

Univerza v Ljubljani
Fakulteta za socialno delo

Jasna Magić

The Role of the Police and LGBT Community in the Formation of
Safe Communities

Doctoral dissertation

Vloga policije in LGBT skupnosti pri oblikovanju varnih skupnosti

Doktorska disertacija

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Mentorica / Principal supervisor: dr. Mojca Urek
Somentor / Second supervisor: dr. Allister Butler

Ljubljana, 2017

DEDICATION

This dissertation is dedicated to LGBT people everywhere;
along with the police officers and social workers serving them.

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IZJAVA O AVTORSTVU

Podpisani študent JASNA MAGIĆ, vpisna številka 06110242, avtor pisnega zaključnega dela študija z naslovom:

Vloga policije in LGBT skupnosti pri oblikovanju varnih skupnosti / The Role of the Police and LGBT Community in the Formation of Safe Communities

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Vloga policije in LGBT skupnosti pri oblikovanju varnih skupnosti

Povzetek doktorske disertacije

V pričujoči doktorski disertaciji zastavljamo osrednje vprašanje »Zakaj žrtve homofobije v Sloveniji nasilja ne prijavljajo?« in preučimo različne dejavnike in ovire, ki vplivajo na prijavo homofobnega nasilja v Sloveniji. V raziskavi uporabimo pristop z mešano metodologijo in črpamo iz izkušenj in perspektive dveh skupin; gejev, lezbijk in biseksualnih oseb in zaposlenih v policiji. V glavnih raziskovalnih vprašanjih preučimo odnos do homoseksualnosti in izkušnje s preiskovanjem homofobnih incidentov pri policiji, naslavljamo dejavnike, ki vplivajo na odločitev o prijavi homofobnega nasilja ter ugotavljamo vlogo policije in LGBT organizacij v procesu prijave in obravnave tovrstnega nasilja. Za slednje v disertaciji tudi ugotavljamo, da odgovor na incidente iz sovraštva ne more in ne sme biti samo odgovornost policije in prizadetih skupnosti. V disertaciji zato predlagamo, da bi se morale v pobude za varnost v skupnosti vključevati tudi službe, ki so usposobljene za dajanje učinkovite podpore pri soočanju s posledicami nasilja. S tem argumentom v raziskavi umeščamo homofobno nasilje in njegove posledice na področje socialnega dela in dokazujemo, da ima socialno delo kot znanstvena veda in poklic primerno teoretično in praktično bazo, ki omogoča aktivno vlogo socialnih in svetovalnih služb pri prepoznavi in odgovarjanju na tovrstne incidente iz sovraštva.

Disertacija je razdeljena na tri glavne dele. V prvem delu smo preučili obstoječo literaturo s področja sociologije, kriminologije ter praktičnega in teoretičnega socialnega dela, predstavili pomembnejše konceptualne razprave in opredelili posledice homofobnega nasilja ter znane ovire, ki vplivajo na odločitev za prijavo. Preučili smo tudi obstoječe nacionalne programe in politike, ki usmerjajo delo policije na področju nasilja iz sovraštva v Veliki Britaniji in Sloveniji, in predstavili teoretične in praktične vidike antizatiralske prakse socialnega dela in orisali teoretične okvirje, umeščene v kriminologiji, kvirovski teoriji in post-strukturalni teoriji, na katere se opiramo pri analizi podatkov in v razpravi. V drugem delu smo opisali zasnovo raziskave in glavne raziskovalne metode ter prikazali ključne empirične podatke. V razpravi primerjamo pridobljene rezultate in neposredno naslovimo nekatere prepreke in pomisleke, ki vplivajo na prijavo in beleženje homofobnega nasilja ter izpostavimo uporabnost rezultatov za delo policije in prakso socialnega dela. V zaključku disertacije povzamemo glavne ugotovitve, oblikujemo priporočila in izpostavimo znanstveno relevantnost pridobljenih podatkov.

Ključni izsledki pričujoče raziskave kažejo, da na prijavo homofobnih incidentov vpliva cela vrsta med seboj povezanih dejavnikov, ki niso univerzalni niti statični. Denimo, ozko razumevanje zločina iz sovraštva v slovenskem kazenskem pravu ustvarja okolje, kjer so geji, lezbijke in biseksualne osebe izpostavljeni specifičnim primerom homofobije, ki pogosto niso ovrednoteni kot »legitimno nasilje«. Poleg tega učinek stigme vsiljuje občutke zatiranja in manjvrednosti, kar povzroča negotovost glede samo-razkritja zlasti v kontekstu organov pregona. Tako žrtve omahujejo celo pri prijavi zelo resnih incidentov. Čeprav se pripravljenost na prijavo homofobnih incidentov poveča glede na resnost in intenzivnost incidenta, rezultati izpostavijo predvsem odločilno vlogo spolne stigme v procesu prijave in kažejo, da potreba po legitimizaciji homofobnega nasilja s samo-razkritjem in pričakovana policijska pristranskost ter dvom, ali bo policija zadovoljivo raziskala homofobne incidente, pogosto negativno vplivajo na odločitev o prijavi homofobnega nasilja. Rezultati študije s policisti so pokazali, da se je v okviru policijske reforme, ki promovira policijsko delo v skupnosti, obravnavanje diskriminacije in nestrpnosti v policiji občutno izboljšalo, zlasti na nivoju politik, ki vodijo moralne in etične standarde policijskega dela. Izsledki pa kažejo tudi, da smernice in strategije niso vedno prenešene na operativni nivo, saj tradicionalne policijske vrednote in »maskulinizirani« standardi policijske kulture še vedno oblikujejo odziv

policistov, predvsem v povezavi z družbeno marginaliziranimi skupinami. Raziskava sicer ni razkrila skrajnih predsodkov do gejev in lezbijk, a rezultati kažejo na relativno zaprtost policijske kulture do »drugačnosti« in navzočnost negativnih mitov in stereotipov o gejih in lezbijkah. Izsledki tudi kažejo na odsotnost teh vprašanj v okviru usposabljanj in treningov ter na nagnjenost policistov k minimalizaciji homofobnih incidentov in kategorizaciji le-teh kot navaden prekršek. Vse to v precejšnji meri vpliva na učinkovitost policijskega preiskovanja, bistveno pa na zaupanje gejev, lezbijk in biseksualnih oseb v zadovoljiv rezultat pri prijavi homofobnih incidentov.

V disertaciji poudarimo pomembnost vidnosti gejev in lezbijk v policiji ter predstavimo inštitut LGB policista in neodvisnih posvetovalnih teles kot dragocen vir za izboljšanje podobe policije kot odprte in pravične organizacije. Ključne ugotovitve predlagajo tudi ustanovitev nacionalnih večpartnerskih mrež, preko katerih bi policija in drugi državni in nevladni programi o nasilju razvijali vključujoče storitve in odpirali programe, ki vzpostavljajo zaupanje marginaliziranih skupnosti. Vse tri predstavljene strategije opredeljujejo policijo kot vodilno institucijo pri nadzoru nad kriminaliteto in nasiljem, obenem pa organizaciji nalagajo odgovornost, da v tem procesu aktivno pritegne k sodelovanju tudi druge družbene akterje. Na tej točki disertacije tudi podrobno opredelimo vlogo socialnih in svetovalnih služb v projektu prijave homofobnega nasilja, oblikovanju politik in zagovorništva žrtev v pravosodnem sistemu. V disertaciji razmejimo pristojnosti policije in socialnih delavcev ter opredelimo uporabnost pridobljenih podatkov za oblikovanje vključujočih pobud, ki temeljijo na opolnomočenju in podpori žrtev pri soočanju s posledicami homofobnega nasilja.

V okviru zagovarjanja večpartnerskega sodelovanja pri odgovoru na incidente iz sovraštva v disertaciji trdimo, da morajo biti v procesu pozivanja k prijavi geji, lezbijke in biseksualne osebe prepoznani kot ranljiva skupina, kot manjšina z dolgo zgodovino družbenega in političnega zatiranja in kratenja pravic do uživanja polnopravnega državljanstva. Izboljšanje in vzpostavljane zaupanja manjšinskih skupin v delo državnih institucij mora zato primarno vključevati zavedanje o specifičnem položaju članov LGBT manjšine, razvijati projekte, ki aktivno spodbujajo dekonstrukcijo konvencionalnih percepcij »družbenega spola« in »spolnosti«, in razvijati aktivnosti namenjene povečanju zaupanja, ki zagotavljajo opolnomočenje, podporo in zaščito in pri tem aktivno pozivajo k prijavi homofobnih incidentov.

Pričujoča disertacija predstavlja izviren znanstveni doprinos k razumevanju prijave in obravnave nasilja iz sovraštva v policiji in LGBT skupnosti, prinaša nove vpoglede v policijsko delo, dejavnike, ki vodijo odločitev posameznika za prijavo tovrstnega nasilja ter izpostavlja odločilne ovire, ki jih je potrebno nasloviti v procesu spodbujanja prijave. S tem želi raziskava opozoriti na problematiko neprijave nasilja ter legitimirati homofobno nasilje kot pojav, ki zahteva ustrezno prepoznavo in odgovor na nivoju državnih politik in policijske prakse kot tudi skozi prakso socialnega dela.

Ključne besede: socialno delo, homofobno nasilje, neprijava nasilja, policija, lezbijke, geji, biseksualne osebe

The Role of the Police and LGBT Community in the Formation of Safe Communities

Doctoral Dissertation Abstract

Bearing in mind the central question ‘Why don’t victims of homophobia in Slovenia report victimisation?’ this doctoral dissertation addresses under-reporting of homophobic violence and examines the various barriers that stand in the way of disclosing incidents to the police. The study employs a mixed method approach and draws on the experiences and perspectives of two groups; gay, lesbian, and bisexual people and members of the police in Slovenia. The main research questions examined attitudes towards homosexuality and experiences with recording and investigation of homophobic incidents among police, explored factors that influence the decision to report homophobic violence, and defined the role of police and LGBT organisations in responding to homophobic incidents. The dissertation also argues that responding to this type of violence cannot and should not only be the responsibility of the police and affected communities, but that effective response should also include agencies skilled in providing effective victim support. With this argument, the study positions homophobic violence and its implications within the domain of social work. The dissertation argues that the theoretical and practical basis of social work as a science and profession is right for professionals to start tackling the issue of homophobic violence and crime, to engage in discourse of hate crime policy development and to liaise with members of the LGBT community, offering their expertise and knowledge from the field of victim support.

The dissertation is divided into three main sections. In the first section I review literature connecting the fields of sociology, criminology and social work practice and theory to introduce the main conceptual challenges, outline the effects of this phenomenon and examine the barriers to the decision to report. I also review legislative and police responses to homophobic violence in the UK and Slovenia, discuss theoretical and practical perspectives of anti-oppressive social work and outline theoretical frameworks embedded in criminology, queer theory and post-structural theory that help to conceptualise data analysis and the discussion part of this dissertation. In the second section I describe the research design and main methods and outline the key empirical data. In the discussion, I draw on data from both groups and address some of the considerations that present a barrier to reporting homophobic violence. I also introduce the implications of the main findings for social work professionals. In the conclusion, I sum up the main findings, draft recommendations and establish the scientific relevance of this research.

The key findings of this study show that there are a variety of interdependent factors that converge to cause the under-reporting of homophobic incidents. For example, limited understanding of hate crime and homophobic violence in criminal justice policy leaves gay, lesbian, and bisexual people vulnerable to specific instances of homophobia that are often not validated as legitimate violence. In addition, the effect of sexual stigma evokes discomfort and insecurity around self-disclosure, particularly in the context of law enforcement. Even though willingness to report homophobic violence significantly increases with the severity and intensity of an incident, the results highlight the decision to report is most often bound up with feelings of oppression and inferiority in relation to structures of authority. This results in anticipation of police bias and doubt in the fairness of police investigation of homophobic incidents, which causes reluctance to report even very serious incidents to the police.

The key results gathered from police participants show that reforms promoting community policing have introduced notable improvements within the policy framework guiding ethical standards in police work. The findings also suggest that bias-free policies do not always translate into action at operational level as conventional values and masculinised standards of

police culture still direct police work in Slovenia. This is particularly in relation to socially marginalised groups. While this study did not uncover any extreme instances of anti-gay prejudice, the findings show that the police officers have not fully embraced the concept of “diversity”. The absence of a positive discourse challenging negative myths and stereotypes about gay men and lesbian women and discomfort among some of the interviewed officers during this research, points to the fact that visibility and presence of LGB identities continues to challenge conventional perceptions of “gender” and “sexuality” in the organisation. This, however, sustains heteronormative and heterosexist police culture which can impact the perception of gay men and lesbian women within the police as well as wider society. The findings also communicate a lack of training on the subject and the tendency of officers to trivialise or record and investigate homophobic violence as a non-bias incident or crime. All this affects the efficient policing of this phenomenon and contributes to under-recording and invisibility of homophobic violence in the eyes of law enforcement.

To bridge the gap and increase the trust of gay, lesbian, and bisexual people, the findings introduce the institution of a LGBT officer, as a valuable resource in raising the police’s image as an open and fair organisation. In, addition, the dissertation also endorses independent advisory groups and multi-agency networks as a way of legitimising the role of minority communities in contemporary policing. The latter are presented as efficient forms of partnership that bring together the police, the LGBT community and other relevant state and non-state services within initiatives addressing emerging community safety issues. While all three presented strategies define the police as the lead agency in policing crime and violence, they also task the organisation with the responsibility of actively recognising and enlisting other social actors in this process.

The findings also outline some of the differences in authority and competence of police and social work and counselling services and define the usefulness of the key findings for social work professionals in the development of inclusive interventions based on empowering and confidence building initiatives. By promoting partnership and a comprehensive approach to hate crime prevention, this dissertation argues that, when it comes to the processes of community safety, gay, lesbian, and bisexual people belong to a targeted group that has been historically oppressed and disadvantaged in their right to enjoy full citizenship. Therefore, any initiative encouraging cooperation between members of a stigmatised community and state services, needs to involve a heightened awareness of the disadvantaged position of the LGBT community. Moreover, planned actions need to build confidence and trust and promote inclusion, participation and protection together with active invitation to the reporting of homophobic incidents.

This dissertation introduces original scientific data that enhances our understanding of hate crime, police culture and responses to this phenomenon and unveils some of the decisive factors and barriers causing its under-reporting. The findings raise visibility of under-reporting of homophobic violence and conceptualise this violence as a phenomenon that requires a response, acknowledgement and inclusion in national public policy, police work as well as social work practice.

Keywords: social work, homophobic violence, under-reporting, police, lesbian, gay, bisexual

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1. Introduction

“They approached us with metal police style batons. I was struck up to 10 times over my body including my head, shoulders, arms and back. I recall the fear very well. The attack was prolonged. It felt never ending. I just covered my head. I ended up on the floor waking up covered in blood. I got up and found one of my best friends sat in a chair covered in blood [...] I have severe bruising on my back, shoulders, arms, face and have some stitches in the side of my mouth. One of my friends has stitches to his head, severe bruising to his head and shoulders.”

(Oliver McNally, in a letter to a Slovene LGBT magazine Narobe, on June 8th 2011¹)

The extract above is from a letter sent to the Slovene LGBT² magazine NAROBÉ, where British police officer Oliver McNally describes the physical and emotional impact of a homophobic attack he and his friends survived in Ljubljana, Slovenia in the summer of 2011. The description of his experience is striking in its brutality; McNally describes how he and his friends, who were on holiday, were attacked after they told the assailants they were gay³. He further recalls being taken to hospital and concludes his account by commending the hospital staff and police officers for their support and professionalism with reporting and investigating his case. Because the victims were British tourists and the attack was reported and investigated as a hate crime from the outset, this incident resonated strongly with the Slovene public, media, and the members of the LGBT community. Oliver McNally was not the first person to be physically attacked in Ljubljana for being gay; sadly, he is also not the last person to suffer from homophobic violence. He is, however, rare in having his case reported, recorded, and investigated as homophobic violence, as per empirical evidence, only one in ten victims in Slovenia will report homophobic violence.

Despite no official police statistics on homophobic incidents in Slovenia, research states that more than 60 per cent of gay men and lesbian women have experienced some form of verbal abuse or physical anti-gay violence (Kuhar, 2014). The data also demonstrates that around 90 per cent of homophobic violence and discrimination is never reported, either to the police or non-police services (Kuhar et al., 2008; Kuhar, 2014). Under-reporting of homophobic

¹ Source: <http://www.politicsforum.org/forum/viewtopic.php?f=76,t=131876>. (13th April, 2016)

² LGBT is an acronym used for lesbian, gay, bisexual and transgender. With reference to lesbian, gay and bisexual people only, I use acronym LGB.

³ Source: <https://www.rtvsllo.si/crna-kronika/britanec-zrtev-homofobicnega-napada-sredi-ljubljane/259787>. (13th April, 2016)

violence is a global problem and whilst most research on the subject focuses on the psychological impact of these incidents, along with the appropriate practical and emotional support needs for victim, little research exists addressing the reporting practices and attempting to explain why some people report homophobic violence and crime, but most seem not to.

With the key question in mind “Why don’t victims of homophobia in Slovenia report victimisation?”, this study employed a qualitative and quantitative approach to identify and examine various situational and contextual factors that need to be understood and addressed if reporting of homophobic violence and crime is to take place. I have examined the attitudes towards homosexuality and experiences with homophobic hate crime of the Slovene police, explored factors that influence the decision of gay, lesbian and bisexual people to report or not report homophobic incidents and defined the role of police and support services in responding to homophobic violence. The study also examines selected practices from England, which endorse cooperation between police, LGBT community organisations and state service providers, as a response to homophobic victimisation and investigates the conditions and need for such a partnership approach in Slovenia. Finally, the research will position homophobic hate crime and its implications for the individual and society, within the domain of social work. I argue that responding to bias crimes cannot only be a task for law enforcement and other directly affected services, but that social work as a science and profession has a theoretical and practical basis to respond to homophobic violence and crime.

There is a lack of Slovenian research surveying how perceptions of homophobic violence and crime and the perceived competence and visibility of reporting and victim support systems impact on the decision to report. There are also no studies examining the attitudes of the Slovene police towards gay, lesbian, and bisexual people and documenting experiences in the policing of homophobic violence. The present study aims to address this gap. The research applies an interdisciplinary, scientific approach connecting the fields of psychology, sociology, criminal justice theory with social work practice and theory, and builds on the findings and recommendations from UK / US studies on the victim decision-making process and police attitudes towards homosexuality. In addition, it draws on the results of an activist-research project on rights violations against gay, lesbian and bisexual people in Slovenia.

A review of Slovene and UK / US literature in the field of sociology, criminal justice theory and social work has not uncovered similar study on the topic, nor have the main research

questions been sufficiently addressed, if at all. The information arising from this study offers, therefore, a unique contribution to the international as well as the Slovene scholarship since it scopes recent, original data relating to processes in decision-making on victim reporting, attitudes of Slovene police regarding homosexuality, their priorities and experience with policing of hate crime, and homophobic hate crime specifically.

On a personal note, it may be helpful to explain why I decided to research this issue; whilst employed by a Slovene LGBT advocacy organisation, Information Centre Legebitra,⁴ I conducted a small-scale study on the experiences of gay, lesbian and bisexual people with homophobic discrimination, harassment and crime (Kuhar et al., 2008). One of the findings showed that 92 per cent of respondents who reported homophobic violence or discrimination chose not to report incidents to police or other support services. Based on this finding, Legebitra initiated own victim support service as well as and LGBT friendly support network of service providers who would not only encourage victims to come forward, but also support them during their emotional and physical recovery. As we were making our case with the new partners, mental health services, police, and legal practitioners, the organisation recognised we were still lacking important data to explain reporting behaviour and victims' needs. Another important consideration that shaped this research was the emerging cooperation between police and Legebitra that began in 2010 (Magić, 2012). The new leadership in the Slovenian police, established in 2009, had an extensive focus on the importance of citizen-police relationships. This resulted in direct invitation to Legebitra to design and deliver a lecture on homophobic violence and community safety for over 90 police commanders including staff of Ministry of the Interior in 2010 (Magić, 2012; MNZ, 2012). Subsequently I, on behalf of the organisation, delivered five training sessions between 2010 and 2012 to groups police staff of various ranks. It was during that period that I also developed a specific working relationship with the police which allowed me to meet, regularly, with both police officers and representatives of management and, in an informal way, to introduce the subjects of homosexuality and homophobic violence into the context of police work. These three years of continuous engagement with police was also favourable for earning trust with the police officers and their feedback spoke of the much-needed benefits of such cooperation. In a desire to build on this emerging cooperation and to make it more systematic and continuous I developed a long-term project based on research and the promotion of good practices for responding to homophobic violence. Even though Legebitra

⁴ Information Centre Legebitra is an established LGBT human rights NGO in Ljubljana, Slovenia.

managed to secure the official support and partnership of the police organisation, we were unable to raise funds for the project. This dissertation thus represents an attempt to sustain and build on emerging cooperation between police and the members of LGBT community in Slovenia.

1.1 The purpose and aim of the study

My research questions were designed to interrogate a range of issues that are currently under researched in Slovenia as well as in the global context and to address the following intended outcomes of this dissertation:

- To better understand some of the social and situational factors that influence the willingness to report homophobic violence,
- To examine attitudes within the Slovene police service towards homosexuality and their knowledge of specific characteristics of homophobic violence and,
- To examine and suggest possible approaches, involving members of the LGBT community, police and social work services, to efficiently respond to homophobic violence.

I suggest that understanding the associations between these three intended outcomes is key to applying the main findings of this study to the development of improved state and non-state sector responses to homophobic violence and crime in Slovenia.

This study has directly engaged with:

- 265 self-identified gay, lesbian and bisexual individuals in Slovenia
- 251 representatives of Slovene police

Situating the personal views of lesbian, gay and bisexual individuals next to the experiences, knowledge, authority and limitations of police officers on the subject addresses some of the considerations currently presenting barriers in either access to services or individuals' decision to report. It also helps to define the role of both actors in the way they could individually or jointly respond to homophobic violence and crime.

1.2 Terminology

Across the literature on *hate crime* the word “hate” is used infrequently and often interchangeably with term “bias” or “prejudice”. It seems there is an agreement among academics that behaviour leading to the commission of a hate crime is primarily motivated by prejudice of which the emotion of hate may (or may not) be a part (Chakraborti, 2015; Lyons & Roberts, 2014). Within this dissertation, *bias crime* and *hate crime* will be used interchangeably and will denote acts that constitute an offence under criminal law. When referring to acts that involve prejudice and bias, but do not necessarily amount to a crime, or the nature of act has not been established, I will use the term *hate (motivated) incident* (OSCE & ODIHR, 2009).

Closely related to hate crime is *hate speech*. The Office for Democratic Institutions and Human Rights (ODIHR) identifies hate speech as any form of expression that is motivated by or encourages hostility towards a group or a person because of their membership of that group (OSCE & ODIHR, 2009). Since hate speech may encourage or accompany hate crimes and is often, in a legal context, used to separate hate crime from general crime, the two concepts are interlinked. In this dissertation, the term *hate crime* is used to describe acts and not discriminatory views or hate speech alone. Therefore, *hate speech* is not addressed or discussed separately, but is, understood and referred to as *homophobic slur*, *verbal homophobic violence* and / or *homophobic insults*.

As related phrases, I also use *homophobic violence* and *homophobic hate crime* to describe direct violence against lesbian women and gay men, which also includes acts that constitute an offence under criminal law. When citing other research, I will use the authors’ preferred terminology. Furthermore, I use the term *homophobic victimisation* to refer to individual experiences of homophobic hate crimes and violence, which can take a multitude of forms including physical, sexual, or psychological violence, attacks towards individuals or groups, burglary, theft and the threat of violence.

As a final point, I acknowledge that the term *homophobic violence* fails to include transgender people. Since transgender people's experiences with bias crimes are, in many ways, different from the experiences of gay, lesbian and bisexual people (Cook-Daniels & Munson, 2010; STA, 2008), this group is not specifically addressed in this dissertation.

1.3 Geographical scope

The two countries included in the study, Slovenia and the UK, with their legal, historical, religious and linguistic-cultural differences provide an interesting platform from which to study differences in understanding and responding to hate crime. For example, Slovenia is a post-communist society, whereas the UK has always been capitalist; since 1945, Slovenia has had a civil law system, whereas the UK has a common law system; Slovenia has a Roman Catholic majority, whereas the UK has a Protestant majority, and finally, Slovenia seems to have one of the lowest crime rates in the EU, whereas the UK boasts the highest recorded figures for hate crime in the EU (Trappolin & Gasparini, 2012; Garland & Chakraborti, 2012). There is no doubt that these two countries display quite a gap in social and legal capacity, as this study will show, this is also the case with respect to prevention and the addressing of homophobic violence and crime. Both countries, however, were at the time this research took place, members of the EU and as such have developed their anti-discrimination and equality policies in the context of regulations and directives proposed by European Union. This implies a range of shared values and commitments to the founding principles of the EU embedded in respect for human dignity, liberty, democracy, equality, pluralism, non-discrimination, tolerance, justice, solidarity and equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

Despite enacting one of the most comprehensive anti-discrimination policies in the EU, more than a decade ago, there are indications that in Slovenia, the path to tolerance and acceptance of sexual minorities is still slow and burdened with various challenges. According to Eurobarometer 2015, 54 per cent of people surveyed in Slovenia totally agreed with the statement that LGB people should have the same rights as heterosexual people (EU 28 average was 71 per cent). When asked to grade how comfortable they would be with certain scenarios on a scale of 1 (not comfortable at all) - 10 (totally comfortable), 62 per cent said they would be comfortable or moderately comfortable with an LGB work colleague (EU 28 average was 72 per cent) (ILGA Europe, 2016a). The last few years have also been marked by fierce campaigning to pass equal marriage legislation, during which time the country has witnessed continued and renewed hatred intolerance toward LGBT people, at the very least affecting their human dignity, through systematic instances of hate speech, verbal abuse and, in some instances, also physical attacks motivated by homophobic prejudice (Kuhar, et al., 2011; Kuhar & Švab, 2013; Kuhar 2014). Several other civil society reports also point to negative attitudes and bias motivated incidents most commonly aimed towards Roma and

Muslim communities, the LGBT community and illegal immigrants. (Albrecht, 2011; Kuhar et al., 2011; Klopčič et al., 2011; Motl & Bajt, 2016). It is somewhat surprising that, despite high level of documented hate incidents by the civil society, there are no broad national policies on hate crime that would mandate a well-developed reporting and recording system and send out two strong messages; that such behaviour is unacceptable, and that the experiences of those victimised by hate crime will be taken seriously.

In the last two decades the UK has made extraordinary steps to address homophobia at both an institutional and societal level (Kam-Tuck Yip, 2012; Wintemute, 2012). The European institutions, for instance, ODIHR, FRA and ILGA-Europe regard the UK as one of the most progressive states in the EU and the world when it comes to responding to hate incidents and consequently, homophobic hate crime. In contrast to other EU countries, the UK's responses to bias crimes have also been exceptionally well documented within community reports as well as in academic literature, thus providing a rich insight into good practices and strategies utilised at local and regional levels. I would like to emphasize that drawing on data from the UK in both a theoretical as well as a practical context does not render this in any way a comparative study, nor should this be understood as a critique of the existing response to hate incidents and homophobic violence in Slovenia. On the contrary, UK data was selected purposefully, to illustrate an alternative, a broader understanding of bias motivated violence, which could serve as a source of inspiration to build on existing initiatives already tackling hate crime and homophobic violence in Slovenia.

1.4 Outline of chapters

In chapter one I review the existing literature about the main conceptual debates on homophobic violence and hate crime and outline the effects of hate crime and homophobic violence. I discuss the challenges of establishing the extent of this violence in Slovenia and the UK and demonstrate some of the known barriers in the decision to report. Second part of this chapter focuses on legal and police responses to homophobic incidents, as documented in the UK and Slovenia and argues that social work as a science and profession offers theoretical and practical basis to effectively respond to homophobic violence and crime. I conclude this chapter with a reference to theoretical frameworks from criminology and poststructural theory relevant to reporting and responding to homophobic incidents.

In chapter two I describe the research design, outline research questions and provide the rationale for the choice of methods. I discuss which methods were unsuccessful and provide reasoning for subsequent changes adopted in the research process. I also discuss the pros and cons of research instruments, the recruitment process of participants and data analysis. The chapter concludes with a self-reflection on the research process and ethical considerations.

The first part of chapter three reports on findings from an online survey and six focus groups with the LGB participants. By means of qualitative and quantitative analysis and theoretical framework embedded in criminology, sociology and poststructural theory I discuss how LGB participants in the sample perceive homophobic violence and crime. I also discuss general willingness to report homophobic incidents and discuss prevalent predictors influencing the decision to report homophobic victimisation in the sample. I conclude by addressing the needs and expectations of LGB participants in the study towards the police and non-police support services in the reporting and post-victimisation process. The second part of chapter three reports on findings from an online survey and semi-structured interviews with police participants. I discuss the perception of police workplace, attitudes towards gay men and lesbian women, examine respondent's knowledge of homophobic violence and assess the need and willingness of police to cooperate with the members of LGBT community in tackling this phenomenon. In the third part of chapter three I outline three community safety initiatives addressing under-reporting of homophobic violence and crime and pursuing objectives relating to the gay and lesbian safety and community organisation. I discuss the historical setting and enabling factors for these practices to emerge and emphasize on their strengths associated with the reformation of policing and an aim to increase the participation and "active citizenship" of gay, lesbian and bisexual members of the LGBT community.

In chapter four I draw together the main findings, compare data obtained with police and LGB participants and address some of the considerations and barriers preventing both researched groups to, effectively, respond to homophobic violence and crime. I demonstrate possible areas of cooperation, discuss recommendations enhancing police practice and identify implications of this study for social work practice.

The dissertation ends with a conclusion summarising implications and recommendations for police and social work practice and offers suggestions for further research.

2. Homophobia and hate crime: challenging definitions and key conceptual debates

“Our visions begin with our desires.”

Audre Lorde

For many working in safeguarding and helping professions, supporting those who have experienced violence because of their actual or perceived sexual orientation is still a challenging endeavour. As professionals, how do we most effectively respond to violence and support our service users and clients? As human beings, how do we even begin to comprehend this phenomenon? The above quote reminds us that what we do on a personal and professional level, as individuals and as service providers, is instigated by what we “can” and “want” to do. Taking this belief as a starting point, this dissertation explores understandings of homophobic violence and crime, its implications, and possible responses. This is done with the aim of enhancing existing responses and inspiring and strengthening trust and cooperation between the gay, lesbian and bisexual members of Slovene LGBT community, police, and non-police support services in addressing and responding to homophobic violence and crime.

In the sections below I will firstly review the existing literature on the main conceptual debates around homophobic violence and hate crime. Presenting the range of conceptual arguments is particularly important as they are located among often diversifying issues of victimisation, identity politics and the perception of socially constructed phenomena, such as gender and sexuality. I will show how it is these factors that account for the way in which organisational (state and non-state) and individual responses to homophobic victimisation have developed. In the first part of this chapter I will also outline some of the challenges of establishing the extent of this violence and discuss factors which we know impact the decision to report. The second part of this chapter then focuses on legal and police responses to homophobic violence, as documented in the UK and Slovenia and argues that responding to bias crimes cannot only be a task for the law enforcement but that that social work professionals have appropriate theoretical and practical basis to develop an active interest in addressing hate crime and specifically, homophobic violence and crime.

The term “homophobia” was first introduced by a psychologist George Weinberg in the late 1960s. Weinberg understood “homophobia” as a psychological condition or state of mind that is both an illness and an attitude. He identified it as an irrational fear and intolerance on the part of heterosexuals aimed towards homosexual men and women, and as self-loathing

when applied to gay men and lesbian women (Weinberg, 1972 in Herek, 1991). By naming anti-gay attitudes and by linking male homophobia to a fear of passivity often associated with a lack of masculinity, Weinberg shifted the focus from “the homosexual” as the problem onto the behaviour of those who are homophobic. Even though Weinberg’s conceptualisation of anti-gay attitudes challenged traditional thinking about homosexuality, US sociologist Herek (1984, 2004) argued that anti-gay sentiments should not be understood as a clinical phobia, as they are not unpleasant and troubling for individuals. Rather the opposite, Herek argued that anti-gay attitudes were highly rewarding and brought people holding those beliefs a range of social benefits. Discussing the limitations of Weinberg’s “homophobia” Herek suggests that an understanding of anti-gay sentiments should go beyond the individual’s emotional and behavioural reactions and include hostile or violent attitudes and practices that are formed by the wider community and culture. Instead of homophobia, Herek introduces the term “antigay hostility”, which he describes as a cultural ideology perpetuating anti-gay stigma (heterosexism) in institutions, language and legislation. He also understands it as a personal ideology that manifests itself in the internalisation of heterosexual norms and is expressed as individual prejudice towards sexual minorities.

This clinical understanding of “homophobia” was also challenged by feminist critics who pointed out that by prioritizing solely male experiences, Weinberg downplayed gender differences and excluded prejudice against lesbian women. Most feminist literature perceives gender - and gender violence - as a key feature in conceptualising homophobia, and highlights the oppression of lesbian women as qualitatively different from the oppression of gay men (Allwood, 2005; Schultz, 1999; Swigonski, 1995). Several constructionists and queer theory scholars of the 1990s (cf.: Butler, 1990; Mason, 2001; Reiter, 1991) connect homophobia with western notions of heteronormativity and patriarchy that continues to shape most discourse and action around the concepts of violence, gender and sexuality.

For this dissertation, I do not aim to suggest the most appropriate definition of homophobia as academics have stretched the concept to fit a range of purposes. This diversity of use makes definition and complex and, at times, confusing task; as Herek (Herek, 1986, p. 2 in Reiter, 1991, p. 167) points out, “there is not just one homophobia, but many”. It is not surprising therefore that no definition seems to cover the entire complex array of experiences and attitudes to which it refers. While Weinberg’s definition suggested that mental health

problems among gay men and lesbian women were a consequence of the social stigma and hostility attached to their homosexuality, “homophobia” is nowadays perceived as a form of structural (cultural and political), personal and moral rejection of homosexuality. The term can include condemnation, rejection, disagreement, abuse, violence as well as harassment and discrimination directed at (mostly) gay and lesbian individuals. It has therefore become an important tool for gay and lesbian activists, advocates and their allies in combating institutional and societal oppression of sexual minorities (Bernstein, 2004; Kuhar, 2006; Wickberg, 2000).

Similar conceptual challenges apply to the concept of “hate crime” as a related phenomenon. The term hate crime has become commonly associated with various forms of direct violence or crime motivated by bias against racial, ethnic, sexual or religious groups (Perry, 2002; Tomsen, 2006). This dissertation refers to direct violence⁵, which is taken broadly to include physical violence, threats, harassment and verbal abuse (name calling, insults) against individuals, communities or property based on perceptions of sexual orientation, as homophobic violence. Most literature on general hate crime observes that it is essentially “message violence” where perpetrators select their victims based on bias not against that individual but against a whole group with which that individual is associated. Hate crimes therefore hurt the wider community as well as the individual victim (Iganski, 2008). A growing awareness of the harms associated with hate crime has emerged in most western democracies over the last three decades. Scholars warn, however, that our understanding of hate crime is far from complete as the term can mean very different things to different people - and the commission of a hate crime is often subject to many different interpretations. Policy makers and law enforcement typically understand hate crime as an act that constitutes an offence under criminal law, while the general public connect hate crime with extreme and newsworthy manifestations of violence. For example, the stereotypical media image of homophobic hate crime is of the gay male who has been assaulted by a group of youths outside a gay bar. Finally, scholars tend to discuss hate crimes as a social construct with no straightforward meaning and outline a set of defining characteristics which they regard as central to their commission⁶ (Garland & Chakraborti, 2012; Perry, 2012).

⁵ Opatow, (2001, p. 102) defines direct violence as ‘overt, immediate, concrete acts perpetrated on particular, identifiable people’.

⁶ This may, among other include characteristics such as the group affiliation of the victim; the imbalance of power between perpetrator and victim and the relevance of context (Chakraborti & Garland, 2009, p. 150).

2.1 Hate crime as a legal and policy concept

As member states of the EU, Slovenia and the UK have been developing their national policies in the context of regulations and directives proposed by the European Union. However, as I go on to discuss, their actions in this area are far from coordinated and there are significant differences in both countries in understandings of hate crime and consequently homophobic hate crime. To give these differences a policy context, I will briefly outline the main characteristics of EU's hate crime policy and the challenges of implementing that policy at national level.

As a policy and legal concept, hate crime originated in a series of progressive anti-hate social movements that arose during the 1960s and 1980s in the US, effectively mobilising those affected around their collective experiences of victimisation. These social actors, most notably those involved in the black civil rights, women's, gay and lesbian, disability rights, and victim movements, converged to pressure state legislatures to recognise hate crime as a serious social and policy problem. They were crucial to the development of hate crime related actions in the US that eventually led to the recognition of hate crime as a distinct category of criminal law in many states and at federal level (Chakraborti & Garland, 2009; Grattet & Jenness, 2001). Comparable progress has been less evident in mainland Europe, where there appears to be less mobilisation of civil society in tackling hate crime. There is also, and scant evidence of a shared understanding of the concept across the different European states (OSCE & ODIHR, 2009; Goodey, 2008). The Office for Democratic Institutions and Human Rights (ODIHR) at the Organisation for Security and Co-operation in Europe (OSCE)⁷ notes that, although by 2016 all OSCE institutions and participating countries made a series of commitments to address all forms of hate crime, annual statistics collated by ODIHR show considerable variation in monitoring and recording practices. This shows how different European countries' understandings are of what a hate crime is, who the potential victims are and what type of response is most needed to effectively address it (Garland & Chakraborti, 2012). Given the various cultural and historical differences, social norms, political interests, historical prejudice and hate towards various groups (Salvendy, 1999), it is perhaps understandable that there is no single legal or social science definition of "hate crime" in Europe. At the same time national laws avoid trying to provide legal

⁷ OSCE is the world's largest security-oriented intergovernmental organization. Within the OSCE, the Office for Democratic Institutions and Human Rights (ODIHR) is responsible for the work on hate crimes.

definitions of social constructs such as “prejudice” and “hate”, and instead focus on listing the characteristics of persons or groups that make them particularly vulnerable to being victims of hate crime (Goodey, 2008).

Across EU member states, the concept of hate crime is generally understood in legal terms as a criminal offense committed against a person or property that is motivated, in whole or in part, by either bias or prejudice on the basis firstly of race, national origin and ethnicity, closely followed by religion, gender, age, disability and sexual orientation as the characteristics most commonly protected through national hate crime policies (ODIHR, 2009). Currently EU law does not require member states to legally recognise sexual orientation as a motivation for bias. The EU only recognises racism and xenophobia in its 2008 Framework decision on combating racism and xenophobia by means of criminal law⁸. However, the EU’s directive on Victims’ Rights⁹ recognises that the nature of bias-related crimes and the victim’s personal characteristics, including sexual orientation, are an essential part of assessing specific protection needs. In practice this means legislation stipulates there must be enhanced penalties for hate crimes.

Hate crime’s primary purpose in legal terms is to distinguish between crime, offences motivated by bias and non-bias crimes. Definitions of hate crime for legislative purposes are usually characterised by aggravated penalties that lend victims a strong symbolic value. Interestingly, in many EU countries, including Slovenia and the UK, the term “hate crime” practically has no legal status. Neither country’s legal framework directly uses or refers to the term (Iganski, 2008; Kogovšek Šalamon, 2012). The media, public, activists, policymakers and the law enforcement have nevertheless popularised the concept, which has been used as a drive to initiate policy and practice on the monitoring and recording of bias incidents as well as the prosecution of perpetrators (Home Office, 2016; Kogovšek Šalamon, 2012).

⁸ Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:per cent3A133178>. (16th April, 2016)

⁹ Directive 2012/29/EU of the European Parliament and of The Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:per cent3A32012L0029>. (16th April, 2016)

2.2 Hate crime as a social construct

Eminent hate crime scholar Barbara Perry notes that hate crime legal frameworks often minimize the oppressive nature and intent of bias-motivated attacks (Perry, 2001). She also observes that law enforcement policies are mainly interested in the nature of the incident and rarely the prejudice that motivates the act of violence and can have a particularly harmful impact on the victim. In Perry's theoretical frameworks hate crime is defined as a social construct and a mechanism that uses violence to sustain the higher status of the perpetrator and reinforce the boundaries between dominant and subordinate groups, reminding victims of their place in society. Perry, however, perceives the commission of hate crime not only as an act of direct violence, and individual's response to difference, but also as a consequence of structural violence¹⁰ and a product of the social and political context that foster structural inequality and power hierarchies. By interlinking sociology and criminal justice theory, Perry (2001, 2002, 2009) offers a comprehensive theory of hate crimes, uncovering the cultural contexts in which hate-motivated violence can flourish. She also documents the different ways in which institutional power structures may lead to, tolerate and ultimately respond to hate crime. Her contributions have left a significant imprint on the global contemporary hate crime discourse, I shall therefore explore some of her views further, as they're of relevance to the conceptualisation of homophobic hate crime.

Drawing on McDevitt (1993 in Perry, 2001), Perry notes hate crime victims are more likely to be at the receiving end of excessively brutal violence; "violence which is beyond that necessary to subdue the victim" (Perry, 2001, p. 29) and is perpetrated by strangers who perceive the victim as "the other" and are motivated by fear, prejudice or hate. As such, acts of hate crime are strongly connected to identity politics and are an indicator of underlying social and cultural tensions, particularly common in contexts where the image of "the other" is depicted in severely negative terms. Members of marginalised groups are potential victims because of their socially inferior status. They are already perceived as subordinate, deviant, and thus deserving of hostility and persecution. Hate crime cannot therefore be considered separately from power dynamics within modern societies that encourage *the othering* of those who are different:

¹⁰ Opatow, (2001, p. 103) defines structural violence as "...less obvious than direct violence. It is gradual, imperceptible, and normalized as the way things are done; [...] Structural violence normalizes unequal access to such social and economic resources as education, wealth, quality housing, civic services, and political power."

“Hate crime, involves acts of violence and intimidation, usually directed toward already stigmatized and marginalized groups. As such, it is a mechanism of power and oppression, intended to reaffirm the precarious hierarchies that characterize a given social order. It attempts to re-create simultaneously the threatened (real or imagined) hegemony of the perpetrator’s group and the “appropriate” subordinate identity of the victim’s group. It is a means of marking both the Self and the Other in such a way as to re-establish their “proper” relative positions, as given and reproduced by broader ideologies and patterns of social and political inequality” (Perry, 2001, p. 10).

As sociologists and feminist theorists before her (Butler, 1990; Herek, 1986; Hopkins, 1992; Reiter, 1991; West & Zimmerman, 1987) Perry observes that when directed to gay men specifically, hate crime is often used to construct and sustain hegemonic masculinities that reinforce divisions between groups of men and between men and women. This is to the benefit of privileged groups, usually white, heterosexual, middle-class males. Homophobic hate crime is therefore a form of gender based violence, a mechanism that perpetuates the marginalization of women and gay men as well as an extension of the heterosexism and patriarchy that are so embedded in society’s structures. Homophobic violence is not only determined by sexuality, but also by perceptions of gender, as many of its forms occur when (LGB) people *do gender* inappropriately. Citing West and Zimmerman (1987) Perry discusses “doing gender” as an action that tests normative conceptions and boundaries of identity and requires that heterosexuals (as well as LGBT individuals) continuously control their desires, discipline their own behaviour and ensure that it is in accordance with social expectations of men and women. Moreover, when perpetrated by men, homophobic violence is an opportunity to reaffirm their own manliness, which society associates with aggression, inferiority, and heterosexuality, continuously assessing and categorising their actions in relation to culturally approved standards of heterosexual masculinity. As Perry notes, “bias-motivated crime provides an arena within which white males in particular can reaffirm their place in a complex hierarchy and respond to perceived threats from challengers of the structure - especially immigrants, people of color, women, and homosexuals” (2001, p. 2).

While for Perry, social structures and concepts of power, gender, identity, patriarchy, hierarchy and dominance are central to understanding the unique nature of hate crimes, UK criminology theorists Chakraborti and Garland (2012) draw on the work of Perry but suggest a broader understanding of hate crime. They argue that recognising hate crime solely through the lens of identity, power dynamics and systems of oppression does not satisfactorily

explain the precise nature of victimisation. They examine acts of hate crime from the point of view of vulnerability and difference, and suggest that hate crime in most contemporary accounts is in fact ordinary, everyday violence that falls outside classical hate crime definitions. Chakraborti and Garland warn that not all hate offences are premeditated and committed by far-right extremists or organized members of hate-groups, but more than often involve no physical violence - in many instances do not involve “hate” They suggest that in some contexts - e.g. homophobic violence, for example - victims may be targeted not just for their violation of set gender norms but for more banal reasons such as opportunism or convenience, because they are stereotypically perceived as “easy” or “soft” targets. Moreover, they address the complexity of victim-perpetrator relationships, showing that perpetrators are often known to their victim (either as an acquaintance, neighbour, friend, family member or partner) which suggests that hate offenders are not always so different from non-offenders in their values and attitudes.

In Slovenia, theoretical contributions to the concept of hate crime are scarce and mostly limited to discussions on hate speech in the context of state politics or on online social forums (Chakir, 2012; Motl & Bajt, 2016; Vehovar, Motl, Mihelič, Berčič, & Petrovčič, 2012). Discourse on homophobic violence is frequently linked to experiences of homophobic prejudice in the context of structural violence, legal inequalities, political and social tolerance and discrimination (Kuhar, 2006; Kuhar, Kogovšek Šalamon, et al., 2011; Kuhar & Švab, 2013). It seems that the concept of hate crime is largely understood either as a legal mechanism (FRA, 2009b; Kogovšek Šalamon, 2012) or as a direct, overt and explicit act of violence carried out in a public place (Kuhar & Švab, 2008, 2013). Narrow conceptualisation of bias violence, however, tends to create a situation where non-physical, ordinary, everyday incidents go by without clear recognition or acknowledgement. Therefore, a certain shift in perception of bias motivated violence is required, one that also considers changing cultural and social norms that define forms of violence. This is further substantiated by a contribution of a Slovene sociologist, Tanja Renner, who observes that contemporary prejudices and stereotypes towards minorities in Slovenia are changing and are much more covert and subtle. Instances of overt, physical violence that are easy to recognise and define as violence, have been replaced by ignorance, distance, and other forms of psychological violence. As such, these are often hard to recognise and classify as (bias motivated) violence:

“Overt violence and hatred of the old days is now transformed into less obvious, symbolic, ‘cultivated’ violence, which tends towards its own general acceptance. Such violence is

slippery and elusive, which makes it all the more difficult to identify and resist” (Renner, 2009, p. 115 in Kuhar, Maljevac, et al., 2011, p. 53).

Multiple social issues including oppression, violence, victimisation, vulnerability, and difference/s such as race, gender, sexuality and religion, intersect in a commission of hate crime. The problem arises when individuals defy or are seen to defy externally set norms, step outside of the box and dare to present themselves according to their own images and ideals. This is when they risk meeting with bias motivated violence, which is a mechanism for enforcing socially constructed norms of actual or perceived identity. Homophobic violence is hate crime that is manifested in individual prejudice against lesbian women and gay men and is determined by both the individual’s sexuality as well cultural perceptions of gender. Perceptions of gender and sexuality are therefore important not only in relation to our understanding of experiences of violence and the implications for (under)reporting by the LGB individuals, but also in the context of recognising, acknowledging and responding to homophobic incidents by both police and non-police reporting services.

2.3 Individual and community impact of hate crimes

Perry (2001) sums up much of popular thought about distinctive features of hate crime by stating that it “terrorises the collective by victimising the individual” (p. 83). She also refers to the role hate crime claims in “policing the relative boundaries of identity” (p. 2), controlling not just victims but entire communities as it disciplines anyone who, by “doing difference”, breaks the established norm. Perry and most of her contemporaries (cf.: Boeckmann & Turpin-Petrosino, 2002; Herek et al., 1999) identify three main strands of hate crime harm:

- a) Individual harm caused by bias crime that goes beyond the effects of physical hurt,
- b) Secondary victimisation as consequence of bias crime that affects not just the immediate victim but also the minority group or community to which the victim belongs,
- c) The particularly damaging consequences of the crime for society.

Studies undertaken in Slovenia have mainly addressed the extent and incidence, rather than impact and consequences, of homophobic violence. A study providing limited information on the impact of homophobic victimisation (Kuhar et al., 2008) drew on interviews with 6 gay males who were physically attacked due to their sexual orientation. Researchers noted

the most prevalent emotional response towards the offender was anger, followed by fear, shame and guilt: “I never thought I would find myself in a situation where I’d have to deny my sexual orientation because of fear of physical violence” (p. 29). Men also talked about being more cautious and alert in public places: “Since the attack I cannot sit in a bar with my back toward the door. I must have control over what is going on around me.” (p. 31). They also felt uncomfortable frequenting gay defined areas in the evenings or during the night: “During the day I don't think about what could happen to me on the street, but I'm still uncomfortable in the evening or during the night.” (p. 31).

UK and US literature on the impact of homophobic violence notes that due to victimisation gay men and lesbian women frequently make changes in their behaviour, conforming by assuming an “appropriate” gender role (for example, e.g. dressing according to their prescribed gender and act “straight”) and avoiding situations and areas known to be associated with lesbian women and gay men (D’Augelli & Grossman, 2001; T. Williams, Connolly, Pepler, & Craig, 2005). Homophobic violence might also cause victims to be reluctant to leave their homes (Guasp, Gammon, & Ellison, 2013; Victim Support, 2006) and it might represent a punishment for disclosing their sexual identity (Jarman & Tennant, 2003).

The emotional and psychological consequences of anti-gay hate crime appear to be more intense and longer lasting than those associated with other forms of criminal victimisation. Herek et al. (1999) assessed the psychological impact of hate crime on 2259 gay men and lesbian women and found that whereas psychological problems among victims of non-bias crimes tend to diminish after two years, victims of anti-gay hate crime may experience stress, fear, depression, and anger for up to five years after victimisation. On a similar note, Rose and Mechanic (2002) found homophobic sexual assaults resulted in significantly more post-traumatic stress disorder than other types of bias crimes, with the effect lasting over two years. McDevitt et al. (2001) also suggest hate crime victims are more likely to be victimised in a place that is familiar to them, which may influence their feelings of safety and security, adding that they also “did not believe they could do anything to prevent future victimisation [...] feeling largely powerless to protect themselves” (p. 53).

In addition, young LGB report fears related to personal safety and a lessened sense of self-worth, which has been a significant factor in low educational achievement or truanting among LGB pupils (Johnson et al., 2007). Research on the psychosocial impact of anti-gay crimes also demonstrates the victims of homophobic violence and crimes manifest higher

levels of anxiety, anger and suicidal ideation. Johnson (2007), for instance, linked higher levels of self-harm and suicidal behaviour in gay men and lesbian women to the various levels of homophobic violence, including physical attacks and verbal abuse. Similarly, the British report *Diagnosis Homophobic* (McFarlane, 1998) revealed a high correlation between suicidal thoughts or suicide attempts and internalised homophobia and social exclusion due to homophobia. In comparison to victims of non-bias crimes, victims of homophobic violence also frequently internalise negative emotions to cope with their environment. Psychologists Friedman and Downey (2002) note that this process, also referred to as internalised homophobia, is so frequently experienced by gay men and lesbian women that many practitioners¹¹ believe it to be universal in contemporary society.

Moving beyond the experiences of the immediate victim to the broader community effects, existing literature (Bell & Perry, 2015; Iganski & Lagou, 2014; D. Meyer, 2010; Perry & Alvi, 2012) consistently points to the fact that hate crimes are “message crimes” and, as such, violent incidents that emit a clear warning to all members of the victim’s community. Such commission of violence sends a message: “step out of line, cross invisible boundaries, and you too could be lying on the ground, beaten and bloodied” (Iganski, 2001 in Perry & Alvi, 2012, p. 59). Already in the 1990s, Weinstein (1992 in Perry, 2012) wrote about the *in terrorem* effects of hate crime, pointing to intimidation of a group by the victimisation of one or a few of its members. In other words, victims’ fear of additional victimisation is being accompanied by the collective fear of their cultural group, possibly even of other minority groups which are likely to be victims. Klinger and Stein (1996 in Cheng, 2004) point out that even the anticipation of violence, regardless of whether one was attacked or not, has an emotional effect on an individual that “may include a heightened sense of vulnerability about and reluctance to disclose sexual orientation, depression, inappropriate denial and a range of other psychological and emotional problems” (p. 805). Recent empirical data (Bell & Perry, 2015) suggests that homophobic violence does have profound, negative effects on the psychological and emotional well-being of LGB non-victims. It also indicates that homophobic violence may result in the kind of dramatic behavioural change that we usually assign to victims as well such as long-lasting psychological distress, increased anticipation of violence, feelings of powerlessness and diminished feelings of safety. As any other act of hate crime, homophobic hate crimes undermine the dignity and value of gay, lesbian and

¹¹ I use the word practitioner here encompassing all individuals who by profession serve individuals, families, groups, or communities and can be found in a multitude of settings, including private and public agencies.

bisexual individuals and imply they don't deserve recognition, respect, and equality. Such violence also sends a negative message to LGB communities, their supporters and rest of society that LGB people don't belong.

Discussing the impact of hate crimes on the society Lawrence (2006) argues they offend respect for diversity as well as equality norms and values because they "violate not only society's general concern for the security of its members and their property but also social cohesion and the shared value of equality among its citizens" (2006, p. 3 in Iganski, 2008, p. 84). The organisation for security and cooperation in Europe (OSCE) has given particular attention to hate crimes in the last decade on the grounds that they are among the most dangerous manifestations of intolerance and pose a serious threat to the security of individuals and to social cohesion. OSCE also conceptualises hate crime as a security issue that might lead to conflict and violence on a wider scale. Furthermore, in one of their guidance ODIHR notes that when hate crimes are not thoroughly investigated and prosecuted, this can send a message that such violence and crime will not be punished. Consequently the perpetrators are allowed to continue with their violent behaviour, which may even act as an incentive to others to commit similar crimes (OSCE & ODIHR, 2009).

2.4 Monitoring and recording of homophobic violence and crime

In this section I will examine data on the monitoring and recording of homophobic violence in Slovenia and the UK to demonstrate how different understandings of hate crimes can significantly influence the development of monitoring and recording mechanisms. This in turn impacts the development of effective prevention strategies along with appropriate support services offered to the victims, which is further explored in the following chapter.

Challenges in measuring the extent of hate crimes generally fall within two areas: factors discouraging victims from reporting to police, and factors that result in incidents not being recorded as bias crimes (OSCE & ODIHR, 2014). These factors cause both under-reporting and under-recording of hate-motivated incidents and crimes, which is a major reason behind the fact that violence against sexual minorities remains under addressed and invisible in the public eye; particularly by law enforcement agencies, as well as in policy and law making (OSCE & ODIHR, 2014; Garland & Chakraborti, 2012). Lack of robust data can also send a message that no hate crimes are being committed, so there is no need to take action to combat them. It can also set in motion a vicious circle of poor service delivery to hate crime

victims as authorities might argue that the problem is not significant enough for them to invest resources in appropriate responses, citing the low official hate crime figures as a justification for this stance. This can lead to a diminished confidence in the police, and a subsequent drop in reporting levels, causing even fewer hate crimes to be officially acknowledged and even lower resources dedicated to combating this phenomenon (Loudes & Paradis, 2008). All this results in an environment that not only accepts this kind of violence, but encourages it.

