority status and those born in Canada, specifically when the hate crime is based upon race/ethnicity and culture.
- Hate crimes are more likely to involve multiple perpetrators than non-hate crimes. Cultural hate crimes tend to involve multiple perpetrators whereas gender-based hate crimes are more often committed by a single perpetrator.
- Gender-based hate crimes are committed by people 25 years and older. Individuals under the age of 24 are the perpetrators of cultural hate crimes. Racial/ethnic hate crimes are committed by individuals of all ages.
- Hate crime victims reported the incident in order to stop the incident and receive protection. Non-hate crime victims reported the incident to the police for insurance purposes.
- Sex-based hate crime victims most often cited that they reported the incident to the police in order to stop the incident or receive protection.
- People who had been victimized as a result of their race/ethnicity and/or culture did not report the incident to the police because the incident was not important enough. Victims of gender-based hate crimes stated that they did not report the victimizing incident to the police as the police do nothing.

- Of those who report the incident to the police, gender-based hate crime victims reported higher levels of satisfaction with the police response than any other motivation category.
- Hate crime victims more often reported that they were fearful, anxious and had difficulty relating to others as a result of their victimization whereas non-hate crime victims reported feeling annoyed.
- People who had been victimized as a result of their gender reported greater levels of depression, fear and disappointment than victims of racially/ethnically or culturally motivated hate crimes. However, sex-based hate crime victims were less likely to report that they had not been effected that much as a result of the incident than other motivation categories.

### Limitations of the Research

The first chapter of this research project provided a discussion of the advantages and disadvantages of victimization surveys in general. This discussion will focus upon the limitations associated with the specific victimization survey employed for the current research project.

#### 4.1 Overlapping Motivation Categories

This research project was limited as a consequence of the questions relating to hate crime victimization. Consistent with the fact that people have a multiplicity of statuses, respondents were permitted to choose any or all motivation categories for the

hate crime committed against them. As respondents were permitted to choose any (or all) motivation categories, the categories are not independent of each other. This means that respondents could overlap into all three motivation categories, thus precluding statistical tests of significance when examining motivation category.

#### 4.2 Ambiguity of Motivational Categories

The 1999 GSS hate crime questions are partially based on the enumerated groups found in the *Criminal Code*. The GSS aggregated the motivation categories of race, national or ethnic origin and colour into a single motivation category and included the motivation category of culture. What is especially problematic is that the decision to include the motivation of culture and what is meant by culture was not explained in any of the documentation pertaining to the GSS. Furthermore, respondents were not provided with a definition of what is meant by any of the motivation categories. This is especially problematic in terms of the aggregated category of race/ethnicity and the added motivation of culture. This meant that the data and subsequent findings are based upon individual respondents' interpretation of these terms and not upon consistent definitions.

#### 4.3 Small Sample Size

A third limitation of the current research project was the small sample size. The small number of hate crime incidents captured by the 1999 GSS restricted the investigation to bivariate analyses (when statistical tests were able to be conducted), which are mainly descriptive and provide a cursory examination of hate crime in Canada. A more detailed analysis of hate crime in the Canadian context would require a larger sample in order to conduct multivariate statistical tests in order to obtain findings with more accurate population estimates. Furthermore, the small sample size of respondents

who perceived the incident committed against them as having been bias-motivated resulted in personal injury and property offences being examined jointly. The characteristics of the hate crime incident may vary dependent upon the type of offence reported and it would have been of interest to examine these differences.

#### 4.4 Exclusion of Institutional Hate Crimes

Some evidence exists that there has been an increase in the number of hate crimes resulting from the September 11, 2001 terrorist attacks against the United States. (Governor's Task for on Hate Crime, 2001; U.S. Department of Justice, 2001; Bourrie, 2001). Consequently, many western countries, including the United States, Canada and the United Kingdom have beefed up hate crime legislation within their respective Anti-Terrorism Bills (The Patriot Act, section 102 a (6) to b (3); United Kingdom's Anti-Terrorism, Crime and Security Bill, part 5-7; Canada's Bill C-36). Many of these retaliatory hate crimes have been directed towards Arabs and Muslims as well as Mosques and community centres (Bourrie, 2000:2).

Since the GSS captures only hate crimes committed against individuals or households, future administrations of the GSS will continue to underestimate the amount of hate crime committed in Canada as long as institutional hate crimes (as well as other excluded references, such as domestic and elderly abuse) remain unconsidered. Hate crimes committed against institutions may adversely effect members of the targeted institution and cause fear within that community. Hate crimes directed towards institutions and symbols need to be considered when examining hate crime.

