

Guest blog: Susannah Drury from Missing People

The festive period can be a difficult time of year for anyone with a missing relative. It is also a hard time for people who are missing or thinking of going missing.

In a guest blog, Susannah Drury of Missing People, outlines the vital support that is available and highlights the impact of the coronavirus (COVID-19) pandemic on mental health.

Susannah is Missing People's Director of Policy and Development and joined the organisation in 2013. She leads the Policy and Research Team who help missing people and their families get the support they need from UK governments, the police and other agencies.



Susannah Drury, Director of Policy and Development, Missing People

[@SusannahDrury](#)

In April, Helen*, aged 16 called Missing People's Runaway Helpline. Helen had left home after a huge argument with her mum and did not want to go back. She was alone and scared in the city, unable to stay with friends because of the COVID-19 lockdown and not sure what to do or where to go. Helen found out about Runaway Helpline after receiving a TextSafe® message. TextSafe® is a supportive text message, requested by Police Scotland and sent from the charity Missing People to a missing child or adult offering the charity's confidential helpline support.

Our helpline team were able to support Helen to feel calmer and then to talk through her options. The team found Helen a safe place to stay that night, and agreed with Helen that they would contact her parents and the police to let them know she was safe. Her parents were hugely relieved to hear from us – having been worried sick about what would happen to their daughter, away from home in the middle of a pandemic.

Helen's story highlights the vital work Missing People delivers in Scotland – working in partnership with Police Scotland and other agencies to safeguard and support hundreds of children and adults who are missing and their families every year. 2020 has been an incredibly busy and challenging year for the charity. Thanks to funders including the Scottish Government we have been able to keep our vital support services open at a time when they have never been more needed.

COVID-19 has made life tougher for everyone – but particularly for people in our society who were already vulnerable. A national survey we conducted recently found that two-thirds of people who had been missing before were experiencing worsening mental health as a result of the pandemic, half had experienced problems accessing support and more than four in ten were facing financial challenges. Many of these people are at risk of going missing again, finding themselves at greater risk of harm, not least as COVID-19 is on the rise again.

In 2017, the Scottish Government and partners published the groundbreaking National Missing Persons Framework, which put Scotland firmly ahead of the curve in its response to missing children and adults. Thanks to funding from the Scottish Government, Missing People now works with local multi-agency partnerships to assess their response to missing children and adults against the good practice outlined in the Framework, and then to develop tailored local plans to ensure missing children and adults always get the right help, from the right professional, at the right time.

In 2020/21, we have worked directly with multi-agency partnerships in three local areas to review and identify ways of improving their response to missing people. We held the first ever good practice sharing conference on missing persons with more than 100 participants from across Scotland. We have started work on a good practice toolkit, to highlight the many examples of brilliant work we have seen across Scotland in the two years of delivering this work.

Helen's story highlights the importance of agencies working together to safeguard vulnerable missing people. Stories like Helen's together with the great local work we have seen across Scotland have inspired us to adapt to the challenges of COVID and stay focused on building partnerships with the aim that every missing person in Scotland is found safe.

**Name changed to protect anonymity*

Missing People provides 24/7 advice and support for children and adults who are missing, or are thinking about going missing, and for the families left behind.

Support is free to access by phone or text on 116 000, and online via www.missingpeople.org.uk

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[PSYV guest blog: Helping communities through the festive season](#)



This festive season Police Scotland Youth Volunteers (PSYV) in Lanarkshire have been working with local charities to provide essential food items to vulnerable people.

The PSYV programme develops strong relationships between the police and young people by breaking down barriers and encouraging young people to be positive role models within their communities.

Police Constable Martin Sweeney the PSYV Coordinator for Cumbernauld, Shotts and Hamilton tells us more about the appeal:

“Lanarkshire PSYV decided this year to undertake a ‘Reverse Advent Calendar’ festive appeal in support of local charities across our area. The charities selected were food poverty action group Paul’s Parcels in Shotts, Hamilton & District Foodbank and Freedom City Church, Cumbernauld which houses the Cumbernauld Foodbank.

The theory behind the reverse calendar was that instead of traditionally taking a daily item (as you would normally do from an advent calendar) you put a small food item away per day from Dec 1 to Dec 18.

Each charity gave us a shopping list of items they needed and our volunteers aimed to gather these items. Volunteers also added small luxury items given it’s a Christmas appeal, such as mince pies, Christmas puddings and selection boxes.

This appeal was a well received and supported initiative. It’s was a very worthwhile cause and offered our volunteers a great sense of achievement, particularly at this time when they were able to contribute to the wider Community.”