Even though, due to widespread under-reporting, hate crime statistics in any country profoundly underrepresent the problem. The potential extent of homophobic incidents in the UK are becoming increasingly well documented in the community victimisation surveys conducted across the UK. For instance, a 1996 national survey commissioned by Stonewall UK (A. Mason & Palmer, 1996) produced 4,216 responses and asked respondents to report experiences of violence from 5 years preceding the survey. The results showed that 32 per cent of all gay male and lesbian respondents reported experiencing homophobic violence, with 18 per cent reporting that they had been hit, punched or kicked, 10 per cent reporting that they had been beaten up and 5 per cent reporting that they had been assaulted with a weapon. The Stonewall survey also revealed that only 31 per cent of those who had been attacked had reported their experiences to the police. Stonewall's more recent analysis of the experiences of 1,721 lesbian and gay men across Britain (Dick, 2008) reports 20 per cent of respondents have experienced a homophobic hate crime or incident in the three years preceding the survey and 12.5 per cent have been a victim in the 12 months preceding the survey. This study also found that 75 per cent of respondents did not report the incidents they experienced to the police. A follow up to the 2008 study was conducted in 2013 (Guasp et al., 2013) with 2,544 self-identified LGB respondents. Comparison of the results with the 2008 survey shows another drop with 16.6 per cent of all respondents, (a drop of 3.4 per cent) reporting at least one experience of homophobic violence in three years prior to the survey 10 per cent had been a victim in the 12 months preceding the survey (representing a 2.5 per cent drop). The study also found that two thirds of gay men and lesbian women who experience a homophobic incident tended to not report it.

Another attempt to measure the extent of homophobic incidents in the UK are the official police statistics. From April 2008, all UK police forces have been required to collect data on at least five diversity strands (race, sexual orientation, religion, disability, gender identity). In 2014/15 there were 52,528 hate crimes recorded by the police (Corcoran, Lader, & Smith,

2015), an increase of 18 per cent compared with the 44,471 hate crimes recorded in 2013/14, of which:

- 42,930 (82 %) were race hate crimes;
- 5,597 (11 %) were sexual orientation hate crimes;
- 3,254 (6 %) were religion hate crimes;
- 2,508 (5 %) were disability hate crimes; and
- 605 (1 %) were transgender hate crimes

Though the report suggests the increase of bias crimes across all the strands for 2014/2015, it specifically notes a rise of 22 per cent in homophobic crimes, recognising under-reporting as a problem and emphasising that the actual rise is likely to be much higher. As it is not possible to know how much of this increase is due to an increased rate of hate crime and how much is due to a higher reporting rate, the authors suggest the victims might be more willing to come forward and/or that there is an increased identification of hate crime as a factor. It is also possible that some of the increase reflects genuine increases in hate crimes. The report notes for 38 police forces (out of 43 altogether), sexual orientation hate crime was the second most commonly recorded form (Corcoran et al., 2015).

One of the UK government's primary data sources for measuring and recording any crime is Crime Survey for England and Wales¹² (CSEW), and The Scottish Crime and Justice Survey (SCJS). The BCS and SCJS are important state monitoring mechanisms and include information on crimes that are not reported to the police, providing important alternatives to police records (Wiles, 2008). Due to a low volume of hate crime incidents in the sample survey, CSEW statistical bulletins on hate crime usually present combined data from three survey years to provide a larger sample size. The combined 2012/13 to 2014/15¹³ CSEW statistics dataset estimates that there were 29,000 sexual orientation hate crimes per year on average in England and UK (Corcoran et al., 2015). Even though CSEW statistics are a rounded estimate, the assessment shows a huge discrepancy between CSEW homophobic hate crime assessment and official police records for the same period. Addressing this discrepancy, the bulletin recognises the under-reporting of hate crimes as a serious issue among respondents to the combined 2012/13 to 2014/15 CSEW, reporting that only 48 per cent of general hate crimes came to the attention of the police.

¹² Previously known as The British Crime Survey.

¹³ The period covered from these combined surveys is March 2011 to February 2015.

If the UK is one of the EU countries that has a comprehensive systems in place for recording hate crimes, the European Union Agency for Fundamental Rights (FRA, 2012) places Slovenia among the states that have limited data collection mechanisms in place. According to FRA, the Slovene Statistical Office is the most comprehensive source of data on criminal offences handled by the prosecution service and the courts. However, due to the data collection techniques used by the service, the system cannot account for the number of hate crimes. The prosecution service and the courts simply record the number of persons against whom proceedings have been concluded without reference to the number of cases or to the nature of the criminal offence. On the level of recording hate crime, FRA notes that the police are the only state agency that collect data on bias-motivated offences and even that only for a limited number of incidents¹⁴. The police are also not required to keep separate statistics on incidents motivated by hate. This gap shows how the monitoring and measuring of hate crimes in Slovenia contributes towards the low recognition and the scope of individual strands of bias crimes.

The police statistical data on all incidents recorded as incitement to intolerance for the period 2011 – 2014 show the following:

Slovene police statistics: recorded incidents / per year. *Source: (MNZ, 2015; MNZ, 2016)	2011	2012	2013	2014	2015
Incitement to Intolerance: Article 20, The Protection of Public Order Act	61	53	55	44	43

In comparison to statistical data indicating that the number of crimes in general, including violent crimes, have been increasing over the last ten years (Bučar-Ručman & Frangež, 2009) hate crime figures remain low. It is a premise of this study that currently recorded figures do not reflect the real scope of hate crime in Slovenia; for instance, various civil society reports demonstrate how victims of various bias crimes in Slovenia are reluctant to report to the police (ECRI, 2014; Klopčič et al., 2011; Kuhar et al., 2008). The most recent FRA report (FRA, 2014), for instance, found 79 per cent of homophobic incidents remain unreported in Slovenia. Under-reporting is also well documented across several community studies that investigate the experiences of gay men and lesbian women with homophobic violence. Expanding slightly over a decade, the studies demonstrate similar results; every

¹⁴ According to annual police reports (MNZ, 2012, 2015, 2016), registered acts of violence perpetrated with a bias motive are typically recorded as Incitement to Intolerance under Article 20, The Protection of Public Order Act.

second gay man or lesbian woman is victimised due to their sexual orientation, with approximately only 10 per cent of homophobic incidents being reported to police.

The first survey attempting to measure the extent of sexual orientation victimisation in Slovenia was a survey conducted by a lesbian organisation ŠKUC LL (Greif & Velikonja, 2001). The findings point to a high level of violence against gay and lesbian people in Slovenia; out of 172 lesbian women and gay men, 49.4 per cent reported at least one experience of violence due to sexual orientation in their life time. Only one in ten of those who experienced violence or harassment reported the incident to the police. Similar results were also found in a mixed method study based on responses of 443 self-identified gay men and lesbian women and experiences of 36 participants to focus groups (Švab & Kuhar, 2005). The study found that 53 per cent of gay men lesbian women have been a victim of homophobic violence at least once in their lifetime. 91 per cent of those that had been victimised experienced verbal violence, 24 per cent reported experiences with physical violence and 6 per cent reported sexual violence. Only 10 per cent reported violence to the police. By way of a comparison, a section on homophobic discrimination and violence from the 2004 survey was in 2014 included in a large-scale survey examining the everyday life of gay men and lesbian women; coming out, experiences with violence and discrimination, partnerships and family life (Kuhar, 2014b). With 1.145 respondents, this is the largest survey of gay and lesbian population in Slovenia to date. Comparing the figures for 2004 and 2014 shows that the experiences of gay men and lesbian women in Slovenia with homophobic violence are not improving. The most up to date study almost mirrors the results of a decade earlier – for example, in terms of the forms of violence experienced, with 50.3 per cent of respondents still reporting experiences of some form of homophobic violence during their lifetime. In both studies the predominant form of violence was psychological violence such as insults and mockery (95 per cent), while 24.6 per cent reported having experienced physical violence and 6 per cent of respondents experiencing sexual violence due to their sexual orientation. 91 per cent of all respondents did not report homophobic violence. Of relevance is also a small-scale research examining experiences of homophobic discrimination and violence in Slovenia, launched in 2008 (Kuhar et al., 2008). Out of the 149 respondents who took part in an online survey, 67.6 per cent reported having experienced homophobic violence or discrimination due to sexual orientation or gender expression in the five years preceding the survey. The most frequent form of violence experienced by the respondents was insults and name calling (79.8 per cent), threat of

physical violence (31.9 per cent) and physical violence (11.7 per cent). The study also found that more than 92 per cent of respondents do not tend to report homophobic violence to the police or non-police services. The data also shows that it is not just minor incidents that are not reported, as respondents often did not report incidents such as physical attacks and threats.

Comparing monitoring and recording practices of hate crime in the European Union, Goodey (2008) suggests that the level of conceptual understanding of hate crime is most often reflected in the availability of statistical and otherwise documented information on this phenomenon. Goodey also records that states with broader understandings of hate crime will have well-developed recording and monitoring mechanisms and show higher figures for hate crime, whereas states with limited understanding will most likely have underdeveloped recording and monitoring systems, show lower figures for bias crime and are usually defined by acute under-recording and under-reporting.

Given the extent of under-reporting of hate crime in both countries, recorded crime figures are of limited value in conveying the extent of the issue. However, a brief comparison between the UK and Slovenia statistics corresponds well with Goodey's theory. High numbers of recorded incidents of hate crime should not be read as England and Wales having a major hate crime problem while Slovenia has avoided the phenomenon. What is much more likely is that these differences reflect the countries' different understandings of hate crime, distinct national legislation and different ways of classifying and recording hate crime. They also point to the degree to which each country gives priority to hate motivated violence and related offences as social problems that need addressing.

Assessing the efficiency of the UK monitoring and reporting model is beyond the scope of this dissertation. An overview of state and non-state mechanisms suggests, however, that hate crime is high on the UK policy agenda (Goodey, 2008; Hall, 2011). Community victimisation surveys also consistently demonstrate a decrease in experiences of homophobic victimisation (for instance, reduced number of incidents of physical violence from 32 per cent in 1996 to 10 per cent in 2013) on the one hand, and on the other a slight increase in willingness to report homophobic violence (from 31 per cent in 1996 to 35 per cent in 2013) (Guasp et al., 2013; A. Mason & Palmer, 1996). An increased willingness to report homophobic incidents is potentially also reflected by the recent statistics provided by the two states' agencies. This might suggest that to some extent the UK's approach to homophobic victimisation has been efficient in achieving a reduction, possibly enhancing

victims' awareness of the specifics of hate crime, but also in building trust in the police and the reporting system.

In Slovenia, the rate of homophobic victimisation has not changed for over a decade and demonstrates that every second gay man and lesbian woman will have been victimised at least once due to their sexual orientation. If the rate of victimisation has been constant, so have the levels of reporting. As documented between 2004 and 2014, the reporting rate remains at 10 per cent, whilst the actual number of statistically recorded hate crimes by police seems to be decreasing. The police are also the only agency recording hate crime. As Goodey (2008) notes, a lack of monitoring mechanisms and low recorded numbers of hate crime are a result of a narrow understanding of "hate crime", where the system may not be sending a strong message that hate motivated behaviour is unacceptable, and that the experiences of victims will be taken seriously. This gives the impressions that hate crime in Slovenia is not high on the policy agenda with findings from community research and national statistics sending a conflicting message. On one hand, community surveys reveal high levels of homophobic victimisation. On the other, national statistics suggest a low rate of occurrence of hate crime and homophobic violence.

2.5 Barriers in reporting homophobic violence and crime

Failure to report incidences of victimisation to the authorities has several problematic consequences, both for victims and for the criminal justice system. Skogan (1984) suggests that unreported victimisations represent "a dark figure" of unknown incidents. Under-reporting of homophobic violence and crime among other suggests a problematic relationship between gay, lesbian and bisexual people and the police (Poláček & Le Deroff, 2010) and might indicate a lack of confidence and trust in the criminal justice system (Kuhar, 2014b). Recognising under-reporting as a serious issue might therefore be a first step in improving these relations, which might in turn increase trust in police - and influence the reporting rate in the long-term (O'Neill & McCarthy, 2014). Increased reporting rates may also suggest that both victims and law enforcement recognise and acknowledge hate crimes as an act of harm and stop diminishing it. Finally, reporting incidences of victimisation to the police can link victims with important services and provide a better insight into the specific impact of homophobic victimisation that has the potential to assist agencies to address hate crime more effectively and decisively.

The wider criminology literature addressing reporting of any crime to the police demonstrates that there is a complex interaction of factors that influence victims' decisions to report crime. These include recognition that a crime has taken place, consideration of what to do, the responses of acquaintances, family and friends, the characteristics of victims and a number of social context and community factors (Bosick, Rennison, Gover, & Dodge, 2012; Goudriaan, Lynch, & Nieuwbeerta, 2004; Kaariainen & Siren, 2011). Wong and Christmann (2008) find that for hate-crime victims some factors may be more significant than others in making the decision to report that crime. Their research with traditionally victimised UK groups (black and minority ethnic; lesbian, gay and transgender individuals; faith, refugee and asylum seekers; and people with a disability) to some extent confirms that also bias crime victims largely perform a cost-benefit calculation when reporting bias motivated violence. For instance, if a hate-related incident is perceived as serious it is more likely to be reported. The authors observe that victims of hate crime make a clear distinction between non-violent and violent crimes and discriminate accordingly. As most hate crime incidents are "low-level" incidents (including verbal abuse) these are likely to remain underreported because they are not considered to be sufficiently serious. Finally, the study reports one of the main considerations will also be the bias of the violence e.g. whether it is racially motivated, homophobic, religious, etc.

In Slovenia the issue of under-reporting of homophobic violence and crime was briefly referenced in the early studies (Greif & Velikonja, 2001; Švab & Kuhar, 2005) and further addressed in 2008 and 2014 primarily by Kuhar and Magić (Kuhar, 2014b; Kuhar et al., 2008). Most studies find broadly similar reasons for underreporting. These include trivialisation and minimisation of homophobic violence (e.g. violence was not significant enough to be worth reporting) and the associated belief that nothing can be done about it. Other considerations were mistrust or fear of the police, lack of confidence in the justice system, fear of retaliation, lack of knowledge of anti-discrimination or hate crime laws, fear of disclosing their sexual orientation and anticipation of a discriminatory response from the police (Kuhar, 2014b; Kuhar et al., 2008).

Representing the largest cross-national comparative data on the lived experience of LGBT persons in the key areas of discrimination, violence and harassment, the 2012 EU survey (FRA, 2014) reports that on average more than 85 per cent of homophobic incidents go unreported across the EU. Reporting rates vary considerably by country. Respondents in the United Kingdom (25 per cent), Belgium (24 per cent) and France (24 per cent), Slovenia

(21 per cent) are approximately four times as likely as those in Greece (6 per cent) to have reported a homophobic incident to the police. LGBT individuals are more likely to have reported the most serious than the most recent incident of hate-motivated violence, which explains why *threats* of violence are less likely to be reported than physical attacks. The most frequently mentioned reason for not reporting homophobic violence to the police is that respondents did not think police would do anything about it (43 per cent). In addition, around a third of respondents felt the police *could* not do anything about their case, that the incident was too minor, not serious enough (32 per cent). Around a third of respondents also said that fear of a transphobic or homophobic reaction from the police was a factor in their non-reporting. Psychological and emotional factors also play a role in reporting: almost three in 10 respondents who experienced hate-motivated violence say they did not report the most recent (26 per cent) or most serious (29 per cent) incident because they felt ashamed or embarrassed about it and they wanted to keep it secret, whereas a quarter said a major reason for their non-reporting was fear of the offender or reprisals (25 per cent in both most serious and most recent incidents).

Most UK studies find similar reasons for the non-reporting of homophobic incidents; these include fear of reprisal, expectation of a discriminatory response from the police, concern about being investigated oneself, and the belief that nothing can be done about it (Jarman & Tennant, 2003; Kelley, 2009; A. Mason & Palmer, 1996). Studies also find that for lesbian women and gay men who are not open about their sexuality, there is the added fear that reporting homophobic victimisation will result in being “outed”. This is of particular relevance for young lesbian women and gay men as it could result in homelessness or place them at risk of violence from family members (Guasp, 2012; Robinson, 2010). Furthermore in relation to policing of self-identities Stanko and Curry (1995) suggest that reporting homophobic abuse to the police “carries with it the possibility of losing control over who has knowledge about a defining part of one’s life” (p. 523). Given the global history of oppressive policing of gay, lesbian and trans communities and the history of the criminalisation of gay relationships, it becomes apparent that telling state agencies about personal experiences of homophobic abuse might not be a comfortable prospect - particularly for people who are not at ease with their sexual orientation.

In a US based study, Herek et al. (2002) found that when considering reporting gay men and lesbian women are generally likely to engage in a cost-benefit analysis and tend not to report the crime if reporting is unlikely to produce a satisfactory outcome, could be unpleasant,

time consuming, or even risky. Concerns about police bias and public disclosure of sexual orientation were also important considerations, as were beliefs about the crime's severity and the chances that perpetrators would be punished. Finally, recording willingness to report homophobic violence, Peel (1999) found that those who did not report the crime largely agreed with statements such as "It was not practical", "I was scared and did not feel safe", "It happened at work and I felt partly to blame." Many of the non-reporters in Peel's study cited concern about police homophobia as a substantial factor influencing their decision to not report the crime. The author also notes that while victimisation surveys and quantitative studies show that gay men and lesbian women make reporting decisions based on their perceptions of the seriousness of the crime, police attitudes and culture and their anticipation of the response, many respondents, given a chance for lengthier narrative, will base their decisions outside of an individualistic and situational context, locating it instead within a much broader social and political context.

Some of the research cited in this section provides data about why many victims of homophobic violence do not report it, but less is known about why some victims *do* report, and the response they need and expect. Slovene data on reporting of homophobic violence and crime raises several important issues, however, these are not fully explored and there is an indicative gap in the current research on reporting factors. Most of it is quantitative, which tells us little about how people understand homophobic victimisation, what its personal and social meanings are and how victims decide on a response to the experience. Building on existing Slovene research by Kuhar and Magić and taking on the methodological recommendations relevant to studying reporting behaviour of gay men and lesbian women as suggested by Peel (1999) and Wong, Christmann (2008), I will use both qualitative and quantitative approaches to study some of the factors informing reporting decisions and demonstrate that, despite the assumed prevalence of cost-benefit metaphor in victims' decision to report violence and crime, reporting factors are neither universal nor static. As this study shows, there is an interplay of considerations that converge to encourage and/or discourage reporting of homophobic violence. The decision is typically personal and the severity and intensity of violence are often weighted against the pros and cons of disclosure of sexual orientation and the perceived bias and competence of police officers to recognise and investigate homophobic violence and incidents.

2.6 Responding to homophobic violence and crime: national policy

Discussing the objectives behind hate crime legislation in Britain, Iganski (1999) points to three related purposes: deterrent effect of legislation, promotion of social and national cohesion, and an impetus for a more effective criminal justice response to hate crime incidents. He argues that the police have a critical role in the implementation of hate crime legislation and the police initiatives focusing on systematic investigation of all bias crimes will lead to more effective policing - which in turn will encourage victims to report and increase their trust in the policing and reporting process.

As this study plans to explore the meanings LGB participants attach to their experiences with reporting and the support system in Slovenia, it is important that these are also briefly explored in the context of existing the existing legislative framework. Wood (2007) drawing on Stanko (1994) points to the fact that often invisibility, sensitivity and perception of violence and crime depends on the relationship between culture and violence – or, in other words, how states conceptualise violence via legislation and policies that often serve as a predictor for reporting violence to the police. I will briefly describe UK and Slovene legislation and policy on hate crime with a specific focus on how legislation might shape police action and strategies. How the processes integral to the policing of hate crime resonate with gay, lesbian and bisexual people, should be central to the debate shaping agencies' response to homophobia. It should also present as an important consideration when addressing under-reporting and the possibilities for interagency cooperation of LGBT and non-LGBT support services.

In this dissertation I adopt the term “policing” in its most contemporary sense, and understand it as a process with the primary objective of opening and improving the channels of communication between (members of) a community and the police (McGhee, 2003). Contemporary literature also suggests policing may be carried out by a variety of institutions from public agencies, private companies, community groups and voluntary organisations thus forming “an enhanced network of more or less directed, more or less informal crime control” (Garland, 2001, p. 124 in Dunn, 2010, p. 11).

2.6.1 Policing homophobic violence and crime in the UK¹⁵

In the UK, the term “hate crime” entered into legislation and policy discussions post 1999, following the publication of the Macpherson Report¹⁶, community reports demonstrating high extent of racial and homophobic violence and the bombing campaign of neo-Nazi David Copeland, which targeted black, South Asian and gay communities across London in April 1999¹⁷ (McLaughlin, 2002; Wong & Christmann, 2008). These incidents, fuelled by inadequate police response to incidences of racist violence in the 1990s, considerably transformed police thinking around bias-motivated violence, which consequently also required a further reform of the judicial system. In fact, Bleich (2008) notes that English policy responses to hate crimes started with reformation of the police culture, which has consequently inspired the reform of the court system.

Main legislation against homophobic hate crimes in the UK today consists of the Criminal Justice Act 2003 (CJS, for England and Wales), the Offences (Aggravation by Prejudice) Act 2009 (for Scotland), and the Criminal Justice (No 2) Order (for Northern Ireland) 2004. CJS considers homophobic intent an aggravating circumstance or an element to be taken into account when determining penalties, either for all common crimes or for a closed set of criminal offences (FRA, 2015). The legislation stipulates that “a hate crime” is usually proven through evidence that the attacker used offensive words to describe the victim’s actual or presumed sexual orientation, at the time of the crime or immediately before or after the crime. However, the words need not be offensive, and any reference to the victim’s actual or presumed sexual orientation could be sufficient proof of motivation (Chakraborti & Garland, 2009; Wintemute, 2012). Two high profile cases that saw full application of CJS, and were also publicised in the media as successful policing of homophobic violence, were

¹⁵ This section mostly focuses on England and not on Britain or on the UK. The English legal system for instance has elements that the Scottish and Northern Irish systems do not. What applies in England also applies in Wales in terms of the legal system; but the focus here remains on England as the policing approaches presented originated in England and not in Wales.

¹⁶ The publication of the Macpherson Report examined the police investigation of the racist murder of black teenager Stephen Lawrence in 1993. Stephen Lawrence was murdered in a racist attack in south London in April 1993. After years of campaigning by his family that the investigation of his murder was affected by institutional racism, the government in 1997 established an inquiry into the Metropolitan Police investigation of the murder. When the report of the inquiry, called the Macpherson Report, was published in February 1999 it confirmed that institutional racism and professional incompetence had considerably influenced the investigation of the murder.

¹⁷ In 1999 a series of no-warning nail-bomb attacks against London’s ethnic minority and gay and lesbian communities in Brixton, Brick Lane and Soho in April 1999 took place. These communities were targeted by David Copeland, a young neo-Nazi, because they represented most visible manifestations of multicultural London.

the killings of Jody Dobrowski in 2005, and Ian Baynham in 2009. Mr. Dobrowski was brutally punched and kicked to death. According to a report in a national newspaper, “the killers could be heard by witnesses screaming anti-gay insults” (Iganski, 2008, p. 14). The defendants were sentenced to life imprisonment; their sentences being increased to 28 years through the provisions contained in section 146 of the CJS 2003. In the second case Mr Baynham was attacked and severely beaten by a group of young people near Trafalgar Square (the centre of London). Two of the offenders were found guilty of manslaughter and the judge increased the sentence of one of the offenders from six to seven years, using the section 146 of the CJS. Along with emphasising action in courts the Crown Prosecution Service also set up a webpage with several publications on the prosecution of homophobic hate crimes (CPS, 2014b) and publish annual data on bias crime charges that have been brought and convictions or guilty pleas obtained (CPS, 2014a).

Prior to reforming the courts, Britain has reformed its law enforcement. Literature notices that in the wake of David Copeland’s bombings London’s Metropolitan Police Service (MPS), in 2000, created a Diversity Directorate dedicated to overseeing 32 borough-based community safety units dealing with hate crime, including homophobic hate crime at a local level. At its peak the Diversity Directorate employed approximately 200 police officers, specialising in hate crimes issues (Bleich, 2008; Chakraborti & Garland, 2009). Most police forces outside of London have also developed guidelines and significant programs to deal with hate crime, with The College of Policing taking the lead on this front by developing a National Policing Hate Crime Strategy (CoP, 2014b) and a 132 page Hate Crime Operational Guidance (CoP, 2014a). The Guidance applies a broad approach to hate crime monitoring and requires police forces to record not just hate crimes but all hate incidents, even if they lack the requisite elements to be classified as a notifiable offence later in the criminal justice process. The guidance stipulates that any accident perceived by the victim or bystander/s as being motivated by prejudice or hostility should be recorded. Its broad character means that any event that appears to be racist to any person—whether the victim, a police officer, or just one witness—is counted, whether it is a crime or not. This “victim-led” and “victim-oriented” approach (Hall, 2011, p. 79) is a far more inclusive practice than is used by police in many other countries and helps to account for the fact that the annual number of hate incidents recorded in the UK far outweighs the annual number of hate crimes recorded in any other EU country.

This is because the investigation of hate incidents in the UK does not begin at the point where motivation of the offender has been determined by the police as involving hate or bias. Instead, it begins with the *perception* of a victim, bystander, or any other party that such motivation might be involved. As for the protected characteristics that give rise to a hate crime, the guidance refers to a minimum of five monitored strands of hate crime, namely race, sexual orientation, transgender status, faith and disability. It also suggests that individual agencies and partnerships are free to extend their local hate crime policy responses to other forms of targeted hostility.

To relieve some of the pressures on police to recognise and investigate hate crime, some local authorities in the UK have set up a multiagency approach to hate crime policing. This often consists of forums where members of the police meet regularly with municipal officials, voluntary organisations and representatives of local (social) services to discuss strategies for dealing with prevention and specific problems of bias crime in the community (Browne, Bakshi, & Lim, 2011; Hall, 2011; Kielinger & Paterson, 2007; McGhee, 2003). The literature also shows that in order to build strong relationships with the members of the LGBT communities, police forces across the UK have also initiated specialist units with LGBT liaison officers who work with members of the LGBT community, and serve as advocates for victims of homophobic violence and crime (Browne et al., 2011; McGhee, 2003; Moran, 2007; Victim Support, 2006). London MPS also issued an LGBT Liaison Officer's Manual of Guidance that aims to assist LGBT liaison officers or any other police staff dealing with LGBT matters in an efficient and professional way (Pakouta & Forsyth, 2010). Finally, The LGBT Advisory group¹⁸, initiated by the MPS is a voluntary group of consultants who advise on and monitor police matters that affect LGBT people.

All the indications are that in the UK, government and civil society actors are taking homophobic hate crimes seriously. State-led measures involving actors from courts to police (Bleich, 2007) have highlighted hate crime, including crimes based on sexual orientation, and a range of policy responses. Police in the UK also have a well-documented history of cooperation with LGBT organisations, suggesting that relations between gay groups and the police in UK are progressing at a decent pace. The successful investigations and subsequent prosecution of the perpetrators of high-profile homophobic crimes may also have helped to

¹⁸ Main website: <http://www.lgbtag.org.uk/search/home/>. (20th May, 2016)

reassure gay communities that the police are now investing the right resources into the investigation of homophobic hate crime.

2.6.2 Policing homophobic violence and crime in Slovenia

Discussing the rise of different forms of violence in Slovenia, Bučar-Ručman and Frangež (2009) note that as a country in transition and gaining independence from Yugoslavia in the 1990s, Slovenia has gone through drastic social changes, laying down a different set of pre-conditions for the development of diverse forms of violent behaviour, defined as hate crimes. Considerable cultural, societal and political changes occurred due to the transition from a totalitarian political system to a democracy, which laid the groundwork for previously marginalised communities (such as gay and lesbian community, Roma community and immigrants) to become more visible. On the other hand, greater visibility of existing minorities, combined with the multi-ethnic influx of war refugees from the countries of former Yugoslavia, as well as political and cultural tensions of shifting system, also resulted in the scapegoating of these groups, which in turn subjected these groups to overt prejudices, intolerant behaviour and various other forms of bias motivated violence and crime (Bučar-Ručman & Frangež, 2009; Pečar, 1993).

Slovene criminologists, sociologists and social work theorists (Bučar-Ručman & Frangež, 2009; Dragoš, 2007; Kuhar & Švab, 2008) note that occurrences of intolerant behaviour occur quite frequently in Slovene society. In addition to data on the extent of homophobic violence in Slovenia which was discussed in previous sections, several other civil society reports point to negative attitudes and bias motivated violence most commonly aimed towards Roma and Muslim communities, the LGBT community and illegal immigrants (cf.: Albreht, 2011; Klopčič et al., 2011; Kuhar, Kogovšek Šalamon, et al., 2011; Motl & Bajt, 2016). Yet state responses (both in policy and practice) remain vague, unsystematic and informal. This is key reason why Slovenia is often criticised in Reports of European Commission on Racism and Intolerance (ECRI, 2014).

Despite empirical data that shows high incidences of perceived bias motivated violence at the level of civil society, there is no specific hate crime state policy or law¹⁹. The main source

¹⁹ ILGA-Europe Rainbow Map Index May 2016: http://www.ilga-europe.org/sites/default/files/Attachments/side_b-rainbow_europe_index_may_2016_small.pdf. (20th June, 2016)

for the prohibition of some forms of hate crime (mainly hate speech) in Slovenia is the Criminal Code (Republic of Slovenia, 2008). In one of the legal reviews Kogovšek Šalamon (2012) observes that the fact that sexual orientation is included as an aggravating motive for hate speech and some other crimes is a very recent development. The same provision of the 1994 version of the Criminal Code did not explicitly include sexual orientation as a justified motive for bias crimes, but only recognised race, ethnicity and religion as protected characteristic. As the UK, the Slovene Criminal Code does not specifically use term “hate crime”, but defines the crime of the Violation of Equality (Article 131) and the crime of Incitement to Hatred, Violence and Intolerance (Article 297) as primary clauses relevant for policing primarily hate speech:

Section 1 and 2 of Article 297 state:

- 1) Whoever publicly provokes or stirs up ethnic, racial, religious or other hatred, strife or intolerance, or provokes any other inequality based on physical or mental deficiencies or sexual orientation, shall be punished by imprisonment of up to two years.
- 2) The same sentence shall be imposed on a person who publicly disseminates ideas on the supremacy of one race over another, or provides aid in any manner for racist activity or denies, diminishes the significance of, approves, disregards, makes fun of, or advocates genocide, holocaust, crimes against humanity, war crime, aggression, or other criminal offences against humanity.

The key note of Article 297 regulates that one of the key elements required for the action to be considered a crime of incitement to hatred, violence or intolerance is that the incitement was *public*. This automatically excludes all hate crime incidents that occurred in private spaces (although Kogovšek Šalamon notes that these are usually prosecuted by other general provisions of the Criminal Code). It must also be noted that the Slovenian penal system does not consider whether a common crime (such as robbery or assault) is committed with a homophobic motivation. Homophobic intent is considered an aggravating circumstance only in the case of murder (FRA, 2015). This is provided for by Article 49, section 2 of the 2008 Criminal Code, which states that at the time of sentencing, the court must consider all mitigating or aggravating circumstances including the defendant’s motives. In the case of homophobic crime this means the court may therefore take into account the words used by the perpetrator to express homophobia (Kogovšek Šalamon, 2012; Mavčič & Avbelj, 2010). In addition to Criminal Code provisions, if certain minor offences (for instance,

misdeemeanour, violent and provoking behaviour; indecent behaviour; writing on or defiling buildings, or destroying state symbols), mandated by Protection of Public Order Act are committed with discriminatory (including homophobic motives) a higher fine is prescribed (Kogovšek Šalamon, 2012; Nemec, 2014).

Bučar-Ručman and Frangež (2009) note that despite the fact that the Slovene Criminal Code deals with multiple forms of violence and forms of discrimination (see also: Kogovšek Šalamon, 2015), policing of general crime is focused mostly on physical violence. This means that crimes of physical violence have the likeliest chance of being recorded in the official criminal justice statistics - and consequently investigated. This might offer a reason why, so far, only one criminal case concerning hate crimes on the grounds of sexual orientation has been tried by the criminal courts in Slovenia. Kogovšek Šalamon (2012) describes how on 25th June 2009 during the Pride week in Ljubljana, a group of masked men, using torches, stones and blocks of granite attacked a gay friendly bar, Open Café. One of the patrons, suffered light bodily harm and there was also material damage to the premises. Three out of assumed eight attackers were identified, caught and prosecuted for various crimes, including for the crime of incitement to hatred, violence and intolerance. Each defendant was also consequently sentenced to imprisonment for 18 months. The sentences were ultimately lowered to seven months for two and to five months for the third defendant on appeal. However, in the end, none of the perpetrators was convicted of hate crime, as the final judgment was overturned in 2014 when the Supreme Court found the criminal procedure was initially started based on an unjustified retention of a DNA sample from one of the defendants. The Constitutional Court²⁰ consequently found that the provision of the Police Act under which the perpetrators were identified was unconstitutional.

Whilst all incidents of incitement to hatred, violence and intolerance documented under Article 297 of the Criminal Code and Article 20 of the Protection of Public Order Act are recorded, the Slovene police are not required to segregate hate crime data or keep separate statistics on homophobic crimes nor is perception of the victim a determining factor in establishing the motive/bias of an incident. Also, while the Slovene police promote a zero tolerance approach to violence, with a clear emphasis on human rights based approach, and police officers are instructed to deal with victims of violence in a supportive manner, (Mekinc & Kalčina, 2001; Slovene Ministry of the Interior, 2008; Slovenska Policija, 2014)

²⁰ No. U-I-312/2011 of 13th February 2014: <http://www.sodnapraksa.si/?doc-2012032113068168>. (23rd May, 2016)

the guidelines notably do not address the specific situation of hate crime victims²¹ (FRA, 2016).

There are very few publicly available documents referring to the policing of hate crime, and none with any specific references to policing of homophobic incidents. The only public sources of information on police efforts in tackling homophobic violence and crime remain an article published in an LGBT magazine outlining the relationship between police and the Slovene LGBT community (Magić, 2012), an M.A. thesis on perception of quality of the police security measures at Slovene pride parades (Nemec, 2014) and a speech by Deputy Director General of the Police Tatjana Bobnar as delivered at a seminar on reporting of homophobic violence organised by Legebitra in 2014²².

Magić (2011) notes that even though the Slovene LGBT community has been drawing attention to various incidences of homophobic violence since 1980s, it was the organisation of the first pride parade in 2001 and more recent homophobic attack on Café Open that defined the role of the police in responding to homophobic violence. The first pride march in Slovenia took place in 2001, just one week after the participants of the first pride parade in Belgrade were met with violent counter protests. The aftermath of Belgrade pride brought increased fears about whether anti-gay reactions might translate into Slovene experience. The police therefore had a crucial role and took extra measures to protect the participants. In contrast to Belgrade and Zagreb, the Slovenian event was not met with counter anti-gay action or violence (Kuhar, 2014a; Nemec, 2014). The second milestone in the LGBT community – police engagement - came after the attack on Café Open in June 2009. This was the first homophobic incident to attract nationwide condemnation from politicians, the public and the media. The fact that the attack happened in the week of pride parade events considerably boosted the number of participants at the main event, the pride march. It was also the first time that a representative of the government marched in the parade. The attendance of Katarina Kresal, then the Minister of the Interior, the department that governs the police, was important for two reasons. Firstly, it sent it sent a strong political message to the public that the police are there to protect all citizens, *including* the members of LGBT community. Secondly it sent an important message to police officers that homophobic violence is a community safety issue affecting a vulnerable group of citizens and as such

²¹ See interview with Albert Černigoj, Head of Organised Crime Division, Criminal Police Directorate (September, 2013), Appendix I.

²² See Appendix II.

deserves special policing. The combination of a more favourable political climate combined with new leadership of the Slovenian police in 2009 resulted in a direct invitation to Legebitra to design and deliver a lecture on homophobic violence and community safety for over 90 police commanders, including staff of Ministry of the Interior in 2010 (Magić, 2012; MNZ, 2012). This was followed up by four more training sessions for officers from a range of ranks in 2011, 2012, 2014 and 2015, when the Police Academy hosted two academic lectures on diversity, homophobic violence and community safety (cf.: Tatjana Bobnar, 2014, Appendix II).

The need for a stronger cooperation between police and the members of LGBT community is also noted by study exploring the perception of safety at Slovene pride parades (Nemec, 2014). On a quantitative sample of 108 police officers, Nemec - himself a police officer - concludes that when safeguarding pride marches the Slovene police operate within their authority, yet many are unfamiliar with historical background and social relevance of pride parades. Nemec also conducted five qualitative interviews with Slovene LGBT rights activists and found that there was no correlation between lack of knowledge among police and levels of safeguarding efficiency, and that all interviewees except one were generally satisfied with safety at pride parades. Like Magić (2012), Nemec also points to the fact that cooperation between police and the LGBT community remains unsystematic and dependent on the political will and consequently shifting priorities of police organisation. Outside of mostly informal interactions between individual police officers and specific LGBT activists, the two groups mainly converge around the annual organisation of pride parade.

While Magić and Nemec argue that there is room for improvement in the relationship between police and the LGBT community, others differ in their assessment. For instance, Tatjana Bobnar, (Appendix II, 2014, Gračanin, 2014) coming from a senior police management perspective as Deputy Director General, assesses the cooperation between the two groups as consistent, singling out annual training sessions and informal interaction between individual police officers and specific LGBT activists as an emergent good practice in tackling homophobic violence in Slovenia.

Slovene research on victimisation and crime places Slovenia among the EU countries with lowest rate of crime (Meško & Jere, 2012). However, Slovene criminologists note that “Slovenia is not an island and cannot be absolutely safe from negative impacts that accompany the processes of intra-social stratification, globalization, and European integration” (Meško & Bučar-Ručman, 2005, p. 223). A series of public homophobic

incidents, such as the attack on Café Open in 2009 and gay-bashing of a British police officer in 2011, combined with empirical data from over 10 years' worth of research, indicates that every second gay man and / or lesbian woman in Slovenia will experience some form of homophobic victimisation. Various civil society reports (Albreht, 2011; Klopčič et al., 2011; Kuhar, Kogovšek Šalamon, et al., 2011; Motl & Bajt, 2016) also show the prevalence of hate and prejudice against ethnic, sexual and religious minorities. It is therefore hard to comprehend that Slovenia has no national monitoring system and no policy or legislation tackling hate crime, nor does the phenomenon seem to be high on the agenda of either the government or the police.

Experiences from the UK demonstrate that effective policing of hate crime is often dependent on the engagement and openness of law enforcement, specifically police, towards an organisational reform that in practice reflects diversity in the society. Fyfe (1991 in Jones & Williams, 2013) argues that policing cannot be understood in isolation from the national, regional or local contexts in which it takes place. With a wide-ranging national policy on hate crime and visible police contribution to well-developed reporting and recording system, the UK is sending out two strong messages: that such behaviour is unacceptable, and that the experiences of those victimised by hate crime will be taken seriously. Conversely, the lack of national policy, limited legal understanding of hate crime, limited police initiatives, low recording rates and basic lack of case law, indicate a clear gap in state responses to hate crime and homophobic violence in Slovenia.

According to Martin (1999 in Dunn, 2010), there are two main reasons why hate crimes or incidents should be subjected to special policing. Firstly, the offences are based on who the victims are. As a result, the offences could potentially develop into a security issue that might lead to conflict and violence on a wider scale. Secondly, hate crimes appear to have “particularly deleterious effects on individuals and communities, raising levels of mistrust, fear in public authorities and create intergroup tensions” (p. 419). The lack of policy framework, limited legislation and low recording rate of bias motivated violence might be one of the reasons why policing hate crime (and specifically homophobic violence) is not visibly high on the agenda of Slovene police²³. However, as I will show in the following sections, the way in which police work is organised already offers a solid framework that allows for the development of more individualised responses to hate crime and violence.

²³ See an interview with Albert Černigoj, 2013, Appendix I.

2.7 Responding to homophobic violence and crime: practice

2.7.1 Bridging the gap between police and members of the LGBT community

In the previous chapters I have discussed the challenges posed by different understandings of hate crime and specifically homophobic violence, identifying several possible reasons for the under-reporting of homophobic incidents that include distrust/fear of the police, concerns around disclosure of sexuality and the belief that the incident will not be taken seriously. Data also suggests many LGBT people believe that homophobia is widespread within the service (Hassell & Brandl, 2009; Jones & Williams, 2013; Wolff & Cokely, 2007). Consequently, LGBT people are wary of reporting crime for fear that the police will investigate their lifestyle at the same time. This mistrust is often also reinforced by a belief that the police will not respect what they are told in confidence and may give information about a person's sexuality to family members or neighbours, or that they will fail to recognise the incident as a consequence of homophobic prejudice and either dismiss it or downplay its effects (Wong & Christmann, 2008). Whatever the reason, under-reporting of homophobic violence indicates a problematic relationship between LGBT community and the police and suggests that the problems associated with the reporting of homophobic incidents to the police are multi-causal, yet strongly associated with trust and confidence - possibly in oneself and the police.

Van Ewijk (2011) observes the police are a particularly interesting public institution to study because, more than any other public service or organization, they are an institution with a highly symbolic meaning. The police represent the capacity of a state to regulate behaviours and enforce both order within its territory and the civil interests of public welfare, security, morality, and safety. They are also one of the most recognised public institutions. Most people are aware of the police's existence, can list the services they provide, and know how to behave towards them. Similarly, Bernstein and Kostelac (2002) observe the police are a particularly important social agency as, in the majority of cases, they are the prime agency for reporting hate incidents and therefore have a role as gatekeepers in the reporting of homophobic violence. Since police are usually the first contact for a victim, their behaviour can significantly influence the victim's emotions, feelings and perception of his or her own situation and their overall attitude towards law enforcement and the legal system (Areh, Meško, & Umek, 2009; Vukadin & Matić, 2013). Police officers are frequently the first professionals to arrive at the scene of a hate crime and police agencies are, in many instances,

the only government institutions with the authority to conduct a thorough investigation of possible cases of hate crime;

“What police officers do and say in the first several minutes at a crime scene can affect the recovery by victims, the public’s perception of governmental commitment to addressing hate crimes, and the outcome of the investigation. Officers who recognise a probable hate crime, interact with the victims with empathy, and take action to initiate a hate crime investigation send a strong message that hate crimes are a serious issue.” (OSCE & ODIHR, 2009, p. 27)

Police are said to have a special internal culture, in which hierarchy plays an important role, and which is mostly known for its uniformity, its focus on physical performance, and its conservative task of maintaining order (Bernstein & Kostelac, 2002; van Ewijk, 2011). Surveys of police attitudes have yet attempted to examine sensitive issues, particularly in relation to gender and sexuality. Bernstein and Kostelac’s 2002 study of attitudes to homosexuality among US police officers found partial explanation for this in a theory suggesting that the organizational relationship between the police and heterosexuality contributes to a culture rooted in a “hegemonic masculinity” that defines itself in opposition to both femininity and homosexuality. On a similar note, van Ewijk (2011) suggests the perception of police as subculture is consistently labelled as a conservative, traditional environment where work duties and masculinity are assumed to be inextricably linked. Finally, as an organisation the police have been historically charged with regulating homosexuality by, for example, enforcing laws against same-sex acts and solicitation for same-sex acts and laws that prohibit lesbian women and gay men from meeting in bars or other forms of assembly²⁴ (Pattavina, Hirschel, Buzawa, Faggiani, & Bentley, 2007). This has often resulted in police being described as macho, racist, homophobic and sexist (Bernstein & Kostelac, 2002; D. Garland, 2001; Miller, Forest, & Jurik, 2003).

However, increased awareness of the victimisation experienced by the LGBT communities and increasing legislative protections have also brought about recent efforts to improve the relationships between the LGBT community in some EU states (Briones-Robinson, Powers, & Socia, 2016). Literature from the UK and Slovenia suggest that police in both countries have undergone significant reform, resulting in a modern, inclusive organisational culture that better reflects social values and is more oriented towards community policing and open

²⁴ This is still the case in 75 countries across the world that still criminalise homosexuality. In 13 countries, for instance, Egypt, Qatar and Iraq, same-sex acts are punished by death penalty (A. Carroll, 2016).

to interagency cooperation or multi-agency approaches (McGhee, 2003; Moran, 2007; Nalla, Modic, & Meško, 2014). Contemporary policing is founded on standards that, outwardly at least, are free from discrimination, oppose and challenge prejudice, and are focused on cooperation between the community and the police as well as proactive problem-solving and preventative approaches (Borovec, Vitez, & Mraovič, 2014). However, the effectiveness of contemporary values still seems to be underpinned by historically embedded, informal beliefs and attitudes prescribed by police occupational subcultures.

A recent comparative study of police forces across the EU (van Ewijk, 2011) demonstrated that the level of diversity (e.g. the percentage of women, gay men and lesbian women, and persons with a migrant background) is considerably lower among police officers than in society overall, and diminishes as police officers' rank increases. For instance, in 2013, women in the Slovene police force represented just 24.8 per cent of all employed staff (MNZ, 2013). In 2009, police forces in England and Wales recorded just 4.8 per cent minority police officers at the rank of constable and in the Netherlands, only 6 per cent of the police officers had a migrant background (van Ewijk, 2011). In addition, one of the largest ever surveys of LGB police officers in England and Wales shows that despite notable improvements in police working environments for minority officers, instances of homophobic discrimination in training, deployment and promotion are still evident in British policing (Jones & Williams, 2013). However, it would be misleading if we failed to acknowledge some of the improvements that have occurred. In the last decade, a rising number of gay police associations suggests an increased focus on this form of diversity within forces across the EU. In 2002, the Stockholm police department became the first in Europe to permit its officers to march in the Pride Parade in uniform. In the years following this decision, police in the UK, Norway, and the Netherlands were also given permission to march in uniform at their respective Pride festivals. Currently gay police associations exist in several European countries²⁵ and have also joined together at the European level in the European Gay Police Association (EGPA) (van Ewijk, 2011).

Diversity and an inclusive approach in the police service is not only reflected in the background of its employees, but also by the organisation's external actions and the messages it conveys publicly. In recent years a visible cultural shift police work in the UK

²⁵ At the writing of this dissertation Gay Police Associations were founded in: Austria, Belgium, France, Germany, Ireland, Italy, Netherlands, Scotland, Spain, Sweden, Switzerland, England, Source: Source, EGPA: <http://www.gay-police.eu/>.

resulted in an increasing number of community safety initiatives pursuing LGBT-related objectives (Iganski, 2008; McGhee, 2003; Moran, 2007). Rather than attempting to deny homophobic violence and its effects, these new policing styles attempt to open and improve channels of communication between social and counselling services, LGBT communities and the police. As well as introducing specialist units in the form of LGBT liaison officers and establishing LGBT advisory groups, the police also collaborate with other state and non-state agencies tackling hate crime. Partnership, consultation and liaison are central elements of this emergent culture that corresponds to the framework of government programmes associated with the reformation of policing, based on community safety and with the aim of increasing participation and active citizenship among the LGBT community (Browne et al., 2011; McGhee, 2003; Moran, 2007). This element of partnership working between police, social services and LGBT communities is also a practice recognised and promoted by the main European agencies advocating for the rights of LGBT people, such as European Fundamental Rights Agency and ILGA-Europe (FRA, 2016; Poláček & Le Derooff, 2010, 2011).

Since 1991 Slovenian policing has been characterised by several attempts at police reform to move closer to a western style of policing. The present orientation of the Slovene police is very close to the slogans of “protect and serve” used in Western European and American police forces (Meško, 2007). In addition to traditional forms of policing, there is an emerging form of community policing in Slovenia, transforming the police from a mechanism of constraint to a community service. Community policing is based on, amongst other values, respect for and the enforcement of legal order, and European conventions and recommendations regarding ethnicity, professionalism, human rights and fundamental freedoms (Nalla et al., 2014). A practical framework supporting partnership initiatives exists in the Organisation and Work of the Police Act (ZODPol - National Assembly of the Republic of Slovenia, 2013), which in article 35 (Partnership Cooperation to Ensure Greater Security) notes that the police should be open to cooperation and partnerships with varied institutions, including civil society, on issues relating to the improvement of community protection.

Examining basic values among police senior management in Slovenia Mekinc et al. (2008) note that the efficiency of the police is directly connected with the organisation’s ability to cooperate with individuals, communities, NGOs and civil society as, without a favourable image of the police, the public have no trust in its work. Gorenak and Gorenak (2007)

recommend that partnership between the police and other organisations, both state and non-state, is crucial especially in prevention and direct service provision such as advice, guidance and support. Citing Pagon and Lobnikar (2004), the authors observe that the aims of contemporary policing combine a focus on maintaining order *alongside* the provision of support services and seek out opportunities to collaborate and connect with a diverse range of groups. A rapid review of relevant public resources available on the official Slovene police website demonstrates the police have a history of cooperating with civil society (Kolenc, 2002; MNZ & Slovenska Policija, 2009). However, most of the initiatives tackling violence focus on gender-based violence, human trafficking, child abuse and domestic violence and abuse²⁶. In addressing the situation of minorities, the available data suggests the police have, because of specific legislative framework²⁷, mostly focused on strengthening their relationship with the Roma community.²⁸

While contributions by Magić (2012), Nemec (2014) and Tatjana Bobnar²⁹, outline emerging cooperation between police and the LGBT community there are no studies examining the attitudes of the Slovene police towards homosexuality and their experiences of policing homophobic violence. Sexual orientation was included as protected grounds of discrimination in the Criminal Code only in 2008, however, the available literature does not indicate whether this change has impacted so far on the police response to homophobic violence. More generally, very little is known about the reasons for reluctance of gay, lesbian and bisexual people to access police services. My research directly addresses this gap and will ask the following questions; what are the attitudes of police officers towards gay men and lesbian women? Are the police sending out strong messages addressing the unacceptability of homophobic hate crime? Finally, is there willingness on the side of police as well as gay, lesbian and bisexual members of the LGBT community to strengthen and

²⁶ Slovenska policija, Preventiva: <http://www.policija.si/index.php/dravljani-in-policija/preventivni-projekti> in Slovenska policija, Publikacije: <http://www.policija.si/index.php/publikacije>.

²⁷ Two important documents were passed addressing the situation of Roman community and encouraging integration and employment of Roma into state and non-state organisations. In 2007 The Roma Community Act in the Republic of Slovenia (http://www.un.gov.si/en/legislation_and_documents/legal_acts_roma_community/) and in 2009 the National programme of measures for Roma of the government of the republic of Slovenia for the period 2010–2015 (http://ec.europa.eu/justice/discrimination/files/roma_slovenia_strategy_en.pdf).

²⁸ Slovenska policija, Preventiva: <http://www.policija.si/index.php/component/content/article/216-projekti/71995-projekt-skupaj-za-krepitev-integracije-romskih-skupnosti>.

²⁹ See appendix II.

formalize the cooperation? These are considerations that, as this dissertation will show, can have an impact on engagement with the police in the reporting process.

2.7.2 Developing a social work response to homophobic violence and crime

Empirical data consistently demonstrates that many LGB people recognise abuse differently or do not recognise it at all, often normalising or minimising their experience to carry on with day-to-day life. I have also shown how experiencing such violence can have an impact on the victim's mental health and that survivors of homophobic crimes manifest higher levels of depression, anxiety, anger and symptoms of post-traumatic stress than victims of other crimes. The question of how to increase reporting rates of homophobic hate crime must therefore also include a suitable support system, and address the safety of this minority in ways that move beyond questions of reporting and criminal justice response. In the introduction to this chapter I argued that responding to hate-crime cannot only be a task for law enforcement and other directly affected services such as LGBT organisations, but that strategies are needed which incorporate professional, inclusive social, counselling and mental health services offering a comprehensive approach to victim support. Inclusive service provision will not only provide specialised support to lesbian, gay and bisexual victims, but might also increase trust in state service provision and in turn impact reporting rates. This premise, which I address in more detail below, is based on both my personal experience and research evidence on the role of social services in the process of reporting bias motivated violence (McGhee, 2003; Swigonski, 2006).

As the manager of a support service for victims of homophobic violence run within Legebitra, I was often contacted by social workers and counsellors based in various settings, from schools to specialist counselling services and mental health centres. Professionals would seek advice ranging from basic information about the situation of LGBT individuals in Slovenia, to more complex knowledge relating the process of overcoming internalized homophobia and supporting LGBT people to come to terms with homophobic victimisation. In these conversations, we often addressed the barriers LGBT individuals experience in accessing mainstream state services as well as strategies for efficiently supporting them to cope with experiences of victimisation. In the context of these conversations the importance of reporting homophobic violence to appropriate institutions was often debated, along with strategies for efficiently supporting victims in the reporting process.

Studies suggest that police and social services share the most difficult portion of each other's client caseloads and, even though there has historically been little interagency communication (Dean, Charles, Lumb, Proctor, & Klopovic, 2000; Garrett, 2004), there is evidence this is starting to change. In the UK, for example, it is suggested that social services are often integrated into multiagency partnerships that encourage LGBT individuals who have been victimised to seek help and support (Browne et al., 2011; McGhee, 2003). These consortia of state and non-state agencies regularly include police and social services working across housing, mental health, children and youth services, and are focused on supporting victims in the post-victimisation and recovery process. Multi-agency partnerships are often concerned with developing and improving inclusivity among state agencies. By publicising these improvements, they aim to reach out more effectively to the LGBT community and thereby increase trust in those services (Moran, 2007).

Writing about effective modern social work practice, Carnwell and Buchanan (2009) recognise that the needs of a client, patient and/or service user can now rarely be met by a single agency or using a single method of intervention. They emphasise that interdisciplinary action by various state, voluntary and independent organisations is essential to tackle safety and inequalities in accessing support services. When responding to homophobic violence, such approaches are important as they not only shift the emphasis from simply improving access to criminal justice but also actively address questions of homophobic violence and crime, LGBT safety, community organising and social justice within a broadly conceived network of social work services and other relevant public services (Browne et al., 2011). Finally, introducing the discourse on LGBT identities also has the potential to improve service provision. Mainstream services, from welfare programmes to public administration, have been globally labelled as lacking sensitivity and knowledge of LGBT concerns (Fish, 2009; Moran, 2007). Opening the Slovene social work arena to the concepts of "sexuality" and "gender" in the context of hate crime and public safety creates an opportunity for the transfer of knowledge and experience from within the LGBT community that has the potential to improve support agencies and organizations. In turn, this might also help in publicising these improvements and their increased efficiency.

Research on the needs and expectations of sexual minorities consistently demonstrates the inaccessibility, insensitivity or incompetence of social work services across a range of countries (Ben-Ari, 2001; Fairtlough, Bernard, Fletcher, & Ahmet, 2013; Fish, 2009). Discussing services in the UK, Fish (2006), for example describes lesbian, gay and bisexual

people as “invisible users of social care” (p. 48). Similarly Charnley and Langley (2007), charting patterns of referral, assessment, service allocation and staff recruitment, observe that in the world of social work, sexual orientation remains invisible:

“Equal Opportunities (EO) policies are commonly invoked in responding to allegations of discrimination based on sexual orientation but some parts of EO policies are sold short of others’ [...]. Social Services Departments (SSDs) have been slow in providing services that are responsive to the lived experiences of sexual minorities and mainstream services are experienced as inaccessible and inappropriate.” (p. 308)

While no attempt has been made so far to explore attitudes of social workers in Slovenia towards homosexuality, or assessing how Centres for Social Work meet the needs and priorities of lesbian, gay and bisexual users, several studies point to heteronormative and traditional values still dominating social work in Slovenia (Ivačič & Sešek, 2015; Urek, 2002). In addition, a review of key strategic documents guiding Slovene social welfare policy confirm LGB people as invisible users of social welfare programs. For example, while resolution on the National Programme for Social Protection for the period from 2013 to 2020 recognises social intolerance towards certain social issues is increasing (Državni zbor RS, 2013), the document does not name LGB people explicitly as a vulnerable social group that is a legitimate target of social welfare programs. In addition, when outlining the scope of public programs aiming to prevent and address social welfare of vulnerable groups, the strategy importantly specifies prevention of violence and supporting the victims of violence as one of the key areas addressed by such programs. However, whilst explicitly naming children and adolescents, the elderly, the disabled/handicapped and the Roma, among others, as explicit target groups of such programs, the document only addresses LGB people under “other vulnerable groups”³⁰.