## Directions for Future Research

Statistics Canada should base future questions on hate crime on the groups enumerated in the *Criminal Code* in order to achieve consistency and avoid ambiguity. Statistics Canada should incorporate additional questions relating to hate crime victimization in future cycles of the GSS. Asking respondents to identify what, in their view, was the main motive for the incident would allow tests of significance to be conducted when examining motivation categories. Asking respondents to rate the seriousness of the incident on a crime seriousness scale would provide researchers with more insight on how seriously the respondent perceived the hate crime incident to be. Finally, a central difficulty with hate crimes is the determination of the presence of hate. Respondents should be asked why they felt the incident committed against them was a hate crime (i.e., was their perception based upon the existence of verbal slurs, actions on the part of the perpetrator, etc.).

Central to the promotion of hate crime legislation was the argument that hate crimes are particularly harmful as a result of the increased fear experienced by those who identify with the immediate victim (Shaffer, 1995:211; Garofalo & Martin, 1993:66; Tomaso, 1993:99 and others), however community reactions have been virtually unexplored in hate crime research. Community members appear to experience some degree of fear and other emotions as an outcome of a criminal event regardless of whether or not the incident was hate-motivated (Frieze *et al.*, 1987:303-304). Very little empirical research has been conducted to substantiate or refute the claim that hate crimes are more likely to result in increased community fear than conventional crimes, necessitating investigation into the area of community victimization.

Bowling (1993:241-243) suggests that it is important to complement victimization surveys with qualitative research in order to deepen our understanding of hate crime victimization. For example, findings from the present research show that little difference exists in terms of the effects of victimization experienced by hate crime and non-hate crime respondents. However, the duration and severity of the effects might differ by crime type. Future research might focus on measuring the intensity and longevity of the victimizing effects and the accompanying attendant behaviours. This may be best accomplished through in-depth interviews with victims spanning various time periods.

A second area where qualitative research may contribute to our understanding of hate crimes concerns the criteria employed by victims in defining the incident as hate-motivated. This would help to address the discrepancy between police officers' interpretation of the incident and that of the victim. Having a better understanding of how respondents define a hate crime may contribute to a more sensitive police response to victims of this type of criminality.

Not only would contextualizing the hate crime incident be useful in the development of a more sensitive and effective police response, but it would also help to address some findings that could not be explained in this research project as a result of an absence of information. For instance, the finding that women and men have an equal chance of committing a sex-based hate crime may be better explained when details of the hate crime incident are known.

Qualitative research may further broaden our understanding of hate crime through studying not only victims, but perpetrators as well. To prevent this form of criminality it is essential to understand why people commit these incidents. Research on perpetrators

should examine various factors including: 1) whether the perpetrator has committed other similar acts of discrimination in the past, 2) why the act was committed, 3) what prompted the individual to commit the specific act, and 4) the feelings associated with the commission of a hate crime incident.

The GSS gathers relevant information relating to the victimizing incident itself and its progression up to the first level of the criminal justice system – the police. There is a lack of information concerning how hate crimes are processed through the criminal justice system. A longitudinal study focusing on the criminal justice response to hate crime incidents is required. For instance, are hate crimes actually prosecuted and sentenced as such? Are sentencing patterns different for hate crime and non-hate crime offenders (as they should be)? Further, information should be collected on hate crime victims whose cases do proceed to court in order to assess their satisfaction with the criminal justice process.

## Conclusion

The hate crime questions in the 1999 GSS, although suffering from a number of limitations, permitted a national investigation of this problem and complement police and advocacy group statistics. The findings show that hate crimes based upon the sex of the victim differ from those motivated by race/ethnicity and culture. In fact, the patterns observed for the race/ethnicity and culture motivations are so similar that it can be inferred that many of the respondents who reported that they had been a victim of a culturally-motivated hate crime probably indicated that the incident was also motivated by their race/ethnicity.

If Statistics Canada is going to continue to investigate hate crimes through the use of the GSS on victimization, it is suggested that it consider revising and expanding the questions employed in the survey. Consistent and more useful research must be conducted to deepen our understanding of hate crime in Canada.

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## APPENDIX A

Country of Origin of Canada's Immigrant Population, 1960 to 1991

<b>1960</b>	<b>1968</b>	<b>1973</b>	<b>1984</b>	<b>1991</b>
Italy	Britain	Britain	Vietnam	Hong Kong
Britain	United States	United States	Hong Kong	Poland
United States	Italy	Hong Kong	United States	China
Germany	Germany	Portugal	India	India
Netherlands	Hong Kong	Jamaica	Britain	Philippines
Portugal	France	India	Poland	Lebanon
Greece	Austria	Philippines	Philippines	Vietnam
France	Greece	Greece	El Salvador	Britain
Poland	Portugal	Italy	Jamaica	El Salvador
Austria	Yugoslavia	Trinidad	China	Sri Lanka

Source: McVey & Kalbach, 1995:93.