Read more about the PSYV, including information for anyone interested in becoming a Youth or Adult Volunteer, at [Youth Volunteers – Police Scotland](#).

The post [PSYV guest blog: Helping communities through the festive season](#) appeared first on [Justice and Safety](#).

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The Hate Crime and Public Order (Scotland) Bill



The [Hate Crime and Public Order \(Scotland\) Bill](#) seeks to modernise, consolidate and extend Scotland's existing hate crime law – ensuring it is fit for modern Scotland.


Current hate crime legislation has evolved over time in a fragmented manner.

By providing greater clarity, transparency and consistency the new Bill – currently before the Scottish Parliament for consideration – will bring most of Scotland's hate crime legislation into one statute, making the law easier to understand and more user-friendly.

Following considerable public debate about hate crime, and claims about what the new Bill will and will not do, here are some facts about the legislation:

MYTH: The Hate Crime Bill poses a risk to freedom of speech.

FACT:


The Bill will not prevent people expressing controversial, challenging or even offensive views, as long as this is not done in a threatening or abusive way that is intended to stir up hatred or likely to stir up hatred. 

The Bill ensures 'stirring up of hatred' offences do not unduly inhibit freedom of expression protections set out in the European Convention of Human Rights.

The Bill actually includes provisions on freedom of expression to ensure the prohibition on stirring up hatred will not unduly restrict people's right to express their faith, or to criticise religious beliefs or practices or sexual practices.

MYTH: Hate crime is not a problem in Scotland.

FACT:

This is not true. The latest reports from Police Scotland show that 6,736 hate crimes were recorded in 2017-2018. 

Behind each of these crimes is a person who has been a victim of unnecessary and damaging prejudice and hatred – this includes physical violence.

We know that a significant number of incidents may go unreported.

We are determined to avoid a culture of acceptance and urge anyone who has experienced hate crime to report it.

MYTH: Hate crime is just harsh words or hurt feelings.

FACT:

No, victims of hate crime face both mental and physical harm. Police Scotland recorded 886 common assaults with a hate crime aggravator in 2017-2018.

MYTH: Most hate crime is online and harmless.

FACT :

The fact that a crime is committed using the internet does not make it 'harmless'. Threats of violence or harm, for example can be just as damaging when they are made online as where they are made in person, causing genuine fear and alarm to the victim.

MYTH: We don't need new Hate Crime legislation.

FACT:

Prejudice has an impact on wider society, with the potential to create a less tolerant society and increase social unrest. If not challenged, behaviour of this kind may become accepted as the norm.


Lord Bracadale's independent review of Scotland's hate crime laws

recommended that these should be consolidated into a single piece of legislation.

The Government is following this recommendation with the aim of modernise, consolidate and extend existing hate crime law ensuring it is fit for the 21st Century.

MYTH: People will be arrested and put in prison for having 'wrong' thoughts.

FACT:

This is completely untrue. People are free to hold whatever views or opinions they like. The Bill does not criminalise a person's thoughts or beliefs. 

What the Bill does is criminalise and hold to account those who express or demonstrate their prejudice in an aggressive or threatening way.

For example, by assaulting someone because of their race, or behaving in a threatening or abusive way with the intention to stir up religious hatred in others.

MYTH: The Bill threatens open debate about religion and people will be prosecuted for honestly expressed views.

FACT:

The Bill does not seek to stifle criticism or rigorous debate in any way. It is important that people are free to express their views and opinions and the Bill does not change that.

For an offence to be committed, the behaviour must be threatening or abusive, with an intent to stir up hatred or a likelihood that hatred will be stirred up. However, the Bill makes it clear that criticism of religious beliefs or practices is not, in itself, threatening or abusive conduct so as to constitute a criminal offence.

MYTH: The Bill will criminalise provocative protest.

FACT:

The European Convention on Human Rights guarantees all of us the right to protest, and to protest in a way that can offend or annoy those who don't agree with our views.

This right cannot be taken away by the Bill and will continue to apply as it does at the moment.

MYTH: You have added another new characteristic with variations in sex characteristics.

FACT:

Intersexuality is currently included as one element within the existing overarching definition of transgender identity in the existing legislation on statutory aggravations. However, it was felt that it did not sit correctly within that definition and has been removed and termed variations in sex characteristics as this term is seen as the most inclusive and used more often by stakeholders.

MYTH: The Hate Crime Bill goes radically beyond existing law by reference to insulting behaviour.