A review of the Slovene academic literature from the field of social work illustrates similar challenges. The few relevant contributions to the topic mostly focus on gay and lesbian people in the context of rights to family building (Kuhar & Sobočan, 2010; Sobočan, 2013), transition to parenthood (Sobočan, 2009) and the functioning and experiences of LGB

³⁰ See Point 3.2: The Network of Public Services in the area of Social Welfare: Program networks can be formed according to individual areas, or individual target groups: prevention of violence, supporting victims of violence and perpetrator programs, substance abuse, mental health area, programs for homeless, support programs for children and adolescents with family issues and adolescents with learning and other disabilities, programs supporting the elderly in day-to-day activities, support programs for handicapped, psychosocial support for children, adults and families, social inclusion of Roma, prevention and addressing the social problems of other vulnerable groups.

parents and their children (Zaviršek & Sobočan, 2012). Key exceptions are the contributions by Dragoš (2007) and Lešnik (2010) who discuss the phenomenon of hate speech from a social constructivist and a psychoanalytical perspective, respectively. In addition, a contribution by Urek (2002) positioning the needs of gay men and lesbian women as users of social, counselling and mental health services against the relatively heteronormative system of Slovene social care.

I am not suggesting that social work is avoidant of LGBT issues or in any way reluctant to confront or deal with matters of relevance to LGBT people and communities. In fact, a number of undergraduate theses submitted to the Faculty of Social Work at University of Ljubljana³¹ in the last decade shows a rising interest of undergraduate students to explore various dimensions of sexuality and gender in the context of social work practice (cf.: Bavdaž, 2009; Ivačič & Sešek, 2015; Sekereš, 2010). However, very few studies focus on experiences of members of the LGBT community with direct violence and none have attempted to introduce the discourse on the role of social work in prevention and control of homophobic violence and crime. This study addresses this gap and situates homophobic hate crime and its implications firmly within the remit of social work practice. It demonstrates that the theoretical and practical basis of social work as a science and profession can support professionals in tackling the issue of hate crime, specifically of homophobic violence and crime. Furthermore, it will enable them to actively engage in discourse of hate crime policy development and to liaise with members of the LGBT community, offering their expertise and knowledge from the field of victim support.

2.7.2.1. Post-structural theory, anti-oppressive social work and homophobic violence

Social work professionals and scholars have suggested that the framework of anti-oppressive practice and anti-discriminatory social work provides an appropriate practical and theoretical underpinning of how to mitigate the internal and external consequences of homophobic violence. In her study on using anti-oppressive social work practice with lesbian women, Hines (2012) notes that it involves “taking and supporting action to advance both individual and structural change to improve the lives of lesbian clients” (p. 22). Both Hines (2012) and Healy (2005) emphasise characteristics of anti-oppressive practice that take individuals’ personal, institutional, cultural, and economic backgrounds into consideration, compelling

³¹ Source: <http://ediplome.fsd.si/search/7>

the social worker to reflect on all of these factors. It also demands that they also consider their influence on individuals' attitudes as a person living within an oppressive situation and take them into account when formulating their response. Healy (2000) highlights that for anti-oppressive practice this reflection and consciousness raising often provides a vital base for action that aims to mobilise the oppressed to engage in a process of fundamental personal and social transformation. This is particularly important in increasing the reporting of homophobic crime which, as discussed previously, requires a transformation from a stigmatised individual into an empowered citizen having the confidence and trust that when they seek help with the police and other public services, they will be taken seriously and dealt with sympathetically.

The main premise of writing embedded in the pluralist perspective of poststructuralist theories (cf.: Butler, 1993; Foucault, 1978), feminist theories (cf.: Barnoff & Moffatt, 2007; Frisby, Maguire, & Reid, 2009; Swigonski, 1993), and critical race theories (cf.: Crenshaw, 1989, 1994) is that our identities are socially constructed through various discourses that make the meanings we attach to them fluid and interchangeable according to (our) socio-cultural-historical context. For this reason, post-structuralist theorists often challenge practices based on fixed identities, such as the idea that people can or should form collective actions around a common identity such as being “a woman” or “a disabled person” (cf.: Orme, 2003). The post-structuralist perspective also favours the diverse experiences of people over generalisation and focuses mainly on examining how language practices construct knowledge in a given social context. By committing itself to “an interrogation of universalisms”, “opposition to naturalistic theories of difference”, “celebration of heterogeneity and diversity”, and “identity constituted through discourse” (Humphries, 2000, p. 32) the use of post-structural theory for social work might be challenging especially with critical social work activists, who generally base their practice and advocacy on fixed binary discourse and ideas such as the notion that able people oppress disabled people or women are oppressed by men (Abrams & Moio, 2009; Kirst-Ashman, 2010). However, building on Rogers's (2012) reconceptualisation of power in social work practice and education, I suggest that post-structural theorising and application of its core ideas has enormous potential to enhance anti-oppressive or anti-discriminatory social work practice. Firstly it enables social workers to deconstruct the heteronormative, self-constructed positions or assumptions about sex, gender and sexuality in which lesbian, gay and bisexual persons are rendered as problematic compared to a stable heterosexual norm (Healy, 2005;

Humphries, 2008). Secondly, as I demonstrate below, a post-structuralist perspective can enhance empowering practice by encouraging social workers to recognise and support the service users' capacity to exercise power rather than focusing on their relative structural powerlessness.

The distinctive feature of hate crime is that the damage involved goes far beyond the physical, emotional, or financial because it creates fear, hostility, uncertainty, and suspicion not only in the victim but also in the community/ies they represent. As a mechanism of power intended to subdue and subordinate, the implications of interpersonal violence prompted by homophobic crime can be deconstructed using Foucault's argument that sexuality is not who we are or a "taboo that constituted the difference" (Foucault, 1978, p. 120), but that it is a social construct that makes us easier to control. In his landmark work *The History of Sexuality* (1978), Foucault comments on power as a continuous and productive feature of social relations as well as a product of discourse, rather than something attached to specific identities such as male, female, gay or lesbian. This premise is key in supporting and empowering marginalised and vulnerable communities as, rather than seeing power relations as an effect of macro-structures such as capitalism or patriarchy, Foucault points to the micro-contexts of the individual's social environment as sites where power is also produced (Foucault, 1978). For Foucault power is primarily "productive" and not "repressive" when everyone, regardless of class or social status, possesses power and can exercise it (p. 93-94).

In addressing the situation of victims of homophobic violence, recognising this individual production of power is particularly important in challenging the transfer of responsibility onto structural institutions. This viewpoint enables social workers to recognise the complex web of power relations within which clients or service users function and warns against a tendency to see the client solely as a victim of social structures. Foucault provides a framework that is largely in opposition to a notion of power that is traditional, centralised, highly visible, rigid and exercised in a top-down manner. He challenges social workers to shift their focus from the question of who possesses power to a consideration of *how* that power is exercised within specific contexts and by specific individuals. A post-structuralist perspective can therefore make an important contribution to empowering practice by encouraging social workers to recognise and support the capacities of service users to reconceptualise their understanding of power and exercise power, rather than to focus on their powerlessness in relation to a structural hierarchy. Highlighting the idea that power is exercised rather than possessed also offers a social worker a basis to employ empowering

discourses and encourage the oppressed to act collectively and turn their experiences of violence into action, achieving social change in all forms of oppression and domination. This approach also suggests that it is in service users' collective self-interest to agitate for social change and mobilise toward exercising power in shaping a constructive response to hate crime (Healy, 2005; Perry & Alvi, 2012; Swigonski, 1995).

Healy (2005) also notes how post-structural theorists draw attention to the oppositions through which identity is represented in critical practice discourses with the aim of deconstructing these binaries. For example, in critical social work, power is conventionally regarded as coercive or oppressive and identity as structured within a hierarchy in which one subject position is dominant over the others. Critical social work perspectives therefore tend to focus on ways in which the social structures associated with capitalism, patriarchy and imperialism contribute to and interact with personal and cultural levels of oppression that are predominantly based on a single category or identity (Healy, 2005). However, it is this tendency towards fixed binary discourse (e.g.: oppression / emancipation, racism/anti-racism, masculinity/femininity) that can in fact extend the very relations of domination that the activists/social work practitioners should be resisting, as Judith Butler argues:

“Surely there is caution offered here, that in the very struggle toward enfranchisement and democratization, we might adopt the very models of domination by which we are oppressed, not realizing that one-way domination works is through the regulation and production of subjects.” (Butler, 1993, p. 48)

Adopting a binary view within social work practice, of gay men and lesbian women as victims, and heterosexuals as their oppressor may imply that in order to combat homophobia we need to combat heterosexuality, which, as Kuhar (2006) suggests, is a dangerous perspective (unless we are referring to internalised homophobia) and one that has been used as a means of manipulation in many political and societal battles. To combat homophobia, social work professionals should instead address and deconstruct the concept of heteronormativity, which is the idea that heterosexuality is the norm (Herek, 2004).

Finally, a post-structuralist framework raises awareness in social workers as well as service users that regardless of our position in the societal hierarchy (social worker, service user, victim of hate crime), social norms and structures such as patriarchy, sexism and homophobia might not be directly our fault, but as social constructs they are our collective

responsibility. By not exercising our power to eliminate these harming processes, we maintain a particular social order that sustains and reproduces them.

2.7.2.2. Social worker: a victim's advocate

At the practical level, modern anti-oppressive social work challenges social, economic, and political institutions that benefit the dominant group at the expense of subordinate groups. This requires social workers' involvement in community organizing, coalition building, advocacy, and lobbying for social justice on behalf of members of the LGBT communities at the local and national levels. Intense political battles continue to be fought across the globe for anti-discrimination and equality legislation, hate crime laws and victim's rights. These are all arenas where social workers can contribute to public policy development through letter writing, providing testimony, lobbying, and community action (Elze, 2006). Social work's role in practical terms is also emphasised by hate crime scholars who note its advantage in the post-victimisation processes. Perry (2009), for example, stresses social workers' responsibility to advocate on behalf of those disempowered by society:

“Social workers can specialise in a host of fields including family child and school issues or medical and public health or mental health and substance abuse. Given the likelihood that crime victims in general who seek professional assistance will at some time in the process interact with a social worker many representatives of the social work profession see themselves as victims' rights advocates.” (p. 205)

Whether they are a primary or secondary support system, counselling and support services need to be able to respond to a variety of issues presented by their clients in a range of settings (Okitikpi & Aymer, 2010). Swigonski (2006), specifically addressing social work practice with LGBT victims of homophobic violence and crime, stresses that social work practice must go “beyond healing the wounds of violence, hate speech, and hate crimes” (p. 364). She recognises counselling work with victims as important but insufficient as it “leaves the door open for future violence” (p. 364), and introduces three strands of practice strategies to address homophobic hate crime and violence that can establish social workers as allies of LGBT individuals and communities.

Within the framework of “tertiary prevention”, the main role of social worker is to assist victims to overcome their feelings of oppression, vulnerability and powerlessness. Swigonski suggests that the main function of this strand is to “heal the wounds” (p. 374) and

help the victims to redefine and regain a balanced worldview that recognises danger without a sense of overwhelming vulnerability or powerlessness. Within tertiary prevention, social work practice should begin with relationship development and assessment where the client and social worker together determine if there is a need for crisis intervention and potentially support. Swigonski proposes The Medical Crisis Intervention Model (Pollin, 1995 in Swigonski, 2006) as most suitable for working with victims of homophobic violence as it provides a focused, short-term approach to crisis intervention that builds on the observation that crisis, in this case, the aftermath of homophobic violence, can cause stressful life changes and generate significant emotional distress.

On this level, it is important that all social work professionals are competent in working with gay and lesbian clients, as they may not necessarily be aware they are working with one. Developing recommendations for LGBT inclusive practice, Cheng (2004) observes that a practitioner should not rely on self-disclosure or the gender of the client's partner, or make assumptions about the client's sexual orientation. He further recommends that (p. 12-14):

- Regardless of their own sexual orientation, practitioners should undergo specific training in working with gay, lesbian and bisexual clients.
- Practitioners should be able to view same-sex sexualities as being natural and healthy as any other sexual orientations.
- Practitioners should acknowledge the fact that sexuality per se is not the cause of the psychological difficulties presented by lesbian, gay and bisexual clients.
- Practitioners should be careful about the terminology they use with gay, lesbian and bisexual clients. Words like "sexual preference" or "alternative lifestyle" may imply sexual orientation is a choice, which it is not. For instance, many gay men and lesbian women nowadays also perceive the word "homosexual" as offensive.

If "tertiary prevention" is focused specifically on immediate interaction between the victim and the social worker, "secondary prevention" suggests social workers actively engage with LGBT and anti-violence organisations working in the field of violence prevention. Understanding LGBT clients' lives outside the counselling setting may help social workers understand what occurs within it. Social workers may also decide to become allies in the political or social processes and civil society interventions, addressing and preventing homophobic violence. Practitioners might also contribute to the documentation and monitoring of homophobic incidents, disclosing incidences of such violence to law

enforcement agencies, government officials and the general population. They might also act as advocates within the criminal justice system and contribute to or conceive campaigns that aim to educate and raise awareness on the nature and extent of homophobic violence. Citing Jenness and Broad, (1997, pp. 78–101), Swigonski, (2006, p. 379) specifically recommends the following list programs and strategies as efficient methods of violence prevention:

- Discovering and documenting violence through hotlines that collect reports and surveys that are used to produce epidemiological reports of anti-gay and lesbian violence;
- Publicising the epidemic of homophobic violence to law enforcement agencies, government officials, members of the LGBT communities, and the general population, including highlighting the under-reporting of undetected hate-motivated violence against LGBT people;
- Creating crisis intervention and victim assistance programs that include support groups, walk-in counselling and referrals to ancillary support services;
- Providing assistance in obtaining restraining orders and advocating within the criminal justice system;
- Conceptualizing educational campaigns as anti-violence activism to publicize the nature and extent of violence while offering proposals designed to prevent and respond to the violence;

Finally, Swigonski (2006) suggests a strand of “primary prevention” where the practitioner identifies long-term goals of political and social transformation and should aim to work on changes affecting the social, economic, cultural and political structures. She notes that this strategy compels social workers to develop a critical consciousness based on social justice, care and human rights based attitudes and approaches. Critical consciousness, however, should be combined with concrete, practical strategies for action necessary for implementing the long-term goal of a human rights based society, with “social workers contributing to creation of social movements and to the development of social structures and interpersonal interactions” (p. 380).

This study is based on a premise that only a fully-embedded and comprehensive approach to homophobic hate crime can result in building the trust of gay and lesbian communities in state-run services and, in the long-term, result in improving reporting levels for these minority group. Although the main responsibility for responding to homophobic violence

and crime seems to be allocated to police and LGBT organisations (Blackbourn & Loveday, 2004; Poláček & Le Deroff, 2010), social workers in a wide array of settings also encounter clients who have experienced this type of victimisation. Therefore, to effectively assist victims, offer short-term interventions or become allies in preventive approaches, social workers must have knowledge of the specific characteristics of homophobic violence and victims' reactions to attacks, including knowledge of the factors that affect reporting decisions.

2.8 Theoretical perspectives on responding to homophobic violence and crime

The criminological literature observes that there is a complex interaction of factors influencing the decision to report biased motivated violence and crimes to police and other agencies, including recognition that a crime has taken place, consideration of what to do, the responses of acquaintances, family and friends, victims' characteristics and a number of social context and community factors. Despite many influencers, most studies suggest a victim's decision to report any crime to the police is practically determined by the characteristics of a crime situation, in particular its level of seriousness, and is made on the basis of a cost-benefit calculation that determines whether contacting the police is worth the effort (Goudriaan et al., 2004; Kaariainen & Siren, 2011). However, Goudriaan et al., (2004) note this emphasis on the seriousness of the crime is problematic as it can have adverse effects on our understanding of reporting behaviour as a competence of state and non-state reporting mechanisms and policies. For example, if we accept that all victims are willing to report serious crimes regardless of their feelings towards police, there is no reason for the reporting system to be improved and enhanced. The researchers propose a theoretical model of crime reporting which demonstrates that the decision to report victimisation is not influenced exclusively by attributes of the crime situation, but by specific *dimensions of the social context* - for instance, victim characteristics, availability and competence of support communities and organisations, the existence or contents of national policies on crime reporting, trust in and perceived competence of police and existence of compliance norms (e.g. gender norms, norms regarding self-help). This framework is particularly important when discussing the reporting behaviour of victims of homophobic violence. For the reasons, I discuss below, any such attempt needs to recognise that homophobic violence is embedded in specific *cultural practices* and *norms* which play a significant role not only in its commission but also in structuring identity, views,

experience and responses in relation to state and non-state institution(s) (e.g. police and social services) of gay men and lesbian women.

In her theoretical conceptualisation of hate crime, Perry (2001, 2002, 2009) argues that its commission serves a number of purposes in the *oppression* of disadvantaged individuals and communities. Bound in hierarchies of power, hegemony, inequalities and identity relations hate crime is “in fact, an assault against all members of stigmatized and marginalized communities” (Perry, 2001, p. 1). As a phenomenon embedded in broader patterns of oppression which systematically restrict the capacities and autonomy of its victims, hate crime is therefore equally part of, but also a symptom of, larger patterns of intergroup (individual) conflicts, as much as *identity politics*. Young (1990) discusses oppression in a way that provides a useful framework to determine how broader social and cultural contexts may influence the reporting of experiences of bias motivated violence. She outlines five inter-related “faces of oppression” (p. 39): exploitation, marginalization, powerlessness, cultural imperialism and violence, and suggests that any social group that relate to one or more of these categories can, according to Young identify as being oppressed. The concept of oppression, applied to the experience of homophobic victimisation, can help us to see how oppression operates and enable us to understand its effects. Drawing on Young’s work, Perry (2003) observes how structural exclusions and cultural imaging leave disadvantaged groups vulnerable to *systemic violence*, and especially hate crime. The former renders us vulnerable and the latter makes us legitimate targets. Whilst not all gay, lesbian and bisexual people are powerless or exploited, we are however, particularly when forming our (sexual) identities, directly or indirectly subject to violence, marginalisation and cultural imperialism. This defines not only our subordinate position in society, but also how we construct ourselves, our identity, manage the projections and expectations that others might have of us and interact with the dominant groups and authority structures.

Perry (2001) observes that negative identities are often designated and associated with a norm violation, which in the case of hate crime applies not only to perpetrator, but also the victim. This negative identity is in sociology also understood as a *stigma* – “an attribute that is deeply discrediting” (Goffman, 1963, p. 12). According Goffman, stigma constitutes a special dichotomy between perceived and actual identity where all marked as different, in some socially relevant way, are reduced to a “tainted” and “discounted” image of their core self (p. 11). The sociological literature highlights five points about stigma that are theoretically relevant to the present study (Goffman, 1963; Herek, 2009; C. J. Lyons, 2006);

1. Stigma refers to a condition or attribute which is intrinsic to an individual.
2. Stigma does not carry any meaning by itself, rather, all meanings are attached to it through social interaction.
3. The meaning attached to the attribute by the dominant group involves (a) negative connotation/s, the attribute signifying to all that its “owner” is a member of a shamed group and deserving of condemnation.
4. Within social interactions stigma prevails over the entire identity of the person who has it. Once they learn about a person’s stigma, others respond to the individual mainly in terms of it.
5. The roles of the stigmatized and normal are categorised by power dynamics. Stigmatized groups have less power and access to resources than do “normals” ³².

Discussing the negative effects of stigma Goffman (1963) discusses the uncertainty and anxiety with which the stigmatized individual approaches a wide range of social interactions in society. Being aware of their inferiority; “I am inferior. Therefore people will dislike me and I cannot be secure with them” (p. 23) an individual might perceive “usually quite correctly, that whatever others profess, they do not really 'accept' him and are not ready to make contact with him on 'equal grounds” (p. 13). Goffman goes on to explain that such insecurity is intrinsically linked to the knowledge that the attribute to which the stigma is attached cannot be rectified:

“The fear that others can disrespect a person because of something he shows means that he is always insecure in his contact with other people; and this insecurity arises, not from mysterious and somewhat disguised sources, as a great deal of our anxiety does, but from something which he knows he cannot fix.” (p. 22)

Citing Allport, I. H. Meyer (1995) points to the fact that stigmatized individuals are often targets of *prejudice* and as such haunted by feelings of anxiety over whether they will suffer insult and humiliation at the hands of the nonstigmatised. Consequently, they experience strong feelings of insecurity, anxiousness and distrust towards the dominant groups and structures: “Sometimes the sensitiveness develops to an unreal pitch of suspicion; even the smallest cues may be loaded with feeling [...] In some cases “this preoccupation becomes

³² Goffman's term for the non- stigmatized (Goffman, 1963).

excessive, leading to vigilance, hypersensitiveness, and deep distrust of all members of the dominant group” (Allport, 1954, pp. 144-5 in I. Meyer, 1995, p. 44)

Stanko and Curry (1995) discuss that the right to walk safely “unhindered through an imagined public space” (p. 513) has special meaning for sexual minorities. Due to their *stigmatized identity*, “a climate of unsafety” (p. 516) exists for anyone who is seen to be transgressing the accepted boundaries of heterosexuality. They point to the fact that asking for help to be able to enjoy this right creates tensions for the community who have historically been subjected to the controlling behaviour of the state and law enforcement, and demonstrate the range of undesirable outcomes that can arise from claiming to be harmed by homophobic violence, and from reporting it. To claim harm from homophobic violence, an individual must raise the possibility that they are a legitimate target for such violence; secondly, the process of reporting homophobic violence “carries with it the possibility of losing control over who has knowledge about a defining part of one’s life” (p. 523). Stanko and Curry emphasise that any engagement with the police means entering a space where control over one’s identity and perceived stigma is impossible. By reporting homophobic violence, individuals therefore risk the potential imposition of a fixed and public (stigmatised) identity, as a gay man or a lesbian woman, which may present a barrier in approaching and asking the police for protection. The authors further argue that “by not ‘coming out’ publicly the victim maintains control over what is private knowledge.” (p. 515). I shall argue that it also allows the victims to avoid the potential of further stigmatization and victimisation by police as well as non-stigmatised others, part of essential social and support networks. This is why for too many gay, lesbian and bisexual individuals, the perception and awareness (if not the reality) of what awaits them in public places, has its intended effect of keeping them “in their place” - in the so called “transparent closet”, where they are expected to deny their sexual identity as much as possible (Kuhar & Švab, 2013). Stanko and Curry also address the role of LGBT organizations in the process of reporting and note that as specialist support structures NGOs often have the knowledge base and resources to recognise and address some of the tensions of private and public identities. LGBT organisations hold a significant role in bridging the gap between members of the LGBT communities and the police as they not only encourage reporting, but also help individuals report homophobic violence privately and support those who wish to report the violence publicly to the police.

As a form of *gender based violence*, homophobic violence is not only determined by one's *sexuality* but also by perceptions of *gender*, as many of its forms occur when (LGBT) people "do gender" inappropriately (West & Zimmerman, 1987). In this context gender and queer theory also bear importance for the process of managing and responding to homophobic violence. Queer theory challenges commonly held societal assumptions about the separation of gender, sexual desire and identity/ies; it is, in the words of Stephen Whittle (2002, p. 67 in Chakraborti & Garland, 2009, p. 75), "a 'full frontal' attack on established notions of gender, sex and sexuality"; an approach that works to deconstruct and resist, the binary axis of hetero/homo and with that "the claimed naturalness of *heterosexuality* or *heteronormativity*" (Cobb, 2009, p. 336). Queer theorists suggest we cannot be so easily dichotomized between "deviants" and "normals" (Goffman, 1963). In fact, queer theory argues that many of us are and can be insiders, majority, outsiders and marginals in different ways and at different times. It uses the term subjectivity, rather than identity, to refer to our sense of self/ourselves and rejects descriptions of identity as fixed and unified and insists that our identities are shaped by language and discourses and thus vary from context to context (Weir, 2009). As different discourses create and sustain different systems of social reality, our identity might appear as fragmented, even contradictory, providing us with privilege in one context and disadvantage in another.

The advantage of queer theory also lies in its recognition of the liaison between *power*, *knowledge* and the *constitution of identities*. Drawing on Foucault Judith Butler describes power as a continuous and productive feature of social relations, a product of discourse rather than something attached to specific structures or identities, such as "female" or "gay" (Butler, 1997). She famously points to micro-contexts of the individual's environment as sites, where power is produced and exercised: "We understand power as forming the subject as well, as providing the very condition of its existence and the trajectory of its desire, then power is not simply what we oppose but also, in a strong sense, what we depend on for our existence and what we harbour and preserve in the beings that we are" (p. 2). Recognising that problems associated with the reporting of homophobic incidents to the police are strongly associated with trust and confidence (in oneself and state institutions, e.g.: police), this perspective can contribute towards development of confidence boosting and self-esteem-building initiatives inviting LGBT individuals to become active within processes and partnership policing homophobic violence (McGhee, 2003). Finally, queer theory also shifts the focus from homo/sexuality as a subject of scrutiny and instead applies different modes

of critique to heterosexual matrix. Non-compatible with hetero/normative society, queer theory is a means of resistance and can be, as such, understood as one of the key mechanisms for empowering the LGBT community to act for its own benefit, becoming active citizens and communities in the democratic process of policing homophobic violence.

Policing, as a process and a profession, has not always been inclusive of “deviant” identities and often “reflects the conflicts and contradictions of the wider social structure, culture and political economy” (Reiner, 2000, p. 109 in Dunn, 2010, p. 25). Notable shifts, currently reflected in a modern, inclusive and societally reflective police organisational culture are historically embedded in informal beliefs and attitudes mandated by police subculture rooted in heterosexism and notions of masculinity (Jones & Williams, 2013). This can be, for instance, seen in the policing of minority groups who have historically often been victims of controlling or oppressive policing (Chakraborti & Garland, 2009; Perry, 2001).

Although there is little research directly examining police attitudes towards homosexuality, there are many studies that inquire into the question of whether or not the police are prejudiced against homosexuality (Belkin & McNichol, 2002; Bernstein & Kostelac, 2002; Galvin-White & O’Neal, 2015). The answer to this question according to Burke, (1992) is “...yes, but only slightly more so than the community as a whole. Policemen reflect the dominant attitudes of the majority towards minorities” (p. 34). This is a significant notion as it has become popularised and is nowadays a convenient justification when addressing police work, diversity and homophobia, as the findings of this study also show. As Burke appropriately points out, police should not at all see this as a positive development or a comforting factor. Whilst it might be reassuring to speculate that police may not be significantly more prejudiced than the general society, the level of homophobia in the societies is already sufficiently high, to cause concern should it in the same level translate into police attitudes and behaviour.

The police, as a public service and profession, is traditionally heavily gendered, sexualized and defined culturally as an activity only “masculine men can accomplish” (Messerschmidt, 1993, p. 175 in Miller et al., 2003, p. 358). Perception of *masculinity* within this specific social structure and work space depends on the devaluation of all femininities as well as subordinated masculinities, including “gay masculinities” (Connell, 1987). To argue that cooperation between police and lesbian, gay and bisexual members of the LGBT community, as an effective strategy for addressing homophobic hate crime and violence, is needed and beneficial should also recognise that this partnership is essentially based on a

historically legitimate practice of controlling “deviant” behaviour of “inferior” men. These are practices which leave little room for the legitimization of any other sexualities than heterosexuality. Without prior deconstruction of heteronormative and masculine values, such an initiative therefore potentially positions an oppressed minority against an authority whose mission, structure, and culture still encourage a certain degree of homogeneity and reinforces internal norms that may, as discussed above, harm gay and lesbian identities.

Contemporary sociological views of institutions and the way they interact with and affect society, referred to as *new institutionalism*, provides a useful explanation around the functions and implications of norms and subcultures of policing (Monro, 2007). This theoretical framework examines institutions as formal and informal structures which affect individual behaviour over time, and which involve a certain amount of shared meaning and values. It suggests that organizations are discrete entities, with distinct organizational ethos and normative frameworks which keep its members “in line” through a variety of controls, such as hierarchies and sanctions (Monro, 2007). This suggests that any discriminatory or prejudiced perception, opinions, attitudes and behaviours of members of police are therefore not only shaped by external political and cultural climate, social networks and lived experience, but also by the nature of their profession and the organisational and culture within which they work.

Bernstein and Kostelac (2002) theorise *police culture* as rooted in a *hegemonic masculinity*, and *heterosexist practices* which are defined in opposition to both femininity and homosexuality. As heterosexism and heterosexuality, hegemonic masculinity is a mechanism of domination and subordination and describes an ideal form of masculinity in a particular social situation (Allwood, 2005; Connell, 1987). Maintenance of *hegemonic masculinity* involves engaging in certain practices and demonstrating certain behaviours (such as authority, aggressiveness, technical competence) that “prove” one’s manhood” and enable certain groups of men to enjoy power in relation to other subordinate groups of men. It also allows all men to enjoy power in relation to women. Hegemonic masculinity legitimises *patriarchy*, which guarantees the dominant position of “masculine men” and the subordination of women and all other identities seen as feminine (Miller et al., 2003, p. 358). Kimmel (1994) argues that homophobia forms the central organizing principle for normative definitions of masculinity as, by regulating the gendered relations of power between men and women, hegemonic masculinity also regulates the gendered relations of power between

men. Men who do not maintain the necessary gender performance to support the ideals of hegemonic masculinity are stigmatized as not “real men”, or, even worse, as gay.

By representing a constructed projection of nonconforming sexuality, lesbian, gay and bisexual individuals challenge gender roles and expectations and therefore threaten and jeopardize the deeply ingrained traditional hegemonic masculine and heterosexist ideals characterizing police work. For instance, as Bernstein and Kostelac (2002) observe, if gay men who are often stereotyped as effeminate and women (perceived as weaker and more passive than men) can perform effectively as police officers, then there is nothing that makes policing distinctly masculine. Alternatively, police officers might intentionally refuse to recognise and investigate incidents and crimes as homophobic violence to avoid suspicion and label that they might themselves be gay. Some might even engage in anti-gay behaviour as a way to prove their heterosexuality and their masculine status (Miller et al., 2003). Understanding how heterosexism and hegemonic masculinity are constructed and perpetuated, and their implications for creating dimensions of social difference within the organizing features of police work therefore provides a useful basis for conceptualising the attitudes and behaviour of police officers in relation to gay men and lesbian women.

Drawing on Allport (1954) and Pettigrew (1998), Bernstein and Swartwout (2012) discuss five optimal conditions for the reduction of prejudice following intergroup contact. These are:

1. Equal status within the situation,
2. A common goal,
3. Cooperative interaction,
4. Support of authorities that establishes norms of acceptance and
5. The potential for the interactants to become friends.

They further suggest that the strategies by which contact under these conditions can weaken prejudice may include; “learning about the stigmatized group, changing behaviour patterns, generating affective ties, and reappraising one’s ingroup” (p. 1150). For the police, like the rest of society, there might be an inherent tendency to accept and perpetuate prejudice as there might be nothing or no one in their social or family networks that challenges them. Alternatively, their work culture might even encourage it. Studies on attitudes and behaviours in police culture suggest that familiarity with lesbian and gay individuals is highly correlated with positive perceptions of this minority (Bernstein & Kostelac, 2002).

Contact with gay and lesbian individuals can reduce uncertainty about their behaviour and reduce exaggerated fears or anxieties that usually build around the image of “a gay police officer”. As Bernstein and Swartwout (2012) observe “the anticipation of great disturbance in the working environment due to the presence of gays and lesbians does not always bring turbulent results” (p. 1162).

Whilst an evident need for a change in cultural attitudes may be apparent across several public institutions, particularly those that are dominated by a masculinist culture such as the police, stigmatised identities show a lack of confidence, trust and insecurities based on historical and contemporary experiences of structural and direct oppression. This suggests that any initiative encouraging partnership or multiagency cooperation between a vulnerable community and state / mainstream organisations needs to involve a heightened awareness of the need for confidence and trust building and empowerment measures, encouraging the reporting of homophobic incidents. Discussed theoretical concepts embedded in criminology, queer and feminist theory and post-structural theory all offer tools and strategies aimed to deconstruct and reconceptualise “gender” and “sexuality” within professional settings. In turn, this may encourage members of the police, as well as social work professionals, to effectively challenge prejudice and stereotypes about gay men and lesbian women, competently support victims of homophobic violence and crime and engage in the discourse of hate crime policy development.

2.9 Summary

As a social construct, hate crime is bound up in hierarchies of power, cultural hegemony, inequalities, oppression and identity relations and essentially targets members of stigmatized and marginalized communities. Criminological theory observes bias motivated violence as an indicator of underlying social and cultural tensions particularly common in contexts where the image of the other is depicted in severely negative terms. Sociologists, on the other hand, warn that not all hate offences are premeditated or designed in advance, committed by far-right extremists, or organized members of hate-groups, more than often do not involve physical violence and in many instances do not involve “hate”. In fact, it seems most of contemporary forms of hate crime, including homophobic violence, is an everyday, routine behaviour, which takes place as people go about their daily business.

Gay men and lesbian women are mostly exposed to homophobic incidents in various public places, at home, in school and at work. Even though the existing literature about homophobic violence documents a range of damaging effects, the gaps in monitoring and measuring of this phenomenon only convey a partial picture of the true extent of hate crime. For instance, community studies in Slovenia suggest that approximately 90 per cent of homophobic violence remains underreported to police and non-police agencies; the figure has not changed for over a decade. Police are usually the first contact for a victim of violence and their immediate response significantly influences the victim's emotions, feelings and perception of their own situation. The first contact with police also greatly shapes their general attitude and trust towards law enforcement and consequently the prosecution and the legal system. Given the global history of oppressive policing of gay, lesbian and trans communities and the history of the criminalisation of gay relationships, it becomes apparent that telling state agencies about personal experiences of homophobic abuse might not be a comfortable prospect, particularly for people who are not at ease with their sexual orientation. However, under-reporting of homophobic violence impacts the development of effective prevention strategies along with appropriate support services offered to the victims and most of all points to a complex and problematic relationship between gay, lesbian and bisexual members of the LGBT community and the police.

The literature suggests there is a range of initiatives on the part of international institutions (e.g. OSCE) that compel the police to develop further capacities to tackle homophobic hate crimes more effectively. The UK has demonstrated an increasing evidence of community safety initiatives in policing objectives engaging with the gay and lesbian community. Rather than attempting to deny homophobic violence and its effects, inclusive policing styles aim to open and improve the channels of communication between, social, counselling and mental health services, the gay and lesbian community and the police. The contemporary method of community policing also directly addresses the complex social work / law enforcement relationship and the role of police and other social and support service agencies in dealing with community problems. Studies on the topic suggest that police and social services share the most difficult portion of the others' client caseloads but it seems that, historically, there has been little interagency communication and the advantages of a multi-agency approach have only recently become relevant in the community safety discourse. Although responsibility for responding to homophobic violence and crime seems to be primarily allocated to police, social workers in a wide array of settings also encounter clients who have

experienced this type of victimisation. In addition to examining reporting behaviour and other responses to hate crime victimisation, this study argues that responding to hate-crime cannot only be a task for the law enforcement and other self-directly affected services (e.g. LGBT organisations) but that effective strategies also need to include professional and inclusive social and counselling services offering comprehensive system of support to victims.

3. Research design

This study employs principles of action research as its main paradigm, utilises both qualitative and quantitative approaches and draws on data from a range of methods, including online surveys, focus groups and semi-structured interviews. I also examine and introduce three practical responses to homophobic violence as adopted and delivered by police and other state and non-state agencies in England. To increase the chances of this research being used as a springboard for improvements to state and non-state services for people affected by homophobic violence, I focused on LGB participants' perceptions of homophobic violence and crime, their willingness to report and examined most prevalent factors influencing the decision to report along with expectations during the reporting process. Those expectations were one of the reasons why I decided to include police in my sample.

I am not a police officer. However, I *do* have experience of delivering training to police representatives of varied ranks between 2010 and 2012, and have been researching homophobic violence and professionally supporting its victims since 2006. I understand therefore how easy it is to criticise perceived shortcomings in police responses. While designing my research, I anticipated that participants would be critical of police practice. To directly address these negative attitudes and add some balance, I felt it was ethically and methodologically necessary to also include representatives of police, examine their attitudes towards gay men and lesbian women and their understanding of the specific characteristics of homophobic violence. Direct cooperation with police officers and senior police staff was therefore an important element of my research as it situated the views of LGB participants alongside the views, experiences, knowledge, authority and limitations of Slovene law enforcement on the topic of homophobic violence. By considering the views of both groups, I not only enrich my data, but also generate a point of reference that defines the role of both sets of actors in responses to homophobic violence, opens lines of communication and paves the way for joint responses to homophobic violence.

This chapter describes the main methods I used, the processes and logic behind the selection of a particular method and the ethical considerations involved. I begin by describing the main principles of action research that informed my approach to research design and the arguments for using a mixed methods approach in a study such as mine. This is followed by an explanation of my data collection methods, how I recruited participants and finally, how

I approached the data analysis. The chapter concludes with a self-reflection on the research process and the ethical considerations involved.

3.1 Research questions

The idea for this research originated several years ago after I conducted a study on rights violations of lesbian women and gay men in Slovenia (Kuhar et al., 2008). This small-scale research project examined gay men and lesbian women's experiences of homophobic victimisation and tackled some of the barriers to reporting these cases. The findings of the study helped inform the emerging cooperation between Legebitra, the NGO that published the research, and the Slovene police. This cooperation sprang from mutual concerns about the low reporting rate of homophobic violence to police. The current study aims to extend this knowledge and builds on the developing cooperation between police and gay, lesbian and bisexual members of the LGBT community in Slovenia, as one of the ways of responding to homophobic violence.

My research questions aim to address a range of issues that are currently under-researched, both in Slovenia and elsewhere (Bernstein & Kostelac, 2002; Kuhar et al., 2008; Peel, 1999; Wong & Christmann, 2008). These are;

Among LGB participants:

- 1) What is the perception of homophobic violence and crime?
- 2) What is the general willingness to report homophobic victimisation?
- 3) Which factors influence the willingness to report homophobic victimisation?

Among police participants:

- 4) What are the attitudes towards gay men and lesbian women?
- 5) How informed are police officers of distinct characteristics of homophobic violence and crime?
- 6) What are the options for police and LGBT community to jointly respond to homophobic violence?

3.2 Mixed method research

Goudriaan et al., (2004) and Peel, (1999) observe that research on the extent of hate crime victimisation has been largely dominated by quantitative methods such as state-run surveys. Even though these are frequently large-scale surveys, with reliable methods of data collection and analysis, they mostly focus on measuring the prevalence, extent and incidence of victimisation (Aromaa & Heiskanen, 2008) and lack an understanding of the wider social context in which victimisation occurs (Goudriaan et al., 2004). As my research questions for both groups are largely concerned with their perceptions of homophobic violence, as well as their willingness to report or respond to it, I initially intended to use only qualitative methods, collecting my data from a series of focus groups and semi-structured interviews. However, when I considered how little understood this topic is in Slovenia, it seemed essential to use a mixed methods approach, which would provide both breadth and depth.

In selecting and designing the qualitative data collection stages, I drew heavily on the contributions and specific recommendations of Goudriaan et al., (2004), Padgett, (2009). Peel, (1999), Perry, (2003), Stake, (2010), Švab & Kuhar, (2005), van Ewijk, (2011), Wong & Christmann, (2008) and Bernstein and Kostelac (2002). Stake (2010) notes that a lot of qualitative research aims to study and critically assess problems in professional practice by including multiple views and varied interpretations that allow the complex situations and associated challenges to be addressed holistically rather than superficially. Padgett (2009) emphasises that “...qualitative studies allow drawing on several theories at once. They may also draw in new theories during analysis and they may produce midlevel theories as part of their findings” (p. 102). Perry (2003) recommends that research on hate crime should be “multidimensional” (p. 14), both quantitative and qualitative approaches including life history research and case studies to determine the “contextual clues” (p. 15) surrounding hate crime victimisation. Goudriaan et al., (2004) argue that in research that addresses crime reporting, methodological pluralism is important for uncovering the different layers of social context impacting reporting decisions. Similarly Peel (1999) suggests that research on reporting factors in cases of homophobic violence should use both qualitative and quantitative approaches to look for contradictions and confirmations between the different layers of data.

In my dissertation, I compare data from online surveys, focus groups and semi-structured interviews, seeking out those same contradictions and confirmations Peel describes. The analysis and interpretation of the data was facilitated by my own “on-the-ground” knowledge

as an established LGBT rights activist who has not only been a user of LGBT infrastructure in Slovenia but also its active co-creator.

3.3 Action research principles

In this section I examine how action research principles informed the design of my study, particularly my engagement with LGB participants. I also address the reasons why full-cycle action research was not feasible in this case, and explain the reasons behind the subsequent changes to my research process.

Reason (2006) observes a huge gap between academic research and everyday practice and notes that the findings of traditional social science are often of little or no use to those they should be serving, such as members of organisations, communities and service providers. By integrating theory and practice, action research has the potential to effectively address this gap. Scholars most often describe action research as a family of approaches and practices bringing together theory, method, and practice through the self-reflection of a researcher, who aims to develop both practical and conceptual contributions by doing research with, rather than *on* people (Dworski-Riggs & Langhout, 2010; Taylor & Pettit, 2007). This approach focuses on solving problems that are relevant to particular situations and strives to improve the daily reality for those most affected by the research issues (Riet, 2008). Generally, action research needs a catalyst that makes it possible for the community or a group to come together and start addressing their problems in an organised way. The action research literature consistently emphasises how its defining characteristic is its “social interdependency” (Kemmis & McTaggart, 2006 in Stake, 2010). This means that action research is the (self-) study of action, often leading to better action, carried out by the people directly responsible *for* the action (Humphries, 2008; Savin-Baden & Howell-Major, 2010; Stake, 2010). Within actual practice, it implies that the changes that take place during the research are bound to be in the interests of the researched.

Discussing different roles that people play in motivating and sustaining research efforts, Marshall and Reason (2007) note that it is quite self-evident for action research practice that the researcher is connected to or embedded in the issues and field they are studying, particularly when examining minority issues or sensitive backgrounds. Similarly, Stake (2010) observes how “action research usually starts with a practitioner realising things could be better and setting out to look carefully in the mirror” (Stake, 2010, p. 158) and claims that

“all action research starts with evaluation, with a notion that “something’s not right” (p. 157). Finally Bradbury and Reason (2003) observe that the motivation behind action research that has “changed the world in great and small ways” (p. 156) almost always springs from personal experience. As a methodological approach action research holds numerous strengths. It has immense potential for encouraging emancipation and recognizing local experience as a valid basis for creating social action (Brydon-Miller, 1997; Healy, 2001). While action research scholars often disagree about what constitutes “full” or “proper” action research, they all seem to agree that at its core is a focus on emancipation, enabling the researched to re-evaluate and change their situation (Boog, 2003; Nugus, Greenfield, Travaglia, & Braithwaite, 2012). This idea of emancipating and empowering the LGB individuals in reporting homophobic violence is one of the main reasons why I wanted to incorporate elements of action research into my study. For the purposes of this dissertation I understand emancipation as a process that is designed to “improve the researched subjects’ capacities to solve problems, develop skills (including professional skills), increase their chances of self-determination, and to have more influence on the functioning and decision-making processes of organizations and institutions from the context in which they act” (Boog, 2003, p. 426).

Action research is based on a set of guiding principles that give it its unique character. Winter (2001 in Humphries, 2008) outlines these principles in the following order: reflexive critique³³, dialectical critique, creating collaboration / participation, creating plural structures, risking disturbance and internalisation of theory and practice. The following sections show how each of these principles is reflected in my methodological approach.

Dialectical critique: The dialectical approach builds an understanding of the relationships between a phenomenon and its cultural context, and between the different elements that make up the phenomenon (Winter, 2001 in Humphries, 2008). Bearing this in mind, I approached my research with both target groups from an in-depth understanding, of the main conceptual notions involved (homophobic violence, hate crime, sexuality, gender), as well from a theoretical consideration of how these concepts are constructed in the cultural context of Slovenia. Working with both groups, I also have a practical understanding of the dynamics of their relationship as well as of their socio-political, cultural and organisational situations - and their limitations when it comes to responding to homophobic violence. For that

³³ Reflexive critique is addressed separately in section 3.9 Objectivity and Reflexivity (see p. 87).

understanding to be transferred but also complemented by the knowledge of both researched groups, I designed my research instruments in a way that facilitated a better understanding of the main concepts between the two researched groups, as well as between the researcher and the researched - as I describe below.

Creating collaboration / participation: participants in an action research project are not solely sources of knowledge but co-researchers or consultants (Taylor & Pettit, 2007). To ensure that my results reflected the realities of both target groups, representatives of each group were involved in the design of both the qualitative and quantitative phases of the research. They also helped publicise the study and recruit participants. To engage with the LGBT community, I first gathered a group of five self-identifying LGB participants that would act as consultants at each stage of the research process. These consultants were primarily identified based on their knowledge of my research topic and their embeddedness in the Slovene LGBT community. I originally envisaged their role as co-researchers responsible for the “action” element in the study. However, as I describe below, I had to significantly adapt this ambition. I acquainted the consultants with the aims of the study and gave them a broad outline of my proposed methods and research instruments. I also forwarded the draft of an online questionnaire for their constructive review. When this questionnaire was finalised the group were also actively engaged in publicising the study as well as in the recruitment of LGB participants for the focus groups. Four consultants themselves took part in the focus groups.

I secured the collaboration and participation of police through my exiting contacts with three senior police managers and two police officers. Throughout this dissertation I will refer to them as police consultants. During the research design and fieldwork stages of the research, I was in constant contact with all five consultants, but particularly with both police officers and one of the senior managers, I met with them every two months between September 2012 and October 2013 when I started the fieldwork for my study. All five consultants reviewed, commented on and tested the preliminary version of the online survey. As I am not considered an “insider” and lacked practical access to my survey population they also became crucial allies by publicising the study within different police stations as well as helping with the recruitment of individual officers for the semi-structured interviews.

Recognition of how theory informs practice: In action research, theory is not only linked with practice, but it informs practice and vice versa (Winters, 2001 in Humphries, 2008). Action research encourages a continuous transformation of knowledge and ideas and aims

to enable a change in both the living conditions of people and individual level change through effecting the empowerment of participants. It does this through mostly drawing on poststructural theory which addresses the “discourses and mechanisms for producing, maintaining, and legitimising social inequities and domination” (Paulston, 1979 in Riet, 2008, p. 550). Because my research questions had an inductive focus, designed to generate new theoretical and practical insights rather than to test pre-set hypotheses, I used Charmaz's (2006) approach for open coding of data and Thomas's (2003) general inductive approach to analysis to analyse and interpret data.

Creating plural structures: The nature of action research embodies a multiplicity of views, favouring a diversity of ideas over the generalisation of experiences to construct a single story or a grand narrative (Houston, 2010; Zuber-Skerritt & Fletcher, 2007). My research design and methodological pluralism, combining qualitative and quantitative approaches, allowed for a wide range of experiences, thoughts and considerations to be collected and contrasted in this study. This principle is also reflected in my approach to data analysis. Open coding is a pluralistic framework that allows generating as many themes as possible, and encourages diversity of views as a contribution to the broad and in-depth understanding of the situation under analysis (Dworski-Riggs & Langhout, 2010). Participants' accounts are not generalised to develop a single story, nor do I aim to generalise my own understanding and knowledge generated by the finding and present it as the needs of either researched group.

Risking disturbance: Technically action research includes four inter-related stages of planning, acting, observing and reflecting. This requires the researcher to approach the research process in flexible, open-ended and dynamic way (Brydon-Miller, 1997; Brydon-Miller, Greenwood, & Maguire, 2003) and to remain open to any potential changes in their planned design and methods. It also requires them to remain open to a discussion of their own interpretations, ideas, and judgments (Dworski-Riggs & Langhout, 2010). I originally envisaged the consultants' involvement continuing beyond the research design stage, and aimed to build and integrate their participation in the research process by instigating a small-scale action that brought together police and LGBT community, following the objectives of this study and based on the preliminary findings. I discussed this process with the group at the very early stages of this research and provided them with an outline of the action learning process and how this methodology could contribute to bridging the gap between police and the LGBT community. It became apparent, however, the action element was unrealistic for

several reasons. One important factor was the level of community response to the action research paradigm. Even though LGB consultants were enthusiastic to help with the research design, providing constructive criticism, publicising the study, helping with the recruitment of participants and participating in focus groups, their level of interest in engaging with the research on a longer-term basis was too low to form a solid group that would carry out such an action. After several futile attempts to re-engage some of the participants of the core group in further elements of the study, I concluded that inviting people to engage with the study beyond this consolidation phase would be too intrusive.

There was another important factor preventing this study from developing into a full piece of action research. In April 2013 as I started the main fieldwork, I decided to resign as a member of Legebitra staff and move to the UK in October 2013. This impacted both my role within the organisation and my abilities to put plans for the victim support program into action. Not being able to formally influence Legebitra program development, and especially my change in geographical location, meant that maintaining that previously steady contact with both researched groups became problematic and forced me to re-consider the feasibility of action research under these new conditions. As I did not want to completely abandon the action element, I decided to finish the planned field research, conduct a preliminary data analysis and organise an open round table bringing together police and members of the LGBT community as a closing empirical element of this study. The event took place in December 2014 in Ljubljana and was organised with the support of Legebitra (Gračanin, 2014). It was attended by over 50 participants, including both members of the LGBT community and the representatives of police. The main aim was to present the preliminary findings of the study, address barriers to reporting of homophobic violence, introduce steps that police had undertaken in recent years towards directly addressing the issue and explore the willingness for police and LGBT community partnership.

In sum, even though this study does not complete all the stages of the conventional cycle of action research (planning, acting, observing and reflecting), action research principles feature prominently and resonate strongly throughout its design and, to some extent, its implementation. Using action research principles also reflects the innately political nature of this project as it allowed the consultants to place their interest and experience in the service of their own personal and political values. On a personal level, adopting these principles allowed me to address issues of social justice in an open and democratic manner and gave me a platform to integrate my politics and my work – with the vision to improve both.

3.4 Research instruments

The main fieldwork began in April 2013 and finished in April 2014. During this period, I launched two online surveys, one targeting the LGBT community and the other intended for police respondents. In addition, I also conducted six focus groups with total number of 30 self-identified gay, lesbian and bisexual individuals from Slovenia, and eight semi-structured interviews with police officers. I also launched a web site about the research, with a call to participate in focus groups as well as semi-structured interviews and where both online surveys were available for completion. This website also included awareness raising information on the importance of reporting violence to police and information on how to report violence to police and a range of NGOs.

3.4.1 The online surveys

Critics of online surveys point to several disadvantages including a high dropout rate, leading to missing data, limited sampling and respondent availability (Moradi et al., 2009 in Swank & Fahs, 2012). Despite the drawbacks, Frippiat Marquis (2010) citing Witte (2009, p. 287) state that “web-based survey research has reached a level of maturity such that it can be considered an essential part of the sociological tool kit” and virtually every article acknowledges that online surveys have several undeniable advantages as a social science research instrument. The most obvious of these are that in comparison to traditional methods, web-based research is much cheaper (Denissen, Neumann, & van Zalk, 2010), the speed with which data can be gathered (J. R. Evans & Mathur, 2005), and the fact that an online environment makes it possible to reach individuals who would otherwise be difficult to locate or to contact (Frippiat & Marquis, 2010). Online questionnaires also create an impression of greater privacy and reportedly yield more accurate answers, especially when addressing sensitive topics (Tourangeau & Smith, 1996). As personal contact between researchers and participants is not necessary, conducting a study online enhances its anonymity. For this reason, web-surveys currently present one of the best options for gathering data when studying hidden groups such as sexual minority populations or exploring sensitive questions (Tourangeau & Smith, 1996) - as was the case with this study. As discussed previously throughout this chapter, the final version of both online surveys incorporated feedback from both LGB and police consultants. For the LGB survey, areas

addressed in the questionnaire were drawn from Wong and Christmann's (2008)³⁴ study on the role of victim decision-making in reporting of hate crimes. The final LGB questionnaire contained 37 questions and was divided into five thematic sets: demographic data, sexual orientation, perception of homophobic violence and bias crime, willingness to report incidents of homophobic violence and perception of reporting and the victim support system (the police and Legebitra). Completing the questionnaire took 15 to 20 minutes on average. The final sample consisted of 235 respondents.

The police survey was based partly on a survey developed by Bernstein and Kostelac (2002)³⁵ which examines the relationship between attitudes and behaviour toward gay men and lesbian women among police officers. A draft questionnaire was then sent out to all five police consultants to feedback on its structure, the themes addressed and the terminology used. The final questionnaire contained 31 questions and was divided into four thematic sets: demographic data, assessment of workplace climate, attitudes towards gay men and lesbian women, and knowledge of homophobic violence and crime. In addition, the survey also asked if police attend a service standard to which they aspire and whether they see cooperation with the LGBT community as something positive and enriching to their current service provision. Completing the questionnaire lasted 10 to 15 minutes on average. The final sample consisted of 243 respondents.

Both surveys were created by 1KA.si³⁶ tool for web surveys, which is a free domain of the Centre for Social Informatics of Faculty of Social Sciences in Slovenia, and a web platform offering free web survey creation. The LGB survey was launched in April 2013 and closed in August 2013 and the police survey was launched in December 2013, closing in April 2014. For the LGB survey internet links were posted on the Legebitra website and generally disseminated via social media networks (Facebook, Twitter), Legebitra's membership and its partner network. Information was also sent to all active online LGBT discussion forums and other online community sites. The surveys were carried out anonymously and respondents' participation was voluntary. All participants were asked to complete the questionnaire in full, as failure to do so would mean their (partial) data would not be included in the study. The police survey was primarily publicised by means of the police consultants' private networks and via social media (Facebook, Twitter). The study was given a major

³⁴ The model was used and adapted with the permission of the authors.

³⁵ The model was used and adapted with the permission of the authors.

³⁶ Official website: <http://english.1ka.si/>.

boost with the official endorsement of the General Police Directorate and the publication of details in the news section of the Slovene police's official website. The study was also endorsed and publicised by the Trade Union of Slovenian Police (PSS).

3.4.2 The focus groups

When choosing between semi-structured interviews and focus groups to collect data from the LGB participants I decided on the latter option for several reasons. One of these was purely pragmatic, as the focus group method makes it possible to interview more people within a shorter span of time (Bagnoli & Clark, 2010). Equally important, however, was the element of interaction between participants. In focus groups participants may pose questions to one another, which facilitates the process of reflection and evaluation of their views on particular experiences and phenomenon (Ryan, Gandha, Culbertson, & Carlson, 2013). In line with the action research principles guiding this study, focus groups also facilitate possible mutual reflection on the part of all participants, including the moderator (Ryan et al., 2013).

As well as the time-saving element, scholars also note that the main purpose of the focus group approach is to “gain insight into the views, feelings, experience and reaction of the participants, which would not be possible using other methods” (Gibbs, 1997 in Švab & Kuhar, 2005), and emphasise interaction as crucial element that enables the participants to question and reflect on their own views in the context of various shared experiences. Focus group discussions not only generate data but create a social platform where participants can learn from each other, think critically about important issues, and transform their understandings. These specific dynamics of focus groups promote awareness of a certain topic, enable strong identification with the group and the themes discussed, carry an important element of emancipation and encourage political action (Grant, 2011). As focus groups involve intergroup conversation and debate and are thus integrally “social events” (Cyr, 2015, p. 4) they not produce data from individuals, but also generate socially constructed meanings shaped by the dynamic interactions of the group members (Grant, 2011).

The focus groups for this study were conducted between April and May 2013. Even though the literature emphasises the need to research male and female experiences of homophobic violence and crime separately (Cheng, 2004; Herek et al., 2002; Victim Support, 2006), the

aim of this study was not to research specific experiences but to essentially map an understanding of violence and crime and determine victims' willingness to report. I therefore decided not to separate participants according to their identified gender. However, three out of six groups ended up being gendered; two were composed only of gay males and one only of lesbian women. This was probably due to the different social networks of the consultants, which were predominantly made up of either gay males or lesbian women. There were 30 participants in total and the average group size was five participants. Participation in the groups was voluntary and the participants were not provided with any incentives to participate. The briefest focus group lasted 55 minutes and the longest 68 minutes. On average, they lasted about 58 minutes, all were recorded on a digital voice recorder and later transcribed.

Each focus group started with participants completing a short questionnaire mirroring the internet survey that included a list of situations where respondents were asked to identify a specific situation as violent per their own perception. This was done with the aim of assessing how the participants perceived violence and crime, but also providing a reference point to leading to further discussion on the subject during the focus group. Groups also incorporated an additional post-interview time that allowed and encouraged an informal exchange between the researcher and the participants on the topic such as homophobic violence and reporting procedures. During this portion of the focus groups, participants mostly had questions about Legebitra's victim support service or the process of reporting to police. These were not a compulsory part of the research process and participants were free to leave if they wished after the conclusion of the main discussion. These conversations were also not recorded.

Choosing focus groups as one of the methods proved to add an important dimension to this research. Even though most of participants described themselves as being actively engaged in the Slovene LGBT community, with well-developed social networks, many of them emphasised how important it was for them to take part in this study. This was for two main reasons. Either they also identified as survivors of homophobic incidents and saw their contribution as important to the improvement of current state and non-state services' responses, or they believed they had never experienced direct homophobic violence and wanted to support others and learn about the support system.

3.4.3 Semi-structured interviews

Semi-structured interviews are discussions, usually one-on-one between an interviewer and an individual, meant to gather information on a specific set of topics (Rabionet, 2011). Semi-structured interviews serve a similar purpose to focus groups as they are used widely in qualitative research to understand the reasons why people act in certain ways, by exploring participants' perceptions, experiences and attitudes (Harvey-Jordan & Long, 2001). Like focus groups, semi-structured interviews are also used to generate ideas in order to develop or change practice (Harrell & Bradley, 2009). One of the advantages of using semi-structured interviews is the richness of the data they yield drawing out subjective responses from individuals to a particular situation or phenomenon they have either experienced or are familiar with. Hand (2003) observes that semi-structured interview are often used when there is objective knowledge about an experience or phenomenon, but the subjective knowledge is lacking.

In the study, I used semi-structured interviews to explore police officers' views on gay men and lesbian women, their knowledge of homophobic violence, and their experiences of working with the victims of homophobic violence. Several factors influenced this decision. A review of the research literature on conducting studies with police officers increasingly emphasises the use of quantitative methods (web-surveys, printed surveys) when exploring sensitive issues (Bernstein & Kostelac, 2002; Wolff & Cokely, 2007). There are very few studies that have examined police officers' experiences by means of open ended interviews (cf.: Galvin-White & O'Neal, 2015; Younglove, Kerr, & Vitello, 2002), and none that used focus groups. The main reasons against using focus groups to examine police experiences of sensitive issues seems to be the unique nature of police work, that encourages "bonding" and "collective sense" of unified values and experiences "on the job" (Galvin-White & O'Neal, 2015). Police departments are also traditionally characterized by a variety of informal norms that emphasise loyalty, discretion, and secrecy. While senior representatives of police may understandably wish to project images that are as consistent as possible with existent departmental policies and legislation guiding police work, lower ranking officers may feel uncomfortable sharing experience or observations that could reflect poorly on their superiors or their departments (Belkin & McNichol, 2002; Hassell & Brandl, 2009). Researching delicate issues, such as attitudes towards homosexuality, in a formal or group setting might not produce accurate and comprehensive responses, due to these social pressures.

Some of the above considerations were also noted by the police consultants to this study. Firstly, all the consultants stressed that police respondents would be reluctant to share experience and views on gay and lesbian issues openly and “on the record”, but particularly in front of their colleagues. They also believed focus groups would present an organisational challenge due to often overlapping or “on call” police work schedules. Even though I obtained official permission and support from General Police Directorate to conduct the study and recruit police officers for the interviews³⁷ it became clear quite early on that police officers were reluctant to cooperate in a formal capacity. Police officers were mostly concerned that they were not qualified to discuss this subject as they felt they “knew too little of it to contribute”, were afraid they would come across as “incompetent” and “judgemental” or were worried about what I might write about them personally.

Considering these unique methodological challenges, I adopted several steps designed to encourage participation and open disclosure of experience:

- a) Each consultant vouched for my objectivity and sensitivity, and was instructed to inform potential respondents that their participation would be “off the record” and remain anonymous and confidential.
- b) I secured private one-on-one interviews with all participants in a location of their choice and agreed not to record the interviews or collect any personal data.
- c) I impressed on all participants the importance and value of an accurate and comprehensive response.

I conducted eight interviews between August and September 2013. Even though I was unable to record respondents’ observations, I did, with their permission, take extensive notes, including direct quotes. The briefest interview took 55 minutes, the longest, was 90 minutes, and on average they lasted 60 minutes. At the end of the interview I asked participants if they would like to be sent a copy of my notes. It seemed significant that, although police officers were concerned about what I might write about, then they were not very interested in seeing these notes or my key findings (only two individuals expressed an interest in this).

The interviews included representatives of six police officers from four different police stations in Ljubljana, and two representatives of senior personnel based in the general police directorate (GPD). Participation in the study was voluntary and the participants were not

³⁷ See Appendix III.

provided any incentives to participate. The interview schedule closely followed the themes of the online questionnaire. However, due to the sensitive nature of the study, I outlined the lead questions at the beginning of the interview, which often prompted the respondents to start a narrative that they wanted to share. To fully capture the extent of their perceptions, beliefs and experiences, I encouraged them to share as little or as much as they felt comfortable with. As with the focus groups, the discussions with police officers involved a post-interview space where the respondents were encouraged to ask questions that might broaden their understanding of homophobic violence, and the needs and expectations of its victims, and have some relevance to their work. Out of eight respondents, six chose to stay on after the interview.

3.5 Examples of good practice

I originally intended to undertake a case study of the UK's leading LGBT hate crime charity, GALOP and study their response to homophobic violence and crime. While working for Legebitra I had met with GALOP's CEO at an international conference on "Working with the police and challenging hate crimes in Europe 2008-2011" (ILGA Europe, 2011). At the event GALOP's work on hate crime and partnership with London MET Police was introduced as one of the few examples of good practice and cooperation between police and NGOs in response to homophobic hate crime in the EU. Even though at the time this study was in the very early stages, as a manager of Legebitra's victim support service I was curious how GALOP responded to political and social imperatives concerning hate crime, and about their engagement and cooperation with police representatives. However, as the study progressed, the absorbing nature of empirical findings combined with my resignation from Legebitra and the fact that I had no direct influence on the development of the organisational program, shifted my focus of interest away from improving organisational responses to hate crime and towards examining approaches, responses and parameters that lead to and would ultimately sustain police partnership with members of the Slovene LGBT community. I therefore decided to examine three examples of good practice as adopted and implemented in England that aim to open channels of communication between police and the LGBT community.

Data on police responses to homophobic violence in England was collected via a desk review of relevant academic literature as well as other secondary sources (such as community reports

by GALOP and Victim Support) that critically evaluated police and LGBT community partnerships in England. I also thoroughly examined data from a doctoral dissertation studying the impact of gay men's experiences of hate crime and policy responses to it from the UK (Dunn, 2010), and looked closely at McGhee's (2003) study of multi-agency responses to homophobic and transphobic incidents and the policing of the LGBT community in Hampshire and the Isle of Wight. Moran's (2007) reflection on how partnership between the LGBT community, the police and policy makers changed the day-to-day operation of policing in England and Wales was another key source of information. The desk review highlighted three approaches in the UK, which I believe could be an inspiration to both police and NGO responding to homophobic violence, especially in Slovenia's capital, Ljubljana. These were the introduction of LGBT advisory groups, LGBT liaison officers and also a multiagency approach to hate crime policing, that usually consisted of forums where members of the police met regularly with municipal officials, members of voluntary organisation and local social services, to discuss strategies for dealing with bias crime in the community (Bleich, 2007; FRA, 2016; McGhee, 2003). There are four main reasons, why I chose to focus on those three approaches;

- They are well documented and critically assessed in the available academic literature and community reports from the UK,
- They are promoted as good practice in reports from key European organisations promoting LGBT safety and human rights such as ILGA-Europe (Agius, Koehler, Aujean, & Ehrt, 2011; Poláček & Le Deroff, 2010, 2011), ODIHR (OSCE & ODIHR, 2009, 2014) and FRA (FRA, 2014, 2016),
- As I demonstrate in the following sections, policy and practice factors mean there are real possibilities for these responses to be adapted and transferred into the Slovene context,
- LGB focus group and survey participants consistently referred to LGBT advisory groups and LGBT liaison officers as an example of promising practice welcomed by the LGBT community in Slovenia.

The main aim behind presenting some of the strategies adopted and delivered in the UK is twofold. On one hand I aim to inspire the Slovene LGBT community to conceptualise the community's needs and become active citizens in response to homophobic violence (McGhee, 2003; Moran, 2007). On the other, I aim to define those parameters that enable

and encourage the police to move beyond their training and awareness-raising initiatives to consider further pro-active and on-going cooperation with the LGBT community (Magić, 2012).

3.6 Obtaining access

As an active member of the Slovene LGBT community and representing Legebitra, access to this group was very straightforward. The organisation was fully aware and supportive of my ambition to conduct this study and I could use the office infrastructure as well as its membership and partner networks to reach out to gay, lesbian and bisexual individuals in Slovenia. I used the organisation's space to conduct the focus groups, which was helpful as participants would know the premises of Legebitra and regard it as a safe space, which I believe is reflected in the high level of participation. Through Legebitra's network of partners I also received the support of other local LGBT organisations (e.g.: DIH, Škuc-LL, ŠKUC-Magnus) who agreed to publicise the research in their relevant outlets and newsletters.

I started trying to obtain permission to conduct the study within police stations in Ljubljana in April 2013. Since 2010 I had been in regular contact with Deputy Director General of the Police, Ms. Tatjana Bobnar, meeting with her several times between 2010 and 2012. Most of our meetings revolved around discussing the police trainings on homophobic violence that were still on-going during that period. Once I started field research in 2013 I contacted her again, explained the proposed study and asked her for support and advice on obtaining access to police officers. She suggested I obtained official permission from the General Police Directorate, which I did. I also arranged and met with two other senior police officers, who were both at the time working in the General Police Directorate. After I introduced the main objectives and methods of the study, they both agreed to act as consultants.

The official letter from General Police Directorate endorsing the study came through in August 2013, which marks the starting point of my research with the police. Due to their managerial roles, Ms. Bobnar and the two other senior officers were not able to act as "insiders" and facilitate access to individual officers. I therefore cooperated closely with two police officers from the Police Directorate Ljubljana who I met in 2010 and 2011 through my work with Legebitra, and who could act in that role.

3.7 Sampling

In recruiting police and LGB individuals I used non-probability, purposive sampling. This mirrors local experience of conducting mixed method research with hard-to-reach groups as documented by Slovene sociologists Švab and Kuhar (2005, 2008).. Babbie and Rubin (2011) observe that snow-ball sampling is used primarily for exploratory purposes and is implemented “by collecting data on the few members of the target population whom one is able to locate, and then asking those individuals to provide the information needed to locate other members of that population they happen to know.” (p. 358). Furthermore, in the first large-scale sociological study of the gay and lesbian population in Slovenia researchers Švab, Kuhar (2005) observe that snowball sampling enabled them to establish a firm mutual trust between themselves and their respondents, and enabled them to reach others beyond the usual “active” members of the community. In my study, representatives of police as well as lesbian, gay and bisexual individuals were identified through purposive snowball sampling using referral chains. LGB participants were initially recruited via the initial sample of ten respondents, LGB consultants and four staff members of Legebitra. I also recruited through other local LGBT organisations and, to reach people who might not be active on the commercial LGBT “scene”, I used social media contacts and personal networks.

Taking into account that “every act of hate crime has many victims” and that those beyond the immediate victim are also affected (Peel, 1999; Perry & Alvi, 2012), this study was open to all individuals over 18 who either identified as lesbian, gay and bisexual. In promoting the study, I avoided using the term “hate crime” and instead referred to “homophobic violence” as this term is more widely used by LGB people in Slovenia. I also avoided the term “victim” for two reasons. Firstly, participants didn’t need to have personal experience of homophobic violence to join the study. Secondly, research suggests that many people do not necessarily define their experiences as “violent” or see themselves as “victims” (Kelley, 2009; Moran, Paterson, & Docherty, 2004; Victim Support, 2006).

Recruiting representatives of police for semi-structured interviews was highly dependent on the two consultants. As I am not a police officer, their “insider” status was crucial in this process. It allowed me immediate access through their personal and professional contacts and made possible to recruit participants and make other police officers aware of the current study. As already stated above, this population is cautious and selective when sharing personal information as well as information related to policing practices (Galvin-White &

O'Neal, 2015). It was therefore necessary to use intermediaries to confirm and vouch for my credibility and trustworthiness as a researcher. This was further enhanced by the official endorsement of the General Police Directorate, and the fact that they included information on my research on their web site (see above). The study was also endorsed and publicised by Police Trade Union of Slovenian Police (PSS).

With non-probability sampling, the sample cannot be considered random or truly reflective of the overall population as there is no way of checking its representativeness (Bettinger, 2010). Therefore, the main findings of this study cannot be generalised to the entire LGB or police population in Slovenia. Nevertheless, even though the study could not produce a representative sample, the methods I chose were implemented with utmost consideration of their advantages and disadvantages for the population studied, allowing the results to provide high quality information about the group taking part in the research as well new insights that could be addressed and used in future research.

3.7.1 LGB participants

Of the 260 participants who completed the online survey, 5.7 per cent did not specify their sexual orientation and 3.8 per cent identified as queer. As this study was specifically interested in experiences of LGB individuals, the final sample consisted of 235 individuals, 43 per cent women and 56 per cent men, of which 36.6 per cent identified as lesbian, 48.5 per cent as gay and 14.9 per cent as bisexual. The age range was 18–65, with 78.3 per cent falling into the 18–35 category. Older LGB people and those living outside of urban areas proved especially difficult to access, resulting in a disproportionate number of respondents in the 18–35 age group and 85.6 per cent identifying themselves as living in the urban areas. It is likely that the survey being publicised mostly by means of social networks, influenced the diversity of respondents regarding age and location in the sample. A high proportion of participants (49.4 per cent) were employed, 30.6 per cent were students (both undergraduate and graduate) and 11.5 per cent were unemployed. 42.6 per cent were secondary school graduates, 28 per cent were university graduates, 6 per cent had only a primary or lower secondary technical education and 3 per cent were vocational school graduates. Most of the participants (53 per cent) were university students (both undergraduate and graduate); 31 per cent were employed, 8 per cent were secondary school students, and 8 per cent were unemployed.

In terms of relationship status, 60.4 per cent of respondents stated they were in a relationship with a same sex partner and almost 60 per cent of respondents claimed to be mostly open about their sexual orientation. In addition, 87.4 per cent of respondents stated they feel comfortable in their sexual identity as a gay, lesbian or bisexual person. Relating to their level of engagement with/in the LGBT community, 75 per cent of respondents stated they were not members of, nor actively involved in any of the existing organisations or civil initiatives advocating for LGBT human rights.

The focus groups included 16 gay men, 6 lesbian women, 6 bisexual women and 2 queer individuals. The majority were from the cities of Ljubljana and Maribor (83 per cent) with 17 per cent coming from smaller towns or from the countryside. Most participants were in the 26–35 (47 per cent) or the 18–25 (40 per cent) age groups while the rest (13 per cent) belonged to the 36–45 age group. The level of disclosure among the participants was quite high, with 70 per cent claiming to be completely or mostly open about their sexual orientation. Most participants were in a relationship with a same sex partner (54 per cent). In the key findings chapter, I use quotes from these focus groups as well as answers from open-ended questions in the online survey. The statements are translated from colloquial into literary language. All names mentioned next to the quotes are false names, followed by the age group and sexual orientation of the participant.

3.7.2 Police

During this study, I worked closely with five police consultants who supported the research and had a direct interest and or expertise in the topic. Save from one who wished to remain anonymous, they were as follows:

- Tatjana Bobnar, Deputy Director General of the Slovene Police
- Janez Ogulin, Director of the Police Directorate Novo Mesto
- Izidor Nemec, Community policing officer, Police Directorate Ljubljana
- Boštjan Skrbinšek, Shift leader, Police Directorate Ljubljana

I also conducted semi-structured interviews with eight representatives, leaders and officers of local level police, based in four different police stations within the Ljubljana police directorate.

The police participants were as follows:

- Police rep. 1: aged 35, male, 17 years of police service, deputy commander and a police inspector
- Police rep. 2: aged 33, male, 10 years of police service, community policing officer
- Police rep. 3: aged 42, female, 13 years of police service, criminalist
- Police rep. 4: aged 38, female, 8 years of police service, criminalist
- Police rep. 5: aged 33, male, 13 years of police service, criminalist
- Police rep. 6: aged 45, male, 16 years of police service, police inspector and community policing officer
- Police rep. 7: aged 40, male, 18 years of police service, shift leader
- Police rep. 8: aged 38, male, 15 years of police service, community policing officer

The only formal interview with a representative of the Slovene police, which was also recorded and transcribed, was conducted with Albert Černigoj, Head of Anti-Terrorism Department, from the Criminal Police Directorate. This interview was set up with the aim of getting an in-depth understanding of how hate crime is officially tackled. For that purpose, I developed a separate questionnaire schedule.

Of the 243 police officers included in the online sample, the majority were male (80.7 per cent), with approximately 87.3 per cent of the respondents indicating they were either married or living with a partner. Just under one quarter of the sample (23 per cent) was over the age of 46, with 28.4 per cent age 35 or less and a large majority (48.6 per cent) in the 36-45 age group. Most of the respondents had higher education or a university degree (47.2 per cent), whereas 30.9 per cent indicated they had a secondary school education and 11.9 per cent had post-graduate degree (M.A, PhD). In terms of rank, most respondents (33.7 per cent) were front line officers, 8.2 percent were community policing officers, 24.7 per cent were criminologists, whereas the remaining 21.8 per cent were at a senior or supervisory level. One quarter (12 per cent) declined to share their rank in the survey. The largest percentage of officers had been on the job more than 20 years (48.1 per cent), 10.7 per cent of the sample have 5-10 years of work experience and 4.1 per cent had been on the job 5 years or less, with the remaining 37.1 per cent having 10 to 20 years of experience. A large proportion (42.8 per cent) stated they entered law enforcement to help people, 33.3 per cent were attracted to the dynamic nature of the work, 9.5 per cent became an officer to prevent crime and 7.8 per cent did so for the economic benefits such as a stable salary and pension.

The geographical distribution across regional police directorates was uneven, with 33.7 per cent of respondents based within the Ljubljana police directorate. Representation across the remaining directorates was as follows;

- Maribor, 13.6 per cent
- Kranj, 12.8 per cent police directorate
- Koper, 8.2 per cent police directorate
- Novo Mesto, 6.2 per cent
- Murska Sobota, 5.3 per cent
- Celje, 4.1 per cent
- Nova Gorica, 2.5 per cent
- 13.6 per cent chose not to share information on their work setting.

3.8 Data analysis

The data from the online surveys was arranged and processed using SPSS (IBM SPSS Statistics 21). Given the exploratory purpose of this study, I used descriptive statistics to describe the demographic characteristics of my sample. Frequencies and descriptive analysis, presented in percentages, represented participants' responses, and I used crosstabs to explore the relationships between individual-level and socio-contextual factors. All charts and tables were generated by SPSS.

As my research questions had an inductive focus, designed to generate new practical and theoretical insights rather than to test present hypotheses, I relied on Thomas's (2003) general inductive approach to analysis and Charmaz's (2006) approach to open coding. After writing down my notes on the police interviews and transcribing my focus groups, I re-read the texts multiple times to gain an understanding of the experiences of both groups. I then proceeded with open coding and memo writing. These analytic procedures allowed me to identify important concepts related to homophobic violence within the data, and responses to it. I was then able to group these concepts into categories and further develop, refine, and specify relationships between those categories.

I reviewed each transcript and note attaching a code label to sections of data that summarised the emerging meaning. Charmaz (2006) notes that the main purpose of creating qualitative codes is to "take segments of data apart, name them in concise terms, and propose an analytic handle to develop abstract ideas for interpreting each segment of data" (p. 45). I was

specifically looking for description of events, contexts, and viewpoints shaping the understanding of the concept of homophobic violence and how that understanding was formulated into (re)actions in terms of responses (reporting). I synthesised the main concepts by grouping similar phenomena under a common heading, and then entered all these codes into a table, which made it easier to have an overview of the coded data in an accessible format. I also summarised each transcript and note by memo-writing. Charmaz deems memo-writing as one of the crucial steps in data analysis as it allows “certain codes to stand out and form theoretical categories” (p. 72). Memos usually contained a short description of the themes that emerged from the interviews, and sets of final categories that I devised when themes began to emerge during the data analysis. The memos, were particularly useful in facilitating a cross-comparison of the data from semi-structured interviews, focus groups and online surveys and moving me towards an interpretive understanding of the data (Thomas 2003).

3.9 Objectivity and reflexivity

Scholars note that interpretation is at the heart of all research practice and that it is driven by the values, beliefs, history, and interest of the researcher (Marshall & Reason, 2007). Reflexivity, characterised by constant self-examination, is vital in attempting to achieve rigour by making each step of the process open and transparent (Swigonski, 1993). I am aware that I hold a unique position within the present study and acknowledge that my personal experience and attachment to both Legebitra as well as the Slovenian LGBT community have an impact on my perspective. I also have a previously established relationship with most of the LGB participants. Some know me as an LGBT rights activist, co-worker, victim support officer or as an acquaintance; with others, I have forged close personal relationships. Several members of the Slovene LGBT community were also actively involved in the development of this research. Owing to this complex set of relationships, my reflection can only be subjective and I acknowledge that I am, a priori, biased in my position, perception, values and narrative. These circumstances, which I have also helped to create, undoubtedly influence not only my view and perspective, but also that of the participants.

For instance, while it was important to hear police officers’ views on gay men and lesbian women, nevertheless I with this group as a lesbian woman. Even though I did not introduce

myself as such, it was often clear from their narrative that my identity was assumed. It would be safe to say that this knowledge impacted some of the narratives of police representatives and that in some cases respondents formulated their answers based on what they thought I wanted to hear. Not working in law enforcement, I was also perceived as an “outsider” and was warned by the consultants some respondents might be selective and cautious when sharing information. To mitigate this bias, I involved representatives of both researched groups in the research design. The findings are not generalised to develop a single story, nor do I aim to generalise my own understanding and knowledge generated by this research and present it *de facto* as the needs of either of the two studied groups. By recognising the diversity of views, my research will provide a platform for voices of both sets of actors to be heard in an unmediated and direct way and stands as a contribution to the understanding of their situation.

Bonner and Francis (2006) observe that “an inductive analysis starts with the data rather than the preconceptions of the researcher” (p. 20), which means having as few preconceived ideas as possible. Personally, I found this aspect difficult as, although little literature exists about reporting of homophobic violence as well as police officers’ knowledge on the subject, I did have prior knowledge, experience and opinions on the subject matter. This included my personal experience of being a victim support officer working with both police and LGBT individuals. In any research process it is important to be open to learning that might contradict the assumptions that a researcher might make due to their “embodied knowledge” (Frisby et al., 2009; Maiss, 2010). Once a concept, theory or an explanation of a phenomenon is identified a researcher might tend to only look for facts that will confirm it and may even design the data collection to fit (Padgett, 2009). To address this and raise my own awareness, I noted Stake's (2010) advice that knowledge is only advanced when a researcher’s aim is not to prove a theory to be correct, but by also uncovering circumstances where a theory might be built or contested. The call for re-evaluation and re-conceptualisation of how we understand and think about hate crime by Chakraborti and Garland (2009, 2012, 2015), that I refer to and describe in the literature review, in particular made me question my own understanding of the phenomenon. This in turn helped me maintain a critical view and healthy scepticism of the assumptions commonly made about hate crime by civil society as well as professional bodies.

In conducting this research, I have also discovered that constructing knowledge is not easy. Citing Bourdieu, Jenkins (1992) raises concerns about the manner in which researchers ask

questions, which are inevitably value-laden and “are likely to produce normative, value-oriented statements about what it is believed ought to happen, rather than a valid description of “what goes on” (p. 28). In designing my interview schedules and conducting the interviews I worked with the consultants and made the questions as open and free of leading assumptions as possible, to minimise bias. Tourangeau and Smith (1996) also stress the need to always ask open questions. However, at times I also needed to ask a question that might appear to have been closed or make a comment that was assumptive. This was only done to check, through active listening, whether I had heard and understood correctly the message and the significance of the respondent’s narrative or statement. Sometimes this was done with the intention to further probe an issue they had raised.

On a final note, although primarily embedded within the Slovene LGBT social movement, this research is nonetheless situated within other socio-political structures and discourses organised around cultural norms of gender normativity, sexuality, structural violence, legal inequalities, and political and social tolerance and discrimination towards homosexuality. Though culturally perceived as “the other” or “oppressed” by my social label as a lesbian, I also consider myself privileged by being white, highly educated, and currently able-bodied. I bring to this research my stance as an activist and a scholar, a genuine curiosity and a need to develop an understanding of the barriers to reporting of homophobic violence, which is driven by my own personal and political commitment. I am strongly aware of the fact that I initiated and am part of the process where I am perceived as an “insider” to one of the researched groups but “outsider” to the other. I am also a part of a process where I have portrayed a lot of different roles and worn a lot of different faces. I reveal these identities to locate myself within this dissertation and the discourses I examine. As a former victim support officer, acting as a link between the police and the LGBT community at the commencement of this study and, at the time of writing, a board member of Legebitra living in the UK, I am still invested in the efforts of Legebitra along with the efforts of the entire LGBT community in Slovenia. This is an investment driven by the transformative social justice possibilities of civil societies to intervene and challenge homophobia and heteronormativity in spaces that are, historically, inhabited by unlikely allies, such as the police in this study.

I am excited by the past and present complexities and many discomforts unveiled during this study, by both groups in relation to their social and political context - but foremost in relation to each other. By challenging preconceived notions and often the uneasiness of the

participants as well as my own, this study is opening new possibilities. This is what ultimately drove my research – my commitment to the possibility of new transformative partnerships and the capacity to generate new ways of thinking, knowing, and interacting.

3.10 Research ethics

Discussing ethical issues when conducting qualitative studies dealing with sensitive topics Corbin and Morse (2003) observe that ethics provide the basis for conduct in any research but are especially pertinent to qualitative studies, where researchers and participants “co-construct ethical realities during the course of the research” (p. 348). As assessed by the Senate of the Faculty of Social Work, this study did not require a review by its research ethics committee and consequently official ethical approval by the Faculty of Social Work was not needed. Discussing values and virtues in qualitative research, Macfarlane (2010) observes that all research is uncertain and unpredictable, “real research ethics consist of facing moral challenges in the field. It has nothing to do with seeking ethical approval. It is what happens next that really matters.” (p. 23). Following the Code of Ethics for Researchers at the University of Ljubljana³⁸ I identified several ethical considerations that are common in qualitative research. These are responsibility to informants, sponsors, and colleagues, informed consent, safeguarding the wellbeing of participants and confidentiality and anonymity, all of which I address below.

Corbin and Morse (2003) note that research participants must be fully acquainted with the risks and benefits of participation. The researcher must make certain that participants understand their rights, especially the right to not participate or to withdraw from the research at any time, and must provide for the personal safety and well-being of participants. To publicise the study, I produced a short introductory brief for local LGBT and non-LGBT partners, which emphasised anonymity and confidentiality along with the main aims and objectives of the study. The brief was also used as an introduction to both online surveys. Before the start of each focus group or individual interview I introduced myself, explained what the study was about and how the findings would be written up and disseminated. I also listed the reasons why I believed their participation was important to this study and introduced the process of interviewing. All participants were encouraged to share as much or as little as they wanted and were told they could decline to answer any question they might

³⁸ https://www.uni-lj.si/research_and_development/ethics_in_research/

feel uncomfortable with. I also informed all participants they had a right to withdraw at any stage and explained that participation was confidential and that personal data would not be collected or referenced in the study. I obtained permission to record the focus group interviews and collected basic data, such as gender, sexual orientation and age, informing all participants that the recordings would be promptly destroyed as soon as the transcriptions were finalised. Focus group participants also chose aliases for the purpose of the intergroup conversation. When transcribing the focus groups, I made sure to leave out all references to specific individuals, places or events so the authors of quotes could not be accidentally identified via an association. I did, however, inform the participants should they share information suggesting someone's safety might be in danger, I was obliged by law to pass on that information including their personal contact to the appropriate agency or authority. As I was not allowed to record the interviews with representatives of police I wrote up extensive notes. As with the LGB group, by way of summarising the interviews, I do not use the participant's real name, but list their participant number, gender, age and rank. When writing up my notes I omitted all references to a particular event, incident or a person in the police narrative that could inadvertently result in identifying the participant's identity.

Discussing ethical complexities when conducting research with stigmatized groups, Bettinger (2010) observes that LGBT participants, due to their marginalized and devalued societal position, require special attention and vigilance. Even though documenting experiences with homophobic violence and its impact was not the primary focus of this study, I did predict it would uncover experiences of victimisation and its impact. To prevent secondary victimisation and further harm, I did not try to suppress such narratives or the emotions they evoked, but instead expressed empathy and reassurance. Based on my professional background, I am experienced in interviewing people about distressing events and have a good knowledge of local and national organisations that can support LGBT victims. After every focus group, I offered signposting information about sources of ongoing support and left my contact details with all the participants in case of re-traumatisation.

On a final note, Macfarlane (2010) observes research ethics are also, crucially, about language. Researchers construct knowledge through the systematic use of language, organised in a manner that is recognised by others within the community (Colyar & Holley, 2010). I believe I have an in-depth knowledge of the concepts and terminology pertaining to LGBT issues locally and nationally which made the communication with this group straightforward. However, I sought support from the police consultants on some matters

related to law enforcement vocabulary and jargon when discussing legislation governing police work or pertaining to the documentation of incidents or criminal acts. This was done with the aim of enhancing my understanding of police narratives, but most importantly, making sure I was familiar with specific expressions and that they were appropriately translated and interpreted during the analysis. When discussing language and ethics, Macfarlane (2010) also discusses the importance of the relationship between the researcher and the researched and its presentation in qualitative projects. He notes how research processes often position “the otherness” of the research subject against the superior position of the researcher as “a neutral scientific investigator.” Following the principles of action research, I consistently use the word “participant” or “consultant” through the research process and dissertation writing. Rather than widening the gap between researcher and the researched I emphasise a mutual learning process where knowledge transfer was not one way but constant and mutual right from the design stages. This is true of all who participated in my research, and I am grateful for their contributions and support. It is to their experiences and stories that I can now turn to.

4. The role of Slovene police and the LGBT community in responding to homophobic violence and crime

This chapter will begin with a brief discussion on general attitudes and behaviours towards LGBT people in Slovenia. This will situate the key findings on LGB participants and frame observations and comments within a set socio-cultural context. Within this section I shall also briefly introduce the Information Centre Legebitra and the hate crime support service. I shall then discuss and compare data from both the online survey and focus groups, assess LGB participants' understanding and perception of homophobic violence, assess general willingness to report homophobic violence, and discuss prevalent factors influencing the decision to report homophobic victimisation. I will also briefly explore participants' knowledge of the support system along with their needs and expectations regarding support services, Legebitra and the police.

To contextualise the data on the police participants I shall provide a brief introduction to the organisation and work of the Slovene police along with the policy framework guiding police work in the area of non-discrimination. I shall then discuss and compare data from the online survey and the semi-structured interviews with police officers. Although focusing on sexual orientation issues, the first section of the analysis introduces data on organisational climate. The aim is to assess whether respondents have experiences of negative treatment at work which may adversely affect their work life, job satisfaction and cooperation with citizens and the local community. The next section assesses respondents' attitudes toward gay men and lesbian women, the degree to which they have contact with them in the workplace, and their perceptions of the experiences gay and lesbian officers may face upon disclosing sexual orientation at their work place. The analysis ends with a section discussing police officers' experiences of homophobic crime and violence, and their knowledge of distinct needs of gay men and lesbian women in the reporting process.

The chapter ends with a discussion on examples of good practice from England, the Slovene police and the LGBT community could undertake to enhance their cooperation and effectively tackle hate crime and violence.

4.1 General attitudes towards LGB people in Slovenia

Literature examining homophobia and homophobic violence in Slovenia tends to study experiences of homophobic prejudice predominantly in the context of structural violence,

legal inequalities pertaining to family life, and political and social tolerance and discrimination (cf.: Kuhar, 2006; Kuhar, Maljevac, et al., 2011; Kuhar & Švab, 2013). Kuhar and Švab (2014), for instance, observe that social distance toward gay men and lesbian women in Slovenia has been slowly decreasing. While, in the 1990s, around 60 per cent of Slovenes claimed that they would not like to have gay or lesbian neighbours, a Slovenian public opinion poll from 2011 demonstrated a drop to about 35 per cent. Furthermore, Takács and Szalma (2013) analysed data from the 2008 European Social Survey (ESS) and the European Values Study (EVS) in comparing attitudes to homophobia in 27 European countries. The ESS data suggest that Slovene society is mostly accepting of homosexuality, with most respondents believing that gay men and lesbian women should be free to live their own lives as they wish³⁹. However, data from the EVS suggest that most people in Slovenia believe that homosexuality can never be justified⁴⁰, and over a third (34.4 per cent) of the respondents considered gay men and lesbian women to be undesirable neighbours. Finally, recent data from Eurobarometer 2015 reports that 42 per cent of Slovene respondents believe that discrimination on the basis of sexual orientation is widespread (EU 28 average is 58 per cent), and 62 per cent would be comfortable or moderately comfortable with an LGB work colleague (EU28 average is 72 per cent) (ILGA Europe, 2016a).

A rather shifting uncertainty and inconsistency in attitudes and opinions can be noted in the above figures. This is also detected by Kuhar and Švab (2013), who warn that the seemingly increasing tolerance suggested by public polls is rather fictitious. They refer to Slovene attitudes towards gay men and lesbian women as “passive tolerance”, in which positive perceptions of homosexuality are expressed only if homosexuality is not visible and kept in the private sphere. The authors examine three homophobic incidents that took place in Slovenia in three different time periods, 1984, 1994 and 2009. They illustrate how tolerance towards gay men and lesbian women in Slovenia is conditioned by their public invisibility and how, in practice, daily reality is permeated by more or less visible forms of violent discipline towards LGBT individuals. Recent events surrounding the constitutional battle over marriage equality from 2009 to 2015 further support this argument. Government attempts to revise the Family Code in 2009, and include marriage equality and family rights

³⁹ Mean values of the dependant variables: 3.9; 1 = strong disagreement; 5 = strong agreement with the statement that gay men and lesbians should be free to live their own life as they wish.

⁴⁰ Mean values of the dependant variables: 3.4; 1 = ‘homosexuality can never be justified’; 10 = ‘homosexuality can always be justified’.

for same-sex couples in the revised proposal, resulted in a series of pro et contra consortiums and campaigns and two referendums (2012 and 2015), both triggered by the Roman Catholic Church and affiliated groups. Despite increasing public and media support in favour of marriage equality, both referendums were won by the proponents. They thus successfully countered the Slovene parliament's decision to address the rights of same-sex couples and families within existing family legislation. Finally, to address the issue of gay and lesbian partnership and family rights, a separate law was proposed and passed in 2016. However, even though the Civil Partnership Registration Act⁴¹ will grant same-sex partners in Slovenia the same rights as married couples in 2017, elements of inequality remain on both symbolic and practical levels. This is because joint adoption and in-vitro fertilisation still remain inaccessible to lesbian and gay couples (ILGA Europe, 2016b).

The polls and practice clearly suggest that Slovenes' relationship with homosexuality is as ambiguous as it is ambivalent. On one hand, it seems that social distance is lessening and tolerance is increasing, yet in practice homosexuality is still perceived as a deviance, unwelcome in practice as "a neighbour" and not deserving of the same legal privileges as heterosexual families and couples. Noticing this disparity, Kuhar and Švab (2014) aptly suggest that "Slovenia is not the most tolerant society for homosexuals, but at the same time it is not the most hostile either" (p. 1097). With a slight increase in tolerance but still somehow great social distance towards gay men and lesbian women, Slovenia is a perfect example of a country that is caught between newly European emergent democracies and developing political cultures in post-socialistic societies (cf.: Bernik et al., 1997 in Kuhar & Švab, 2014).

One of the local actors tackling social exclusion, homophobia and advancing counselling, support and safe spaces for the members of LGBT community is a not-for profit community organisation, the Information Centre Legebitra. Legebitra is an advocacy and rights-based LGBT NGO which developed from a volunteer-led youth group founded in 1999. As a registered entity, in 2005 the organization introduced paid (expert) staff including strategic program planners, and by 2006 three main programme pillars had emerged. These were youth counselling and peer-to-peer support activities, HIV/AIDS prevention and human rights education, and training and awareness raising activities. Hate crime monitoring and

⁴¹Full text available here:

http://www.mdds.gov.si/fileadmin/mdds.gov.si/pageuploads/dokumenti_pdf/z_registracija_ips_en.pdf.

prevention were added to these in 2007 (Magić & Maljevac, 2016). The hate crime monitoring and documentation service was set up independently from the existent youth counselling service due to the increased frequency of hate speech, harassment, intimidation and other forms of homophobic violence from 2005 onwards. These were seen in the media and political discourse, and were increasingly experienced by gay men and lesbian women in various public spaces, particularly around pride parades (Kuhar et al., 2008; Maljevac & Magić, 2009). The programme, called Activate! (*Povej naprej!*), was a victim support service that offered personalised and professional support in cases of homophobic victimisation. The services consisted of one-to-one support and a phone helpline, as well as a referral service in health, legal issues and mental health support. Finally, to influence social and legislative changes, the service also generated its own research and conducted awareness-raising activities on the importance of reporting violence. To increase the reliability of its referral service, the programme established strong links with state and non-state specialised support services from both the legal and health sectors, and with the police (Magić, 2012).

4.2 Study findings relating to LGB participants

4.2.1 Perceptions of violence and crime

Scholars warn that not every human action leading to harm, suffering, pain, agony or death is unambiguously recognized as violence (Matić & Dremel, 2016). In fact, as the results of this study show, many forms of violence are present in everyday life without causing a clear reaction. Some forms of violence remain unrecognised or are not spoken of and some might even be allowed, depending on the interests they serve (Brown, 1974 in Matić & Dremel, 2016). Discussing the role of individual and social processes in shaping the perception of violence, Wood (2007) observes violence as a phenomenon which is always made visible, is formed and understood through a certain narrative and is, as such, a distinctly “cultural” process. Wood suggests that all experiences of violence are perceived through both individual knowledge and social and group interaction. As such, they are shaped by the actions of individuals and institutions that ultimately deal with violence, including cultural norms, legislation, and law enforcement criminal justice system attitudes and the media: “If the history of violence has shown us anything, it is that ‘violence’ is a phenomenon in the eye of the beholder, a historically defined notion dependent not only on physically aggressive acts but also views of justice, attitudes toward cruelty and notions of public and

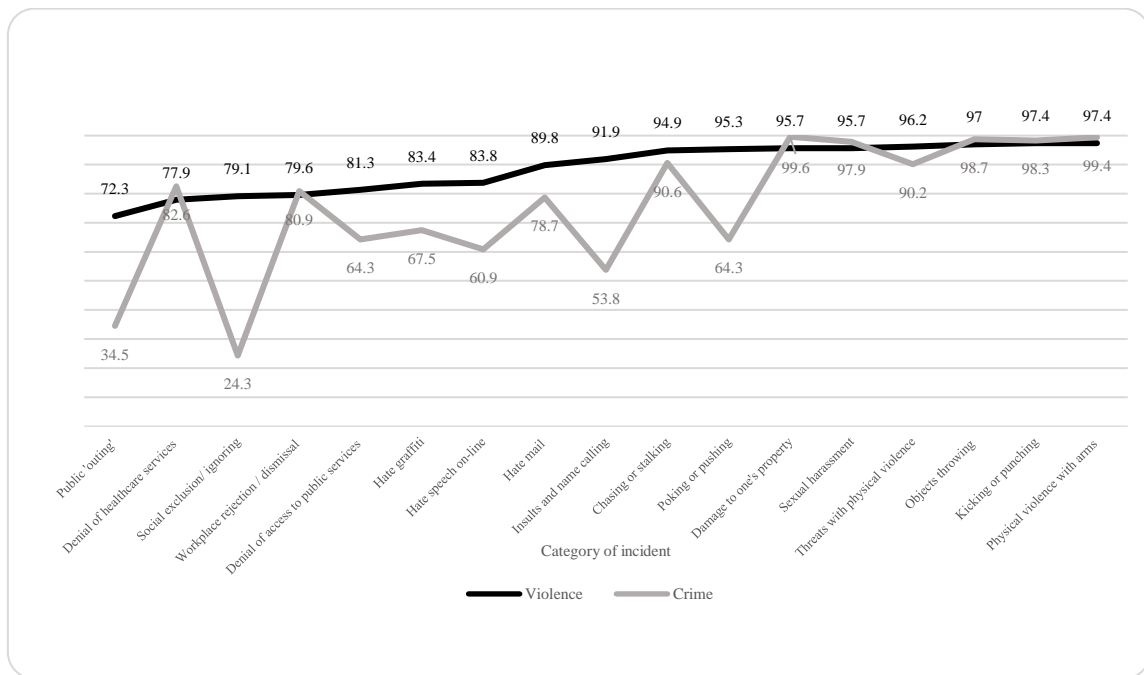
private space, among other things” (p. 8). Drawing on Stanko (1994), Wood further emphasizes that these narratives can substantially influence those affected by violence to respond against it, *alias* find justifications for violent experiences, or, alternatively, to seek solutions on how to avoid or suppress and prevent violence.

In addition to sociologists, criminological perspectives on violence consistently generate an assumption that those who have suffered harm will always define either the incident or the injuries as “crime” (Goudriaan et al., 2004; Moran, 2002). Scholars also emphasize that the higher the perceived harm or seriousness of (any) violent incident the greater the probability that this will be perceived as crime and reported to the police or other protective institutional mechanisms (Goudriaan et al., 2004; Kaariainen & Siren, 2011).

To test these assumptions, the first thing the study wanted to explore was the disparity in participants’ understanding between which situations may be perceived as “violence” and which as “crime”. Perceptions of violence and crime were tested in the online survey via the presentation of a wide range of situations which varied in severity⁴² (from low-level, i.e. public outing, to severe, i.e. physical violence with arms). The respondents were first asked to indicate whether they perceived the demonstrated situations as violent and furthermore whether, in their view, they constituted violence and crime. Table 1 presents the frequency responses (in %) regarding perceptions of violence and consequently crime in the online sample (n=235).

⁴² In the analysis, the levels of seriousness of violence and crime were determined by drawing on the self-perceptions of focus group respondents. These overtly discriminated between physical violence and non-physical violence, the latter being perceived as ‘serious’ violence and/or crime and the former as ‘less serious’, ‘minor’ or ‘trivial’ violence. I also considered the division between ‘serious’ and ‘less serious’ violence as used throughout the study by Wong and Christmann (2008), which served as a basis for the study with LGBT participants. Consequently, homophobic incidents such as damage to one’s property, sexual harassment, threats with physical violence, stone throwing, kicking or punching and physical violence with arms defined as more serious violence within this analysis. Homophobic incidents without weapons or physical contact (e.g. public ‘outing’ [without consent], denial of healthcare services, workplace rejection, hate graffiti and insults and name calling) are considered minor or low-level violence.

Figure 1
Perception of violence and crime



Perceptions of various situations as violent are high and consistent throughout the sample, ranging from 72 per cent (public outing) to 97.4 per cent (physical violence with arms). Not surprisingly, the perception of what constitutes a crime or incidences punishable by law is less linear, with figures dropping to 24 per cent (social exclusion) and increasing all the way to 99 per cent (damage to one's property). Nevertheless, except for the instances of "public outing" and "social exclusion" (34.5 per cent and 24.3 per cent, respectively), all the situations received high scores from the sample in terms of being perceived either as an act of violence punishable by law or a crime. This suggests that the respondents are highly sensitized to different forms of violence and are likely to perceive even some forms of low-key violence as crime. Not surprisingly, the agreement on incidents perceived as both violence and crime is the highest in the following categories: damage to one's property (99.6 per cent), physical violence with arms (99.4 per cent), throwing stones (or objects) (98.7 per cent), kicking or punching (98.3 per cent), sexual harassment (97.9 per cent), chasing or stalking (90.6 per cent) and threats with physical violence (90.2 per cent). These are also the categories which most criminological scholarship regards as serious crimes and are identified as the most likely to be reported within existing literature (Kaariainen & Siren, 2011).

To elicit more detailed information on perceptions of violence and crime the same situations were also presented to the focus group participants. The disparity between “what is violence?” and “what is crime?” was consistent with the results of the online survey as most of the participants perceived all situations as violent. On this point participants primarily discriminated between severe forms of violence and psychological or verbal violence, generally perceived as minor or low-level violence or discrimination. Although all violent situations perceived as severe were subsequently categorised as crime, participants were uncertain whether instances of psychological and verbal violence constituted crime. The narratives also demonstrate that the perception and recognition of certain experiences as psychological and verbal violence is highly subjective and far from universal and linear.

Kristina [26-35, lesbian]: I often struggle with psychological violence. I mean, I know it is prevalent and a daily occurrence but where do you draw the line, when do you say, this was violence?

Uroš [26-35, gay]: I think it is a subjective perception what we define as violent. Here I am specifically referring to insults and harassment. I know people who will easily pass up a homophobic insult for a joke and not even flinch. I think it's about how sensitive we are and what we recognise as a violent experience. Some are more tolerant than others and will be able to walk away from a certain experience completely unfazed.

When examining their perceptions, and understanding of crime and violence, and homophobic violence, participants often situated their understanding in the context of law or socio-cultural and economic discourses. References to relevant criminal justice mechanisms such as the Criminal Code demonstrated that national mechanisms dictate which situations or acts will be consequently understood as violence or crime. Participants' perceptions were also influenced by how homophobic violence was reported in the media, where bias crime is mostly presented in its most extreme and shocking manifestation. Finally, several participants pointed to limited reactions, by the public as well as the LGBT community, to the bigoted public and political discourse that surrounded the campaign to revise the Family Code (2009) and the subsequent equal marriage campaign (2011)⁴³ as

⁴³ During the two campaigns ‘modern’, ‘elusive’ and ‘sophisticated’ homophobia (Kuhar et al., 2011: 53) visibly outlined power dynamics and systems of oppression in society, resulting in an explicit social hierarchy exposing lesbian and gay partnerships as second class partnerships in relation to heterosexual ones. The debate was also a very good illustration of the scapegoating of the LGBT community, as ‘one of the most frequent arguments against the adoption of the new Family Code in 2009 was criticism of the government for “wasting its time on an insignificant social minority, at a

crucial for their subjective understanding of violence. Mateja's reflection below, for example, demonstrates the significant role that oppressive and devaluating discourses can play structuring LGB people's perception of psychological homophobic violence as a normal and tolerable occurrence.

Mateja [18-25, bisexual woman]: As a [LGBT] community we need to broaden our understanding of violence. I think because of discriminatory family legislation and other inequalities, which we encounter daily, we accept certain forms of violence as completely normal and rarely recognise specific situation as violent; unless, that is [...] unless we are physically beaten up.

Contrasting the impacts of physical and verbal violence, a large majority of participants perceived psychological and verbal abuse as a significant precursor of physical violence and discussed the long-lasting impact, surpassing the realm of physical wounds, of the latter. The accounts also demonstrate that, in comparison to physical violence, participants seem almost resigned to homophobic verbal abuse and display high tolerance of the effects of their psychological victimisation. Dejan, for example, stated: "I'm used to homophobic insults and passing comments. I'm still in high school, where everyone is a *fag*, *cunt* or a *sissy* nowadays, so it's not a big deal". Miha characterized the difference in this way: "I can tolerate verbal insults [...] as I can go about my life but any form of physical violence, I can't stand it. I could never tolerate that".

4.2.2 Willingness to report homophobic incidents to the police and non-police services

Essentially, our ability to recognise and conceptualise an act or situation as violent or even a crime forms the first step in the process of deciding to, potentially, report victimisation. The act of reporting, however, bears significance not only for the symbolic and instrumental functions of law but also for community safety. OSCE has, in the last decade, dedicated particular attention to hate crimes on the grounds that they are among the most dangerous manifestations of intolerance and pose a serious threat to the security of individuals and social cohesion. Importantly, OSCE also conceptualises hate crime as a security issue that might lead to conflict and violence on a wider scale (OSCE & ODIHR, 2009). A high

time when many employees are being made redundant due to the economic and social crisis" (p. 53).

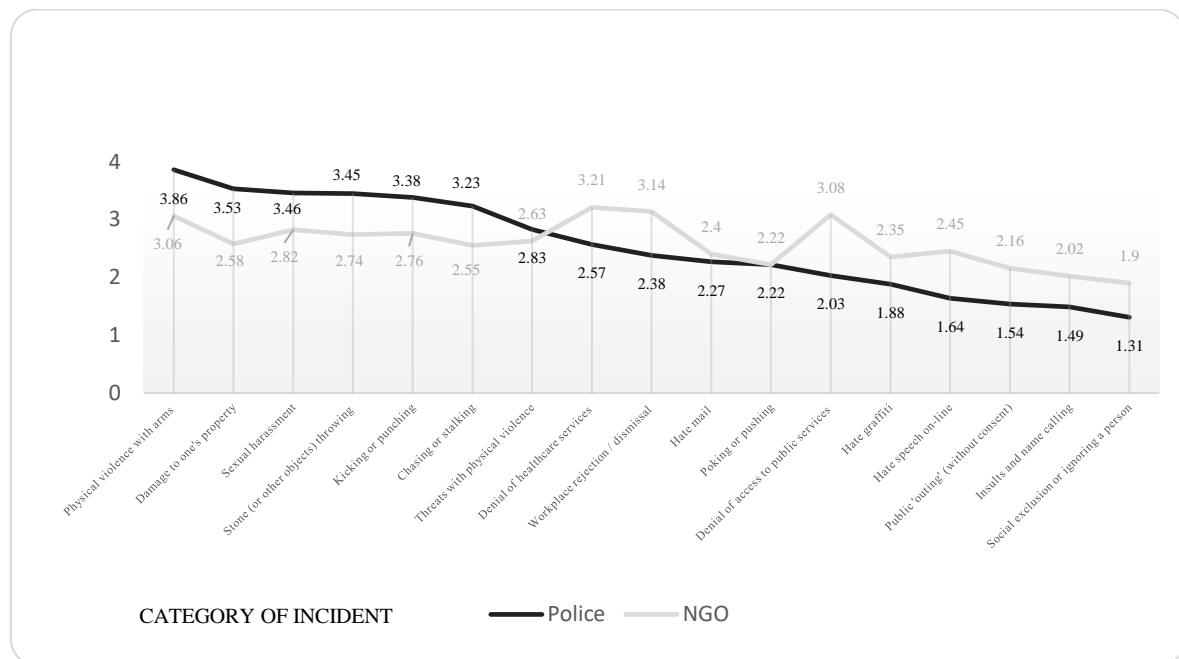
likelihood and willingness to report hate crime to the police or third-party reporting agencies suggests that victims and the community are aware of the seriousness of hate crimes and trust that law enforcement agencies can effectively address, investigate and prosecute this phenomenon (OSCE & ODIHR, 2009; Zaykowski, 2010).

Despite uneven discussion on the topic, it seems that most studies suggest that a victim's willingness to report any crime to the police is practically determined by crime situation characteristics. The seriousness of the crime is particularly important, and a cost-benefit calculation is made to determine whether contacting the police is worth the effort (Goudriaan et al., 2004; Herek, Gillis, Cogan, & Glunt, 1997). Goudriaan et al., (2004), however, note that the emphasis on the seriousness of the crime is problematic as it can have adverse effects. These are reflected in our understanding of reporting behaviour as indicating the competence of state and non-state reporting mechanisms and policies. For example, if we accept that all victims are willing to report serious crimes regardless of their feelings towards the police, there is no reason for the reporting system to be improved and enhanced. They propose a theoretical model of crime reporting which demonstrates that the decision to report victimisation is not exclusively influenced by attributes of the crime situation. Instead, specific dimensions of the social context may have an important effect on reporting. These include, for instance victim characteristics, the availability and competence of support communities and organisations, the existence or contents of national policies on crime reporting, trust in and perceived competence of the police, and the existence of compliance norms (e.g.: gender norms and norms regarding self-help). Social determinants of reporting crime are particularly important when discussing willingness to report and reporting predictors of homophobic violence. As the findings of this study show, any such attempt needs to recognise that homophobic violence is embedded in specific cultural practices and norms which play a significant role not only in its commission but also in structuring identity, views, experiences and responses in relation to state and non-state institution(s) (e.g.: the police and non-police support services) for gay men and lesbian women.

Prior to studying the factors influencing the decision to report homophobic violence, the study set out to explore general willingness to report homophobic violence to the police and community organisations (NGOs). To rate willingness to report homophobic violence in the sample, the respondents were asked to indicate the likelihood of reporting pre-listed situations to the police or an NGO. A four-point, forced-choice Likert rating scale was used,

where respondents could choose from “would not report” (1), “not likely” (2), “likely” (3) and “very likely” (4), where higher numbers indicated greater agreement with the item. Table 2 presents mean scores for each institution by type of violence (n=235).

Figure 2
Willingness to report homophobic violence to the police and NGOs



Confirming existing data (cf.: Peel, 1999; Skogan, 1984; Wong & Christmann, 2008), the findings demonstrate that, within the sample, the perceived seriousness of violence and crime has a significant effect on the victim’s willingness to report it to the police. Homophobic incidents with the highest likelihood of being reported are those perceived as “severe”. These are physical violence with arms (mean: 3.86), damage to one’s property (mean: 3.53), sexual harassment (3.46), stone throwing (mean: 3.45), kicking or punching (mean: 3.38) and chasing or stalking (mean: 3.23). Hate graffiti (mean: 1.88), online hate speech (mean: 1.64), public outing (mean: 1.54), insults and name calling (mean: 1.49), and social exclusion (mean: 1.31) are least likely to be reported to any agency. There were also significant differences in mean scores between reporting to the police and community organisations, suggesting that the police are perceived as the primary agency for reporting severe violence but, on the other hand, incidents that the victim perceives as “minor” are likely to remain unreported to any agency. Exceptions to this can be noted with situations

such as “workplace rejection”, “denial of public services” and “denial of health services”, where the findings suggest that these types of incidents are likely to be reported, particularly to LGBT organisations.