FACT:

The Bill does not introduce "insulting" as a new legal threshold. There has been an offence of stirring up racial hatred in Scots law – and the whole of the UK – for decades.

The current stirring up of racial hatred offences are in the Public Order Act 1986. Similar offences existed even earlier, in the Race Relations Act 1965. These both included "insulting" as part of the behaviour that can constitute a criminal offence of stirring up racial hatred. The new Bill therefore retains an already existing threshold for race.

Where the Bill does create new offences of stirring up hatred to cover other characteristics such as religion and sexual orientation, 'insulting' is not included as part of the conduct that may constitute a criminal offence.

Instead, under the Bill it is an offence for someone to behave in a

threatening or abusive manner, or communicate threatening or abusive material to another person where there is an intention or likelihood to stir up hatred in respect of the other characteristics.

MYTH: For the stirring up hatred offences in the Bill, 'hatred' is defined by the accuser with no need for the prosecution to prove intent. So if a minority finds something to be 'abusive, threatening (or insulting for race)' then it is, under the new law.

FACT:

None of the stirring up hatred offences define hatred by reference to the 'accuser's' perception of why the accused did what they did. In each case, the prosecution must show there was an intention or likelihood to stir up hatred against people with a listed characteristic, whether or not the victim or victims were members of the perceived group.

The independent court will determine whether hatred is likely to be stirred up or was intended to be stirred up by a person's conduct, on the basis of an independent, objective assessment of the available evidence.

MYTH: The Hate Crime Bill will prosecute me for practising my religion and preaching about it.

FACT:

The Bill does not criminalise religious beliefs or practices.

No one can commit a stirring up of religious hatred offence if they do not act in a threatening or abusive manner. And if you do act in that way it will only be an offence in the Bill if a court considers by your actions that you intended to stir up hatred or it is likely that hatred will be stirred up in others.

MYTH: I will be prosecuted if someone is offended by my words or controversial views

FACT:

The Bill does not criminalise expressing views just because they are offensive or controversial. Only when someone expresses their views in a threatening or abusive way that is either intended or likely to stir up hatred would an offence be committed.

Whether conduct is deemed threatening or abusive is a matter for the courts depending on the individual facts and circumstances of each case.

Let's not forget this is an existing and well-recognised threshold for conduct in Scottish criminal law which the police, prosecutors and courts are familiar with – in the context of stirring up racial hatred.

MYTH: This Bill is being brought in so I can't criticise Government Policy

FACT:

The Bill provides for the modernisation, consolidation and extension of hate crime legislation in Scotland. It in no way stifles criticism of, opposition to or rigorous debate about government policy and indeed policy of any political party.

People are free to hold whatever views or opinions they like. What the Bill does is criminalise and hold to account those who express or demonstrate prejudice in a certain way, for example, by assaulting someone because of their race, or behaving in a threatening or abusive way with the intention to stir up hatred in others, or where it is likely hatred will be stirred up.

MYTH: If somebody claims my behaviour stirs up hatred then I will be prosecuted

FACT:

No, that is not correct. The test to be applied is not what someone might claim about behaviour stirring up hatred.

The stirring up hatred offences in the Bill can't be easily committed. You can only commit an offence if two separate things can be proven beyond reasonable doubt, to the

satisfaction of the court.

Firstly, it needs to be proven that you have behaved in a threatening or abusive manner. As regards stirring up hatred on grounds of race, it needs to be proven that you have behaved in a threatening, abusive or insulting manner. These have been existing legal thresholds across the UK for decades.

Secondly, it needs to be proven that by your conduct you intended to stir up hatred in others or it is likely that hatred will be stirred up. This means that the conduct was intended, or likely to, encourage, in other people, the intense emotion of hatred toward a group.

Here, “likely” does not simply mean “possible”. A court will determine whether hatred is likely to be stirred up or was intended to be stirred up by a person’s conduct, on the basis of an independent, objective assessment of the available evidence. The context will be key, including the likely audience.

There is also the defence that your conduct was reasonable in the circumstances. Taken together, this all means that there is a high bar before conduct is criminalised.

What is hate crime?

Hate crime can be verbal or physical and has hugely damaging effects on the victims, their families and communities, and we all must play our part to challenge it.

In Scotland, the law currently recognises hate crimes as motivated by prejudice for based on race, religion, disability, sexual orientation, transgender identity.

More information on the **Hate Crime Bill** can be found online: [Hate Crime Bill: what it will do](#)

The post [The Hate Crime and Public Order \(Scotland\) Bill](#) appeared first on [Justice and Safety](#).