In addition to calculating the mean value, an ANOVA analysis of variance showed no significant statistical difference in the willingness to report to police between those who were comfortable with their sexual identity and those who were not ($p=0.057$). However, those who are not “out” or who have only partly disclosed their sexual orientation are statistically less likely to report and interact with the police ($p=0.011$). According to the mean value willingness to report also slightly increases with age, as LGB 36+ are more likely to report their victimisation to police; however, the test demonstrates no significant differences between the age groups ($p=0.310$). Those who are in a registered partnership or have a partner are statistically more likely to report homophobic violence to the police ($p=0.007$) but there is no significant difference when measuring the willingness of this group to report to an NGO ($p=0.214$). The mean values also show that respondents who live in smaller towns (up to 100,000 residents) demonstrate a slightly increased willingness to report for almost all the suggested situations. Considerable differences in mean calculations occur only for online hate speech and hate graffiti, where willingness to report increases among respondents living in rural areas⁴⁴. However, the ANOVA test showed no significant difference in willingness to report according to respondents’ locations ($p=0.502$). Finally, the analysis found no significant differences in the willingness to report to the police ($p=0.893$) or an NGO ($p=0.949$) when comparing reported answers across all situations, segregated by sexual orientation.

Echoing the online sample and previous research on the topic, in the focus group discussions the willingness to report homophobic violence to police was strongly correlated with the type of violent act, and most strongly with all incidences of physical violence or those perceived as severe. The likelihood of psychological and verbal violence being reported to any agency, however, was proportionately small as all participants were extremely reluctant to consider reporting any non-physical form of violence to the police,

⁴⁴ As participants living in the rural areas represented only 3 per cent of the sample, the findings related to reporting behaviour in rural areas should be interpreted with caution. Since participation to this survey was self-selecting, this finding might demonstrate certain bias on behalf of this group of participants manifested as an increased motivation to report specific homophobic incidents.

whilst only a few considered reporting psychological and verbal abuse to LGBT organisations.

Kristina [26-35, lesbian]: I don't know anyone who would report psychological or verbal violence to the police. I do know of people who are subjected to psychological violence within their families or in their relationships. But they will never go and report this, unless it turns into physical abuse.

The willingness to report to the police also increased if homophobic incident could be proven (e.g.: by witnesses and bystanders or was caught on camera) or if it was defined as a criminal offence or incident within national criminal legislation such as the Criminal Code and the Protection of Public Order Act. As Rita noted: "If name calling and social exclusion were defined as criminal offences, I would not hesitate to go to the police". Following this reasoning, it is not surprising that homophobic discrimination and harassment in the workplace, and denial of health services and access to public services, were highly likely to be reported⁴⁵. It can be safely assumed that the willingness to report these incidences is higher due to the existence of national anti-discrimination legislation, such as the Principle of Equal Treatment⁴⁶ and the Employment Relationship Act,⁴⁷ that clearly prohibit any kind of discrimination in the work place, in access to public goods and services and in the health sector.

Both the quantitative and qualitative findings suggest that "hate graffiti", "online hate speech", "public "outing" "social exclusion" and, first and foremost, "insults and name calling", are unlikely to be reported to any agency. This is a relevant finding since certain forms of psychological and verbal violence are, at present, considered the most common forms of homophobic violence in Slovenia, as well as globally (Blackbourn & Loveday, 2004; Chakraborti & Garland, 2012; Kuhar, Maljevac, et al., 2011; Moran, 2002; Motl & Bajt, 2016). Reluctance to report insults and name calling is not unusual as these incidences are among those that LGBT individuals "experienced so routinely as not to be worth reporting" (Wong & Christmann, 2008). However, "hate graffiti" and "online hate speech" are clearly defined as crimes by the Criminal Code under the articles Violation of Equality

⁴⁵ Consistently with the online survey, for these particular incidences willingness to report to NGOs was considerably higher than for reporting to the police.

⁴⁶ The Principle of Equal Treatment (2004):

<https://www.hsph.harvard.edu/population/womenrights/slovenia.women.04.pdf>

⁴⁷ Employment Relationship Act:

http://www.mdds.gov.si/en/legislation/veljavni_predpisi/zdr_1/.

(131) and Incitement to Hatred, Violence and Intolerance (297). Earlier in this text it was noted that willingness to report to the police increases if violence is perceived as a crime or an act of discrimination punishable by law. This finding, however, demonstrates an inconsistency, suggesting either that respondents are not aware that these are defined as crimes under the Criminal Code or that they may not perceive it as an efficient mechanism for tackling these forms of homophobic hate crime.

In addition to severity of violence, its definition in the national punitive legislation and circumstances verifying its occurrence, willingness to report also increases with the frequency of violent incidents. Even though respondents were mostly in agreement that minor offences or verbal violence were unlikely to be taken up seriously or sympathetically by the police, some participants believed that, within certain contexts, such as the workplace, the frequency and intensity of violence, even if psychological or verbal by nature, would have some bearing on their willingness to report.

Matjaž [26-35, gay]: If harassment at the workplace was on-going, I would not hesitate to respond to that. I simply cannot tolerate the fact that someone would aim to hurt me purposefully. Also, if being subjected to violence would somehow affect my work performance or personal integrity or if I could lose my employment over it, then I would report it.

The consideration of which agency to report to is largely determined by the severity and type of violence, the authority and competence of an agency and the desired outcome of reporting. The police's sole authority and capability to offer an immediate response, deal with criminality, protect the victim and exercise law thus made it a primary agency for all severe and physical forms of violence. On the other hand, the competence of community organisations, and particularly specialist LGBT services, to offer long term psychosocial and emotional support, as well as tools for personal empowerment and reconciliation, were deemed relevant to both physical and psychological violence and verbal abuse. The quotes below demonstrate a central message articulated in a number of different ways across all six focus groups reflecting differences in perceptions and willingness to report homophobic violence to the police versus non-police services.

Matjaž [26-35, gay]: If it was physical violence, it would make more sense to report to the police, especially if it was severe, as they can react instantly and employ various sanctions and actions against the perpetrator.

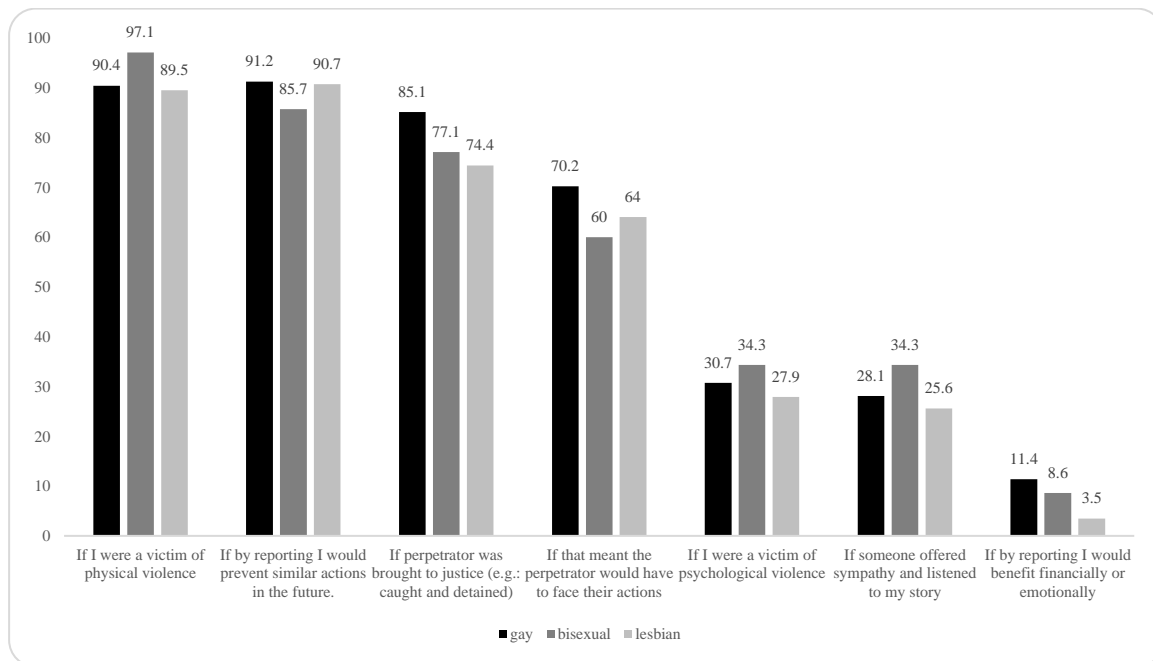
Rita [36-45, bisexual woman]: I think, when it comes to psychological violence there's time to think about what to do, to gather information on support and what is out there and act accordingly. When it comes to physical violence the situation is different, you need to act immediately and either report or not. There is no other option. I think reporting to the police might be more efficient in this case than contacting an NGO.

4.2.3 Factors informing the decision to report homophobic incidents

The respondents were asked to state their agreement with a series of predicative statements related to the outcomes of reporting, type of incident and the level of emotional support offered. The aim here was to explore some of the positive predictors influencing the willingness to report homophobic violence and crime to police in the online survey. The quantitative findings suggested that the severity of the incident and preventing the attacker/perpetrator from committing further violence were significant positive predictors in the decision to report for a large majority of respondents, 91 per cent and 90 per cent, respectively. Other positive predictors in the online sample were the likelihood of police reprimanding and detaining the perpetrator (80 per cent) and the possibility of confronting perpetrators with their actions (66 per cent). Psychological victimisation and the opportunity to “emotionally unload” about victimisation seemed to be lesser motivators for reporting homophobic violence (both 31.2 per cent), whilst financial and emotional compensation was a motivator for only 8.8 per cent of respondents. The results from the online sample are largely in line with extant research examining reporting behaviour for all crimes (Goudriaan et al., 2004), as well as anti-gay violence (Peel, 1999; Wong & Christmann, 2008). This suggests that a victim considers the benefits and costs of reporting a crime and make a report to the police if the benefits outweigh the costs. The benefits of reporting homophobic crime might include, among other things, police protection or having the perpetrator brought to justice. The costs, as discussed below, might include drawbacks or inconveniences related to disclosure of sexual orientation in the process of reporting, fear of police bias, and unsatisfactory outcomes such as the perpetrator not being identified and detained.

To examine whether there were significant differences in reporting predictors per sexual orientation, Table 3 presents frequency figures (%) for each predetermined situation segregated by sexual orientation (n=235).

Figure 3
Factors positively informing the decision to report homophobic violence and crime



Even though a Pearson chi square test showed no statistically significant differences between the groups, frequency variation disaggregated by sexual orientation can be observed across all the situations. Overall, it seems that the most positive predictors for lesbian women are the severity of the violence (89.5 per cent) and stopping the perpetrator (90.7 per cent). In all the other situations, lesbian women seem to be somehow less motivated to report in comparison to the other two groups. For the bisexual group, most positive predictor is the severity of the violence (97.1 per cent), where there is a considerably higher prediction to report in comparison to both gay men and lesbian women. The bisexual group also stands out in terms of emotional and financial compensation (11.4 per cent), especially when compared to lesbian women (3.5 per cent). For gay men, the severity of the violence (90.4 per cent), stopping the perpetrator (91.2 per cent) and the possibility of a perpetrator being penalised (85.1 per cent) are equally important and bear a positive connotation when considering whether report. Segregation by gender demonstrates a difference only with the predictor “If by reporting I’d benefit financially or emotionally”, where this item was important for 13 per cent of men and only 4 per cent of women in the sample.

The severity and intensity of violence, its definition in the national punitive legislation, the existence of evidence (bystanders, witnesses, cameras) and favourable outcomes of reporting (e.g.: the perpetrator is stopped and detained) are all predominantly positive predictors in the willingness to report homophobic violence to the police in the sample. These positive factors, which generally apply to reporting of “serious” incidents, are still not a guarantee that the reporting will take place, however. Qualitative comments in the online survey as well as the focus group discussions reveal the process of deciding whether report homophobic violence as far from straightforward and often reliant on many interdependent factors, which are not universal, nor static:

Online respondent (36-45, lesbian woman): Reporting would depend on so many things [...] from the type of incident, to where it happened, to who was the perpetrator. Also, I’d report if I knew that by reporting I could raise awareness of homophobic incidents. I would also require assurance that the police would recognise and process it as a homophobic incident, and that both the police and possibly the courts would treat me fairly in the process.

Some of the prevalent factors relevant for reporting of homophobia named across narratives are characteristic for reporting of any crime, such as, setting of incident, relationship with the perpetrator, previous negative experience of reporting and assumed or actual negative outcome of reporting. The study, however, also highlights three significant predictors that define the role of sexual stigma in the decision to report and engage with police and are thus distinct to victims of homophobic violence. These are; considerations related to self-disclosure, perception of bias in the police response and the police competence to record and investigate homophobic incidents. The narratives suggest it is these latter considerations that often seem to overpower the nature of cost-benefit calculations and adversely impact the decision to report homophobic violence.

I shall address most decisive predictors impacting the decision to report homophobic violence in more detail across the following three sub-sections:

- Self-disclosure, anticipated police bias and outcomes of reporting
- Perception of police competence to record and investigate homophobic violence;
- Location of victimisation and the relationship between the victim and the perpetrator.

4.2.3.1 Self-disclosure, anticipated police bias and outcomes of reporting

Discussing the importance of “feeling safe in public”, Stanko & Curry (1995) argue that asking for help from authorities creates tensions for gay men and lesbian women who have historically been victims of oppressive state mechanisms, including law enforcement. They also point to several negative outcomes that reporting homophobic violence might bring for victims as, to report homophobic violence, an individual must raise the possibility that they are a “legitimate” target for such violence by disclosing their sexual orientation. Any interaction with the police, therefore, means entering a realm where control over one’s identity and perceived stigma is impossible, as by reporting violence under heading of homophobia individuals risk the potential imposition of a fixed and public (stigmatised) identity as a gay man or a lesbian woman. The potential for bearing such stigma presents a barrier to approaching and asking the police for protection. I. Meyer (1995) points to the fact that stigmatized individuals are often the targets of structural and direct prejudice and, as such, are haunted by feelings of anxiety over whether they will suffer insult and humiliation from the non-stigmatized. Consequently, individuals carrying a stigma experience strong feelings of fear, shame, insecurity, anxiousness and distrust towards the dominant groups and authority structures. This distrust is further exacerbated by primary or secondary experiences of hate crime, which specifically sets out to subdue and dehumanize its targets. For instance, while examining gay men’s experiences of hate crime Dunn (2010) discusses the “rolling aftermath” of homophobic crime (p. 102). The author observes that often the immediate effects of homophobic victimisation, whether it be physical or psychological, are re-invoked feelings of shame, stigma, isolation, non-legitimacy and vulnerability. These feelings are similar to those that gay men and lesbian women need to overcome following their coming-out process. All this has significant bearing on the decisions of gay men and lesbian women to respond to victimisation and seek police protection.

Even though in the sample the police were perceived as a primary agency for reporting violence and crime, participants recurrently referred to possible police bias as one of the primary and most decisive considerations in their decisions about reporting. Fear of possible unsympathetic responses, judgement or trivialisation of homophobic violence from the police was present and discussed in detail across all six focus groups, as was the tension around disclosing sexual orientation in the process of reporting. A broad summary of these debates demonstrates a clearly problematic perception of the police and police responses to

the potential reporting of homophobic violence. There was a commonly held belief that in most cases where victimisation is not perceived as “severe” the police “will not” or “cannot” do anything.

Discussing police bias and self-disclosure, a large majority of participants talked about feeling “unsafe” and “insecure” and often discussed police attitudes as “unpredictable” in relation to sensitivity and openness towards concerns of gay, lesbian and bisexual victims.

Jernej [26-35, gay]: It would depend a lot on the type of violence but just thinking of going to the police and getting there [...] I mean [...] I’m already in a very uncomfortable situation as I don’t know how the police officer feels about gay men, so I’m putting myself out there [...], kind of “out” myself [...] but at the same time I have no idea how they will react; will they laugh, or dismiss me, or undermine my situation, or pass me on to someone else?

Neta [26-35, lesbian woman]: Being a lesbian, the police response worries me. Will I be processed by someone who is open to these issues? Will there be comments and trivialisation of my situation? I realise this is my subjective perception of the police but this is what I base my reluctance to report on.

Citing Herek (1990), Miles-Johnson (2013) argues that members of LGBT communities are generally aware of potential police anti-gay hostility and prejudice long before the need for crime reporting occurs, and that this awareness is learnt through hearsay, the media or cultural, familial and societal influences. The author also observes that it is typically second-hand experience of the police, and an awareness of the potential for police hostility, that particularly causes LGB people to develop negative beliefs and attitudes toward the police. This is also confirmed in this study’s sample in that when participants were asked to explain their perception of police bias further two main categories emerged:

- Second-hand experience of the police based on hearsay and anecdotal storytelling about police anti-gay hostility
- First-hand experience with the police where the experience was somewhat confusing or unsatisfying

Hearsay and anecdotal narratives presenting the police as either stereotypically hostile or homophobic were widespread in the discussions. Even though it was acknowledged that some of the accounts were “folktales”, the analysis suggests that negative stereotypes about the police seem to be widely present in the sample. Their impact is not to be dismissed

lightly, as such stereotypes about police insensitivity and potential anti-gay bias significantly influenced decisions not to engage with the police.

Several participants also shared personal experiences of reporting homophobic victimisation. They mostly described police officers as being unsympathetic, indifferent and lacking empathy, and the experience of reporting did not leave the victims feeling “confident”, “reassured” and “protected”.

Jernej [26-35, gay]: At a public event for tolerance in 2007 in Maribor we were attacked by a group of football hooligans. The police were called immediately and although the police station was about 400m away from the venue it took them 45mins to arrive. They recorded the incident and left. That was it. They didn’t show any concern whatsoever. We also didn’t hear from them at all afterwards. I called them about three or four times after the incident to check if they had ever tracked down the attackers. Even though we presented them with a lot of evidence they never did. So yeah, this is my starting point, always, when thinking about reporting homophobia to the police. It’s almost like we deserve it. They won’t take it seriously.

Tine [26-35, gay]: I reported homophobic threats I received online. I didn’t make that decision lightly but I wanted to report because the homophobia was so explicit. But for some reason the police refused to record the incident until I got angry and then they took my statement. Nothing happened in the end but I would feel horrible if anything came out of the threat and I didn’t report. But I feel the police response was inadequate and I am not happy with the outcome.

Most of the scholarship studying the relationship between citizens and the police find that the level of trust in the police is directly correlated with the actions of the police. This suggests that the police can directly increase or reduce trust through their behaviour and attitudes (O’Neill & McCarthy, 2014; Skogan, 1984). Studying police-citizen relationships as a broader social question, Kaariainen & Siren, (2011) observe that trust in police response mostly arises as the result of dual expectations. On the one hand, victims hope to receive police assistance and protection in situations where their security or safety is at risk. Thus, their level of trust reflects their belief in the ability of the police to be useful and effective, to protect and to serve all citizens. On the other hand, the police are vested with a certain amount of power and a mandate to control “deviant” behaviour. This means that

individuals expect the police to use the powers they have been entrusted with fairly, treating all citizens equitably and ethically.

In practice, those who reported homophobic abuse generally reported not being satisfied with the outcomes of reporting and found the police response unsatisfactory as in most instances perpetrators were not found, caught or detained. This further perpetuated the belief that reporting homophobic incidents to the police is “not worth the bother”.

Ana [18-25, bisexual woman]: Two gay male friends were physically attacked on separate occasions. One was attacked after a pride parade and needed medical assistance. He called the police and reported the attack but the police couldn't do anything. They never even identified the attackers. So, nothing came out of it. And in another case, another gay male friend was physically attacked at the train station but, because the perpetrators were under-age, they were never reprimanded. It upsets me that, even when we report homophobia, justice is not done.

Where the police were perceived as ineffective this further strengthened reluctance to report verbal or psychological homophobic abuse. A few participants stated that even following cases of physical violence they would only call the police if they felt the “violence was brutal” or the situation was something they “couldn't handle themselves”. On a positive note, while a large majority of the participants who reported homophobic victimisation thought police were slow to respond and lacked specific knowledge of homophobic violence, none described the police as openly judgemental in their dealings with victims.

4.2.3.2 Police competence to record and investigate homophobic incidents

Reisig et al. (2014), examined perceptions of police legitimacy and competence in Slovenia. They argued that legitimacy is linked to the perceived fairness of the processes through which the police make decisions and exercise authority, noting that people expect the police to exercise their authority in a manner that is neutral, honest and consistent. They noted that: “When the police do otherwise, people conclude that they have been treated unfairly and this, in turn, leads them to call into question the legitimacy of the police” (p. 151). On a similar note, Goudriaan et al. (2004) suggest that cost-benefit considerations in the process of reporting can be significantly affected by citizens' perceptions of the effectiveness and fairness of the police. Examining reporting practices for general crime, they demonstrate that, while perceived police legitimacy and competence might not influence the reporting

of physical violence, it does have a significant positive or negative effect on the chances of other crime being reported. They further suggest that a victim's favourable perception of police competence is positively related to reporting. Global research demonstrates that perceptions of police competence are usually defined by officers' professional efficiency in maintaining law and order and likelihood of an immediate response (Kaariainen & Siren, 2011). However, the findings of this study demonstrate that LGB participants mostly conceptualise police competence as the ability to appropriately record and fairly investigate homophobic violence and aptly address the needs of victims.

To assess perceptions of police competence the online survey first asked participants to what extent they were familiar with police work about homophobic violence. Under half of all participants (47.3 per cent) reported being somewhat familiar with police work on the subject. Those who intimated some level of familiarity with police work in the field (n=123) were further asked to provide their level of agreement with a series of questions. These asked about the level of participants' agreement with perceptions of police conduct during the reporting process, police officers' knowledge of homophobic violence, their sensitivity towards the unique needs of LGB victims, and their engagement in safeguarding pride parades. Agreement with each of these statements was measured on a five-point, forced-choice Likert rating scale, where respondents could choose from the following options: "strongly disagree" (1), "disagree" (2), "Not Sure" (3), "agree" (4), "strongly agree" (5). Higher numbers indicated greater agreement with items. Table 2 presents percentage frequencies for perceptions of police competence for both sets of statements (N = 123), with the answers merged into a three-point scale.

Table 4
Percentage frequencies for the perceived competence of police officers

	Strongly agree/agree	Not sure	Strongly disagree/disagree	Total
Police officers	%	%	%	%
Police officers provide efficient safeguarding at various public LGBT events (e.g.: pride parades)	70.8	13.0	16.2	100
When processing homophobic incidents police officers act professionally and in line with legal provisions	36.6	48.0	15.4	100
Police officers are aware of the distinctive needs of victims of homophobic violence	15.4	55.3	29.3	100
Police officers are trained to recognise and identify homophobic violence	13.0	39.8	47.2	100

The highest agreement and most positive assessment (70.8 per cent) was given to the work of police officers in relation to safeguarding pride parades. This is not surprising as this is an area in which the police and the LGBT community have been consistently cooperating since 2001 (Nemec, 2014). This is also one of the rare opportunities for LGBT individuals to directly engage and connect with the police and observe police work, as well as the attitudes of officers towards the LGBT community. In other areas, perceptions of the work of police officers is slightly less positive. Just over one third of respondents (36.6 per cent) were of opinion that the police would respond fairly and in line with legal provisions when responding to homophobic violence, 15.4 per cent thought that police officers have sufficient knowledge of the specific needs of LGB victims, and under half of all respondents (47.1 per cent) disagreed with the statement that the police are trained sufficiently to recognise and identify homophobic violence and incidents.

Despite distinct margins in the levels of agreement and disagreement among participants, the answers are also characterised by a high level of uncertainty. This is particularly notable with regard to perceptions of police competence in recording and investigating incidences of homophobic violence and addressing the unique needs of victims. Lack of knowledge, however, might translate into doubt that homophobic incidents will be investigated properly and that gay, lesbian and bisexual people will be treated fairly when they report homophobic violence. Uncertainty, though, presents the possibility of a negative outcome and might

adversely affect decisions about reporting homophobic violence (Oakley, 2005; Wigerfelt, Wigerfelt, & Kiiskinen, 2014).

Focus group participants drew their conclusions and opinions on police competence from personal experiences of reporting homophobic violence and/or observing police work and attitudes at pride parades. The participants generally agreed that police views of the LGBT community were improving and that officers have become more aware of the fact that the LGBT community requires special policing. A few participants also referred to collaboration between Legebitra and the police. Participants also based their perceptions of police competence on previous encounters with them. These instances were usually unrelated to reporting homophobic violence but the experiences were, in most cases, “confusing” or somewhat “unpleasant”, and the police were perceived as “ineffective” or “dismissive”. Rita, for instance, shared: “I was involved in a minor traffic accident some years ago, and the policeman who came to the scene of the incident was very dismissive and at the same time was not really able to explain the procedure”. This sensitivity to perceived police ineffectiveness acted as a powerful message to Rita not to engage with the police in future.

Echoing the online survey, most admitted not knowing much about police work in general and were even less informed about police actions tackling homophobic violence and crime. In line with the online findings, a large majority did not trust that police officers had sufficient knowledge and training to recognise and record homophobic incidences or offer appropriate support to victims. Participants also discussed a lack of visible police actions encouraging the reporting of hate crime and homophobic crime. They speculated that the police in the capital, Ljubljana, are probably best suited to efficiently policing homophobic violence due to the centralisation of LGBT organisations allowing greater engagement with the LGBT community.

The study also inquired about whether participants perceived the police organisation as homophobic. Even though a large majority did not perceive the Slovene police as overtly homophobic they were of opinion that lack of relevant knowledge, stereotypes and a “certain level of discomfort” relating to gay and lesbian concerns were present in the organisation, as well as among the individual officers. This perception was primarily based on perceptions of low engagement between the police and members of the LGBT community and the low visibility of LGB officers in the force. The latter was especially received by several participants as a message that the police force is not safe, even for its

own members. Secondly, some of those who had attended pride marches observed police officers at the event as being “uncomfortable”, “indifferent” and “disengaged”. Participants frequently drew parallels with the actions and image of the police in Western states.⁴⁸ They emphasized the more relaxed stance of police officers when it came to engagement with the LGBT community as well as the high visibility of LGB police officers in some geographical regions. Finally, participants didn’t think Slovene police officers had sufficient knowledge of the historical role of pride parades. Moreover, a small number believed that some police officers see pride parades as “a provocation”, a potentially violent protest, and safeguard it as such:

Miki [26-35, gay]: I think they [the police] are first and foremost ignorant when it comes to pride parades. They safeguard these events like a football match where they’d potentially have to control hooligans and drunkards, and act accordingly. They don’t seem to distinguish between a peaceful march, as a pride parade is, and other high risk events they work on.

Doni [18-25, gay]: I sometimes have a feeling that they see us [LGBT people] at pride parades as if we are provoking, as if we have gathered to cause trouble and demolish half of the city. I don’t think they see us as peaceful protesters, a group which is vulnerable and a potential target of violence.

4.2.3.3 The locations of incidents and the relationship between the victim and the perpetrator

A stereotypical image of hate crime portrays this phenomenon as a form of “stranger danger”, i.e. a random act involving a perpetrator and victim who are complete strangers to each other. For example, a typical media image of homophobic hate crime is of the gay male who has been assaulted by a group of random youths outside a gay bar. This image has now been effectively challenged in several empirical studies which effectively demonstrate that a clear majority of incidents takes place near or at the victim’s home, places of work or educational settings. Also, perpetrators are often familiar to their victims as acquaintances, neighbours, friends, family members or partners (Chakraborti & Garland, 2012; G. Mason, 2005; Moran, 2007). Perpetrators often also do not conform to the irrational or extremist stranger-based stereotype of hate crime offenders, and are not always

⁴⁸ The participants mostly referred to the UK, the Netherlands and Germany.

very different from non-offenders in terms of values and attitudes (Kielinger & Paterson, 2007). For instance, for many LGBT people home is “a battleground”, “a place of fear”, where “you are criticised, and abused, and condemned, and judged, and offended” (Moran and Skeggs, 2004, pp. 89-90 in Dunn, 2010, p. 84). Equally discouraging are the failures by educational systems to combat homophobia on and around school grounds. Educational staff and school counsellors rarely intervene to stop the abuse young people receive for coming out as gay or lesbian (UNESCO, 2016) or offer appropriate support structures encouraging the reporting of victimisation, something which is also echoed in this study.

Literature suggests that many victims, where there is a certain prior relationship with the perpetrator, avoid making a report to the police, especially cases of minor or incidental crimes that do not necessarily require an instant response or police protection. Kaariainen & Siren (2011) also note that victims will be aware that, if they report a crime to the police, there are likely to be consequences for the perpetrator, who may be publicly embarrassed. If the police are called to settle a family dispute this will considerably impact relationships in the family and possibly also those with neighbours. Often feeling protective towards family, peers and friends, and not wishing to publicly expose them, victims end up protecting the perpetrators by deciding not to report the crime (Dunn, 2010). This results in the fact that any victimisation occurring within the context of familial, intimate or peer and friendship relationships will not be reported to the police as frequently as that involving strangers (Skogan, 1984; Wong & Christmann, 2008).

The relevance of incident locations and the relationship between the victim and the perpetrator in deciding whether to report was a theme that emerged through focus group discussions. Participants most frequently made references to violence experienced at home, in the workplace and in educational settings. A few participants also referred to violence in intimate same-sex partnerships. For the majority, the “messiness of violence that occurs in the context of physically and socially proximate and enduring relationships” (Moran, 2007, p. 427), and the belief that reporting would inevitably bring “unnecessary trouble”, presented a significant barrier to contacting the police.

Uroš [26-35, gay]: If I was abused by my partner I would not go to the police. If it was severe and on-going and I could not cope I would break off the relationship and perhaps turn to an NGO for advice. But I can't imagine filing an official report either with the police or an LGBT organisation.

Jernej [26-35, gay]: Considering whether to report would very much depend on my relationship with the perpetrator. If I was attacked by a random person, a stranger, then I would report without hesitation. But if I, for instance, came out to someone I knew personally and they somehow reacted violently, no I wouldn't report that.

The reluctance to report intimate partnership abuse was also high due to speculation that the police, as well as non-police services, will have little experience with cases of intimate partnership violence. This perception was mainly based on the invisibility of this phenomenon among both the police and non-police anti-violence programmes and services. Low visibly, lack of trust in the competency of both the police and LGBT organisations, and the fact that intimate partnership abuse represents one of the most complex victim-perpetrator relationships (Ard & Makadon, 2011; Duke & Davidson, 2009), strongly influenced unwillingness to report this type of violence to any agency.

Similarly, doubt about the efficiency of school social and counselling services was the primary reason why homophobic violence remained underreported in schools. The age sample in the focus groups was quite young, with approximately 30 per cent of all participants being between 18 and 25 years, and 33 per cent between 26 and 35 years. Thus, it is unsurprising that, for a large majority, experiences of secondary schooling were still resonating. "On-going" and "repetitive" homophobic harassment and bullying or heterosexist discrimination within schools was consistently referred to, as was a lack of a systematic and prompt support and a referral system for gay and lesbian students. Literature notes that the Slovene educational system is characterised by silence surrounding the concepts of sexual orientation and homophobia within the school environment (Magić & Maljevac, 2016; Maljevac & Magić, 2009). Lack of discussion, however, creates a situation where a young person is unable to contextualise and situate their experience of violence as legitimate enough to report. As a consequence, school-related homophobia remains largely unreported to school services. For most of the participants, the decision to turn to school counselling services for support was positively informed by the intensity and frequency of the violence they experienced, as well as their level of comfort with their sexual identity and level of self-disclosure. When reporting took place, the outcomes were mostly unsatisfying for the young person, as school support and reporting services were described as incompetent in appropriately responding to or addressing homophobic violence.

Doni [18-25, gay]: I had to tell someone, so I turned to the school counsellor and she said, "great, so what do you want me to do about it?". I think it was only because I was

quite confident and psychologically strong [...] I could ignore most of the harassment and insults when I came out. So, I dealt with it on my own terms. School support was non-existent.

Mojca [18-25, bisexual woman]: When I came out in high school I faced a lot of abuse and name calling. I considered reporting but never did. Maybe because I didn't feel it was an option...No one talked about homophobia, I didn't feel the complaint would be taken on by the school's social services.

The data also suggest that, in comparison to intimate partnership abuse, which is likely to remain acutely underreported, both school-based and domestic, parent-to-child abuse are more likely to be reported to LGBT organisations and helpline services. Within these two contexts the participants also talked about the role of state social services and school counselling services. The support of these mechanisms was emphasised as crucial for young people. Also, the discussions brought out the need for social workers and counsellors working with students and families to have better knowledge of LGBT needs and start visibly addressing the needs of LGBT youth in their work with families and young people.

The findings also suggest that anti-gay violence and discrimination in the workplace are likely to be reported, especially when victims have disclosed their sexual orientation to their co-workers. Rather than the police, homophobic incidences in the workplace tend to be reported to relevant reporting mechanisms such as an equality or diversity section in the company, management, work inspectorates or a national equality body, as well as to LGBT organisations.

4.2.4 The role of the police and community organisations in the reporting process

To increase the likelihood of reporting, and maximise the possibility of this study being used to improve services to people affected by homophobic violence, the analysis also examined participants' perceptions of the role of the police and community organisations, specifically the Information Centre Legebitra, in the reporting process. Within this context, the study surveyed whether police and community organisations are perceived as sites where homophobic violence can be reported and whether these agencies efficiently encourage reporting of homophobic violence. The study also examined the visibility of reporting and support programmes. This information is relevant because Wong and

Christmann (2008) suggest that reporting can be impacted by improving access to support services and the visibility of reporting services or programmes.

Needs and expectations in relation to the police and Legebitra, and indirectly other LGBT and non-violence programmes, are also briefly addressed. This is because victims may be more open to the idea of reporting if they believe that the reporting and support system is able to demonstrate a certain understanding of their experience and their needs, and is able and competent in supporting them throughout their post-victimisation process (Iganski, 2001). McDevitt et al. (2001), in comparing the consequences and effects of bias- and non-bias motivated violence, demonstrate that bias crimes affect their victims differently from non-bias crimes, and that bias victims have unique needs. In addition, in studying the impact of homophobic victimisation on gay men, Dunn (2010) points to the impact of shame and stigma combined with norms about masculine invulnerability in the reporting of hate crime and accessing services. Men in Dunn's study spoke about verbal abuse, intimidation and threats they had experienced, their narratives outlining how hate crime often has the power to terrify even those who are presented as tough and far from vulnerable. For example, the perceived threat to life that extremely vicious comments and statements convey may result in serious and long-term emotional problems such as post-traumatic stress disorder (PTSD). Yet, many male victims of homophobic violence trivialise and play down the seriousness of the abuse or their subsequent support needs (Craig-Henderson & Sloan, 2003; Herek et al., 1999, 2002).

Other research from the US finds that although experiences of hate crime and crime may be similar for lesbian women and gay men, gay men are significantly more likely to experience physical and especially sexual violence, while lesbian women are significantly more likely to be affected by emotional and sexual violence (Herek, 2009; Herek et al., 2002). Furthermore, there is an indication that gay men tend to experience hate crime mostly from male perpetrators, whereas LBT women seem to be equally targeted by both female and male perpetrators (Dunn, 2010; D. Meyer, 2008). Finally, a harmful and distinct aspect of homophobic crime functions through oppressing, subduing and "othering" LGBT people, a process that may be to some extent replicated in mainstream support organisations, including the police, whose staff may feel uncomfortable about and ignorant of LGBT culture (Dunn, 2010). This presents a significant barrier to reporting homophobic violence and addressing the harm of hate crime.

Knowing some of the barriers relating to perception of specialist services in the reporting process may offer an insight into “what works” and, most importantly, what needs to be done in order to encourage reporting and start efficiently addressing the unique needs and expectations of members of the LGBT community within the reporting and support services.

4.2.4.1 Perceptions of Legebitra in the reporting and post-victimisation process

Goudriaan et al. (2004) studied the effects of social context on decisions about reporting victimisation to the police. They pointed to community organisations as entities providing services that can be used as alternatives to the police for repairing and redressing the costs of victimization. Victims may seek the help of community organisations for advice and support prior to reporting as well as in the post-victimisation process. These organizations often function as alternatives to the police to ensure that victims are supported within the organization. However, they may also include services and mechanisms monitoring and documenting victimisation, as well as working on increasing the reporting of crime to the police by raising and increasing the perceived legitimacy of the police or promoting emergency and referral services.

Stanko & Curry (1995) discuss the fact that, by reporting homophobic violence, individuals risk the potential imposition of a fixed and public (stigmatised) identity as a gay man or a lesbian woman, which may present a barrier to approaching the police and asking for protection. The authors further argue that, by not reporting violence and not “coming out” publicly, the victim maintains control over what is private knowledge (p. 515). In this process, for instance, LGBT organizations, as specialist support structures, often have the knowledge base and resources to recognize and address some of the tensions between private and public identities. LGBT organizations often play a significant role in bridging the gap between LGB individuals and the police as they not only encourage reporting, but also help individuals report homophobic violence through the “privacy” of the organization and support those who wish to report the violence “publicly” to the police (Skogan, 1984). In researching gay men’s experiences of homophobic victimization, Dunn (2010) observes, for example, that “gay-friendly” services may play a significant role when reporting homophobic victimization. This is because victims often want and need outcomes other than just reporting in cases of victimisation: “they want someone to fight their corner in

practical ways” (Dunn, 2010, p. 189). Finally, access to social and community groups is of significant importance, particularly for LGBT youth, especially in the face of familial or peer rejection or victimisation. Finding connections and a sense of belonging can help mediate and alleviate post-victimisation effects and might also enable young people to obtain the social resources required to respond to homophobic victimisation (D’Augelli, 2002; Johnson, 2007).

To establish the role of Legebitra in the reporting of homophobic violence, and indirectly also assess familiarity with other organisations and victim support programmes, the survey first asked participants whether they were familiar with the option of reporting homophobic violence to the police and the following non-police services: Legebitra, Škuc-LL⁴⁹ and the Association for Non-Violent Communication⁵⁰. In the online survey 83 per cent of respondents were familiar with the fact that homophobic violence can be reported to the police and Legebitra. A further 76.2 per cent and 65 per cent were familiar with the options of reporting hate crime to the Association for Non-Violent Communication and the lesbian NGO Škuc-LL, respectively. Other organisations that participants believed reporting could or should take place in included various national anti-violence projects (UNICEF, Amnesty International) and helplines (Samaritans, the SOS helpline). Several participants in both the online survey and the focus groups also referred to centres for social work and school social work services.

To enhance Legebitra’s hate crime reporting service, the study wanted to establish whether respondents found the programme efficient in supporting victims of homophobic violence, and whether the program was visible and had sufficient outreach. This was first addressed by asking participants to what extent they were familiar with the organisation’s programme tackling homophobic violence. On this note, 69.8 per cent of the respondents in the sample reported being somewhat or quite familiar with the work of Legebitra in the field of hate crime. Those who were at least somewhat familiar with Legebitra’s work (n=184) were subsequently asked to state their agreement with three predicative statements. Specifically, this study wanted to know whether Legebitra offers an efficient system of support to victims

⁴⁹ ŠKUC-LL is a lesbian advocacy organisation that runs a sexual orientation hate crime reporting service, Roza Alarm: <http://www.ljudmila.org/lesbo/alarm/>.

⁵⁰ The Association for Non-violent Communication is a non-governmental, non-profit and humanitarian organization working in the field of violence prevention and intervention. The organisation visibly addresses homophobic violence and LGBT domestic violence and provides a signposting service: <http://www.drustvo-dnk.si/o-nasilju/drugevrstenasilja.html>.

of homophobic violence, if the organisation efficiently informs the LGBT community of their services addressing homophobic violence, and whether Legebitra efficiently communicates their strategies and responses regarding homophobic violence to the public.

Just under two-thirds of the online respondents (63.3 per cent) were of opinion that Legebitra provides an efficient system of support to victims of homophobic violence. The findings also suggest that Legebitra is perceived as more efficient at communicating their anti-hate crime actions to the general public than within the LGBT community. Namely, almost three-quarters of all respondents (72.8 per cent) agreed with the statement that Legebitra is successful in communicating their actions countering homophobic violence to the general public, in comparison to 68.5 per cent who were of opinion that Legebitra's hate crime supporting service is well publicised in the LGBT community.

The focus group discussions mainly echoed the online survey. Most participants were aware of multiple options for reporting hate crime, with the police and Legebitra being the most prevalent when it came to the question of homophobic violence. Those who were familiar with Legebitra's hate crime service emphasized that the support service is sufficiently publicised and visible in the community. This was, however, not the case for the element of reporting, as several participants pointed out that the appeal to report homophobic violence is not made loud and visible enough through organisational and community actions. Several participants also felt that the general discourse on homophobic violence "seems muted" within the LGBT community, and that the call to report homophobia is only amplified when there is a "high-profile" incident which LGBT organisations and the community are responding to.

The role of Legebitra and other LGBT organisations and anti-violence programmes as potential sites for reporting violence was also discussed. Participants agreed that having knowledge of reporting and support systems, in particularly being familiar with LGBT organisations and anti-hate crime programmes, would have positively informed their decisions about reporting homophobic incidents. However, the discussions also established that participants do not perceive Legebitra and other relevant community organisations as primary points of contact in the reporting process, regardless of whether these organisations offered third-party reporting as an element of their active organisational programmes.

Literature suggests that non-LGBT services are often unattractive to many victims because they either do not offer a service that is competent to address the specific needs of LGBT

victims or because they are not trusted due to their distance from LGBT individuals and communities (Chakraborti & Hardy, 2016; Victim Support, 2006). Therefore, specialist organisations with established LGBT cultures will often play a key role in the process of reporting violence and crime or in the post-victimisation process. However, the established and visible public identity of LGBT organisations might also have the opposite effect on some members of the LGBT community. The narratives suggest that a strong public presence and professional advocacy element might function as a threat to what is perceived as “private knowledge” (Stanko & Curry, 1995), rather than being a supportive institution.

Miki [18-25, gay]: There is also distrust towards the LGBT organisations because the community knows that these agencies are also publicly visible. This visibility is always heightened in cases of high-profile homophobic violence. People are also aware that organisations will publicly advocate for the victim and this is what puts them off. I think they find this kind of visibility and publicity scary and feel they will be pressured into making their case public if they go and report or ask for support.

Miki’s comment demonstrates that greater visibility and outreach might also have an opposing effect and discourage the members of the LGBT community that these organisations essentially protect and support. On this note, Rok’s comment below importantly demonstrates that the role and trustworthiness of organisations in this process is as important as engaging with individual community members to encourage reporting and signpost victims to appropriate services.

Rok [18-25, gay]: My experience is that people tend to [...] even when they know of LGBT organisations [...] they’d rather contact someone who is directly connected to them and ask them to intervene on their behalf. It happened several times [...] I’d get a text message, from an acquaintance, who knew I was connected to the LGBT organisations, asking me to refer him to a specific person in an organisation [...] At the same time, they wanted my assurance that the staff member was reliable, trustworthy and able to help.

The study also wanted to explore the expectations and needs of participants regarding Legebitra in the process of reporting homophobic violence. The online survey asked a series of questions relating to the provision of counselling and support in the post-victimisation process, including referral and signposting services. Findings from the online survey

demonstrate that voluntary organisations seem to be the most relevant and important in terms of the following:

- 1) Supporting the victim with reporting to police or other institutions (98.5%),
- 2) providing advice on how to avoid further victimisation (95.7%),
- 3) providing personal empowerment (90.7%),
- 4) offering referrals to legal services (89.7%),
- 5) providing emotional and psycho-social support (88.6 %), and
- 6) signposting to health services (83.3%).

In addition, participants in the focus groups also mentioned that organisations should be advocating on behalf of the victim to, for instance, help resolve an issue with the police or other institutions if the victim is not satisfied with their treatment by these agencies. Mostly, however, the discussions in the focus groups revolved around the process of reporting and the important role that support services have in explaining the process of reporting and the possible outcomes. Being aware of the implications and consequences of reporting was a significant element in decisions about reporting homophobic violence in this study, as for many participants reporting represented a confusing and frightening process as they were all rather unfamiliar with its steps and implications.

Katka [18-25, lesbian]: It is important for me personally to have someone who can explain the reporting process, what I can expect from it, and doing this calms me down, makes me feel safe and protected. The last thing I would want is to report and then be left on my own, with a lot of questions and no support.

Finally, data from the focus groups typically suggests that specialist agencies such as LGBT organisations are perceived as being more effective at supporting members of the LGBT community affected by homophobic violence than the police and generic non-police support services. LGBT organisations were largely perceived as being able to provide “clarity”, “empathy”, “safe space” and, most importantly, validation of sexual orientation. Dunn (2010) suggests that this is because “already *othered*”, staff in LGBT agencies have had to resolve for themselves the challenges to established gender and sexual norms [...] They would have no need to avoid speaking of the source, nature and impact of homophobic abuse” (p. 202).

Kristina [26-35, lesbian]: For me, the key difference in reporting to the police or an NGO or any other service is the knowledge that when I come to Legebitra I have no worries

over how people there will react to the fact that I am gay. I know I will feel safe there. I have doubts about the police though, and fear that the fact I am gay might be an issue even before I report anything.

4.2.4.2 Perceptions of the police in the reporting and post-victimisation processes

In addition to developing effective leadership in policing and preventive strategies, the police also have a central role in providing a supportive response to victims of violence. The police can either encourage or discourage reporting, as well as enable or tacitly obstruct access to further support services (Dunn, 2010). In assessing police officers' views and current practices in dealing with victims of crime, Vukadin and Matić (2013) emphasize the important role of police officers in victims' experiences after a criminal victimization. The authors note that police officers are perceived as "gatekeepers" who can have an important impact on victims' existing psychological status and their understanding of and dealings with the criminal justice system. The police can either provide significant support to the victim and refer them to a specialist service for professional help or might, by, for example, expressing "disinterest", "ignorance" or "attributing blame to the victim", cause secondary victimisation. A negative first impression of the police will affect not only further cooperation and relationships between the victim and a specific police officer but also the relationship between victims and the prosecution and judicial authorities (Areh et al., 2009).

To gain insight into participants' perceptions of the police's role in the reporting system, the online survey asked respondents to state their levels of agreement with a series of questions. These questions inquired whether the police were efficient at eliciting a sense of safety and security within the LGBT community, whether they sufficiently reduced fear of homophobic violence, and whether they efficiently informed the public of their actions against homophobic violence. Furthermore, the study also wanted to establish whether respondents saw the police as encouraging the reporting of homophobic violence and whether they provide an efficient system of support for victims.

Agreement with each of these statements was measured on a five-point, forced-choice Likert rating scale. Respondents could choose from the following options: "strongly disagree" (1), "disagree" (2), "not Sure" (3), "agree" (4), and "strongly agree" (5), where higher numbers indicated greater agreement with items. Table 5 presents percentage

frequencies for perceptions of police competence for both sets of statements (N = 123) with the answers were merged into a three-point scale (n=123).

Table 5
Percentage frequencies for the perceived role of the police in responding to homophobic violence

	Strongly agree/agree	Not sure	Strongly disagree/disagree	Total
Police (organisation)	%	%	%	%
Police encourage reporting of homophobic violence	15.4	27.6	57.0	100
Police provide efficient system of support to victims of homophobic violence	13.0	35.0	52.0	100
Police inform the wider public of their actions and strategies against homophobic violence	20.3	19.5	60.2	100
Police play a key role in providing a sense of safety within the LGBT community	34.2	17.1	48.7	100
Police are efficient at reducing fear of homophobic violence within the LGBT community	23.6	22.0	55.4	100

One of the key findings of this study is that the gay men and lesbian women consider the police to be the main gatekeeper for reporting homophobic violence and incidents. However, further inquiry demonstrates that 15.4 per cent of all respondents believe that the police encourage the reporting of homophobic violence, and further 13 per cent believed the police can offer efficient support to victims of homophobic violence. In addition, just over one-third (34.2 per cent) agreed with the statement that the police have a key role in providing a sense of safety and security in the LGBT community, and less than one-quarter (24.8 per cent) perceived the police as efficient at reducing fear of homophobic violence within the LGBT community. Finally, 60 per cent did not think that the police are effective at informing the public about their actions and strategies against homophobic violence and crime.

In addition to exploring the perceived role of the police in policing homophobic violence, the study also wanted to explore needs and expectations of the participants in the reporting process. Respondents in the online survey were asked to state their levels of

agreement with a pre-set list of possible expectations and needs regarding the police in the process of reporting homophobic violence. The analysis of the responses demonstrates that the priority needs and expectations of LGB participants in the sample are strongly connected to the outcomes of reporting, police responses and post-reporting support. For 99.6 per cent of all respondents it was important that police intervention brought about a favourable outcome in the form of stopping or detaining the perpetrator. For 99.2 per cent it was important that police demonstrate no bias or hesitation when dealing with victims of homophobic violence, and the same proportion thought it was important that officers should be able to offer appropriate advice and support in the aftermath of reporting. Finally, for 94.2 per cent it was important that the police should be able to signpost victims to appropriate support services.

In discussing the reporting process Dunn (2010) refers to “the centrality of the police role in providing a supportive response that facilitates recovery” (p. 189). He observes that the police can either encourage or discourage reporting, as well as enable or tacitly obstruct access to further support services. Within this context focus group discussion emphasized the need for the police to present as professional, which meant being able to demonstrate being at ease with LGBT people and their concerns. In contrast to community services, participants did not expect counselling from the police but they did expect empathy and support in the form of “being believed” and “listened to”.

Narratives also stressed the need for officers to recognise the “unique needs and vulnerability” of hate crime victims, and that there was no place for prejudice or victim blaming in officers’ responses.

Klara [26-35, lesbian]: I couldn’t deal with stereotyping [...] for instance, if I was attacked because someone saw me kissing my girlfriend in public [...] and when reporting an officer possibly responds with “did you have to go and provoke them?”, as if I were asking for it. I need them to know we’re not guilty of anything and I don’t aim to provoke anyone.

Participants also emphasized that police should demonstrate a personal rather than bureaucratic approach to hate crime reporting, and stressed the need for an “interested”, “empathetic” and “supportive” stance. In dealing with homophobic violence victims police should take all incidents seriously, whether or not they involved physical violence. This

was given particular emphasis, in line with perceptions that some officers might not treat minor homophobic incidents seriously.

Uroš [26-35, gay]: It would help if police treated verbal and psychological violence like any other violence. Record it, investigate it [...] not dismiss it...and with that give the impression they can't be bothered since it is a minor incident and not a high-profile case or murder.

On this note the findings also suggest that it is important that all who engage with the police feel they have the right to feel “upset about the abuse they experienced”, regardless of the gravity of the violence experienced. Participants also expected the police to be transparent and clear with information about the consequences of reporting and possible investigation, and about other agencies and sources of support, as well as demonstrating interest and the ability to follow through with keeping victims informed.

In its conclusion, the study also inquired about the willingness of the LGB participants to cooperate with the police over policing homophobic hate crime and violence. Almost all the respondents (90.2 per cent) in the online survey, as well as the focus groups, believed formal and on-going cooperation between the police and the LGBT community is needed to combat homophobic violence effectively. In discussing effective cooperation, along with some of the steps the police could undertake to tackle homophobia more visibly and effectively, the participants mostly referred to good practices from the UK, Germany and the Netherlands, while suggestions for specific actions included, among others:

- On-going training on anti-gay prejudice and stereotypes for both new cadets and sworn officers
- Practical approaches encouraging visible diversity and minority representation within the police that will eventually lead to the institution of an LGBT officer
- An LGBT advisory group in which representatives of the LGBT community can formally work with the police on concerns relevant to community safety.

4.3 Summary of findings from the LGB participants

The findings demonstrate high sensitivity to various forms of homophobic violence. They also point to strict discrimination between what is perceived as severe (commonly, physical violence or the presence of a weapon of any kind) and minor or low-level violence (psychological and instances of verbal violence). Although all violent situations perceived

as severe were equally perceived as crime, there is visible doubt in the sample over whether instances of psychological and verbal violence constitute criminal offence. Categorisation of violence into “physical” and “psychological” not only determines the likelihood of an incident being reported but in most cases, also defines the most appropriate reporting agency. The data also suggests that participants develop and inform their understanding of violence and crime according to how these phenomena are written into legislation and national policy, along with how they are conceptualised and challenged in the media and within contemporary socio-cultural or economic discourses.

Decisions about which agency to report to are mainly based on the severity and type of violence, the authority and competence of an agency and the desired outcome of reporting. The police forces’ sole authority and capability to offer an immediate response, deal with criminality, protect the victim and exercise law thus makes it a primary agency for all forms of violence perceived as serious or severe. On the other hand, the competence of community organisations and specialist services to offer long term psychosocial and emotional support, as well as tools for personal empowerment and reconciliation, are mostly relevant to the post-victimisation process. In contrast to the police, LGBT organisations and other community organisations are more likely to receive reports of “less serious” homophobic incidents or discrimination. Verbal abuse and other forms of psychological violence are unlikely to be reported to any agency. This is mostly due to these types of violence being regarded as too trivial by the victim or due to perceived limited competences among non-police agencies to deal with this form of violence in such a way that it would bear concrete and satisfactory outcomes for the victim.

The severity and intensity of violence, its definition in the national punitive legislation, the existence of evidence and favourable outcomes from reporting are all positive predictors in decisions about reporting homophobic violence to the police in the sample. The statistical sample also demonstrates that willingness to report is directly correlated with the disclosure of sexual orientation, as those who are not “out” or who have only partly disclosed their sexual orientation are statistically less likely to report and interact with the police. Willingness to report homophobic violence to the police was also statistically higher among participants who were in a partnership. Positive predictors, which generally determine reporting of physical violence, are still not a guarantee that the reporting will take place as the process of deciding whether report homophobic violence is revealed as far from straightforward and often reliant on many interdependent factors, which are not universal,

nor static. Some of most common negative factors named across narratives are characteristic for reporting of any crime, such as, setting of incident, relationship with the perpetrator, previous negative experience of reporting and assumed or actual negative outcome of reporting. The study, however, also highlights three important predictors that outline the role of sexual stigma in the decision to report and are thus distinct to victims of homophobic violence. These are; considerations related to self-disclosure and police bias and the perception of police competence to record and investigate homophobic incidents. The narratives suggest in the decision to report homophobic violence these often seem to overpower the nature of cost-benefit calculations and adversely impact the decision to engage with police.

Perceptions of police bias and competence were the primary and most decisive predictor in reporting decisions. Fear of possible unsympathetic responses, judgement or trivialisation of homophobic violence from police was overwhelmingly present, as was the tension around disclosing sexual orientation in the process of reporting. There was a commonly held belief that self-disclosure in the process of reporting might present as a challenge to both victim and police officer. A broad summary of the narratives demonstrates a clearly problematic perception of the police and a high level of doubt that they will provide a fair and professional response to reports of homophobic incidents. This unsympathetic perception of the police is based on either second-hand experience and anecdotal storytelling about police anti-gay hostility or first-hand unsatisfactory experiences with the police. Reluctance to engage with the police was especially obvious in all instances of psychological and verbal violence, where participants were convinced the police “would not” or “cannot” do anything.

Despite approximately half of the LGB sample not being familiar with police actions addressing homophobic violence, the findings demonstrate low trust in a fair police response, with only just over one-third of respondents trusting that police officers would respond fairly and in line with legal provisions when reporting homophobic violence. Furthermore, only one in seven thought that police officers have sufficient knowledge about the distinctive needs of LGB victims. Also, almost every second participant believed the police are insufficiently trained in recognising and identifying homophobic violence or can efficiently support victims of homophobic violence. Those with experience of reporting homophobic violence described being disbelieved, passed around from one police officer to another, having their accounts trivialised, and not receiving any help to access

appropriate agencies in dealing with the aftermath of the abuse. This additionally increased participants' reluctance to engage with the police.

Overall, the participants not perceive the police force as homophobic. They were, however, of the opinion that a lack of relevant knowledge, stereotyping and discomfort when it comes discussing LGB concerns are present in the organisation, as well as among the individual officers. Participants believed that the police were not effectively reaching out to the members of the LGBT community, while the low visibility of LGB officers in the force was received as a message that police is not safe, even for its own members.

In addition to negotiating sexual stigma and their perception of the police, LGB participants were also unwilling to report homophobic violence if victimisation occurred within the context of familial, intimate or peer and friendship relationships and educational settings. School-related, as well as domestic, parent to child, abuse, however, were likely to be reported to LGBT organisations. Within these two contexts the role of state social services and school counselling services was emphasised as crucial. The discussions also brought out the need for social workers and counsellors working with students and families to increase their knowledge of LGBT people's needs and start actively addressing the needs of LGBT youth in their work with families and young people.

Participants agreed that knowledge of community-based reporting sites would have positively influenced past decisions about reporting homophobic incidents. On the other hand, the discussions also established that NGOs are not perceived as primary reporting sites for homophobic violence, even in cases where organisations are running a reporting service. Knowledge of reporting options and support sites in the sample is high, and a large majority of respondents are familiar with both police and non-police reporting options. Those who were familiar with Legebitra's hate crime service agreed that the service was sufficiently publicised and visible in the LGBT community. Nevertheless, participants also pointed out that discussions raising awareness of homophobic violence and the importance of reporting are absent from the LGBT community. LGBT NGOs were also perceived as safer spaces for reporting in comparison to the police.

In terms of needs in the reporting and post-victimisation process the findings confirm the crucial role LGBT services play in the post-victimisation process. This is particularly true within the context of breaking the myths around reporting homophobic incidents to the police along with clarifying the reporting process and the aftermath of reporting.

Furthermore, the qualitative findings point to a combination of emotional and practical support needs ranging from psycho-social support, including counselling, to advice on protection and referral to relevant legal and health services. Participants also thought that organisations should advocate on behalf of the victim to, for instance, help resolve an issue with the police or other authorities if the victim is not satisfied with their treatment by these agencies.

Evidence from the study demonstrates that LGB people's needs and expectations regarding the police service are strongly connected to the outcome of reporting, police responses and post-reporting support. LGB participants in the sample valued being believed, receiving prompt responses, and seeing effective action being taken to protect either themselves or other people from further victimisation. Participants also emphasized the need for the police to present as being interested in recording and investigating cases of homophobic violence and to demonstrate being at ease with LGB people and their concerns.

Finally, a large majority of LGB participants in the study believed institutionalised and formal cooperation between the police and members of the LGBT community is welcome and needed to combat homophobic violence effectively.

4.4 Community policing and the ethos of non-discrimination in police work

The police are a particularly interesting public institution to study as, more than any other public service, they are an institution with a highly symbolic meaning. On one hand the police represent the capacity of a state to regulate behaviours and enforce order, while on the other hand they safeguard the civil interests of public welfare, security and morality. They are also one of the most recognised public institutions: "even minimally competent members of society are aware of police and are able to use the services it provides" (van Ewijk, 2011, p. 77). Situating the role of the police force in policing hate crime, Bernstein & Kostelac (2002) note that the police are in the majority of cases the prime agency for reporting hate incidents. Police officers are frequently the first to arrive at the scene of a hate crime and police agencies are, in many instances, the only government institutions capable of conducting thorough investigations of possible hate crimes.

In surveying the development of criminal justice and the science of criminology in Slovenia, G. Meško & Jere (2012) note that, with the dissolution of Yugoslavia in 1991, the Slovenian police shifted away from the authoritarian management of the Yugoslav

Federation towards being an agency of the newly established Republic of Slovenia⁵¹. As a post-socialist transition country Slovenia has, in the last three decades, undergone significant social, political and economic transformation. Among these has been a significant reform of the police's organisational structure with an emphasis on democratisation of law enforcement. This process has been characterized by several attempts at police reform to turn away from traditional and paramilitary styles of policing towards western-style community policing (Nalla et al., 2007).

Since 2003 community policing has been formally defined and recognized as a guiding principle of the Slovenian police. Emphasis has been placed on crime prevention and methods of work that include consultancy, setting up local safety councils, education of children and adults, and informal means of socializing and connecting with citizens and local communities (Nalla et al., 2014). Adopting and committing to this new style of policing, however, is not without challenges. The literature suggests these are mostly reflected at the level of cooperation and involvement with local communities and the civil society. The roots of these challenges are likely to be complex and beyond the scope of this study (Meško, 2007; Nalla, Meško, & Modic, 2016; Nalla et al., 2014). However, as a starting point, and relevant to this study, some of these challenges have been ascribed to changes that have affected the system of education and training since 2002. At that time the four-year police training programme for raising police cadets was replaced with an 18-month training course intended for adults (Gašič & Pagon, 2004). Scholars suggest that this considerable change in the schooling of police officers is particularly visible at the level of commitment to organisational values. This is because the younger generations of police seem to be, on average, less committed to the police force compared to their senior peers (Gašič & Pagon, 2004). In addition, researchers have observed considerable changes in the recruitment process; previously welcoming police academy cadets only, recruitment is now open to individuals from all parts of Slovene society. This is due to the provision of the Slovenian quota of police officers needed to protect the Schengen border. This open recruitment, however, has also introduced a lower selection criterion for police recruits who wish to join the police force (Meško, 2007). According to Meško, this has left an impact on

⁵¹ At the time of writing, the Slovenian police force consists of around 8,000 officers and is a constituent body of the Ministry of the Interior of the Republic of Slovenia, with its headquarters in Ljubljana. The organizational structure of the Slovenian police is composed of the General Police Directorate performing tasks at state level and 8 regional police directorates controlling a total of 112 police stations at local level.

Source: <http://www.policija.si/eng/index.php>.

the professional image and legitimacy of police officers, who may present as under-skilled and demonstrate low knowledge of police powers.

Despite all the challenges created by the reforms, Meško (2007) finds the present focus of the Slovene police to be very close to the slogans of “protect and serve” used in Western European and American police forces. Most recent studies also observe increased emphasis on service-oriented policing in contrast to a law enforcement approach, increased support for community policing among police officers, and increased willingness among citizens to cooperate with the police in crime prevention activities (Nalla et al., 2016, 2014). Slovene scholarship mostly attributes these positive shifts to consistent promotion of the importance of community policing with an emphasis on citizen-police relationships, particularly notable between 2009 and 2011 (Nalla et al., 2014). The principles of community policing are consequently also reflected in recently revised Organisation and Work of the Police Act (ZODPol, National Assembly of the Republic of Slovenia 2013a), which regulates the organisation, functioning and management of the police and lays down specific features of labour relations among police employees and their rights and obligations. Article 35 of ZODPol, Partnership Cooperation to Ensure Greater Security, for instance, notes that the police should not only be open to cooperation and partnerships with varied institutions, including civil society, on issues that relate to improving protection services in local communities but should also “establish councils, advisory committees, commissions or any other forms of partnership cooperation mutually agreed upon to ensure greater security” (Article 35, clause 3).

While discussing the role of the police in Slovenian society Kolenc (Meško, 2007) describes the Slovene police as one of the guardians of national security responsible for ensuring a high level of internal security for all citizens of the Republic of Slovenia. By protecting the constitutional system, the democratic political system, human rights and fundamental freedoms and other constitutional values the work of the Slovene police is based on respect for and the enforcement of legal order, as well as the respect for European conventions and recommendations regarding ethnicity, professionalism, human rights, human dignity and fundamental freedoms. These values are specifically enshrined in the Police Tasks and Powers Act (ZNPPol - National Assembly of the Republic of Slovenia, 2013b), a national policy defining the statutory duties and obligations of the police. Article 13 of ZNPPol, Principle of Respect for Human Personality and Dignity and other Human Rights and Fundamental freedoms, specifically addresses the vulnerability of specific groups of

victims. It mandates that police officers should be particularly considerate of victims and persons who could be identified as vulnerable (children, minors, the elderly, persons with disabilities, pregnant women and victims of domestic abuse). Bobnar⁵² explains that the list is not exhaustive and could easily be applied to victims of homophobic crimes as the question of vulnerability depends on the circumstances of a specific case and combinations of various factors. Equally relevant is Article 14 (Principle of Equal Treatment), which mandates that, in performing police tasks, police officers should ensure equal rights protection for all.

“In performing police tasks, police officers shall ensure every person the same protection of his rights. They may not discriminate against anyone on the basis of nationality, race, colour of skin, gender, language, religion, sexual orientation, political or any other conviction, property status, birth, genetic heritage, education, social position, disability or any other personal circumstance” (p. 7).

Bobnar also highlights that discrimination within police work is prohibited in absolute terms; *i.e.*, without the possibility of justification (Slovenska Policija, 2014).

The recently established Committee on Ethics and Integrity further embeds factors such as respect, honesty and integrity, personal autonomy and professional equity at the core of police organizational practice (Šumi, 2011). This body, functioning at police directorate level, is tasked with promoting the role and impact of ethics and morality in society and police work, along with promoting the organisational and personal integrity of officers and maintaining the social role and public image of the police. The committee also manages conflict resolution among police members and is tasked with the revision, evaluation and implementation of moral and ethical standards for the police, as outlined in The Code of Police Ethics (Slokan & Šumi, 2011; Slovene Ministry of the Interior, 2008). A noteworthy document preserving non-discrimination in police policy, behaviour and decisions, The Code of Police Ethics determines both the relationships between police officers and the relationships between police officers and citizens, state authorities, non-governmental organisations and other institutions. The failure of the code to openly include references to sexual orientation as one of the protected characteristics in its 2008 revision was a lost opportunity. However, its Article 3 commitment to: “human rights and fundamental freedoms, irrespective of ethnicity, race, gender, language, religion, political or other

⁵² See Appendix II.

conviction, material standing, education, social status or any other personal circumstance”, must be embraced as inclusive of the concerns of the LGB people.

In sum, there is a shift towards reforms designed, first, to bring the Slovenian police closer to Western policing ideals. Second, to outline a policing framework eradicating authoritarian and repressive police subculture. Third, to demonstrate the basis of a new contemporary police structure based on values of respect for human rights and freedoms, integrity, impartiality and non-discrimination, the where security and safeguarding of citizens are secured “through the development of human resources, organisation and professionalism, and with the establishment of both individual and community partnerships” (Meško, 2007, p. 21). Despite these considerable and favourable policy and operational improvements, however, the results of this study demonstrate that conventional police values and “masculinised” standards of police culture still present challenges in policing practices, particularly when engaging with traditionally marginalized groups.

Specifically focusing on sexual orientation and attitudes towards gay men and lesbian women, this study recognises significant improvements in discrimination and intolerance based on sexual orientation, particularly relating to the policy framework guiding moral and ethical standards in police work. In contrast, the findings also demonstrate strategy and policy are not always translated into action at operational level. While this study does not find that extreme instances of anti-gay prejudice characterise police work, negative myths and stereotypes about gay men and lesbian women are persistent in police discourse and work practice. Anti-gay comments often pass unchallenged, while discussion of homosexuality seems to cause great level of discomfort among police officers. The concerns of LGB people are mostly present in the context of anti-gay jokes and passing comments, pushing gay and lesbian officers further into the closet. Respondents also report an absence of relevant training and the tendency of officers to trivialise or record and investigate homophobic violence as a non-bias incident or crime. All this affects efficient policing of this phenomenon and significantly contributes to its invisibility in the eyes of law enforcement, policy makers and the public.

4.5 Study findings relating to police participants

4.5.1 Job satisfaction and workplace experiences

To understand the behaviours, attitudes, and perceptions of police officers on any issue, but specifically when addressing sensitive topics, it helps to know the organizational context in which officers do their work and develop professionally. An important element of this context is the climate of the organization and workplace experiences: “it is how the context of the organization is actually perceived, experienced, and interpreted by its members” (Hassell & Brandl, 2009, p. 410). In the case of the police this translates into the dynamics and nature of interactions between officers and between officers and leadership or supervisors. A climate characterized by negative interactions among members may create workplace problems, which in turn may have a negative impact on organisational commitment, job satisfaction and job performance or efficiency (Hassell & Brandl, 2009), and may ultimately also translate into negative attitudes towards citizens.

Slovene research into the police force’s organisational climate and job satisfaction is scarce. Nalla et al. (2007) compared officers’ perceptions of the force’s organisational climate with a sample of 995 members of the Slovene police. They found that while police officers generally do not feel positive about their organisational climate and feel they have little organisational support, officers also feel very positive about their work and find it interesting. In addition, in evaluating the effect of integrity training on police officers with a sample of 44 officers, Lobnikar et al. (2006) suggest that those police officers who are more satisfied with their work are also more open-minded, and accept new knowledge, concepts and theories more easily. Further, those with a higher level of workplace satisfaction are more likely to take their supervisor’s behaviour as a model (Lobnikar et al., 2006). The study also found that police officers derived job satisfaction from the cooperation of citizens, while the majority (just over half of all respondents) in a study by Nalla et al. (2007) believed that members of police have to be sensitive to the needs of the community in which they work.

Prior to assessing police climate and job satisfaction in the current study, it is important to highlight that it took place in the aftermath of the global economic crisis, which considerably affected police organisation, especially in the area of human resources (Tomažević, Seljak, & Aristovnik, 2016). Austerity measures, particularly the public

sector's Intervention Measures Act of 2010/11 and the Fiscal Balance Act of 2012⁵³, resulted in poor benefits and working conditions, chronic understaffing and underfunding, encouraged early retirement and affected the recruitment of new officers, as well as the promotion opportunities and salaries of sworn officers (Meško, 2013). This all had substantial implications for the scope and workload of the remaining members of the police. They were still expected to perform all their duties and responsibilities efficiently and effectively despite reduced numbers, whilst also being tasked with increased casework and managing the civil unrest accompanying the economic crisis. Increased workloads, duties and responsibilities, with no chance of promotion or financial compensation result in low morale and high levels of frustration among officers, as is demonstrated in the findings of this study.

In the online study respondents' job satisfaction and views on working with the local community and civil society initiatives were measured across six statements on a five-point, forced-choice Likert rating scale. Respondents could choose from the following options: "strongly disagree" (1), "disagree" (2), "neutral" (3), "agree" (4), and "strongly agree" (5), where higher numbers indicated greater agreement with items. Table 7 presents percentage frequencies of agreement (N = 243) with the answers merged into a three-point scale (n=243).

Table 6
Job satisfaction and views on working with the local community and civil society initiatives

	Strongly agree/agree	Not Sure	Strongly disagree/disagree	Total
	%	%	%	%
Job satisfaction				
I am very satisfied with my job	51.9	13.6	34.5	100
If I got an offer to transfer to another police station I would take it	24.3	30.9	44.8	100
If I received an offer for a better paying job outside of policing I would accept it.	51.8	31.7	16.5	100

⁵³ Source:

http://www.vlada.si/en/media_room/government_press_releases/press_release/article/152nd_government_session_public_finance_act_and_intervention_measures_for_2012_19664/

Working with the local community and civil society initiatives				
I feel that my job as a police officer should involve holding meetings with representatives of the local community/citizens	95.1	1.2	3.7	100
I feel that the work of every police officer should involve holding meetings with concerned local groups and initiatives under their jurisdiction	86.3	3.7	10.0	100
I wish my work duties and responsibilities involved more meetings with concerned local groups and initiatives under my jurisdiction	77.0	14.0	9.0	100

The findings suggest that police respondents in the sample highly value cooperation with local communities and initiatives and see it as essential part of their work process. This was shown, first, by the fact that 95.1 per cent of all respondents felt their work duties should also include cooperation with citizens. Second, 77 per cent agreed with the statement that their work duties should involve more engagement with the local community and initiatives. Third, 86.3 per cent believed cooperation with citizens should be part of the job duties of every police officer. However, while the findings on police-local community cooperation are highly positive and encouraging, the results reporting on job satisfaction paint a slightly different picture. Only every second officer was satisfied with their job (51.9 per cent), the same proportion (51.8 per cent) would not mind leaving the police for a better paid job elsewhere and a further 31% were neutral on this statement. Finally, almost one quarter of all respondents (24.3 per cent) would transfer to another police station if they could and further one-third (30.9 per cent) were neutral on the same statement. To determine whether female and male officers held significantly varying views about job satisfaction and working with the local community and civil society initiatives I used analysis of variance (ANOVA) to compare the frequency scores for the items among these two groups. Statistically significant differences per gender variation showed on two items. Female officers were statistically more likely to agree with the item “If I got an offer to transfer to another police station I would take it” ($p=0.009$), while men were statistically more likely to agree with the item “I feel that my job as a police officer should involve holding meetings with representatives of the local community/citizens” ($p=0.047$). The same test showed no statistically significant differences for any of the items by rank groups.

Job satisfaction is generally defined as “the accumulation of employees’ feelings and beliefs about current employment, organisation and work” (George and Jones 1999, p. 78 in Gašič, Pagon 2007, p. 137). It is, as suggested by Svetlik (1996 in Gašič & Pagon, 2007), usually assessed based on six factors: job variety, job autonomy, pay, leadership and organisation of work, job relationships and work conditions. This study directly studied interaction in the workplace between members of the police and the degree to which respondents have (possibly) experienced specific types of negative treatment in the work environment in the past five years. Table 7 presents the findings on the workplace experiences of all the respondents in the study (n=243).

Table 7
Workplace experiences

During the past five years at work have you ever experienced the following from your commanding officers or co-workers:	Yes %
Doubted your judgement on a case you are responsible for	55.1
Unfairly denied you a promotion or training opportunities	49.8
Addressed you in unprofessional terms in front of others	48.6
Put you down or was condescending to you in front of others	45.3
Excluded you from informal networks	35.8
Gave you less positive work evaluations than you deserve	35.0
Subjected you to jokes at your own expense	31.7
Made unwanted sexual advances towards you	10.7

The findings show high figures for negative work experiences across all the situations presented. They demonstrate that over half of all respondents (55.1 per cent) had their work judgment doubted, just under half (49.8 per cent) believe they were unfairly denied promotion or training opportunities, and a similar percentage (48.6 per cent) report being addressed in unprofessional terms in front of others. A further 45.3 per cent report being put down or condescended to in front of their peers, while just over one third (35.8 per cent) report being excluded from formal networks and 35 per cent believe they have been given less positive work evaluations than they deserved. Finally, just under one third (31.7 per

cent) report being subjected to jokes at their expense and one out of ten (10.7 per cent) report sexual harassment.

While police representatives in the semi-structured interviews did not specifically address negative workplace experiences they all talked at length about their perceptions of police organisation and job satisfaction. Participants' narratives overwhelmingly agree with Nalla et al. (2007) finding that Slovene police officers generally do not have positive views of the police as an organisation. It was consistently described as a "rigid hierarchy", criticised for its "persistent militaristic approach" and "bureaucracy overload", and perceived as fundamentally "masculine", "authoritarian" and "closed".

Police rep. 7: The police force is still closed to outsiders and police officers stick together despite the different worldviews, prejudices we have and the mistakes we make. This can be an advantage but it can also be a disadvantage. The police force is a very specific organisation.

Interviews with officers also reveal that police culture is not only reserved towards members of the LGBT community. Rather, it is also characterised by generally negative attitudes toward religious and ethnic minorities such as Roma people and people from ex-Yugoslav countries. Respondents with senior ranks also negatively commented on having a lower selection criterion for citizens wishing to join the police force. In their perception, the boost in so-called "economic migrants" had resulted in a generation of officers with different motivations who were less connected with the core police values of safeguarding communities and helping citizens. According to some respondents this "generation gap" is considerably affecting the professionalization of the police and has affected the image of the organisation in public. The officers also commented on the impact of the economic crisis. One of the interviewees, for example, noted that due to the impact of austerity measures officers in his department had lower motivation to record, investigate and process minor incidents. Also, the quote below demonstrates a central message articulated in a number of different ways across all the interviews reflecting the demands and conditions of post-crisis police work.

Police rep 3: Our intervention is required literally everywhere and we are increasingly required to deal with non-crime tasks that involve, for instance, rescuing pets and the like. Currently, due to austerity measures, the police are also not recruiting. This means we are acutely understaffed and everyone should be available for duty 24/7. At the same

time, there is also no chance of rank or financial promotion, so most of the work is done without proper motivation.

On the topic of job satisfaction, the interviews reflect the experiences of the online survey respondents as four out of the eight respondents were happy in their job and found it interesting, challenging and satisfactory. These officers also felt included in the life of their police station, assessed interaction between individual officers as “trustworthy” and emphasized “respectful” interaction between department leaders, commanders and officers. As with previous domestic studies on the topic (cf.: Nalla et al., 2007; Nalla, Rydberg, & Meško, 2011) respondents derived job satisfaction from various workplace factors, including cooperation of and with citizens. Interviewees recognised that there were certain advantages to community policing, and expressed disappointment that current work conditions of work the police climate discouraged more systematic and genuine engagement with the local community around crime and violence prevention.

4.5.2 Workplace experiences of female police officers

Being often associated with masculine ideals of crime fighting, the police is traditionally characterised as profession that is gendered and sexualised in its value systems as well as in hierarchical allocations of job duties and responsibilities. In fact, scholars note that gendered stereotypes perpetuated by the culture of hegemonic masculinity are prevalent in all areas of police officer formation, from training to recruitment. Police culture tends to undervalue women as “soft” and “feeble”, while women in the force are often excluded and marked out as not belonging to the “in-group” (Galvin-White & O’Neal, 2015; McCarthy, 2013). UK and US-based research also demonstrates that female police officers continue to struggle to gain acceptance from their male colleagues and that they often do not receive equal credit for their job performance, are ostracized, often assigned to desk duty or dead-end positions, and have their promotional opportunities thwarted (Hassell & Brandl, 2009).

As discussed in the following section, the construction of gender and gender roles is closely intertwined with the construction of sexual identities and sexuality. Miller et al. (2003) further observe that it is particularly the emphasis on “sexuality” which serves as a significant component of gender subordination: “Enforced heterosexuality has been identified as a primary mechanism for subordinating women at home and at work” (Rich 1980, p. 633 in Miller et al. 2003, p. 359). By adhering to strong norms of compulsory

heterosexuality police culture therefore *a priori* questions the role and status of the “feminine” in policing and subjects women to instances of sexist objectification. Female police officers may also endure questions about their sexual orientation and are often assumed to be (or “accused of” being) lesbians. Therefore, in addition to sexism, female officers often have to contend with homophobia regardless of their sexual orientation (Bernstein & Kostelac, 2002). This further suggests perceptions of female officers in the force is therefore strongly connected to perceptions and attitudes towards lesbian women and gay men in the force.

Slovene research exploring the situation and experiences of female officers in the Slovene police force is scarce. A study from 2004 (Lobnikar et al. 2004 in Lobnikar et al. (2016) found more than one-quarter of female officers reported being exposed to unwanted verbal sexual harassment or being subjected to rumours or slander in law enforcement. In addition a 2011 M.A. thesis (Pavček, 2011) examining the (un)equal situation of women in the police using a representative sample of 491 female police officers further confirms that the police poses numerous challenges to female officers. This is because just under half of all respondents assessed their male counterparts as viewing women as unsuitable for police work. Generally, respondents were of opinion that female officer had lesser chances of promotion and a large majority believed sexual harassment and unwanted sexual advances are present in the police.

To establish whether the workplace experiences of women police officers in the sample (n=47, 19.7 per cent) differs from those of their male counterparts (N=196, 80.3 per cent), the analysis of interactions in the workplace and experiences of specific types of negative treatment was also segregated by gender. In the sample, female police officers report considerably higher negative experiences in all the situations presented, save for experiencing judgement over their decisions about casework. Here, male officers report considerably higher figures: 58.2 per cent in comparison to 42.6 per cent for female officers. Overall, over half (55.3 per cent) of all the female officers report being addressed unprofessionally as opposed to 46.9 per cent of male officers, and an equal proportion report being devalued and condescended to in front of others (42.9 per cent for male officers). Approximately half (51.1 per cent) believe they have been unfairly denied promotion or training opportunities (49.5 per cent for male officers) and just under half (48.9 per cent) report being excluded from informal networks (32.7 per cent for male officers). Further, 44.7 per cent report being subjected to jokes at their expense (28.6 per cent for male

officers) and the same proportion report receiving less positive work evaluations (32.7 per cent for male officers). The main difference in negative experiences can be observed in sexual harassment, where 29.8 per cent of female officers, as opposed to 6.1 per cent of male officers, report having being subjected to unwanted sexual advances whilst on the job. To establish the statistical relevance of the above data, we also used a Pearson chi-square test to compare the frequencies per gender groups across all the items. The test showed that women were statistically more likely to be excluded from informal networks ($p=0.037$), subjected to jokes at their own expense ($p=0.033$) and to suffer sexual harassment ($p=0.00$).

Furthermore, the study also wanted to establish whether women are perceived as equal to men with regard to their job skills and doing “real” police work, and whether they are seen as trustworthy members of the police. Respondents’ views were measured across three statements on a five-point, forced-choice Likert rating scale. Respondents could choose from the following options, “strongly disagree” (1), “disagree” (2), “neutral” (3), “agree” (4), and “strongly agree” (5), where higher numbers indicated greater agreement with items. If workplace experiences are gravely worse for women, the general perception of women as being equal to men in terms of addressing tasks and duties is much more positive. In the sample 79 per cent of respondents agreed or strongly agreed with the statement that “a woman can do this job as well as anybody else”. The findings also imply that officers tend not to differentiate based on gender when it comes to the issue of “trust”, as although 49.7 per cent agreed with the statement “a woman police officer has to prove herself before I’ll trust her” an almost equal proportion (48.1 per cent) agreed with the same statement when it was applied to male police officers.

The officers in the semi-structured interviews were consistent in their assessment that the situation of women in the Slovene police is improving, that the police is now much more open to the idea of female police officers, and that the number of female officers is steadily increasing. All male officers in the study believed that a woman could do police work as well as anyone else. Self-perceptions of workplace experiences, however, suggest that women are still subjected to gendered practices, sexist language and “hassle”. Both female participants and several male officers reported that women in the police still “need to work harder to prove themselves”. They also stated that stereotypical beliefs that women are not strong enough and are not capable of maintaining a presence of authority are still present and largely manifest, and that certain male officers would, for example, attempt to shield women from the “dangers of the job”. The narratives also suggest that when women chose

to conform to the traits of hegemonic masculinity (e.g., do not emphasize their femininity, demonstrate physical and psychological strength and independence) they may have a better chance of being accepted “as one of the boys” than if they perform their gender expression as a woman (e.g., acting motherly and feminine and gentle).

Even though the number of women in the sample is small,⁵⁴ and the findings on negative job experience are based on self-assessment and perceptions of personal experience, it seems that police culture continues to operate in rather traditional ways. Masculine values present a challenging work environment for a high proportion of women who seem to be subjected to higher levels of negative personal experiences at work than their male counterparts. Strong masculine and heterosexist values, however, do not only communicate exclusivity based on biological gender but also communicate heteronormative attitudes which might translate into negative attitudes and behaviour towards gay men and lesbian women. The study will explore this in the following sections.

4.5.3 Attitudes and behaviours towards gay men and lesbian women

The theoretical framework of this study, among others, draws on the premise that “gender”, “sexuality” and “police organisational culture” are social constructs. As such, the perception of these concepts is developed, regulated and shaped by an individual’s internal dialogue and external social climate, which influence how the perception will translate into external views, attitudes, characteristics and social performance (Jones & Williams, 2013; West & Zimmerman, 1987).

While studying the context of policing and police organisation the theory of new institutionalism provides a useful framework for exploring how “gender” and “sexuality” are constructed within police culture. New institutionalism suggests that organizations, such as the police, are discrete entities with distinct organizational ethos and normative frameworks which keep its members “in line” through a variety of controls, such as hierarchies and sanctions. (Monroe, 2007). Police culture is particularly known to place significant demands on its members by reinforcing “complex ensembles of values, attitudes, symbols, rites, recipes, and practices” that are unique to the law enforcement

⁵⁴ It is interesting to note that the percentage ratio between male and female respondents in the online survey is almost the same as the ratio of employed male and female sworn officers in the Slovene police in 2015: 80% : 20% (MNZ, 2016).

profession (Reiner, 2010, p. 116 in Couto, 2013) and continuously passed on to new members. Furthermore, the culture of an organisation is often founded on the beliefs and values of its founders and individual experiences of group members as the organization evolves, along with added beliefs, values and assumptions brought into an organization by new members and leaders (Couto, 2013; Monro, 2007). This suggest that any potential discriminatory or prejudiced perceptions, opinions, attitudes and behaviours among members of the police are therefore not only shaped by the external political and cultural climate, social networks and lived experiences but also by the nature of the profession and the organisational and occupational culture they work within.

Bernstein & Kostelac, (2002) theorise police culture as rooted in a hegemonic masculinity and heterosexist practices which are defined in opposition to both femininity and homosexuality. Like heterosexism and heterosexuality, hegemonic masculinity is a mechanism of domination and subordination and describes an ideal form of masculinity in a particular social situation (Allwood, 2005; Connell, 1987). Maintenance of hegemonic masculinity involves engaging in certain practices and demonstrating certain behaviours, for instance authority, aggressiveness, technical competence, that “prove” one’s manhood and enable certain groups of men to enjoy power in relation to women. However, it also allows all men to enjoy power in relation to other subordinate groups of men. In its main premise hegemonic masculinity legitimises patriarchy, which guarantees the dominant position of “masculine” men and the subordination of women and all other identities seen as feminine (Miller et al., 2003, p. 358). Kimmel (1994) argues that homophobia forms the central organizing principle for normative definitions of masculinity, as by regulating the gendered relationships of power between men and women hegemonic masculinity also regulates the gendered relationships of power between men. Men who do not maintain the necessary gender performance to support the ideals of hegemonic masculinity are labelled as *not real* men or as gay. Relevant to this discussion is also the “heterosexist principle of consistency” (Ponse, 1978 in Švab & Kuhar, 2005), which construes the image of “a woman” by combining “sexual roles, gender identity and role, the choice of the sexual object and sexual identity” (p. 57). Such conceptualisation means that a lesbian cannot be perceived *a real woman* since her gender identity is against her sexual identity. This conflict is subsequently resolved through stereotyping a masculine woman as a lesbian.

Although there is little research directly examining police attitudes towards homosexuality and whether they translate into actual discriminatory behaviour, there are many studies that

inquire into the question of whether or not the police are prejudiced against homosexuality (cf.: Belkin & McNichol, 2002; Bernstein & Kostelac, 2002; Burke, 1992; Galvin-White & O'Neal, 2015). The answer to this question, according to Burke (1992), is "...yes, but only slightly more so than the community as a whole. Policemen reflect the dominant attitudes of the majority towards minorities" (p. 34). Meško (2007) makes a similar observation in his review of a Slovene national study (Umek, Meško & Abutovič, 2000 in Meško, 2007) surveying police officers' attitudes towards marginal social groups. The study revealed police officers hold negative attitudes and prejudice towards ethnic minorities and socially marginalised groups. In his review Meško concludes that police officers are not more prejudiced than most the population in the area where they live and work. "It simply means that police officers reflect the attitudes and prejudices characteristic of their environments" (p. 43).

In the context of this study the above statement bears significant meaning as it has become popularised and is now used as a convenient justification when addressing anti-gay prejudice within police work, as the findings of this study also demonstrate. However, as Burke (1992) aptly points out, law enforcement should not see this as a positive development or a comforting factor at all. Whilst it might be reassuring to speculate that the police may not be significantly more prejudiced than society in general, the level of homophobia in society is already sufficiently high to cause concern should it translate into police attitudes and behaviour at the same level.

Aiming to explore different dimensions of anti-gay prejudice in the respondent sample, the study first wanted to assess whether the respondents accepted negative stereotypes about gay men and lesbian women. Among other things the survey inquired about whether gay and lesbian police officers would make good role models for the community, whether they belong in law enforcement or if they might put others at risk of sexually transmitted diseases. Respondents' views were measured across seven statements on a five-point, forced-choice Likert rating scale. Respondents could choose from the following options, "strongly disagree" (1), "disagree" (2), "neutral" (3), "agree" (4), and "strongly agree" (5), where higher numbers indicated greater agreement with items. Table presents percentage frequencies of agreement with stereotypes about homosexuality or gay and lesbian women (N = 243) with the answers merged into a three-point scale (n=243).

Table 8
Stereotypes about homosexuality, gay men and lesbian women

	Strongly agree/agree	Not Sure	Strongly disagree/disagree	Total
Stereotypes about gay men and lesbian women	%	%	%	%
Police officers should be role models for the community. Hiring gay men and lesbian women as officers undermines these values	15.2	10.7	74.1	100
The police should not recruit homosexuals because gay men and lesbian women put everyone at risk of sexually transmitted diseases	6.2	5.8	88.0	100
A gay man can do this job as well as anybody else	83.5	7.4	9.1	100
A lesbian can do this job as well as anybody else	79.9	6.2	9.9	100
Homosexuality is a choice	51.8	14.8	33.4	100
Gay men and lesbian women are an abomination; they are “sissy” men or “butch” women	5.0	10.7	84.3	100
Homosexuality is caused by upbringing or trauma (e.g.: rape, childhood abuse)	4.5	16.0	79.5	100
Gay pride marches encourage homosexuality and increase the number of homosexuals in society	7.8	20.6	71.6	100

Respondents mostly rejected extreme and pejorative myths about homosexuality, such as gay men and lesbian women spreading sexually transmitted diseases (e.g.: AIDS) through contact. A large majority also did not perceive gay men and lesbian women as abominations or as effeminate men and butch women, and agreed that lesbian women and gay men can perform capably as police officers.

However, while popular myths about gay men and lesbian women were mostly rejected, the findings show that common misconceptions and stereotypes were still widely present in the sample. 66 per cent could not disagree fully with the statement that lesbian women and gay men have a choice about their desires, 20.5 per cent did not disagree with a notion suggesting homosexuality is caused by trauma, and over one-quarter (25.9 per cent) could not disagree with a statement that gay men and lesbian women as police officers might impact the image of the police in the community. Finally, almost one third (28.4 per cent) did not fully dispute the statement that gay pride marches encourage homosexuality and increase the number of gay men and lesbian women in the society. To establish if there

were statistically significant differences between female officers and male officers in their agreement across the above statements, we used a Pearson chi-square test to compare frequencies across all items. The test showed that women were statistically more likely to agree with statements that gay and lesbian officers can do the job as well as anybody else ($p=0.034$ and $p=0.011$, respectively). There were no statistically significant differences in statement agreement per officers' rank.

Following the "stereotype statements" an additional five statements explored whether respondents had engaged in any anti-gay behaviours toward someone they knew or believed to be a gay man or a lesbian woman in the workplace. This is important to know as prejudiced attitudes can be a serious problem, especially if discriminatory practices develop based on negative stereotypes and become a part of everyday policing and office interactions (Meško, 2007). These statements ranged from avoiding contact with a gay or lesbian police officer to making comments and possible harassment with explicit material of a sexual nature challenging one's sexual orientation. Adding this dimension to the research allowed the study to make a basic distinction between attitudes and behaviours. It also made it possible to explore whether potential negative stereotypes translate into discriminatory behaviour towards gay men and lesbian women, which could potentially create a hostile environment for lesbian and gay officers, as well as gay and lesbian citizens reporting homophobic hate crime.

In the sample, most respondents claimed not to have engaged in discriminatory behaviour based on sexual orientation towards their fellow officers. However, 6.9 per cent admitted to calling a gay or lesbian co-worker an insulting name and 4.6 per cent admitted having avoided contact with officer if they knew or suspected he/she was gay or lesbian. Also, 2.9 per cent objected to working with a gay or a lesbian and the same proportion (2.9 per cent) made negative comments or asked insulting questions about sexuality or personal life. In total, 7.4 per cent of all respondents admitted engaging in some form of discriminatory and disrespectful behaviour towards their (perceived) gay and lesbian co-workers in the past. Even though this figure is not to be neglected, however, it also suggests that accepted negative stereotypes attributed to gay men and lesbian women in and out of policing are not significantly related to actual discriminatory behaviour in the sample.

Several online commentaries, but more so semi-structured interviews, additionally demonstrate that lesbian and gay individuals still challenge conservative values and expectations, and threaten the deeply ingrained traditional hegemonic masculine and

heterosexist ideals characterizing police work. Respondents talked about the “absence” and “silence” surrounding the subject of homosexuality, and general discomfort among officers, as well as the leadership on the topic. They perceived the police as an environment that does not encourage or sustain discussion on homosexuality with the aim of addressing or challenging preconceived notions, and suspected that those with more liberal views are often reluctant to raise the discussion to avoid being labelled gay or lesbian themselves.

The narratives largely perpetuated the widely-popularised belief that the police force is only as prejudiced against minorities as the community it is serving and protecting. Respondents also seem to have adopted this as a positive justification and somewhat as an explanation of police attitudes towards gay men and lesbian women. While participants noted that incidents of blatant harassment and abuse are rare in their policing environments, they did believe that anti-gay prejudice is part of police culture.

Online respondent: Homophobia is present in the Slovene police, although we like to pretend it isn't.

Officers also suggested that instances of prejudiced behaviour are rarely challenged or sanctioned by officers or supervisors.

Police rep 1: During work meetings, such comments were never challenged as a deviant behaviour that would be unwelcome or unwanted.

The role of police leadership and supervisors in taking the lead in addressing and challenging intolerance and prejudice in the police was consistently emphasized. Two interviewees, for instance, referred to the Minister of Interior attending the Ljubljana pride parade in 2009. Even though this action received mixed reactions within the police it sent an important message to front line police officers that the police should and will be there to safeguard all citizens, regardless of sexual orientation.

Police rep 1: Minister Kresal made a huge step towards bridging the gap when she attended that pride parade. She faced a lot of backlash too, but the fact that she marched in that parade, that was very brave of her.

As also confirmed earlier by the statistical analysis of variance, respondents evaluated male police officers as holding more negative views of homosexuality, in particular toward gay men. This may be because of the police culture's expectation of toughness, which is linked to the image of a “proper man” (Couto, 2013), whereas gay males are often associated with femininity, which “may be used to construct a type or types of homosexuals who may be

subsequently rejected as candidates for policing” (Praat & Tuffin, 1996, p. 70 in Jones & Williams 2013, p. 207). It may also be that heterosexual men fear unwanted sexual advances from gay men, as one of the male respondents in this study admitted to.

4.5.4 Gay men and lesbian women in Slovene law enforcement

As early as in 1993, a report of the Council of Europe (1993, p. 18 in R. van Ewijk, 2011, p. 84) stated that the “...composition of police forces should normally be representative of the community it serves. This diversification of recruitment will establish a more trusting climate between the police and different population groups”. On the other hand, policing, as a process and a profession, has not always been inclusive of diverse identities, and often “reflects the conflicts and contradictions of the wider social structure, culture and political economy” (Reiner 2000, p. 109 in Dunn, 2010, p. 25). The effectiveness of contemporary values rooted in discrimination-free policy frameworks, still seems to be underpinned by informal beliefs and attitudes prescribed by police occupational subcultures. A recent comparative study of police forces across the EU (van Ewijk, 2011), for instance, demonstrates that the level of diversity e.g.: the percentages of women, gay men and lesbian women, and persons with a migrant background is considerably lower among police officers than in society as a whole, and diminishes as police officers’ ranks increase. In 2013 women in the Slovene police force represented 24.8 per cent of all employed police staff (MNZ, 2013), while in 2009 police forces in England and Wales included 4.8 per cent minority police officers at the constable rank, and in the Netherlands 6 per cent of the police officers had a migratory background (van Ewijk, 2011). In addition, one of the largest ever surveys of LGB police officers in England and Wales shows that, despite significant improvements in police working environments for minority officers, instances of homophobic discrimination in training, deployment and promotion are still evident in British policing (Jones & Williams, 2013). Despite these discouraging figures, though, it would be misleading to not acknowledge some of the improvements that have been made in police organizations across Europe relevant to the visibility of lesbian and gay police officers. The adoption of non-discriminatory policies has certainly increased the presence of gay and lesbian officers in police ranks and subsequently influenced the rise of gay police officer associations, such as, for example, in the Netherlands and the UK, along with the international presence of these associations in the European Gay Police Association (van Ewijk, 2011).

The inclusion of gay men and lesbian women in the police has been examined most prolifically in UK and US-based studies which have examined the experiences of gay and lesbian officers from several different perspectives. Early research was mostly concerned with focusing on how the, often conflicting, identities of being a police officer and being a gay man or a lesbian could be reconciled in the traditionally masculine police setting (Burke, 1992). Self-disclosure of sexual orientation in the workplace is also often related to the idea of dual identity, so several studies have also studied the personal and workplace effects of police officers coming out on the job (cf.: P. M. Lyons, DeValve, & Garner, 2008; Miller et al., 2003; Wolff & Cokely, 2007). Overall these studies find that lesbian women and gay men in law enforcement often endure extreme pressure to conform to prevalent gender norms and stereotypes, alongside pressures from personal factors such as physical safety, mental health, social exclusion or institutional factors such as evaluation, promotion and the nature of assignments, before disclosing their sexual orientation. Studies have also examined the effects of including gay men and lesbian women in law enforcement (cf.: Belkin & McNichol, 2002; Bernstein & Swartwout, 2012; Charles & Arndt, 2013; Miller et al., 2003). These have demonstrated that familiarity with lesbian and gay people and on-the-job contact are necessary to counter fears that lesbian women and gay men cannot perform adequately as police officers. On-the-job contact is also highly correlated with positive perceptions of LGB people in general, and might reduce anti-gay hostility in the personal lives of members of the police (Bernstein & Kostelac, 2002; Lewis, 2003). For example, Lyons et al., (2008) found that police chiefs in Texas have been shown to be more accepting of gay men and lesbian women if they have experienced greater contact with them.

Possible on-the-job contact of respondents with gay men and lesbian women in the study was initially examined by exploring whether respondents knew (of) gay and lesbian officers in the Slovene police. In the sample 69.1 per cent (n=168) reported knowing (of) at least one gay/lesbian officer. To determine the level of contact, relevant for social learning and alleviating anti-gay prejudice, the study also asked respondents to report on the nature of the relationship. Here, 27 per cent of respondents labelled their relationship as friendly or close, 36.8 per cent as somewhat friendly or close and 33.9 per cent as not friendly or close. In sum, 44 per cent of all respondents in the sample maintain a friendly or somewhat close relationship with at least one gay or lesbian police officer in the workplace. Furthermore, the study also wanted to establish whether the workplace allows gay/lesbian officers to be

open about their sexual orientation. Just over one quarter (28.2 per cent) of those who knew (of) gay and lesbian police officer/s in the force reported that the officer/s in question was open about their sexual orientation at work⁵⁵.

Studies suggest that gay and lesbian officers tend to hide their sexual orientation to avoid derogatory insults, professional humiliation or potential refusal from some heterosexual officers to work in close proximity with LGBT officers (Couto, 2013; Jones, 2015; Jones & Williams, 2013). Often they are also advised to do so by their fellow officers and supervisors for fear that disclosure might cause disruptions to working relationships (Belkin & McNichol, 2002). One way to predict the reception of self-disclosure in the workplace, however, is to consider what types of outcomes heterosexual officers anticipate. Bernstein and Swartwout (2012) and Lyons et al. (2008) suggest that measuring anticipation of consequences surrounding the knowledge of one's sexual orientation can offer important insight into perceptions of the workplace as extremely hostile, neutral or inclusive. Furthermore, this could serve as a basis for formulating practical inclusion and integration strategies towards a more visible and open inclusion of gay and lesbian police officers in law enforcement.

To measure anticipated outcomes for lesbian and gay police officers who come out, this study used 13 out of a series of 19 items that were part of Bernstein & Kostelac's (2002) study. Three of these items asked respondents to anticipate positive outcomes and 10 asked respondents to anticipate negative outcomes. All items were measured on a 5-point, forced choice, Likert rating scale. Respondents could choose from the following options, "strongly disagree" (1), "disagree" (2), "neutral" (3), "agree" (4), and "strongly agree" (5), with higher numbers indicating greater agreement with items. Table 9 presents percentage frequencies of agreement with positive and negative outcomes relating to self-disclosure in the workplace (N = 243), with answers merged into a three-point scale (n=243).

⁵⁵ Due to a multiplier effect, which considers the fact that witnessed reporting is higher than individual reporting, meaning that respondents can theoretically all report on the same person (Colvin, 2008), this last finding should not be interpreted as the general level of disclosure among lesbian and gay officers in the Slovene police.

Table 9
Anticipated outcomes for self-disclosure of gay and lesbian police officers in the workplace

	Strongly agree/agree	Not sure	Strongly disagree/disagree	Total
Anticipated outcomes of self-disclosure	%	%	%	%
Still be respected by other officers	40.3	43.6	16.1	100
Have equal chances at promotion	55.1	29.6	15.3	100
Be admired for their honesty	25.5	44.9	29.7	100
Have a hard time getting promoted	12.8	34.6	52.7	100
Be avoided by the people in the department	18.5	44.9	36.6	100
Be subject to physical harassment	5.3	27.2	67.4	100
Be subject to jokes at their expense	41.2	27.6	31.3	100
Be subject to verbal threats	13.9	26.7	59.3	100
Lose their credibility	17.7	37.4	44.8	100
Have a hard time getting backup	14.8	37.9	47.3	100
Give others the creeps	14.2	41.2	43.7	100
Have their work monitored more closely	13.2	30.0	56.8	100
Face exclusion from informal networks	19.4	32.5	48.1	100

While the findings do not reflect anticipation of extremely negative outcomes, they cannot fully be interpreted as positive. This is because they reflect quite high levels of uncertainty and doubt in demonstrating various concerns about whether self-disclosure might cause disruption or have negative consequences for career, performance morale or other measures of well-being of gay and lesbian officers. For instance, less than one third (26.6 per cent) fully disagreed with a statement that openly gay and lesbian members might be avoided by other people in the department, 43.6 per cent doubted whether such an individual would still be respected, and further 41.2 per cent of respondents did not fully dispute the statement that such an individual might give others the creeps. Furthermore, 37.4 per cent were uncertain whether self-disclosure might lead to loss of credibility, having a hard time getting backup (37.9 per cent) and pose challenges regarding promotion (34.6 per cent). Finally, 41.2 per cent of respondents believed openly gay and lesbian staff will become the target of jokes and a further 27.6 per cent were neutral on that question. While a Pearson chi-square test showed no significant statistical differences in agreement with the above

statements per gender, there were statistically significant differences in agreement per rank. Senior officers (staff based at general police directorates, commanders and assistant commanders) are statistically more confident that disclosure will not affect gay or lesbian officers' chances of promotion ($p=0.008$), affect their credibility ($p=0.043$) or result in the work of gay and lesbian officers being monitored more closely ($p=0.002$).

Anticipation of negative outcomes as an aftermath of self-disclosure cannot be directly translated into actual disruptions at work or actual negative consequences for self-disclosed officers. It does, however, point to a certain level of hesitation, anxiety and frustration coming from the respondents regarding negative consequences in the work environment. Recent studies from the UK and US (cf.: Belkin & McNichol, 2002; Bernstein & Swartwout, 2012; Jones & Williams, 2013; P. M. Lyons et al., 2008; Wolff & Cokely, 2007) examining the integration of lesbian and gay officers into law enforcement, however, demonstrate that this anxiety is often exaggerated, and the presence and integration of openly gay and lesbian officers is not always met with turbulent results (Belkin & McNichol, 2002). Research also suggests that even though it is often met with resistance, the increasing participation of out gay and lesbian personnel has not led to any harmful consequences for departments or self-disclosing individuals. Instead, it appears that self-disclosure is usually followed by "a quiet process of normalization" without "much of the emotional charge that heterosexual officers originally anticipated" (Belkin & McNichol, 2002, p. 63). Belkin and McNichol also found that inclusive policies and welcoming operational environments for lesbian and gay staff often resulted in heterosexual officers perceiving being gay or lesbian as a "nonissue" (p. 65).

Three out of eight respondents in the semi-structured interviews reported having close or somewhat close relationships with one (or more) gay or lesbian police officers, two male respondents identified as gay, and the rest reported not having direct contact with gay or lesbian staff in the police. The general perception was that gay and lesbian police officers tend to hide their sexual orientation at workplace to avoid stigmatisation and verbal harassment. While all participants agreed that it was unlikely disclosure would lead to blatant harassment or abuse, there was agreement in the sample that revealing sexual orientation might make a gay or a lesbian officer the target of jokes and subject them to sexist or otherwise negative comments. It was also noted that the attitudes toward gay and lesbian officers have positively improved, and most participating officers did not think that disclosure should have an impact on career prospects or ambitions.

Due to the specific nature of police work, which is characterised by complex and often intense relationships and strong interdependency among officers within individual police stations, most participants believed it is almost impossible to keep one's sexual orientation completely hidden. Several participants thought it was high time gay and lesbian officers began "breaking the ice" and disclosing their sexual orientation in the workplace. They believed that this might help to break down instances of anti-gay prejudice, which they believed were not based on anti-gay hatred and intolerance but rather traditional beliefs about gender and sexuality, fear of difference and lack of relevant knowledge.

Online respondent: Getting to know gay and lesbian officers on the job and seeing that there are no differences in the way we do our job will help to break down negative attitudes and prejudice. This is also my own experience in the police.

Research on the experiences of LGB police officers in the workplace has suggested that they often have to negotiate dual, often conflicting, identities: the personal "self" based on their sexual orientation and gender identity, and the professional/public image of being a police officer (Burke, 1992; Miller et al., 2003). Burke, for instance, argues that this duality is driven by the sense that being gay or lesbian in policing is not acceptable to most heterosexual colleagues. Burke further finds that negotiating this dual identity may bring considerable risks such as depression and damage to mental health, failure to concentrate fully on police duties and low levels of job satisfaction. Even though this present study did not specifically focus on the experiences of gay officers in the Slovene police, two of the respondents in the interview sample identified as gay. They reported contrasting workplace experiences which were largely dependent on the level of their disclosure.

Unlike other personal characteristics sexuality is a complex construct as it is primarily invisible, leaving an individual with a choice to either disclose their sexual orientation or not. The perception of sexuality is also socially constructed, dependent on a cultural context and beliefs, and personal to individuals (Hicks, 2008; Moran, Skeggs, Tyrer, & Corteen, 2004). The decision to publicly disclose sexual orientation is often determined by complex interpersonal processes that are amplified by the perceived or actual reactions of others along with the anticipated outcomes of disclosing a potentially stigmatized personal trait (Plummer, 1995 in Jones, 2015). Within the police setting this process is similar to a professional risk assessment, where gay and lesbian members continually assess anticipated negative outcomes having an impact on personal wellbeing or career advancement that disclosure in the workplace might bring (Bernstein & Swartwout, 2012).

A closeted male officer, for instance, identified homophobic comments, which do not go unchallenged by his station's leadership, as a major reason for not being open about his sexuality. He noted that: "I know several gay officers on the job and most are not out. Senior officers who are gay themselves advised I should stay in the closet and avoid the trouble". Thus, he has chosen to camouflage his sexual orientation. The other gay male officer was fully out at work. At the time of the interview he had worked in the police for over ten years, and revealed his sexual orientation in the first year of becoming an officer. He explained that he did so to avoid negotiating between professional and private identities. He perceived his coming out experience as somewhat negative as he was initially subjected to mainly derogatory and inappropriate comments, which at first went unchallenged by his colleagues as well as management. He stressed that after a certain period "things calmed down", which made him feel assured and accepted. Despite his initially unpleasant experience he did not regret the disclosure and felt that it was not a major obstacle in his career advancement. In his narrative, he also stressed that significant progress has been made with regard to accepting lesbian and gay people in the force, as he personally felt that anti-gay prejudice was declining and lessening in intensity.

On-the-job experience of coming out was also shared by one of the female officers in the online survey. Reporting a positive experience, her statement confirms the generally accepted assumption "that gay women have it easier than male officers" (Couto, 2013, p. 22). However, it also implies that the respondent is aware that positive reactions to disclosure might not be typical or taken for granted within law enforcement.

Online respondent: 90% of the officers I work with, including my supervisors, know that I identify as a lesbian. I have never heard any comments or felt in any way inferior or subordinate because of my sexual orientation. Some have also met my long-term partner and accepted her fully. I think they've simply accepted me as I am [...] or I might have just been lucky.

4.5.5 Experiences of recording and investigating homophobic incidents

Slovene criminology observes that the police seem, in the last decade, to have become more efficient and effective in tackling various instances of crime. Meško & Jere (2012), for instance, note that a total of 87,465 offences were investigated in 2009, which was a 6.5 percent rise compared with 2008, while the police annual report for 2014 demonstrates that

87,474 offences were investigated in that year. Also, crime clearance increased from 47.2 percent in 2013 to 51.3 percent in 2014, reaching record high levels for the last five years (MNZ, 2015). Meško & Jere (2012) also warn that these findings should be treated with caution, however, as it is impossible to determine whether they reflect an actual improvement in police efficiency and effectiveness in crime investigation, as they might also be a result of recent changes in the ways in which police statistics are analysed (Meško et al., 2010a in Meško & Jere, 2012). Relevantly for this study, the police annual report for 2014 also shows a 20 per cent decrease in the recording of minor offences committed with a discriminatory motive, as regulated by the Protection of Public Order Act. In addition to a limited understanding of hate crime in law enforcement, low recorded figures of bias incidences can also be explained by the perseverance of traditional police methods of policing violence with a focus on severe and contact crimes. For instance, the Slovene criminologists Bučar-Ručman & Frangež (2009) note that, even though the Slovene Criminal Code deals with multiple forms of violence and forms of discrimination (cf.: Kogovšek Šalamon, 2015), the policing of general crime is focused mostly on physical violence. This means that crimes of physical violence have the highest chance of being recorded in the official statistics of criminal justice institutions and consequently investigated.

Research with police departments globally demonstrates that the manner in which officers respond to and approach violence and crime is reflective of their training, departmental regulations, police culture and the environment in which they work (Bernstein & Kostelac, 2002; Bernstein & Swartwout, 2012). Heavily gendered, sexualized and defined culturally as an activity only “masculine men can accomplish” (Messerschmidt, 1993, p. 175 in Miller et al., 2003, p. 358), the police force presents a challenging work culture and environment. This is particularly the case when it comes to recognizing and addressing homophobic hate crime and addressing the concerns of gay men and lesbian women in this process. International security institutions, as well as academics (FRA, 2012; Iganski, 1999; ODIHR, 2016), however, argue that the police have a critical role in not only implementing hate crime legislation but also in initiatives focusing on systematic recording, monitoring and investigation of all bias crimes.

Interviews with police officers in the sample, as well as with Albert Černigoj, Head of the Anti-Terrorism department at the Criminal Police Directorate,⁵⁶ suggest that when responding to crime reports police officers typically introduce themselves to the victim, find out what the victim needs, record the incident and should keep the victim up to date with the progress of the investigation. The narratives also suggest that the police initially do not differentiate between victims of bias and nonbias crimes in their approach to crime investigation and approach all incidents in the same manner. This demonstrates that, even if officers have knowledge about the distinct characteristics of homophobic violence and the needs of victims, this information does not practically translate into first contact with the victim. Due to specific nature and effect of bias motivated violence on its victims, this might have a negative effect on victims' willingness to cooperate with representatives of criminal justice in subsequent procedures.

It is very important that police officers are fully equipped to investigate homophobic offences once they are reported and that they can aptly support the victim. To gain insight into knowledge and skills that can assist officers in their work, the study asked a series of questions pertaining to training, familiarity with relevant legislation and officers' experiences of recording and investigating hate crime. It is apparent from the findings that there is a real need for systematic and effective training programmes to be put in place. This is because 80.2 per cent of respondents in the online survey reported a lack of information on homophobic violence or the safety concerns of members of the LGBT community during their pre-service training, and a further 81.9 per cent reported not receiving any information on the subject whilst in service. Despite this lack of information, though, 77 per cent felt sufficiently competent to recognise the unique characteristics of homophobic violence. This is an interesting finding given the fact that 74.1 per cent reported not having any experience in recording and investigating homophobic violence and crime, and over one third (34.8 per cent) agreed or were neutral on the statement that police officers do not investigate reports of homophobic violence to the same high standard as other violence and crime.

The main source for the prohibition of some forms of hate crime, but mainly hate speech, in Slovenia is the Criminal Code (Republic of Slovenia, 2008). This is the case even though the Slovenian penal system does not consider whether a common crime (such as robbery or assault) is committed with a homophobic motivation. Homophobic intent is considered

⁵⁶ See Appendix I

under article 297, Incitement to Hatred, Violence and Intolerance. It is also an aggravating circumstance in the case of murder (FRA, 2015), where Article 49, section 2 of the 2008 Criminal Code states that, at the time the sentence is set, the court must take into account all mitigating or aggravating circumstances of the case including, among other things, the motives behind that person committing the crime. In the case of homophobic crime this means the court may therefore take into account words used by the perpetrator to express homophobia (Kogovšek Šalamon, 2012; Mavčič & Avbelj, 2010). As any expression of homophobia must be noted at the recording stage this is important information for any investigating officer to use when policing homophobic violence. However, only 15 per cent of officers in the online sample knew the Criminal Code considers sexual orientation to be an aggravating circumstance in certain types of crimes.

The study also wanted to determine if there were significant differences per officers' ranks in terms of experiences of recording and investigating homophobic violence hate crime, as well as in receiving relevant training on the topic. A Pearson chi-square test showed that senior officers were statistically more likely to have received in-service training including information on homophobic violence ($p=0.002$). Senior officers also demonstrated greater knowledge of aggravating circumstances in hate crime as determined by the Criminal Code ($p=0.05$), and were also statistically more likely to have investigated homophobic hate crime (0.005). This statistical difference suggests that while some of the senior officers might have received training on this subject, the silence surrounding the topic of homosexuality in the organisation might have prevented the information to trickle down to the lower ranking officers.

Global research scoping references to policing hate crime, and specifically homophobia and sexual orientation in police pre-service and in-service training programmes, notes that even though several good training practices exist the majority of police training remains generic with a focus on the areas of "multiculturalism", racism and discrimination (Oakley, 2005; Poláček & Le Deroff, 2010, 2011). This was also the experience of respondents in the interviews, who did not remember receiving any information relevant to policing hate crime or specifically homophobic violence during their pre-service or in-service training. Respondents made references to a training programme which was launched about ten years ago and trained in how to police multicultural communities, with a specific focus on Roma communities. While this type of training helped to reduce police prejudice towards the Roma there were no references to policing hate crime against other minorities. This

suggests that learning about the concerns of LGB people and the effects of homophobia is often left to the personal motivation, values interest and commitment of individual officers.

Police rep 1: Generally, we don't receive this kind of information through training. Curiosity, personal interest and open attitude are crucial when we want to learn about minority topics, as this type of information is not systematised in police training.

The interviewed officers also talked at length about their experiences with recording and investigating homophobic violence. Most believed that they had never investigated a case involving a victim of homophobia. Also, while two interviewees believed that police officers generally have sufficient skills and knowledge to recognise homophobic violence, six thought otherwise. These six were insistent that, due to insufficient training, most officers have a poor understanding of the concept of hate crime, which might lead officers to process and investigate a homophobic attack without any reference to discriminatory motives.

FRA (2012) observes that under-recording of hate crime also occurs due to the different informal agreements and practices that exist in policing certain forms of violence and crime and processing victims of violence. For instance, corresponding to observations made by Bučar-Ručman & Frangež (2009) on policing practices in Slovenia, narratives suggest that police practice is oriented toward policing "serious" violence and crime. Since much homophobic violence is low-key violence, homophobic incidents are likely to be trivialised and neglected in comparison to other violent crimes. Narratives also suggest that homophobic incidents are often reduced to minor non-bias offences at the recording stage and, as such, are more likely to be recorded as non-bias incidents.

Police rep 6: I think that most of the police officers will primarily ask if there is any physical harm. If there isn't, in the best case they might record the incident and that's it; case closed.

Police rep 3: Due to all the bureaucracy, an average officer has lost interest in hearing what a citizen has to say. Some officers will record an incident only if necessary, while others might fail to investigate the incident appropriately, addressing all the details. Mostly, officers are only interested in closing the case as soon as possible.

The concept of community policing was introduced to improve relationships between the police and the citizens. One of the core principles of community policing is that the police should be approachable and available and should be acquainted with the problems of

citizens in order to effectively combat crime (De Vries & Van der Hooft-Van der Zijl, 2003). Officers in the sample, however, noted that there is still room for improvement in the day-to-day practice of officers when dealing with the general citizenry and community concerns. Several respondents emphasized that, in their opinion, the police often fail in the first contact with a victim of violence and that officers are often not aware that the decision to report or not report crime may be the most influential decision an individual makes in the criminal justice system.

Police rep 2: I can feel the tendency of officers to focus on serious crime and violence. That's why I think the police often don't respond adequately or might even seem disinterested when someone reports a minor incident or an incident that doesn't involve physical harm. I am also not surprised when I hear an officer has responded with delay because he or she has personally assessed that the incident wasn't important. Of course, this shouldn't be happening. But it is.

In addition to lack of knowledge and experience, respondents also fault increased workloads, pressures from supervisors and the increasingly bureaucratic character of police work for homophobic violence being under-investigated and under-recorded.

Police rep 8: Increasing numbers of administrative tasks prevent us from establishing genuine contact with citizens reporting crime because this means we need to drop the current priorities and with that risk pressures from above. This, sadly, doesn't change with the reporting of bias incidents unless the injury is severe.

Most respondents agreed that the police will generally respond to all citizens in a fair and ethical manner, regardless of sexual orientation. However, they also recognised that officers are unlikely to be in contact with gay, lesbian and bisexual people and will therefore lack awareness about the discrimination LGB people face, and have insufficient knowledge of their vulnerability to hate crimes.

Police rep 4: Most police officers are not aware of the consequences of homophobia for an individual and society at large. They don't think it's important because in most the cases the violence is not physical.

The Office for Democratic Institutions and Human Rights (OSCE & ODIHR, 2014) observes that challenges relating to measuring the extent of hate crime generally fall into two areas: factors discouraging victims from reporting to the police, and factors that result in incidents not being recorded as bias crimes. These factors cause both under-reporting

and under-recording, and have a decisive influence on the fact that homophobic violence remains misunderstood, under-addressed and invisible in policy and law making and by law enforcement, who might even deny the very existence of homophobia and reject the need to respond to it. This was the case with two police officers in the interview sample who refused to recognise that gay and lesbian victims have unique needs and concerns compared to other types of crime victims. They were convinced that homophobia, unless it was physical violence, should not require special policing. The anonymous dimension of the online survey also encouraged several similar opinions on the topic.

Online respondent: I think sexual minorities tend to exaggerate about their sense of safety as well as their experience of social exclusion. Personally, I don't care who is gay or not. The only thing I care about is that they do the job I asked them to do. But if gay men and lesbian women truly feel threatened they should hire a security service to protect them instead of pestering everyone else, mostly the police, about their own phobias of oppression.

Online respondent: I support specialist organisations in their endeavours to combat possible discrimination on the basis of sexual orientation but it is not professional to give the impression that homophobia is a problem if it clearly isn't.

Two of the officers in the interview sample identified as gay men. Both thought that their own experiences of marginalization provided them with increased sensitivity and tolerance, especially when it came to policing hate crime and specifically homophobic violence. They were also of the opinion that, in comparison to heterosexual officers, they were better equipped to meet the needs of members of LGBT community in the process of reporting. While having a certain personal background does not automatically make gay or lesbian officers experts in policing hate crime, literature increasingly recognises their key role in identifying the priorities and concerns of victims of homophobic violence, and thus in designing appropriate responses by the police. It also recognises that they can play a role in education and outreach to officers, sharing information on incidents involving the police, and serving as advocates for victims of crime (Couto, 2013; Miller et al., 2003; Wolff & Cokely, 2007). Due to heightened sensitivity towards hate crime and homophobic crime it is not surprising that some hate cases involve officers going beyond expectations to not only investigate hate crime but also aptly address the needs of victims.

Police rep 5: When one of us [member of the LGBT community] is attacked, it feels very personal; it feels very different on a personal as well as professional level. At least that's how I felt when working on that case specifically. That's why I did all I could to address it efficiently and secure a favourable outcome for the victim.

In its conclusion, the study also inquired whether officers thought it would be beneficial if there was at least one officer at every station specialising in homophobic hate crime, and whether officers would welcome and encourage more formal and systematic cooperation with members of the LGBT community to efficiently tackle homophobic violence.

Whilst most respondents in the interviews emphasized that it is vital that all police officers are able to recognise and investigate homophobic hate crime aptly, almost two-thirds (60.4 per cent) of the respondents in the online sample agreed that having at least one officer with specialism in homophobic hate crime situated in a station would be beneficial for investigation of bias crimes. Two respondents in the interview sample rejected the idea of specialised minority officers and instead argued that all victims of violence should be treated in the same way. Finally, over two-thirds (67.9 per cent) of online respondents were of opinion that responding to homophobic violence might be made more efficient by means of systematic cooperation between the police and members of the LGBT community.

While key policies guiding police work in Slovenia reflect a limited understanding of hate crime and homophobic violence they also clearly mandate anti-discriminatory and human rights-based approaches in policing. Moreover, they also provide a basis for effectively initiating more systematic and formal partnerships with diverse civil society actors, including the LGBT community, and consequently addressing the issue of effective policing of homophobia. However, when arguing that cooperation between police, the LGBT community and possibly other public agencies is desired and needed to effectively respond to homophobic violence we should also recognise that such partnership might present as a challenge to both members of the LGBT community and the police, whose work practices are still largely embedded in heterosexual and masculine models of policing. Without primarily addressing and deconstructing heteronormative, heterosexist, gendered and masculine values, any initiative encouraging police and LGBT community cooperation might carry the potential to situate an oppressed minority against an authority whose mission, structure and culture still encourage a certain homogeneity and reinforce internal norms that may harm gay and lesbian identities.

Responding to this concern, the next section explores three model initiatives which encourage encounters and knowledge exchange between members of the LGBT community, the police and other community stakeholders, such as social and counselling services. These strategies are embedded in a recognition of diversity as a resource. They also encourage cooperation and partnerships, generate debate and build bridges between the police, other public services and minority communities. They further build policies and practice and have significantly changed the day-to-day operation of policing hate crime, and specifically homophobic violence, in England.

4.6 Summary of findings from police participants

The officers in the interview sample generally do not hold positive views of the police as an organisation, frequently referring to it as rigid, militaristic and bureaucratic. This negative perception is, among other things, influenced by strict austerity measures applied in the aftermath of the economic crisis, between 2009 and 2012. These have noticeably affected the police and greatly contributed to low morale and motivation among the officers in the sample. The officers also report high figures for negative on-the-job experiences in the last five years, including situations such as unfair denial of promotion or training or having been addressed in derogatory terms in front of others. Negative work experiences are considerably higher among female officers across all items; one-third of female officers in the sample reported having been subjected to unwanted sexual advances and an analysis of statistical variance showed that female officers are statistically more likely to be excluded from informal networks, subjected to jokes at their expense and suffer sexual harassment. Low morale and negative workplace experiences, however, are also negatively related to job satisfaction, as the findings suggest that almost every second respondent is not satisfied with his/her job. The findings also suggest that officers highly value and derive job satisfaction from cooperation of citizens and the local community, and see it as an essential part of their work process. A large majority also agreed that their work duties should involve more engagement with the local community and civil society initiatives.

Despite adopting western policing values, traditional masculine and heterosexist ideals supporting negative attitudes toward religious, ethnic, sexual and other minorities are still part of police culture in Slovenia. While the perception of women in the police is changing, and female officers are increasingly seen as being equal to men in terms of tasks and duties,

heteronormative attitudes still influence the perception of gay men and lesbian women as both; a social group and members of the police. This study finds that respondents mostly reject extreme and pejorative myths about homosexuality, however, common misconceptions and negative stereotypes about gay men and lesbian women are widely present in the sample. Statistical analysis also showed that female officers were statistically more likely to accept gay and lesbian officers as members of the police.

The narratives suggest that lesbian and gay individuals continue challenging conventional perceptions of “gender” and “sexuality” roles, and therefore threaten the intrinsic heterosexist ideals characterizing police work. Interviewed officers perceive the police as an environment that does not encourage or sustain discussions on homosexuality with the aim of addressing or challenging preconceived notions. Even though the police workplace was not generally perceived as a safe place for gay and lesbian officers to “come out”, this study did not find a direct connection between anti-gay attitudes and discriminatory behaviour in the sample.

Almost every second respondent in the sample reported having somewhat friendly or close relationships with at least one gay or lesbian officer in the force. The narratives also suggest that gay and lesbian officers are generally hiding their sexual orientation. This might be due to fear of stigma but also fear of negative outcomes and potential disturbance at work from disclosure. Examining the anticipation of negative outcomes from disclosure, the findings do not reflect anticipation of extremely negative outcomes. However, the figures do show quite high levels of uncertainty and doubt demonstrated by various concerns about the impact an officer’s self-disclosure might have on career, performance morale or other measures of well-being. Recent studies, however, demonstrate that this anxiety is often exaggerated, and the presence and integration of openly gay and lesbian officers is not always met with turbulent results. It appears that self-disclosure is usually followed by “a quiet process of normalization often resulting in heterosexual officers perceiving being gay or lesbian as a “nonissue”, which is also the experience of one of the gay officers in the interview sample.

A large majority of respondents report a lack of information during their pre-service and in-service training which leaves the learning about the concerns of gay men and lesbian women and the effects of homophobia to the personal motivation, interest and commitment of individual officers. This suggests the existent training programmes should institutionalise content relevant to the experiences of gay men and lesbian women with

homophobic victimisation and systematise training opportunities for all members of the police, but in particular for the frontline officers who are most likely first to respond to call for help. Despite not receiving sufficient training, and admitting to little experience with policing homophobic violence, a large majority of officers feel sufficiently knowledgeable and competent to recognise the distinctive characteristics of homophobic violence. The findings also show that senior officers are statistically more likely to have been trained and have received relevant information on homophobic violence. This group also demonstrated statistically greater knowledge of legal instruments relevant to policing hate crime and were statistically more likely to have investigated homophobic hate crime.

The narratives suggest that policing has a strong focus on “serious” violence and crime. Since much homophobic violence is perceived as low-key violence, officers admitted that homophobic incidents might be trivialised and neglected in comparison to other violent crimes. The narratives also suggest that homophobic incidents have a high chance of being reduced to minor non-bias offences. Officers in the sample suggested that the police often fail in the first contact with citizens reporting incidents and might present as disinterested, especially if they assess the incident as minor in nature. In addition to a lack of knowledge and experience, respondents also fault increased workloads, pressures from supervisors and the increasingly bureaucratic character of police work for homophobic violence being under-recorded and under-investigated.

Whilst most respondents believed that officers will generally respond to all citizens in a fair and ethical manner, they also admitted that the police are unlikely to be in contact with gay, lesbian and bisexual people. They will therefore lack awareness of the discrimination LGB people face and have insufficient knowledge of their vulnerability to hate crimes. The findings also suggest that under-reporting and under-recording affect the visibility and perception of the extent of homophobic violence among officers, some of whom might deny the very existence of homophobia and reject the need for a tailored response to it.

Gay officers in the sample believed that their experiences of marginalization provided them with increased sensitivity and tolerance, especially when it came to policing hate crime and specifically homophobic violence. They were also of the opinion that, in comparison to heterosexual officers, they were better equipped to meet the needs of gay men and lesbian women in the process of reporting, as well as in education and outreach to officers and serving as advocates for victims of crime.

Discussing effective policing of homophobia, police respondents believed all frontline officers should be effectively trained in the subject, and a large majority agreed that systematic and formal cooperation between the police and the LGBT community is needed to combat homophobic violence effectively.

4.7 Examples of good practice: civil society, social and counselling services and police partnerships

Due to active engagement and the efforts of international organisations such as the Organization for Security and Co-operation in Europe (OSCE), the United Nations (UN) and the Council of Europe (CoE), new directives and international policies are being developed and legislative changes concerning hate crime are continuously underway. This has already had visible results in increased awareness about hate crime, including homophobic hate crime, particularly within the law enforcement process (Bleich, 2008; J. Garland & Chakraborti, 2012; Pollack, 2009). A growing number of national initiatives are emerging, compelling the police and other public services to develop further capacities to tackle homophobic hate crimes more effectively. These strategies are effectively changing the role of law enforcement from implementing law through repressive measures to one focused on providing problem solving and prevention services as ways to stop crime. Partnership work between the police and LGBT communities is also a practice recognised and promoted by the main European agencies advocating for the rights of LGBT people, such as the Fundamental Rights Agency and ILGA-Europe (FRA, 2016; Poláček & Le Deroff, 2010, 2011). Also, an increasing number of cross-national reports and resources track such initiatives across the EU including, among other places, in Sweden, Belgium, Portugal, Spain and Italy.

Examining basic values among police managers in Slovenia, Mekinc, Anžič, Rep & Ovsenik, (2008) note that police efficiency is directly connected to organizational ability to cooperate with individuals, communities, non-governmental organizations, civil society and other segments of the society. Researchers further suggest that without a good police image there is no public trust in its work. Furthermore, Gorenak & Gorenak (2007) recommend that partnership between the police and other state and non-state actors is crucial, especially in the area of prevention and direct service provision such as advice, guidance and support. While some dimensions of community policing in Slovenia may still

be a work in progress (Nalla et al., 2014), key documents guiding police work such as the Organisation and Work of the Police Act (ZODPol; National Assembly of the Republic of Slovenia, 2013a) and the Police Tasks and Powers Act (ZNPPol; National Assembly of the Republic of Slovenia, 2013b) effectively reflect four basic elements of community policing: prevention, problem solving, partnerships and organizational change.

Using these policy elements as a foundation, the following section explores three approaches implemented in England focusing on victim support, the quality of police-citizen relationships, and problem-solving strategies, including crime prevention. These involve partnerships with citizens and other government agencies and organizations. The demonstrated initiatives challenge traditional masculine working practices, draw on diversity as a resource for violence prevention and response, and aim to rebuild damaged relationships between the police and marginalised communities.

4.7.1 The case of LGBT liaison officers

More than two decades ago Mark Burke (1993) described police culture in Britain as containing widespread prejudice and hostility toward gay men and lesbian women as a social group but in particular towards gay and lesbian members of law enforcement. His research found that the police and the gay community were antithetical in that they “come from, and live in, separate worlds [...] that their essential selves are fundamentally different, and that there is no overlap of thought or ideology between these groups” (p. 38). Burke found, for instance, that gay and lesbian officers were often perceived as “deviants” by their colleagues and as representing “the most serious kind of contamination and worst possible threat to the integrity of the service” (Burke 1994, p. 194 in Jones 2015, p. 66).

Twenty years on, however, emerging research into police attitudes and experiences of gay and lesbian officers in the UK suggests that the working environment for LGB police officers has been radically transformed. The pursuit of a modern police organisational subculture brought along with it a necessary deconstruction of traditional police values across policy and practice. Scholars observe that this significant change in police relationships with minorities in England came after police failures to adequately respond to and address the emergent reactions to diversity in British society. These were marked by the police investigation into the murder of a black schoolboy, Stephen Lawrence, and a number of community reports highlighting the discrimination and victimisation of various

minority communities across the UK in the 1990s (Jones & Williams, 2013; McGhee, 2003; McLaughlin, 2002). Examining the police investigation into Steven Lawrence's murder, the Macpherson Report published in 1999 visibly highlighted the failure of the police in policing racial crime and uncovered rigid institutional policing casting minority victims as perpetrators or deviants rather than vulnerable groups at risk. Even though the Macpherson Report focused on racist crime and violence, its publication led to a broader inquiry into police practices, including gender and sexuality policing issues (Jones & Williams, 2013; McLaughlin, 2002).

Against this backdrop of positive developments at the turn of the century, the LGB community in London suffered a homophobic attack by neo-Nazi David Copeland, who nail-bombed a popular gay venue in the Soho district of London. As a result of historically antagonistic relationships between the police and the LGBT community there was visible mistrust and low confidence in the police among the LGBT community in London at the time (Bleich, 2008; Chakraborti & Garland, 2009). This had a significant negative impact on the police investigation as it prevented police collecting valuable information. To bridge the gap between the LGBT community and the police, the Metropolitan Police in London (MPS) called upon their LGB officers and asked them to act as links between the police and the LGBT community. Even though this was, at first, perceived as a radical step from the police organisation, LGB officers were successful in building trust which eventually led to sufficient evidence being gathered to prosecute Copeland for the attack (McLaughlin, 2002). Although tragic, both the Stephen Lawrence inquiry and the prosecution of David Copeland ultimately served as catalysts for recognising that the professional and private identities of gay and lesbian officers can be drawn upon as an organisational resource.

Literature notes that lesbian and gay liaison officers (LAGLO) were in operation within several police teams across England in the pre-Macpherson period. For example McGhee (2003) documents that Hampshire Constabulary has had a team of LAGLOs since 1996, and Stanko and Curry (1995) note the emergence of police liaison teams in the early '90s in Leicestershire, Greater Manchester, London and Sussex, to name just a few. However, at the time these initiatives were not institutionalised but rather on-demand responses to community safety challenges dealing with crimes with a homophobic motivation in a specific region or area. It took a systematic inquiry into police attitudes and practices to bring about national police reform that recognised the advantages of diversity inclusive policing. Post-Macpherson, the organisational strategy of diverse policing therefore became

a key policy within the modern police reform agenda, which subsequently also led to the more systematic and formal integration of LGB officers into the new police structure (Bleich, 2007; McGhee, 2003).

Examining the integration of LGB officers in English law enforcement, Jones (2015) notes that the underlying aim of police modernization efforts was to fracture informal masculine working practices through the active recruitment of officers from a broad spectrum of cultural and demographic backgrounds. The rationale driving this diversity plan was that officers from minority communities would bring with them certain “benefits” that would help constabularies across England to reflect the communities that the police serve, and help rebuild damaged relationships between the police and marginalised communities. Consequently, less than ten years after Burke’s ground-breaking research into British police culture, gay men and women were openly and actively approached to join the police force in its attempt to re-invent itself as diverse and “gay-friendly” (Jones & Williams, 2013).

To support the integration of minority officers the police conduct rules were revised (Home Office, 2006 in Jones and Williams, 2013, p. 191). Factors such as respect and courtesy, honesty and integrity, personal autonomy, lawfulness and professional equity were placed at the core of police organisational ethics. This also provided a platform and process through which officers could formally record discriminatory behaviour. In addition, organisational initiatives that aimed to attract, accommodate and protect LGB police officers also required a consistent and formal recognition of diversity “as a priority from the top”. This has been symbolically demonstrated by investment in several LGB initiatives, including making diversity training compulsory for all officers, while the necessary presence, integration and specialist functions of LGB officers are visibly recognised in the key documents guiding police work (CoP, 2014a) and the most recent government plans to efficiently tackle hate crime (Home Office, 2014). Finally, this diversity mission was further supported and strengthened by external measures when LGB individuals were afforded increased legal protection in the workplace by the Employment Equality (Sexual Orientation) Regulations adopted in 2003. More recently, The Equality Act 2010 (GBP, 2010) has additionally amplified and strengthened domestic legislation applying to persons on the basis of “protected characteristics”; namely age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation (Kam-Tuck Yip, 2012).

Documenting the work and impact of LGBT liaison officers in a recent doctoral study, Dunn (2010) describes these units as police officers, usually but not necessarily, lesbian or

gay, who have additional responsibility, alongside other policing duties, for liaising with their local LGBT community to encourage the reporting of homophobic crime. He furthermore notes that when considering the provision of support, the role of subcultures is immensely important and within this position LGB officers can fulfil a number of functions. Due to their knowledge of the members of the LGBT community, either because they belong to it or because they have special contact and relationships with it, these officers may have or can develop a sensitivity to sexual orientation crimes. This in turn may serve as an incentive to LGBT victims to rely on these police units and relate their experiences in a relaxed manner, without anticipating possible negative outcomes. UK scholarship examining the role and function of LGB officers in law enforcement also frequently notice the central role these units play in improving heterosexual officers' attitudes and behaviours towards homosexuality as well as in supporting and improving relationships between the police and LGBT community (Jones, 2015; Jones & Williams, 2013). The main function of LGBT officers is to act as dedicated points of contact for victims of homophobic hate crimes. These officers seem to be crucial in building trust between the two communities and may often provide advice to LGBT victims on how, or even if, to report victimisation to police (Dunn, 2010). Even though no British study to date has directly investigated their actual impact on reporting sexual orientation hate crime, a US study (Mallory, Sears, & Hasenbush, 2015) finds a positive correlation between gay and lesbian liaison units as part of a community policing strategy and the reporting of crimes against the LGBT community (Mallory et al., 2015).

Dunn (2010) also documents that all London boroughs have LGBT liaison officers who usually carry out their liaison work on a voluntary basis and alongside their usual duties. Outlining the major responsibilities, he points out that LGBT liaison officers will receive notification of all local reported homophobic crimes and incidents, and will be responsible for contacting the victim to offer reassurance and monitoring the investigation. When accessing help, victims are encouraged to contact LGBT liaison officers directly as their names and mobile phone numbers are advertised in major LGBT media as well as on police websites.

In discussing the differences in the role of liaison officer as compared to other police officer roles, most of Dunn's officers spoke about the "soft" social worker-like approach to policing and their unique role in providing reassurance to victims in the form of following

through with keeping victims informed, demonstrating empathy and having good knowledge of support organisations:

It's a lot different, it's more victim-based. I hate to say it but it's more social worker-ish. Well I don't mind that but other police officers see it as too touchy-feely. On a response team you don't get much chance to get to know the victims, you respond to the crime, then you move on but in the liaison officer role you have time to talk to victims and to reassure them [...] (Dunn, 2010, pp. 180-181).

While outlining the benefits of the liaison function, Dunn also discusses how constitutional constraints and incompetence in the police organisation in terms of effectively supporting liaison officers in their unique tasks can often affect the response and performance of these specialised units. Like many of the officers in the present study, Dunn's liaison officers are burdened by various logistical and administration challenges in the fulfilment of their role, such as low availability and often uncharacteristically large territories being assigned to them. These are, however, not unique to this function but seem to be characteristic of contemporary policing in both Slovenia and the UK.

In addition to Dunn's study critically assessing the workplace experiences of lesbian and gay officers in England, Jones (2015) points to the complex personal reality of liaison officers. These often must negotiate and subjectively manage the process of "coming out" (or not) to their fellow officers, while also evaluating whether or not to disclose and draw upon aspects of their sexuality in their professional interactions with the public. Jones further argues that it is the duty of the police work setting to provide gay and lesbian officers with conditions in which they feel comfortable addressing their sexual orientation both in the workplace and when liaising with the LGBT community, "as their contribution (e.g. providing a tailored and empathetic service to LGB victims of crime) can only be realized if officers feel personally comfortable enough to disclose their sexuality within professional settings" (Jones, 2015, p. 72).

Drawing on these experiences, it is crucial to recognise that, for this role to be successful, law enforcement must primarily recognise the need to break down preconceived notions and anti-gay prejudice and implement ongoing investment in the training and support of all officers. Furthermore, the police setting needs to be safe and encourage disclosures of the sexual orientation of gay and lesbian officers. This will further allow intergroup contact, which is, according to the theory of prejudice, one of the optimal conditions for reducing

prejudice. Other strategies may include “learning about the stigmatized group, changing behaviour patterns, generating affective ties, and reappraising one’s in-group” (Pettigrew 1998 in Bernstein & Swartwout, 2012, p. 1150). Due to this function often being carried out on a voluntary basis (cf.: FRA, 2016; Poláček & Le Deroff, 2010), it is also essential that liaison officers are allocated sufficient resources and time to perform the role aptly and meet the needs of the community effectively. In its essence, the liaison role is one of the strategies that helps build trust in the police and develops the confidence of victims. It essentially increases the accessibility of the police through a designated, visible and contact point, and provides a specialist advice point for other officers. It is such interactions that ultimately send a message to the members of the LGBT community that police treatment of LGBT victims is comparable with that of victims of other types of crimes.

Finally, it is necessary that thoughtful cultivation of partnerships between the LGBT community and law enforcement is on-going through various channels. While the role of the liaison officer is one possible police engagement initiative, in which the organisation primarily draws on knowledge and skills by using its own members and insiders, the following two sections explore other possible responses. These are other ways in which hate crime and homophobic violence can be efficiently and effectively addressed by means of congenial interaction with not only LGBT community but also the wider community, including public services, therefore demonstrating strategies outlining not only police but wider community responsibility to address homophobic violence and crime in the process of policing and preventing violence.

4.7.2 LGBT advisory groups

Moran (2007) documents the historical development and function of independent LGBT advisory groups (LGBT AGs) within the Metropolitan Police Service (MPS) as a process parallel to the emergence of gay and lesbian liaison officers. Like liaison officers, LGBT AGs were a post-Macpherson priority initially promoted and funded by the Metropolitan Police Service (MPS) following Copeland’s attack in London. As LGBT liaisons, LGBT AGs were set up to bridge gaps between the police and LGBT communities and generate sustainable closer links between the two groups. However, the active recruitment and integration of LGBT officers primarily draws on the diversity and unique skillsets of law enforcement members. In contrast, by formalising the role of LGBT independent advisory

groups, the police service effectively recognises community diversity and “institutionalizes it as a resource in making links, building bridges, with it” (Moran, 2007, p. 422). Establishing the AGs therefore reinforces the community’s value in the process of society building and safeguarding.

Moran (2007) observes that the term “independent” gives an advisory group its distinctive qualities. Moran, citing Hall (2005), for example, suggests that the independent dimension of AGs demonstrates an important representation of “visible openness and accountability [helping] to challenge the mindsets and assumptions held by the police that have often proved barriers to the effective policing of minority groups” (p. 422). Therefore, even though LGBT AGs in England have been largely funded, supported and housed by police constabularies, the objective is that the core members are independent of the police but also do not represent LGBT communities. However, they should self-identify in some way as L, G, B or T and can have links with LGBT organizations. (Moran, 2007).

Moran’s historical overview of post-Macpherson developments responding to homophobic crime and violence outlines the crucial role that LGBT AGs have played. This has been around supporting and championing community experts within the MPS as they negotiated institutional inertia and resistance and combatted the recurring invisibility, absence and silence around LGBT issues in the contemporary neighbourhood models and practices of policing. The emergence of LGBT AGs in an, initially reluctant, police environment also means the emergence of “the (homo)sexual subject/citizen” in policing strategy, along with the appearance of an idea of “the lesbian and gay community” in “the wider characterization of contemporary democracy as a multi-cultural, cosmopolitan polity” (Moran 2007, p. 430-431). Subsequently, this is also a recognition that the lesbian and gay community make up part of the diversity reflected and represented by the wider community. In addition to giving visibility to the “homosexual subject” within a specific community, LGBT AGs can also support the police in addressing the gap between the community and police data in the process of police recording and investigation of homophobic crime and violence. Privileging community knowledge over data gathered by the police, Moran argues that LGBT communities represent information which reflects “authentic experiences of violence in contrast to the limited, partial and mediated nature of the data captured through routine police operations” (p. 426). Better incorporation of communities into policing might therefore ultimately improve police recording and investigation of hate crimes. Lastly, Moran refers to the important role AGs held in the initial establishment of the role of LGBT

liaison officers both within the MPS and across the country. Independent advisors were crucial in determining the specificities of this role, such as advising on the job specification, qualities and characteristics of post holders, determining training requirements, and raising the profile of liaison officers within both the police and the LGBT community.

Presently, LGBT AGs are among several “independent advisory groups”⁵⁷ that not only support MPS but also several police constabularies across England, Wales and Scotland. Dunn (2010) for example notes that by 2010 several boroughs in London had an LGBT Advisory Group, comprised of independent consultants acting on a voluntary basis, representatives of local community groups, local authority staff or councillors and voluntary organisations. In addition, Garland and Chakraborti (2009) record that AGs have helped to prioritise the detection and prevention of hate crime within the MPS, while also improving the accountability and transparency of crime investigation through external scrutiny.

In their review of the role of AGs the College of Policing (CoP, 2014) introduces these initiatives as crucial for providing insights that enable the police to understand the potential impact of operations on communities. The review confirms that independent advice obtained via community groups has contributed towards the development of a genuine partnership between MPS and minority communities, and acknowledges that AGs often provide independent, strategic and specialist advice that helps prevent critical incidents from escalating. The evaluation notes, among other things, that “the advisers are often called on to provide advice across a wide range of policy issues, operational matters and critical incidents”, and recognises that “independent advice now has a fundamental role within policing” (CoP, 2014, p. 95).

With a specific reference to LGBT AGs, the LGBT liaison guidance manual published by the MPS (Pakouta & Forsyth, 2010) defines the following roles and aims of LGBT advisors within the MPS (p. 44)⁵⁸:

⁵⁷ London Metropolitan Police currently hosts four corporate independent advisory groups focusing on race, disability, LGBT and Trident (gangs, guns, knife crime). Source: <http://content.met.police.uk/Site/iag> (last accessed: 08.10.2016)

⁵⁸ Available on MPS LGBT Advisory Website: <http://www.lgbtag.org.uk/>.

- making sure that LGBT issues are always on the agenda of the Metropolitan Police Service (MPS)
- proving transparency in the police service by advisors having access to most areas of the MPS
- providing advice on LGBT-related issues to the MPS “on demand”; formulating their own agenda of issues on which to advise the MPS; assisting with critical incidents; keeping the LGBT community in London informed of police initiatives; providing a channel for complaints about poor policing
- encouraging the community to report homophobic and transphobic incidents to the police or through third parties
- supporting, informing and facilitating liaison between local LGBT forums
- creating and sustaining a network of LGBT liaison officers throughout the MPS.

Drawing on the data above, the AG establishment recognises that, for a “variety of reasons”, certain members of minority groups might be reluctant to engage with the police due to lack of trust and confidence in efficient and fair police practice. Building and maintaining the confidence and engagement of minority groups in community partnerships, however, relies on the police delivering a consistent, transparent and reliable service in an open, friendly and honest manner. One way of building confidence is to use independent advisory groups that recognise non-normative sexual communities as an equal part of the institution of policing, safety and security, recognising community knowledge as a resource, and offering informed and specialist advice and strategies to address the immediate needs of that community or neighbourhood.

4.7.3 Multi-agency approach

“Hate crime is the most repugnant form of crime. The police service alone cannot be effective in combatting it. The active support of partner agencies, group leaders, communities and victims is essential to effective prevention and investigation” (ACPO, 2000 in Moran 2002, p. 9).

ACPO’s⁵⁹ quote, from almost two decades ago, not only emphasizes the seriousness of hate crime as a threat to order but also suggests that the police service alone is not enough to

⁵⁹ The Association of Chief Police Officers (ACPO) was a not-for-profit company that led the development of policing practices in England, Wales, and Northern Ireland from 1948. ACPO was

effectively respond to this phenomenon. The quote is clear in stating that responsibility for the provision of internal order, safety and security needs to include a variety of agencies from all layers of community service provision working together in partnership.

In the UK police community partnerships emerged after the revision of the Crime and Disorder Act (1998),⁶⁰ which required “local authorities, the police, and other bodies to come together to develop strategies for tackling crime and disorder” (McGhee, 2003, p. 350). Following this reform, the police force in the UK has made significant progress over the past fifteen years in engaging more efficiently with various communities and local services in the process of policing hate crime (Garland, 2001). Studies most consistently point to enhanced networking, consultation and improved communication with marginalised, underrepresented and vulnerable groups, such as asylum seekers, refugees and transgender people, as well as the gay, lesbian and bisexual communities and several other hard to reach groups (McCarthy, 2013; McGhee, 2003; Moran, 2007). Evidence states that multi-agency initiatives have been central to this new consultative approach, enabling enabled police forces to work in partnership with other state, voluntary and community-based organisations in order to more effectively address the needs of specific communities and minority groups (McGhee, 2003, 2006).

Garland (2001) writes that the primary objective of police-community partnerships is to share responsibility for crime control with agencies and organizations which are not an institutional part of the criminal justice system. This approach to contemporary policing not only shifts responsibility for tackling crime and disorder but also recognises the community’s value in social processes relevant to social wellbeing, social cohesion and community safety. With a multiagency approach the policing of crime therefore acquires an additional dimension as, instead of addressing crime in a direct fashion by means of the police and courts, this strategy brings forward non-police actors and institutionalises them as a visible and valuable resource for preventing and directly responding to hate crime. Thus, “the intended result is an enhanced network of directed informal crime control, complementing and extending the formal controls of the criminal justice state” (Garland, 2001, p. 125).

replaced in 2015 by a new body, the National Police Chiefs' Council (M. L. Williams & Robinson, 2004).

⁶⁰ Specifically, Crime and Disorder Reduction Partnerships (CDRPs):
<http://policeauthority.org/metropolitan/partnerships/cdrp/index.html>.

Chakraborti and Garland (2009) observe that multi-agency partnerships which conceptualise the policing of minority groups as central to their objectives, are usually set up to offer a supportive and professional approach to hate crime reporting and addressing the needs of victims. Such forums operate on the level of emphasizing the importance of reporting, and employ strategies that increase confidence and trust with “hard to reach” individuals and communities, helping them to feel confident enough to report a case and otherwise engage with the criminal justice system. The importance of such partnership work has also been recognised by international human rights actors. The European Fundamental Rights Agency (FRA, 2009a, 2014, 2016), for instance, has issued several opinions endorsing the establishment of multi-agency initiatives as a way of actively drawing on community resource in all stages of crime policing, including the development and delivery of hate crime policies.

FRA Opinion: Member States should encourage multiagency cooperation and coordination between public authorities and LGBT civil society organisations and include them in policy design, implementation and evaluation (FRA, 2016, p. 12).

FRA (2016) recognises efficient partnerships between LGBT organisations and national stakeholders, including police forces and health professionals at all levels, as a basic requirement for successfully implementing hate crime legislation and policies. In addition, ILGA-Europe emphasizes the role of members of the LGBT community as crucial in this process of building a comprehensive response and prevention system against violence, as “Only LGBT organisations can provide law enforcement agents, such as the police, with quality expertise on LGBT communities and identities” (Poláček & Le Derooff, 2010, p. 62).

In his critical assessment, McGhee (2003) offers an insight into how institutionalised policing of hate crime in Southampton (England) led to a multiagency forum which significantly changed the culture of interaction between members of the LGBT community, local state services and the police. Conceptualising hate crime as a “powerful poison to society” (McGhee, 2003, p. 353), and acknowledging the distinctive barriers minorities face in reporting bias crimes, in 2001 the local authorities and Hampshire constabulary established a multi-agency group consisting of representatives from seventeen state and voluntary organizations across Southampton and wider Hampshire. Within this wide network, Hampshire Constabulary was responsible for leading a subgroup, the Gay and Lesbian Community Multi-Agency Group, which was to develop monitoring and reporting mechanisms addressing homophobic violence. McGhee notes that the initiatives leading to

this multi-agency response to homophobic incidents in Southampton conceptualised the members of the LGBT community as a “targeted community” and, as such, in need of protection and empowerment. Recognising the disadvantaged status and clear unwillingness of LGBT individuals to engage with the authorities, the subgroup initially prioritised liaison and communication with the police over reducing homophobic incidents. To empower and encourage LGBT people to come forward, the police in Southampton initiated a series of “participatory, confidence boosting and self-esteem-building initiatives” which promoted “inclusion”, “protection” and justice and encouraged the reporting of homophobic incidents (McGhee, 2003, p. 360). Some of these initiatives included:

- attempts to uncover the full extent of homophobic incidents in the area through establishing anonymous reporting schemes and victim surveys;
- police outreach programmes, for example a police presence in local gay venues;
- ongoing police training and
- increased police liaison with the LGBT community.

Recognition of disadvantaged status of a specific social group in Southampton therefore set the stage for “the emergence of the active citizen” (p. 360) which, McGhee warns, is central to the objective of increased reporting:

What this amounts to is a project wherein the alienated, LGBT victim of a homophobic or transphobic incident is to be (eventually) transformed into an empowered citizen who can be confident that their report to the police, local council or any other agency will be taken seriously and dealt with sympathetically. This, on the surface at least, can be described as an invitation to an element of full citizenship not previously enjoyed by many members of the LGBT community. (McGhee, 2003, p. 364)

Essentially, the policing of the LGBT community in Hampshire and Wales recognised and promoted the awareness that “active citizens have to be made”, which is of particular relevance when these potential active citizens are to be made from “detached and designated high-risk and hard to reach subpopulations” (McGhee, 2003, p. 362). Instead of denying homophobic victimisation and “driving homosexuality underground” (p. 364) the police, social services and other state actors in Southampton and the Isle of Wight, have been actively appealing for members of the LGBT community to come forward to access various support services and voice their experiences of victimization.

When addressing the situation of victims of homophobic violence, recognition of the individual's status in society is particularly important for the process of support and empowerment, as well as when challenging attitudes and the transfer of responsibility towards structural institutions. It is within this context that the multi-agency approach directly addresses the role of social work services in the process of responding to hate crime, and invites social workers to be active actors in crime and violence prevention. As a science and profession, social work is equipped with sufficient theoretical and practical knowledge of how to employ empowering discourse, effectively challenge oppression and structural injustices, and encourage victimised communities to act collectively, to turn experiences of violence into action and achieve social change against all forms of oppression and domination (Healy, 2005; Swigonski, 2006).

Writing on the social work/law enforcement relationship, Dean et al. (2000) importantly point to the fact that, in practice, "social service has always been a key part of policing while serving victims of crime and offenders has been a major emphasis of social work" (p. 8). Even though social workers and police officers sustain their own specific professional discourses and organizational cultures, and historically collaboration between the two actors has often been marked by tension and misunderstanding (Garrett, 2004), essentially law enforcement and social work are professionally bound to serve the same target groups. Moreover, community policing enables both institutions to formally combine resources and skills and reach out to victims of crime or provide effective intervention and preventative services.

Beyond preventing an immediate recurrence of violence, the police mandate ends at restoring order or making an arrest. It is at this point, however, that the role of social and counselling services is crucial. Prevention, involving treatment of the causes and consequences of violence, is not part of the police mandate but requires police partnerships with social services, mental health and public health agencies. These services can provide immediate support, conduct background checks, refer to other agencies when possible and/or provide counselling until specialist services are needed (Dean, Charles et al., 2000). In comparison to community organisations with often limited competence or resources, social and counselling services and practitioners are also able to officially monitor client progress and facilitate the prosecution of perpetrators when appropriate (Patterson, 2004). If a victim of homophobic violence is a minor or a young person subjected to domestic abuse, social workers will have the mandate to coordinate services for the entire family and

provide mediation or follow-up services that prevent repeat victimisation (Dean, Charles et al., 2000). Finally, having the necessary knowledge of hate crimes and their effects on minority populations, social workers can act as counsellors to non-state services, police and other partners in a multi-agency network. Like community organisations, social workers can importantly contribute towards raising awareness and help train police in responding to minority communities (Swigonski, 2006).

Working in a multiagency network is therefore a transformative and educational process for all the actors involved. When state and non-state representatives agree to work in partnership and meet to discuss and address complex social phenomena such as hate crime, all involved gain a new appreciation of the complexity of community safety and its impact on the individual. In doing so, a multiagency strategy also carries the potential to improve service provision. Mainstream services, from welfare programmes to public administration, have been globally labelled as lacking sensitivity and knowledge of LGBT concerns (Fish, 2009; Moran, 2007). Inviting members of the LGBT community into multiagency networks opens an opportunity for the transfer of community knowledge and experience aimed at improving agencies and organizations that service and support the LGBT community on different levels. In turn, this initiative also serves as a platform for publicising these improvements and their increased efficiency to the LGBT community.

In addition to benefits for community safety, critical reviews note many challenges for the actors involved in such forums. Scholars mostly refer to “a clash of cultures”, as multiagency network often consist of specific organisational structures representing a plethora of values and methods of working (McCarthy, 2013; O’Neill & McCarthy, 2014). McGhee (2003), for instance, points to challenges relating to competitive relationships among community agencies serving the same clients or frustrations arising from agencies working in isolation on addressing challenging community problems. Meanwhile, McCarthy (2013) notes that, due to their specific organisational structure, such forums are often the hardest to negotiate for the police, who are notoriously challenging when it comes to sustaining cooperation with “outsiders”, especially partner agencies. Other challenges for the police might also include difficulties with engaging in compromise with other agencies over accountability and ownership of community problems, reluctance to work in collaboration outside the confines of meetings, and unwillingness to share information with agencies on a regular basis (Dean, Charles et al., 2000; O’Neill & McCarthy, 2014).

To achieve a reporting and recording system that will inspire confidence amongst victims to respond to incidents and motivate them to report, partners should strike a balance between having an adequately detailed action plan to guide implementation and the inevitable adjustments that will need to take place as the partners learn more about each other and community problems. When considering a multiagency strategy to address hate crime, or any of the diversity strands specifically, there needs to be heightened awareness among all partners that this initiative is designed to serve and address community problems that can seriously impact and threaten our communities, yet have fallen between the cracks of the service system. A multiagency approach provides a structure that, while designed to address a specific problem, e.g.: homophobic violence and crime, can also be institutionalized and become the community's way of identifying and solving wider problems, e.g.: hate crime. Finally, by working together in partnership, the community not only addresses emerging safety concerns but also collaboratively builds its defences against wider challenges and plans together to build quality, sustainable and accessible capacity ahead of contemporary challenges.

4.8 Summary

In recent years, a visible shift in the culture of police work in the UK has resulted in an increasing number of community safety initiatives pursuing objectives relating to gay and lesbian safety and community organisation. Rather than attempting to deny homophobic violence and its effects these new policing styles attempt to open and improve the channels of communication between the police, other state actors and the members of the gay and lesbian community. In addition to introducing specialist police units in the form of LGBT liaison officers, functioning as a link between the police and the LGBT community, and establishing LGBT advisory groups within the police, individual constabularies are also collaborating with state and non-state agencies directly or indirectly working with victims of violence. Partnership, consultation and liaison are central elements of this emergent culture, which corresponds to the framework of government programmes associated with police reformation and community policing initiatives, aiming to build the bridge between the police, other state services, and to increase the participation and “active citizenship” of members of the LGBT community.

All three strategies, while ultimately focused on increasing reporting, also demonstrate varied levels of contemporary policing addressing LGBT minority needs. The institution of

an LGBT officer presents an important acknowledgement by the police organisation that the diversity of its own members is a valuable resource in raising the police's image as an open and fair organisation that holds a specific role in recording and investigating homophobic incidents. In contrast to liaison officers, the establishment of independent advisory groups draws on the knowledge and experience of individual community representatives and notably legitimises the role and responsibility of underrepresented communities in contemporary policing. Finally, by working in a wider partnership, the police, the LGBT community and other relevant state and non-state services join hands to address emerging community safety issues, facilitate transfers of knowledge, develop inclusive services and develop programmes that build the confidence and trust of the marginalised communities they are to serve. While all three presented strategies define the police as a leading agency in policing crime and violence, they also task the organisation with responsibility to draw on community as a resource and actively recognise and enlist other social actors in this process. This is particularly important when addressing hate crime, which most heinously affects individuals and communities. Community partnerships addressing hate crime and homophobic violence also directly addresses the social work / law enforcement relationship and the role of social work in the community safety discourse. Although responsibility for responding to hate crime and homophobic violence seems to be primarily allocated to police, multi-agency partnerships allow and invite social services and social work practitioners working in a wide array of settings to pro-actively work on prevention, causes and consequences of bias motivated violence.

The emergence of inclusive policing of minority communities effectively recognises that, for a variety of reasons, certain members of minority groups might be reluctant to engage with the police. Most typically, this is due to a lack of trust and confidence in efficient and fair police practice. Building and maintaining the confidence and engagement of minority groups, however, relies on the acknowledgement that, due to the often-stigmatised status of minority members, "active citizens need to be made" and actively approached and encouraged to participate in community safety initiatives. Police and social services should thus recognise the need to actively reach out to community services and minority communities, and deliver a consistent, transparent and reliable service in an open, friendly and honest manner.

5. The discussion

Returning to the purpose and objectives of the study, as outlined in the Introduction, the discussion combines the main findings to address key research questions. The main points of inquiry, as outlined in Chapter 2, build on the findings and recommendations of relevant Slovene, UK and US studies (cf.: Bernstein in Kostelac, 2002; Goudriaan, Lynch, in Nieuwbeerta, 2004; Kuhar et al., 2008; Peel, 1999; Wong in Christmann, 2008) and addresses a range of issues connected to reporting of homophobic violence that are currently under-researched, both in Slovenia and elsewhere:

Research questions for LGB participants:

- 1) What is the perception of homophobic violence and crime?
- 2) What is the general willingness to report homophobic victimisation?
- 3) Which factors influence the willingness to report homophobic victimisation?

Research questions for police participants:

- 4) What are the attitudes towards gay men and lesbian women?
- 5) How informed are police officers of distinct characteristics of homophobic violence and crime?
- 6) What are the options for police and LGBT community to jointly respond to homophobic violence?

In addition, the study also briefly explored needs and expectation of LGB people in the reporting process and established the role of police, LGBT community and social work services in practical and policy approaches responding to homophobic violence.

I shall draw conclusions and address each research question by contrasting the key findings of both researched groups. Section 5.1 therefore discusses the perception of homophobic violence and its impact on the willingness to report, both relevant to research questions 1 and 2. Section 5.2 outlines key factors influencing the victims decision-making process, addressing research question 3. Section 5.3 examines police culture towards marginalised groups and officers' attitudes towards gay men and lesbian women, relevant to research question 5. Finally, sections 5.4 and 5.5, relevant to research question 6, establish the role of LGBT organisations, together with police, social and counselling services, in responding to homophobic violence.

5.1 Perception of homophobic violence and willingness to report

Returning to the data on perceptions of homophobic violence and their impact on willingness to report incidents, it is worth recalling Wood's (2007) observation that all experiences of violence are shaped by the actions of individuals and institutions that ultimately deal with that violence. This includes cultural norms, legislation, attitudes of law enforcement professionals, the criminal justice system and the media. Wood further emphasises that it is these narratives that can influence those affected by violence to respond against it, find justifications for violent experiences or alternatively seek solutions on how to avoid, suppress and prevent violence.

Translated into the context of this dissertation, Wood's theory provides a useful framework to determine how the conceptualisation of hate crime and homophobic violence within Slovene socio-cultural and legal discourses accounts for the development of individual and state perceptions and responses to homophobic victimisation. The police and LGB participants' narratives I heard, demonstrate that limited understanding of hate crime in national policy and public discourse, coupled with instances of bigoted political discourse that is rarely sanctioned, lead to doubt about which experiences of homophobic violence are "legitimate" in the context of reporting. This ambiguity is most common in cases of psychological and verbal homophobic abuse, such as harassment, insults, ignorance and threats. It is these that are conceptualised by most LGB respondents in this study as harmful violence, although they are generally not perceived or explicitly recognised as a criminal offence by either of the two groups. Members of the police as well as the LGB community apply a dichotomous categorisation, consistently discriminating between "serious" and "less-serious" homophobic violence. This determines not only which incidents will get reported, but also recorded and investigated and also brings the findings of this study largely in line with conventional criminological theories which suggest that any incidents, or injuries, perceived as a criminal offence have the highest chance of being reported to the police and consequently investigated (Goudriaan et al., 2004; Kaariainen & Siren, 2011).

My findings also suggest that even though respondents are highly sensitized to various forms of homophobic violence, very often LGB people display a very high tolerance to instances of verbal abuse. They downplay the seriousness of the abuse or their subsequent support needs, even when they are aware of the personal harm and suffering because of victimisation. As the findings show, this perception typically emphasises instances of physical violence, violence with arms or property damage as 'worth a response from the

victim and the police. It disregards the impact and consequences of psychological or verbal violence, which can have equally devastating consequences for an individual.

Sociologists observe that reluctance to respond to homophobic violence is often sustained, if not exacerbated, by structural gaps that allow experiences of oppression and violence to flourish and legitimise its victims as deserving of hostility and persecution (Perry, 2001; Tomsen & Mason, 2001). In addition, Dwyer and Ball, (2012) note that when violence is understood as unremarkable, it can reinforce the view that victimisation will not be taken seriously. My data demonstrates that current punitive mechanisms such as the Criminal Code (Republic of Slovenia, 2008) or the Protection of Public Order Act (Republika Slovenija, 2006) do not satisfactorily account for the experiences and motivations leading to manifestations of homophobic violence. Furthermore, the absence of any case law sends a message that such violence will not be sufficiently punished and sanctioned. Consequently, the willingness to report homophobic violence, particularly verbal abuse which is not specifically outlined either piece of legislation, was very low. LGB participants expressed diminished confidence in the police and expressed doubt that cases of verbal abuse would be taken up and seen as significant enough for police to investigate and invest resources in. Essentially, the findings suggest that the LGB people in my sample would not consider reporting homophobic abuse to police or non-police services unless the harm was perceived as brutal and severe, and they had been physically, affected by it.

Unwillingness to report minor offences, however, can hardly be reasonably refuted. Prior domestic research (Bučar-Ručman & Frangež, 2009) but also the findings of this study suggest police practice is mostly oriented toward policing “serious” violence and crime. The police officers I spoke to admitted that trivialisation and undermining of non-physical violence, as well as downplaying the bias origins of homophobic violence does happen at an operational level. This suggests the police have a limited ability to detect and consequently investigate all but the most serious crime and further implies that a proportion of reported homophobic incidents will be incorrectly categorised, without any reference to underlying discriminatory motives. Downplaying the harm caused by homophobic violence therefore not only results in under-reporting but also under-recording, adding to the invisibility of this phenomenon within the criminal justice system. This does not send a helpful message to LGB people that their victimisation will be taken on board in a fair and competent manner. On the contrary, such practice sends a message that reluctance to report might be justified,

as the failures of the policy framework and police practice may only further exacerbate people's feelings of vulnerability and helplessness.

Most homophobic violence in Slovenia is, in fact, non-physical, ordinary, everyday violence that falls outside classical (hate) crime definition (Kuhar, 2014b; Kuhar et al., 2008). The omission or misconception of psychological and verbal homophobic violence within policy and legal mechanisms therefore creates a situation where countless harmful experiences go by without a clear reaction from the victim, and consequently other institutions tasked with sanctioning violence. This not only legitimises specific incidences of homophobic violence, but also allows it to flourish and provides a base from which more serious threats to community safety to arise (OSCE & ODIHR, 2009). In order to resonate more appropriately with the experiences of minority communities, including the gay, lesbian and bisexual members of the LGBT community, and to increase the willingness to report, the policy processes integral to the policing of crime in Slovenia should more closely follow recommendations made by international security organisations such as OSCE (cf.: OSCE & ODIHR, 2009, 2014). These processes must effectively address how this phenomenon is perceived and conceptualise hate crime (including instances of homophobic violence) as a security issue, a threat to community safety, and a form of behaviour that could lead to conflict and violence on a wider scale.

For instance, even though the most recent Resolution concerning a National Plan on the Prevention and Combating of Crime (Anželj, 2012) recognises that violence takes many different forms, including instances of harassment and psychological abuse, the Resolution should also conceptualise the LGBT community as a targeted and vulnerable group⁶¹ and outline effective preventative and direct measures that take the seriousness of such violence and crimes into account. In addition to defining hate crime as a public incitement to violence and / or intolerance, these measures should also recognise other hatred and prejudice directed against gay, lesbian and bisexual individuals, specifically verbal harassment, intimidation and threats, as bias incidents that should be more proactively tackled and addressed by police and other relevant institutions. The Resolution might also establish a national anti-hate crime network that brings together the police and other statutory actors such as social work and health services, as well as relevant representatives of civil society and anti-violence programs. As I discuss later in the chapter, the multiagency approach to hate crime and bias

⁶¹ The current version of the strategy defines children and adolescents, elderly and women as vulnerable groups (Section 6.9.1).

motivated violence has been an efficient response to hate crime reporting and prevention when implemented in the UK and some other countries in Europe. The importance of such partnership work has also been recognised by international human rights actors and anti-hate crime programmes (FRA, 2009a, 2014, 2016, OSCE & ODIHR, 2009, 2013). In addition, a broader conceptualisation of hate crime and bias motivated incidents should also be applied to key legislation on policing such as The Criminal Code and The Protection of Public Order Act, both of which focus on policing incidents typically defined as hate speech only (Kogovšek Šalamon, 2012). Finally, to strengthen the message about the unacceptability of all forms of hate crimes, the Criminal Code should include discriminatory motivation and intent as an aggravating circumstance in all common crimes, where it doesn't do so already.

Although direct tests of the impact of policy on victim reporting are still limited, post-policy reform statistics from the UK on the number of hate crimes recorded annually (Corcoran et al., 2015; Wiles, 2008), as well as several US studies, suggest that the implementation of policy reform may lead to changes in reporting. For example, Baumer and Laurites (2010 in Briones-Robinson, Powers, & Socia, 2016) suggest that in the US an increase in reporting of rape, sexual assault, and domestic violence victimisation, especially in the last three decades, may be attributed to the adoption of reforms that aimed to provide greater awareness of these social issues. Additionally, when researching the effect of policy on reporting behaviour among students in the US, Stotzer, (2010) found that colleges and universities that had enacted anti-discrimination policies, and were situated in the states that included LGBT bias in their hate crime policy, reported the highest numbers of hate crimes related to sexual orientation.

Building on the current criminal justice policy and legislative framework, however, should not only strive to improve police practice, but also to introduce a wider perception of hate crime to the public and the media. The current focus and interpretation of hate crime as excessively brutal and physically violent should be tempered by an acknowledgement that minorities are exposed to a range of violent and oppressive experiences based on their subordinate social status. Here I am drawing on Chakraborti and Garland (2012) who argue that “vulnerability” and “difference” should feature more prominently in the ways in which public, policy makers and law enforcement talk and think about hate crime. Hate crime and bias motivated violence should not only be understood as incitement to hatred and intolerance or recognised in only the most extreme incidences of violence, but also as instances of nonphysical violence, such as verbal violence, harassment and intimidation,

which in many ways is more psychologically harmful than physical abuse (Meyer, 1995; Rose & Mechanic, 2002).

5.2 Factors influencing willingness to report

Criminological theory observes that there is a complex interaction of factors influencing willingness to report crime to police and other agencies. These include a recognition that a crime has taken place, consideration of what to do, the responses of acquaintances, family and friends, victims' characteristics and a number of social context and community factors (Wong & Christmann, 2008). The seriousness and intensity of the crime along with a cost-benefit consideration of whether contacting the police is actually worth the effort, seem to be the most important factors positively informing the decision to report any crime (Goudriaan et al., 2004; Kaariainen & Siren, 2011). However, scholars warn that emphasising the seriousness of the crime might prove problematic as it can have adverse effects on our understanding of reporting behaviour as well as the function of the reporting system. For example, if we accept that all victims are willing to report serious crimes without considering other socio-cultural factors there is no reason for the reporting system to be improved and enhanced. Goudriaan et al., (2004), therefore suggest that the social context, including victim characteristics, the availability and competence of support communities and organisations, the existence or contents of national policies on crime reporting, trust in and perceived competence of police and existence of compliance norms, should feature more prominently in studying the reporting of general crime. This theoretical basis is particularly important when discussing the reporting of homophobic violence and crime. As this study shows, this phenomenon is embedded in specific cultural practices and norms which play a significant role not only in its commission but also in structuring gay men and lesbian women's identity, views, experience and responses to state and non-state institutions of (Perry, 2002).

This study demonstrates that there are a variety of factors that converge in causing homophobic victimisation to go underreported. For example, a wider climate of discrimination, inequality and prevailing heteronormative attitudes and practices can all function to normalise violence and negative treatment of gay, lesbian and bisexual people. In this context, Perry (2003) observes how structural exclusions and cultural imaging leave disadvantaged groups vulnerable to systemic violence especially hate crime. The former

renders us vulnerable and the latter makes us legitimate targets. However, sexual stigma defines not only our vulnerability and subordinate position in society, but also how we construct ourselves, our identity, how we manage the projections and expectations that others might have of us and how we interact with the dominant groups and authority structures (I. Meyer, 2011). For example, Goffman (1963) discusses how a discredited, stigmatised identity arising from “membership of a shamed group” (p. 35) may influence individuals to experience feelings of shame, guilt and inferiority when part of their personal identity contravenes social norms that are not completely attainable. Goffman further suggests that this inferior position leads to an uncertainty and anxiety with which such individual approaches a wide range of social interactions in society.

In my study this conflict is most visible in the feelings of discomfort and insecurity around self-disclosure, which often results in even very serious incidents not being reported to the police. Even though willingness to report homophobic incidents seems to be significantly related to the severity and intensity of an incident along with its criminal justice definition, the narratives I collected also confirm that the decision to report homophobic violence is far from straightforward and often reliant on many interdependent factors that are neither universal nor static. Some of the prevalent predictors highlighted by this study point to factors typical of reporting of *any* crime, such as severity and intensity of violence, setting of incident, relationship with the perpetrator, previous negative experience of reporting, and the predicted outcome of reporting. The study also highlights the decisive role sexual stigma plays in the decision to report and engage with police and suggest that self-disclosure in the process of reporting, anticipated bias in the police response and the perception of police competence to investigate homophobic incidents often seem to overpower the cost-benefit calculations and adversely impact the decision to report homophobic violence.

Stanko and Curry (1995) note that gay men and lesbian women approach the police for help, with certain tentativeness as reporting homophobic violence requires them to legitimise their experience by disclosing their sexual orientation. By doing so, in Goffman’s terms (1963), victims subsequently risk the imposition of a fixed and public stigmatised identity, as a gay man or a lesbian woman. For some participants in the study, this risk presented as a challenge where police officers might conceptualise their sexual orientation as “a problem” rather than a “vulnerability” and thus subject the individual to secondary victimisation. This fear was significantly greater in those who are not at ease with their

sexual orientation. Anticipated fear of police bias was prevalent across my participants' narratives and further exacerbated by anecdotal stories of oppressive police practice. To what extent this fear is justified calls for further research, however, the accounts of those participants who reported a homophobic incident suggest that while police might lack empathy and the ability to make the victim feel reassured and protected, bias in their response seems to be exaggerated rather than an actual element of police practice. It is also slightly encouraging that, as an organisation, the police are not perceived as homophobic by the LGB participants. However, most felt that police officers lack awareness and knowledge of the distinctive features of homophobic violence and crime and that anti-gay stereotypes are present in the day-to-day police practice. It is particularly these two perceived gaps in police practice that sustain an almost palpable mistrust in an effective and fair police response, and result in a general reluctance among LGB participants, to engage with police.

Criminological theory observes that trust in the police response mostly arises as the result of dual expectations. On the one hand, victims hope to receive police assistance and protection in situations where they feel threatened. Thus, their level of trust reflects their belief in the ability of the police to be useful and effective. On the other hand, individuals also expect the police to use the powers they have been entrusted fairly, treating all citizens equitably and ethically (Goudriaan et al., 2004; Kaariainen & Siren, 2011). Those in the study who reported homophobic abuse to police, often described being disbelieved, passed around from one police officer to another, having their accounts trivialised, and not receiving any help to access appropriate agencies in dealing with the aftermath of the abuse. Participants also reported not being satisfied with the outcomes of reporting as in most instances perpetrators were not found, caught or detained. This further perpetuated the belief that reporting homophobic incidents to the police is "not worth the bother".

As most of the factors influencing the decision to report in this study revolve around LGB people's anticipation of police bias and their response to homophobic incident it might be helpful to discuss some of the findings from the study with police, directly addressing these two considerations. The study with police suggests that although majority of police respondents have very little experience with investigating homophobic incidents, officers in the sample feel sufficiently knowledgeable and competent to recognise the distinctive characteristics of homophobic incidents. This is an interesting finding however, given that officers also report substantial lack of training on the subject. The narratives also suggest

officers are unlikely to be in frequent contact with members of the LGBT community, which further suggests a lack of distinct sensitivity and knowledge of the discrimination and oppression gay, lesbian and bisexual people face, especially around their vulnerability to bias crime. Several officers recognised police might sometimes seem indifferent and unconcerned at the point of their first contact with citizens, respondents also stressed that regardless of any personal bias or belief, officers will always strive to respond and deliver a professional service in a fair and ethical manner to all citizens. Finally, discussing the need to provide tailored support to victims of bias crimes, police respondents also pointed to the limited policy framework and the fact that institutional constraints and established practice do not generally encourage frontline officers to focus on or provide specific support to vulnerable groups.

Contrasting the findings from both groups, we can conclude that to effectively address some of the factors negatively influencing the decision to report homophobic violence, something must be done to directly address this mistrust of police by the LGBT community, gaps in officer training and general lack of awareness of the vulnerability of gay men and lesbian women. To enhance police competence and “win hearts and minds” of individual officers a heightened awareness is needed of the harm caused by hate crime in all its form, *including* low-key incidents. This can be delivered via police training programmes already in place to deal with diversity, multiculturalism and new forms of violence and crime. In the face of rapid changes in the ways crime and violence are perceived and perpetuated, it is important that these programs cover the concepts of “vulnerability” and “difference” of minorities and marginalised communities and their susceptibility to bias incidents. This training should be mandatory and routine for all police, but aimed particularly at the frontline officers who are most likely first to respond to interventions. Evidence, including the findings of this study confirm that while to some extent awareness raising and training on homophobic violence for members of Slovene police has been conducted in the past (Magić, 2012; MNZ, 2012), these activities have primarily targeted police leadership. The findings of this study, however, confirm little evidence so far of the expected top-down transfer of knowledge on this subject to all levels of police organisation.

Secondly, to dispel some of the LGB participant’s negative preconceptions about potential bias in police responses, police efforts addressing hate crime prevention and reporting should be formalised and visibly promoted within the affected communities. At the point of their contact with citizens, but particularly when recording and investigating homophobic

violence, officers should appear approachable and interested, and should keep in touch with the victims post-reporting, providing them with adequate remedies and keeping them informed of any changes and requirements of the investigation. Unsupportive and unhelpful police intervention, including delayed response, passing victims around from one officer to another, failing to identify and detain perpetrators and not properly investigating apparently minor homophobic incidents, frequently perpetuates the belief that reporting homophobia to police is ‘not worth the bother’ and further alienates police and members of LGBT community. Police should also consider the possibility of reported cases being high risk since the person reporting the violence has done so despite the significant risks associated with being “outed” and the risk of receiving an “unhelpful” response. Finally, as also recognised by some of the officers in my sample, the police should recognise low levels of reporting homophobic victimisation as a matter of concern, and understand it as a key piece of information they can use in developing new methods of addressing and investigating homophobic violence and developing an effective prevention strategy.

5.3 Police culture and attitudes of police officers towards gay men and lesbian women

At the turn of the century Umek, Meško and Abutovič (2000 in Meško, 2007) conducted an extensive study of Slovene police officers’ attitudes towards marginalised social groups which revealed negative views and prejudice among police officers towards ethnic minorities and socially marginalised groups. The findings of this study suggest that 16 years later past research might still apply, and that the Slovene police are still struggling with questions of multiculturalism and diversity. Indeed, in some ways police culture has a “timeless quality” (Foster 2003: 222 in Dunn, 201). However, to fully understand the police’s relationship with the concept of “diverse cultures” and related attitudes to gay men and women, requires an understanding of the nature, authority and the organisational and occupational culture of contemporary policing - and its clash with the traditional values of law and order on which police culture is built on. To further develop the following discussion on the relationship of the Slovene police with challenging social constructs such as “diversity”, “gender” and “sexuality”, we need to consider the ways in which the concepts of “heterosexism” and “masculinity” are translated into police practice.

Literature from Slovenia suggests that police have undergone a significant organisational reform, resulting in a modern, inclusive and societally reflective organisational culture

oriented towards community policing and founded on cooperation and participation with members of local community and civil society. The ethical and centralised foundations of contemporary Slovene policing conduct reflect standards that are, rhetorically at least, free from discrimination, oppose and challenge prejudice, and are based on cooperation between the community and the police and focused on proactive problem-solving and prevention (Borovec et al., 2014). Yet the effectiveness of these contemporary values still seems to be underpinned by historically embedded informal beliefs and attitudes prescribed by occupational subculture. My data indicates that policing in Slovenia is still associated with masculine ideals of crime fighting, characterising policing as a profession that is gendered and sexualised in its value systems. For example, while past research as well as the findings of this study notes that the perception of women in Slovene police is improving, with female officers increasingly being equal to men in terms of tasks and duties, female officers in the study felt they still need to “work harder” to prove themselves in the office and on the streets. The findings also unveil a significantly high number of negative workplace experiences suffered by female officers including sexist language, sexual harassment and exclusion from informal networks. This signals that to some extent “gender” and “femininity” serves as a significant component of gender subordination within Slovene policing.

The social construction of gender and gender roles, however, is closely intertwined with the construction of sexual identities, sexuality and masculinity. Edwards (2005 in Dunn, 2010) points to the fact that sexuality and gender are inextricably linked in the way that oppressive norms operate and argues that “on the face of it, gay masculinities are a contradiction in terms: Gay negates masculine” (Edwards 2005, p. 51 in Dunn, 2010 p. 121). On a similar note, Bernstein & Kostelac, (2002) theorise police culture as being rooted in a hegemonic masculinity and heterosexist practices. Exploring responses to homosexuality, this study didn’t find any extreme instances of anti-gay prejudice or discriminatory behaviour among Slovenian police⁶². However, the study did find that police culture continues to be

⁶² As the participation in the survey was self-selecting the findings should be interpreted with caution. Considering the sensitive nature of this study, self-selection demonstrates significant bias on behalf of participants (Keiding & Louis, 2016) and suggests that the officers who chose to participate may be among the more liberal in the Slovene police. Liberal bias in non-random quantitative surveys studying sensitive topics is not unusual and was also detected by Bernstein & Kostelac (2002) in their study with police participants. Liberal tendencies in the sample can also be assumed from the data indicating 44 per cent of all respondents report to have a somewhat close personal relationship with at least one gay or lesbian officer. Intergroup contact, however, is highly correlated with positive perceptions of LGBT people (Bernstein & Kostelac, 2002; Bernstein & Swartwout, 2012). Finally, liberal bias in the online survey can also be assumed from the general unwillingness of officers to

characterised by traditional masculine and heterosexist ideas, also manifested through negative myths and stereotypes about gay men and lesbian women. Officers' narratives suggest that the idea of visible LGB identities presents a challenge to traditional values and expectations, with respondents talking about the "absence" and "silence" surrounding the subject of homosexuality, noting general discomfort on the topic among frontline officers, as well as the police leadership. Officers perceived the police as an environment that does not encourage or sustain discussion on homosexuality with the aim of addressing or challenging preconceived notions, and suspected that those with more liberal views are often reluctant to raise the discussion, possibly to avoid being labelled gay or lesbian themselves. Miller et al. (2003), however, observe that avoiding relevant facts about homosexuality or excluding or devaluing officers, by either questioning their sexual orientation or gender nonconformity or by exerting pressure to "engage in conversational banter with co-workers about heterosexual conquests to avoid being ostracized or labelled sexually suspect" (p. 360), can strengthen this heterosexist and heteronormative stance within the police environment. Furthermore, when the "don't ask, don't tell"⁶³ view of LGBT identities that characterises the Slovene police workplace is challenged by potential disclosure, heterosexual staff demonstrate high levels of uncertainty and a range of concerns about the impact it might have on officers' career, performance morale or other measures of workspace well-being. Heightened anxiety around this subject further suppresses the discussion on homosexuality, pushes it to the margins and stigmatizes it as a "private", "intimate" subject, "that has no place on the job". Queer and poststructural theory, however, postulates that "sexuality" is "always in play and always in public" (Moran, 2007, p. 432) and points out that a requirement to be silent about sexuality does not produce the absence of sexuality. On the contrary, as Moran (2007) points out, silence is a device that has made heterosexuality hegemonic in society in general, and I would suggest particularly in law enforcement settings. As I discuss next, the (dis)appearance of references to LGB identities and relationships in police and criminal justice settings is not anything new, but rather a

participate in qualitative interviews or directly correspond with the researcher on this topic. All this further confirms the studied subject causes a great level of discomfort with many members of police.

⁶³ The United States military policy known as "Don't Ask, Don't Tell" (DADT) required that lesbian, gay and bisexual members of the military remained silent about their sexual orientation and behaviour if they were to serve in the military. In turn, the military was restricted from asking, harassing or openly discriminating personnel based on their sexual orientation. The policy was enacted in 1994 and removed in 2011 (Gates, 2007).

reflection of the existing public perception of “sexuality/ies”, that is further (re)produced in this specific setting.

One explanation for the (re)production of old traditional values in policing may be found in the theory of new institutionalism which suggests that organisations such as the police are discrete entities with a distinct organisational ethos and normative frameworks that keeps its members “in line” through a variety of controls, such as hierarchies and sanctions (Monroe, 2007). Police officers in my study talked about a ‘rigid hierarchical structure’ and recognised and referred to the ‘specific character of police culture’ that places significant demands on its members by reinforcing “complex ensembles of values, attitudes, symbols, rites, recipes, and practices” that are unique to the law enforcement profession (Reiner, 2010, p. 116 in Couto, 2013) and continuously passed on to new members. This suggest that any potential discriminatory or prejudiced perceptions, opinions, attitudes and behaviours among the police are not only shaped by the external political and cultural climate, social networks and lived experiences but also by the nature of the profession and the organisational and occupational culture they work within. The organisational culture of police work can potentially have a major influence on the attitudes of police officers towards gay men and lesbian women, and where this perpetuates negative stereotypes, it also negatively impacts the situation and inclusion of gay and lesbian police officers within the workplace.

Even though the experiences of gay and lesbian officers were not of direct interest to this study, the findings confirm that the role of subcultures within policing is immensely important. This is also the area where gay and lesbian members of police often hold an important role in shaping the attitudes of heterosexual colleagues towards homosexuality, but also in communicating the diversity agenda of police to the wider public. Due to their private knowledge and experience, gay and lesbian police officers are often able to reach out directly to the LGBT community and can be particularly sensitive to sexual orientation crimes. This in turn might serve as an incentive to LGBT victims to rely on such officers and relate their experience in a relaxed manner, without anticipating possible negative outcomes. However, for gay and lesbian members of the police to act as a liaison between the police and LGBT minority, police work setting must provide them with conditions in which they feel comfortable addressing their sexual orientation, both in the workplace and when liaising with the members of the LGBT community.

Studies suggest that due to the specific nature of police work that is characterised by teamwork, participation and cooperation (O'Neill & McCarthy, 2014; Patterson, 2004), on-the-job contact is essential to address such prejudice and promote the idea that lesbian women and gay men are trustworthy, equal and can perform adequately as police officers. On-the-job contact is also highly correlated with positive perceptions of LGB people in general, and might reduce anti-gay hostility in the personal lives of members of the police. Drawing on Allport (1954), Bernstein and Swartwout (2012) for example discuss "equal status within the situation" and "the potential for the interactants to become friends" (p. 1151) as two of the five optimal conditions for the reduction of prejudice following intergroup contact. Discourse and language also play a key role in the process of challenging negatively predisposed social constructs. Queer theorists as well as critical social theorists observe that our identities are essentially shaped by language and discourses. Butler (2004) challenges with a comment that discourses around gender never *just* discuss gender, but instead create, produce and construct it as a topic, always on a gender binary axis: "If gender is a norm, it is not the same as a model that individuals seek to approximate. On the contrary, it is a form of social power that produces the intelligible field of subjects, an apparatus by which the gender binary is instituted" (p. 48). Foucault (1978) on the other hand comments that all discourses are marked by time and setting and encompass not just what is said or communicated, but also who is speaking, their position of power (by what authority they communicate), how and in what context they communicate, and why they communicate (p. 100). He suggests that discourse produces knowledge about a topic or practice, and notes that whoever has the power to determine what is communicated about, also has the power to control what is made known about a specific subject.

Due to their position in the command structure police managers, as the key driving force of organisational change, often have the power to communicate specific knowledge to influence and change the workplace climate through management, supervision, training, and mentoring (Lobnikar et al., 2016). Hassell and Brandl, (2009) warn, however, that when allowing a certain discourse to enter a specific organisational structure, management and officers need to understand the power of words as often the language of the workplace will reflect its nature. Negative language, including offensive jokes and comments, create an atmosphere of disrespect and exclusion and for those directly affected by such language, it signals that the workplace is not their workplace and that they are outsiders. This is how

a discourse expresses power, authority and control over discussion topics, indirectly shapes the workplace climate and impacts the experiences of an organisation's members.

“In these instances, language results in more than just hurt feelings; language is an expression of power that dissects the work environment, reducing solidarity and generating a negative workplace climate where stress can have deleterious effects for the department and communities it serves.” (Hassell & Brandl, 2009, p. 424)

The data gathered for this study suggests that police managers in Slovenia are most likely to have received training and information relevant to safety concerns of gay men and lesbian women. By breaking the silence and encouraging positive perceptions of LGB identities, managers can influence how policing or police culture is developed, ideas on what constitutes a “police officer” and who is a legitimate victim of hate crime. Through discourse that openly challenges discrimination and stereotyping, managers can shape positive attitudes towards relevant social justice issues, build positive behaviours towards marginalised groups and possibly break taboos around their vulnerability to hate crime. Communication of an inclusive environment, however, doesn't only have to be facilitated by spoken statements and training. As researchers note (cf. Couto, 2013; Hassell & Brandl, 2009) clear policy statements, proper supervision and just use of sanctions in case of discriminatory behaviour all communicate bias-free police work and practice. All this can not only have a positive effect on the organisational culture and work climate, but may ultimately define how the police engage with gay and lesbian members in the workplace and ultimately relates to the victimisation experiences of minority citizens:

“(Police) forces that are performing well as gay friendly employers are more likely to be taking gay and lesbian issues into consideration in the context of police work. They are more likely to be taking action to tackle homophobic hate crime in the area, they are more likely to be engaging with LGB people in the community through independent advisory groups or drop-in sessions... challenging homophobic attitudes internally, that has a knock-on effect in terms of policing.” (Expert from victim support services, United Kingdom, FRA, 2016, p. 51)

While the policy framework guiding moral and ethical standards in police work in Slovenia emphasises values of upholding professionalism, human rights, human dignity and fundamental freedoms, in practice the absence of discourse on homosexuality communicates “shame” and “stigma”, marginalises gay and lesbian officers, puts them outside the

organisational “norm”. It also further alienates gay and lesbian citizens and prevents them for asking for help when needed. All this may send the message that the organisation lacks real commitment to changing its culture. One way to combat prejudice and negative stereotypes and create a more informed and sympathetic force that reflects the heterogeneous and diverse realities of contemporary policing is to create a culture that allows the active inclusion of minority officers and their increased visibility in the force.

This will require the police to start actively challenging conventional constructs and openly addressing set definitions of sexuality and gender, drawing attention to the fact they are socially constructed and can therefore be challenged and disputed. Once more relying on the theoretical positions of sociologists and queer theorists (cf. Butler, 1997; Kuhar, 2006, 2013) I suggest such discourse should not combat or “attack” heterosexuality but shift away from a focus on “the homosexual” as the object of scrutiny and deconstruct the concept of heteronormativity. This can have an immensely empowering effect on gay and lesbian officers and signal acceptance, showing that they “belong” and that they are welcome and accepted in the organisation. Essentially changing attitudes through inclusive and open discourse also communicates that the police and the members of the LGBT community do not “come from, and live in, separate worlds” (Burke, 1992, p. 38). Instead, as Burke suggests, inclusive policy and practice recognises that the complexity of the world we live stretches beyond exclusivity of attitudes and polarisation of ideologies and identities.

In the UK, actions to bring about meaningful police reform are reflected in the deliberate recruitment and training of gay and lesbian officers to act as “insiders” and improve police relationships with LGBT communities and victims of violence and crime (Belkin & McNichol, 2002). On the other hand, the findings of this study suggest that in Slovenia police contact with the gay men and lesbian women is largely limited to an informal communication between specific officers and a few leading members of the LGBT community, avoiding any responsibility for changing everyday practices among the police, the LGBT community or other relevant institutions concerned with community safety. I therefore argue that without a more systematic and consistent engagement that includes the emergence of an openly gay/lesbian police officer, police officers in Slovenia might be inclined to keep their beliefs and attitudes and adhere to stereotypical conceptions of gay men and lesbian women. Finally, challenging negative stereotypes and attitudes through the active recruitment of minority officers is not only a prerogative of LGBT advocates, but was proposed by the Slovene criminology almost a decade ago:

“It is imperative to introduce such subjects as ethnic tolerance into police education, at basic and advanced training levels. Police officers should be taught about the different cultures, habits and customs of people living in Slovenia. [...] Perhaps the employment of more police officers from the social groups which attract the attention of the police would be worthy of reconsideration. Like in some western countries, police officers from minority groups could deal with the problems of their specific community [...] Firstly, such police officers understand the problems and needs of such communities [...], secondly, they influence and diminish the negative attitudes and prejudices of their police colleagues.” (Meško, 2007, p. 44)

5.4 The role of police and LGBT organisations in the reporting process

Discussing the different role police and LGBT organisations have in the process of reporting, Stanko & Curry (1995) argue that, by consciously choosing not to report homophobic violence to police, victims avoid public “coming out” and therefore keep control over what is perceived as private knowledge. Addressing this tension, commentators long ago recognised the significant role gay-friendly agencies play in bridging the gap between LGBT communities and police and the fact that, as specialist support structures, they often have the knowledge base and resources to recognize and address the conflict between private and public identities (Skogan, 1984; Stanko & Curry, 1995). LGBT organisations not only encourage reporting, but may also be able to help individuals report homophobic violence through the “privacy” of the organisation and support those who wish to report the violence “publicly” to the police (Herek et al., 2002; Skogan, 1984; Stanko & Curry, 1995). Dunn (2010) further suggests that this specific role is enabled by their “already *othered*”, staff who have had to resolve for themselves the challenges to established gender and sexual norms [...]. There is no need to speak of the source, nature and impact of homophobic abuse or question the legitimacy of the incident.” (p. 202)

The findings of the present study suggest that LGB people choose which agency to engage with and report to based on the severity and nature of experienced violence, the authority and competence of agency and the desired outcome of reporting. The police’s sole authority and capability to offer an immediate response, effectively deal with criminality, protect the victim and exercise law, therefore made it a primary agency for all severe and physical

forms of bias motivated violence. On the other hand, the competence of community organisations, and particularly specialist LGBT services, to offer long term psychosocial and emotional support as well as tools for personal empowerment and reconciliation, were deemed relevant, especially in cases of homophobic discrimination or psychological violence and verbal abuse. While knowledge of the reporting and support system, in particular, familiarity with LGBT organisations and anti-hate crime programs, has some bearing on the decision to report, the data also shows LGBT organisations in Slovenia are not seen as focal points of reporting bias motivated violence and crime. In all instances where reporting was considered, the police were identified as the main agency respondents would primarily turn to. Victims are more likely to contact LGBT organisations *after* already reporting to the police.

Considering their needs in reporting to police, LGB participants overwhelmingly stressed the importance of a supportive response and the need for a sympathetic police service. This expectation also directly addresses one of the key gaps uncovered in the study with police, where some officers perceived this initial contact with citizens, especially in the reporting of minor incidents, as one of the areas where police practice could be improved. This has practical implications for police practice as it emphasises on the need to increase awareness among officers that the initial police response can either encourage or discourage reporting, as well as enable or tacitly obstruct access to further support services. This argument is further supported also by studies that note the important role of police officers in victims' experiences after a criminal victimisation. Vukadin and Matić, (2013) for example note that police officers are often perceived as "gatekeepers" who can have an important impact on victims' existing psychological status and their understanding of and dealings with the criminal justice system. The police can either provide significant support to the victim and refer them to a specialist service for professional help or might cause secondary victimisation by expressing "disinterest", "ignorance" or "attributing blame to the victim". As this study has also found, a negative first contact with the police will affect not only further cooperation and relationships between the victim and a specific police officer, but also the decision to cooperate with prosecutors and other judicial agencies in the prosecution process, and might considerably affect decision to report future incidents.

Even though in this study the police are overwhelmingly considered, by gay men and lesbian women, as the main point for reporting of homophobic violence and crime, participants generally did not feel they provided a sense of safety and security in the LGBT

community or reduced the fear of homophobic violence. They were also not seen as successful in communicating their achievements and efforts in tackling hate crime, with more than half of participants admitting to not being at all familiar with police work, specifically about hate crime. Most importantly, the police were not seen as actively inviting citizens to report incidents of hate crime. This was also an area where LGBT participants were critical of work of LGBT organisations, stressing that the LGBT community should strengthen their efforts around awareness of hate crime and more actively and visibly encourage reporting. Many felt that the discussion on hate crime was generally absent and only amplified in the instances of a ‘high-profile’ hate incident.

Essentially the main difference in the perception of LGBT organisations and police agencies in responding to hate crime came down to their competence and authority in dealing with incidents. While the police were the primary agency for recording and documenting instances of hate crime and providing an immediate intervention, the crucial role of LGBT organisations was providing advice and assistance. In comparison to the police, who were largely perceived as insensitive to LGB identities and unconcerned with hate crime incidences of minor nature, LGBT organisations were seen as being able to provide “clarity”, “empathy” and “safe space” and, most importantly, a validation of victims’ sexual orientation or gender identity. Mostly, however, the findings show the central role LGBT organisations have in explaining the process of reporting and the possible outcomes. Being aware of the implications and consequences of reporting was a significant element in the decision to report homophobic violence; for many participants in this study the idea of reporting incidents was confusing and frightening process as most were all rather unfamiliar with steps and implications.

This study finds that even though there are differences in conceptualising the expectations placed on police and LGBT organisations in the process of responding to homophobic violence, both groups of actors have a central and complimentary role. To increase reporting, however, both will need to engage more actively and visibly in actions that raise awareness and actively invite gay, lesbian and bisexual people to report incidents of hate crime, including instances of verbal violence, threats and intimidation.

To conclude, I argue it is imperative that in the invitation to report violent incidents, the vulnerability and deprived status of minority communities are recognised as a considerable barrier to reporting. To effectively increase reporting rates, the relevant statutory actors will need to understand and acknowledge this status and take active

responsibility for leading the process. This call to inclusive police leadership, based on building the confidence of minorities, is further supported also by the findings of international institutions. For example, in its most recent study with public officials and professionals in education, healthcare and law enforcement, FRA (2016) emphasises the importance of the police in taking the lead in policing hate crime and homophobic violence and developing active ties with concerned communities as part of this process. FRA recognises leadership from police managers as crucial both in facilitating the development of inclusive policies to address the situation of gay and lesbian members in the police, and in providing leadership by developing and implementing procedures that combat homophobic hate crime at the operational level.

All evidence points to the fact that an effective response to hate crime and homophobic violence essentially depends upon close co-operation between the police, civil society and members of the LGBT community, which is also the main principle underlying the concept of community policing. A crucial question when examining the role of both sets of actors and how they meet the needs of the communities they serve, is therefore the extent to which the police and the members of the LGBT community can achieve consent in jointly addressing crime and safety problems. While it might take some time for police and minority communities to learn how to cooperate and address community safety problems together more effectively, I discuss some of the potential strategies for facilitating this process in the next section.

5.5 Empowered citizens: police, social work services and LGBT community cooperation

The notion that the police should connect more with civil society and that citizens are important partners in securing the well-being of the wider society is a foundation of approaches to modern policing. Garland, (2001), for example, observes that by redistributing the task of crime control and shifting responsibility, the criminal justice system is letting go of its authoritarian and hierarchical approach to crime prevention and control. Garland further suggests that by adopting an approach close to Foucault's concept of "governmentality", the state enlists *others* i.e. non-police actors to actively shape the incentives and create new forms of cooperative action responding to reduce criminal opportunities.

In the UK, the modernisation of police organisational culture resulted in an increasing number of community safety initiatives that pursued objectives relating to gay and lesbian safety and community organisation. Rather than attempting to deny homophobic violence, there was a move to open and improve the channels of communication between statutory agencies, the gay and lesbian community and the police (McGhee, 2006; Moran, 2007). Some examples of good practice include specialist police units in the form of gay and lesbian liaison officers, independent LGBT advisory groups and multi-agency partnerships, large networks of state and non-state agencies responding to the needs of hard to reach communities and victims of hate crime (O'Neill & McCarthy, 2014). McGhee (2003) argues that it is essential that policing of an LGBT community is embedded in inclusive policies and national action plans associated with police reformation, that are based on principles of partnership, consultation and liaison and ultimately aim to increase the visibility, participation and “active citizenship” of gay, lesbian and bisexual people. Following these objectives, examples of police cooperation with local communities and civil society from the UK emphasise inclusive initiatives that build confidence and trust and actively invite members of the LGBT community to report homophobic incidents.

The approaches mentioned above and discussed in detail in the previous chapter demonstrate varied attempts by contemporary policing to address LGBT needs, and importantly legitimise the role and responsibility of subcultures in contemporary policing. The institution of an LGBT officer presents an important opportunity for the police to draw on the diversity of its own members as a valuable resource in the recording and investigation of homophobic incidents. The establishment of independent advisory groups draws on the knowledge and experience of community representatives. Finally, multi-agency networks provide a platform for relevant state and non-state services to come together, address emerging community safety issues, facilitate transfer of knowledge, challenge mindsets and effectively develop inclusive services and programmes that empower and build the confidence and trust of the marginalised communities they are there to serve.

The dimension of active and empowered citizen is also where effective policing of LGBT minority directly addresses the role of social work services in the process of responding to hate crime, and invites social workers to be active in crime and violence prevention. Multi-agency partnerships allow and invite social and counselling services and social work practitioners working in a wide array of settings to pro-actively work on prevention, causes and the consequences of bias motivated violence. In its essence, social work as a science

and profession is based on a specific premise to support and empower marginalised, vulnerable and oppressed individuals and communities. This allows it to effectively address the issue of homophobic violence, engage in the discourse of hate crime policy development and liaise with police and LGBT communities, offering its support, expertise and knowledge from the field of victim support.

The potential emergence of cooperation and partnerships between different social actors in effectively responding to hate crime must recognise that, for a variety of reasons, gay, lesbian and bisexual people are highly reluctant to seek help from the police and other statutory actors when experiencing victimisation. As the findings of this study show, this reluctance is multifaceted but most often prompted by the stigma attached to LGB identities and the ongoing (re)production of invisibility of LGB identities in community safety initiatives and public services. Practical experience from the UK, however, suggests that building and maintaining the confidence and engagement of minority groups relies on the acknowledgement that, due to their stigmatised status, “active citizens need to be made” and deliberately approached by the structures of authority and encouraged to participate in community safety initiatives (McGhee, 2003; Moran, 2007). In this process, to reinforce the validity of homophobic victimisation, police and social services, key actors in this process, should recognise the need to launch initiatives and programs that nurture self-esteem, generate confidence and build bridges and open channels of communication. Within the Slovene context, such recognition is essential and might represent the starting point leading to a more formal and open and interaction between the LGBT community, social work professionals and the police.

Institutionalisation of partnership working is central to effective cooperation as it represents a needed shift from informal and non-binding models of collaboration. It leads from the invisibility to the visibility of the “LGB citizen” and thus carries a potential for the emergence of “LGB identities” in policing strategy and in the wider socio-cultural process characterising contemporary democracies (Moran, 2007). Subsequently, this is also a recognition and welcome acknowledgement that the lesbian, gay and bisexual people make up part of the diversity reflected by the wider community. In addition to validating the presence and voice of stigmatised communities, formal partnerships around community safety also create new networks of accountability and confer power on a disadvantaged community whose experience of engagement with state structures is essentially embedded in mistrust, social detachment and marginalisation. This can potentially lead to a situation

wherein the invisible and unacknowledged, victims of a homophobic incident, might be transformed into an empowered citizen who has confidence that when they seek help from the police and other public services, they will be taken seriously and dealt with sympathetically.

The findings of this study suggest that police respondents highly valued cooperation with local communities, seeing it as essential part of their work. Almost all respondents felt their duties should include this type of cooperation and a large majority thought that they should have more engagement with the local community and civil society initiatives. In addition, partnership between the police and other social actors has been endorsed as crucial by Slovene scholars, especially in the area of prevention and direct service provision such as advice, guidance and support (Gorenak & Gorenak, 2007). Mekinc et al. (2008) note that police efficiency and image is directly connected to organisational ability to cooperate with individuals, communities, civil society and other groups.

While some dimensions of community policing in Slovenia may still be a work in progress, key documents guiding police work such as the Organisation and Work of the Police Act (ZODPol; National Assembly of the Republic of Slovenia, 2013a) and the Police Tasks and Powers Act (ZNPPol; National Assembly of the Republic of Slovenia, 2013b) effectively emphasise four basic elements of community policing: prevention, problem solving, partnerships and organisational change. Article 35 of ZODPol (Partnership Cooperation to Ensure Greater Security) notes that the police should not only be open to cooperation on issues that relate to improving protection services in local communities but should also “establish councils, advisory committees, commissions or any other forms of partnership cooperation mutually agreed upon to ensure greater security”. In sum, the Slovene policy framework guiding police responsibilities and tasks clearly encourages partnerships with civil society. Moreover, partnership working and cooperation with citizens and local initiatives is also highly desired among the officers who participated in this study. Slovene policing therefore has all the foundations to start overcoming some of the infrastructural constraints referred to by the police respondents, to engage more actively in partnership work, to draw on diversity as a resource for violence prevention and control, and to effectively re-examine and improve its relationships with marginalised groups including gay, lesbian and bisexual communities.

5.6 Implications for social work practice

Social work's tradition, values and much of the knowledge transfer is embedded in a history of working with and for those who have little; little power, little voice, little money, and little hope (Staub-Bernasconi, 2009). Even though not all gay, lesbian and bisexual people are powerless or poor we are, I argue, consistently subjected to structural violence and discrimination and marginalisation, which shapes how we construct ourselves, our processes of socialisation, involvement with the state structures and ultimately our responses to violence. I have already demonstrated that the marginalised and disadvantaged status of sexual minorities results in many LGB people recognising homophobic victimisation differently or not recognising it at all, often normalising or minimising their experience to carry on with their day-to-day life. This dissertation has also discussed how being a victim of bias motivated violence impacts on mental health and the fact that, compared to general crime survivors, victims of homophobic crimes manifest higher levels of depression, anxiety, anger and symptoms of post-traumatic stress. Finally, the evidence also suggests that many LGB individuals experience further victimisation as the consequences of the abuse unfold, which might involve the absence of family support and the lack of effective protection (Dunn, 2010). I suggest that understanding the effect of sexual stigma and its effect on the recognition of the distinct experiences of homophobic victimisation is key to understanding not only the harmful impact of homophobic incidents but also the way in which homophobic crime can engender emotions like shame and guilt that present a serious barrier to members of the LGB community in asking for statutory support. Initiatives aiming to increase reporting rates of homophobic hate crime should therefore include a competent system of support that is theoretically and practically embedded in a discourse of confidence-building and empowerment and can address safety of the members of the LGBT community in ways that move beyond questions of reporting and a criminal justice focussed response.

As a science and profession, social work is equipped with sufficient theoretical and practical knowledge of how to employ empowering discourse, effectively challenge oppression and structural injustices, and encourage victimised communities to act collectively, to turn these experiences of violence into action and achieve social change (Healy, 2005; Swigonski, 2006). Anti-oppressive practice, enhanced by the poststructuralist perspective, provides practical as well as theoretical approaches suitable for addressing the specific situation of LGB service users and the consequences of homophobic violence. Rogers, (2012) for example comments that anti-oppressive practice is a concept that, at its core, is concerned

with promoting values of equality and social justice by challenging the power of oppression. In her study on using anti-oppressive social work practice with lesbian women Hines (2012) notes it was particularly useful in “taking and supporting action to advance both individual and structural change to improve the lives of lesbian clients” (p. 22). Both Hines and Rogers emphasise anti-oppressive practice characteristics that consider individuals’ personal, institutional, cultural, and economic background and compel the practitioner to reflect and take into account all of these factors, as well as the knowledge of how they influence individuals’ attitudes as a person living within an oppressive situation. Post-structural theory enables the practitioner to deconstruct the heteronormative, self-constructed positions/assumptions about sex, gender and sexuality in which lesbian, gay and bisexual persons are rendered as problematical against a stable heterosexual norm. This perspective can provide useful frameworks for empowering practice by supporting the capacities of service users to exercise power, rather than to focus on their relative powerlessness from a structural perspective.

The latter is particularly important in encouraging and inviting marginalised and stigmatised communities to engage with dominant structures, such as state agencies and public services, in the processes that require them to publicly legitimise and validate their stigmatised identity. To develop a comprehensive response to homophobic violence it should be recognised that in practice, “social service has always been a key part of policing while serving victims of crime” (Dean, Charles et al., 2000). Law enforcement and social work are professionally bound to serve the same target groups. This is particularly relevant in the context of modern police practice as the foundations of community policing enable and invite both police and social workers to formally combine resources and expertise and reach out to victims of crime or provide effective intervention and preventative services. Practice shows that prevention, is not part of police ‘business’ *per se*, but requires police partnerships with social services, mental health and public health agencies. In case of reported victimisation, social workers can provide immediate emotional and psycho-social support, conduct background checks, refer to other agencies when possible and/or provide counselling until specialist services are needed (Dean, Charles et al., 2000). In comparison to community organisations with often limited competence or resources, social services and practitioners are also able to officially monitor client progress and facilitate the prosecution of perpetrators when appropriate (Patterson, 2004). If a victim of homophobic violence is a minor or a young person subjected to peer or domestic abuse, social workers will have the

mandate to coordinate an educational sector response to violence or offer services for the entire family and provide mediation or follow-up services that prevent repeat victimisation (Dean, Charles et al., 2000).

To navigate this process successfully and effectively support victims, social workers need to be aware of the distinct characteristics of bias motivated violence and have knowledge of psychology of victims' reactions to attacks. This should include knowledge of the situational and psychological factors that influence reporting as well as community resources addressing homophobic violence and crime. Knowing these factors is important and can serve social workers well in diverse settings, enabling them to provide an effective response to people reporting hate incidents. On the other hand, lack of relevant knowledge or a failure to acknowledge the barriers that prevent members of the LGB community from asking for help can risk being insensitive to the increasingly well-documented institutional, organisational, and interactional disadvantages faced by the LGB minorities. Uninformed support can lead to suggesting solutions that constitute subtle but pernicious expressions of discrimination, resulting in even further oppression against those most in need of support and advocacy. To encourage reporting and be able to support the victim in their decision to report, practitioners should also have an understanding of police culture together with its authority and limitations, and be aware of its hyper masculine dimensions and how this affects the policing of minority communities. By combining knowledge of hate crime and its impact on minority populations, with an awareness of LGB identity construction and performance in heteronormative spaces, social workers can act as counsellors to police, make an importantly contribution towards raising awareness and help train police in responding to minority communities.

Fundamentally, introducing the discourse on LGB identities and the harms of homophobic violence within social work practice also carries the potential for improving service provision. Mainstream services, from welfare programmes to public administration, have been widely labelled as lacking sensitivity and knowledge of LGB concerns (Fish, 2009; Moran, 2007; Urek, 2002). Opening the social work arena to the concepts of “sexuality” and “gender” in the context of hate crime and community safety creates an opportunity for the transfer of community knowledge and experience aimed at improving agencies and organisations that service and support the LGBT community. In turn, this might also help in publicising these improvements and their increased efficiency to the LGBT community.

This dissertation therefore encourages social work practitioners and scholars to develop an active interest in examining and developing responses to hate crime and related homophobic violence, and to build on existing theoretical frameworks as well as their practical experience to mitigate the effects of homophobic victimisation. It is crucial that social work theorists and practitioners are aware they have all the tools to work on several fronts to mitigate homophobia, in the context of theory building, social work practice and within the larger homophobic society.

6. Conclusion

With the key question ‘Why don’t victims of homophobia in Slovenia report victimisation?’ in mind, this study employed a qualitative and quantitative approach to examine attitudes towards homosexuality and experiences of policing homophobic hate crime among Slovene police. Alongside this I have explored factors that influence the decision of gay, lesbian and bisexual participants to report homophobic victimisation, and defined the role of police and LGBT support services in the process of responding to homophobic violence. I also introduced three examples of good practice from England that promote visibility of LGB identities in modern policing, and defined the need for a stronger partnership between police, LGBT organisations and other state service providers in responding to homophobic hate crime and violence.

In this dissertation, the views and experiences of the LGB participants have been amplified by the views and experience of police officers. Many of the LGB participants spoke of the police’s crucial role in tackling homophobic violence, yet at the same time exuded uncertainty and anxiety when considering reporting homophobic victimisation to them. Understanding factors that influence the decision to report homophobic victimisation can tell us a great deal not only about cultural attitudes to difference, discrimination, violence and victimisation but also about perceptions of police and levels of trust that their response will be supportive and fair. It can also shed light on the effect of social and legislative discourses on individuals’ understanding of victimisation, as well as how these discourses shape LGB people’s interaction with state services. Namely, it seems the limited understanding of hate crime and violence in Slovene law enforcement policy and practice is a major reason the prospect of reporting hate victimisation (especially the incidences of verbal abuse and psychological violence that are described in this dissertation) is largely unappealing to LGB participants in this study.

The purpose of this final section is therefore to draw together what we can learn from the barriers to reporting homophobic victimisation identified in this study, and the police’s role in the process of reporting. The first part contains a summary of the main findings from this research and specifically outlines the factors that influence under-reporting and police attitudes and responses. It is the data on such issues that provides this dissertation’s original contribution to academic knowledge of reporting decisions both in the Slovene and international context. This section will be followed by a summary of the implications of this study for policing and support services and a schedule of recommendations for police and

the LGBT organisations. Lastly, I will discuss some areas where more research is needed into key conclusions drawn by this study.

I would also like to acknowledge that the key findings reported in this study were drawn from a sample of 265 LGB people who responded to the online survey or participated in the focus groups, and 251 police representatives who responded to the online survey or participated in the individual interviews. Due to the exploratory nature of this study and the mixed method approach used, the extent to which the key findings can be seen as representative of the experiences of all the lesbian, gay and bisexual members of the LGBT community or police in Slovenia is limited. Nevertheless, it is worth noting that the clear similarities in the narratives of LGB participants and police officers suggests that the experiences of both groups may be quite typical, at least in for Ljubljana where the majority worked and lived.

6.1 Responding to homophobic violence and the project of empowered citizen

The Organisation for Security and Cooperation in Europe (OSCE & ODIHR, 2014) notes that factors discouraging victims from reporting violence to the police, and those that result in incidents not being recorded as bias crimes, all lead to both under-reporting and under-recording of hate crime. When it comes to the reasons for the under-reporting of homophobic violence in Slovenia, the majority of findings from LGB participants echo the results of other studies cited in the literature review (Herek, 2009; Kuehnle & Sullivan, 2003; cf.: Peel, 1999; Wong & Christmann, 2008). These findings confirm that a consideration of whether to report homophobic victimisation is often informed by the following factors;

- the severity and intensity of any violence
- how a particular crime or incident is defined in legislation
- the extent of evidence that reporting results in a favourable outcome.

While this suggests that the decision to report victimisation is largely made based on a cost-benefit calculation that determines whether contacting the police is worth the effort, this study ultimately establishes that reporting homophobic victimisation is rarely that straightforward. Instead it finds that decisions are often reliant on many interdependent factors, which are neither universal nor static. In line with the findings of Stanko & Curry (1995) and Bernstein & Kostelac (2002), who discuss the effect of the way in which

(homo)sexuality is policed in police and toward minority citizens, participants' narratives in this study largely point to the decisive role sexual stigma plays in the decision to report homophobic victimisation. The findings establish that while the challenges associated with the reporting of homophobic incidents might be multi-causal, yet they are strongly associated with trust and confidence both in oneself and the police. As distrust or the fear of bias in police responses, concerns around disclosure of sexuality and perceptions of the police's competence in investigating homophobic violence were key factors that impacted negatively on reporting decisions. My findings also point to a problematic perception of the police and suggest that LGB people might not consider reporting homophobic abuse to police unless the harm was perceived as brutal and severe and they have been physically affected by it.

Directly addressing some of the concerns affecting the under-reporting of homophobic victimisation, my research with police suggests that most officers have very little experience with investigating homophobic incidents and lack training on the subject. As suggested by previous studies on the topic (cf.: Bernstein & Kostelac, 2002; Jones & Williams, 2013), officers were unlikely to be in contact with the members of LGBT community, which can result in diminished awareness of the distinct experiences of discrimination and oppression LGB people face, especially around their vulnerability to bias crimes. The findings also indicate that insufficient knowledge, lack of experience and institutional constraints lead to the trivialisation and undermining of incidences of non-physical violence, causing a proportion of reported homophobic incidents to be incorrectly categorised and recorded. Examining police culture, which is widely perceived as being rooted in hegemonic masculinity and heterosexist practices (Bernstein & Kostelac, 2002; Kimmel, 1994), this dissertation recognises the significant improvements in addressing discrimination and intolerance based on sexual orientation that have been made in Slovenian policing policy. The experiences of officers, however, also highlight how policy is not always translated into action at operational level, and that negative stereotypes about gay men and lesbian women persist in policing. Anti-gay comments often pass unchallenged, while discussion on LGB identities seems to generate considerable discomfort among the officers. This absence of a positive discourse and invisibility of LGB identities ultimately affects the position and visibility of gay and lesbian officers, contributes to the under-recording of homophobic victimisation, further alienates members of the LGBT community and maintains their absence in community safety initiatives.

The high levels of victimisation and background of inequality and discrimination, including the way minority groups have typically been policed, that are the daily reality of members of the LGBT communities, are all important factors to consider in understanding how we can improve relationships between LGBT communities and the police. Following the suggestions from LGB and police participants, recommendations from international institutions (cf.: FRA, 2012, 2016; OSCE & ODIHR, 2009) and UK examples of inclusive policing practice (McGhee, 2003, cf.: 2006; Moran, 2007) approaches suggested to bridge the gap between the members of the LGBT community and the police in this dissertation build on visibility, voice and presence of members of the LGBT community in police work setting and policing initiatives. Similarly, this dissertation also advances the notion that a hate crime victim's needs can rarely be met by a single agency or using a single method of intervention and argues that collaboration between various state, voluntary and independent organisations is essential in ensuring equal safety and confidence in reporting incidents and accessing support services. I have therefore also outlined social work's role in the reporting process, and discussed appropriate practical and theoretical perspectives that can assist social workers in their mission to support victims of homophobic violence in overcoming victimisation.

In building the idea of a comprehensive response to homophobic violence I also argue it is imperative that the vulnerability and non-privileged status of minority communities are recognised as a considerable barrier in the decision to report. To effectively increase reporting, I suggest that statutory actors, police and social work services should understand gay, lesbian and bisexual people as a targeted and vulnerable group and take active responsibility for developing empowering and confidence-building initiatives aimed to improve the situation. As demonstrated in the UK examples of good practice, recognition of disadvantaged status of a specific social group and increasing the visibility of minority communities in community safety initiatives is the necessary foundation for "the emergence of the active citizen" which is according to McGhee (2003) central to the objective of increased reporting.

Interlinking, sociology, criminal justice theory with social work practice and theory, and building on prior research from Slovene as well as UK / US studies on victim decision-making processes and police attitudes towards homosexuality, this study boosts our understanding of the factors that impact under-reporting and under-recording of homophobic victimisation. It also outlines the role of the police, LGBT community organisations and

social work practitioners in contemporary policing. It provides a unique insight into police culture and practices relating to perceptions of LGB identities, which so far has not been addressed by research in Slovenia. Furthermore, this dissertation proposes possible theoretical approaches that deconstruct some of the rigid and traditional values characterising police work and emphasises aspects of community policing that encourage partnerships between police and the civil society. This is also the first study in the Slovene social work arena that introduces the subject of hate crime from the perspective of reporting and victim support. By contrasting the experience and perspectives of both groups in one project this dissertation offers unique information to social work practitioners on how to efficiently address homophobic victimisation, liaise with the police in this process and effectively contribute to the project of increased reporting.

6.2 Summary of implications for policing and support services

This dissertation has suggested that what effectively distances lesbian, gay and bisexual individuals and law enforcement is bound up in two main issues. Firstly, the limited understanding of hate crime and homophobic violence and its application in both legislation and practice, has a major impact on how the harm caused by homophobic victimisation is understood. It legitimises and normalises homophobic violence, among both victims and the police. Secondly, the often unacknowledged and largely unchanged heterosexist, heteronormative and masculine dimension of police culture remains a challenge to the full acceptance of LGB identities, undermines cooperation with the members of the LGBT community and presents a barrier to more victim-oriented initiatives in Slovene police work.

Therefore, initiatives that resonate more closely with the experiences of LGB people should address the policy level gaps as well as challenging the policing of gender and sexuality. The latter particularly is an area where police could draw on gay and lesbian members of police as an organisational resource, as these units often have a key role in shaping the attitudes of their officers towards homosexuality, but also in communicating the police's diversity agenda of to the wider public (Jones, 2015; Jones & Williams, 2013). Gay and lesbian officers are often able to liaise directly with the LGBT community and might have or can develop a sensitivity to homophobic incidents. Highlighting the specific role minority officers have in advancing the core values of community policing, this dissertation calls upon police managers, as the key drivers of change for law enforcement policy and practice

(Mekinc et al., 2008; Miller et al., 2003), to initiate and sustain a positive discourse that deconstructs traditional perceptions of “gender” and “sexuality” and to change the climate of their workplace through management, supervision, training, and mentoring. Bias-free police work and practice may have a positive impact not only on the organisational culture and work climate, but will also (re)define how the police relate to victimisation experiences of minority citizens, creating a more informed and sympathetic force that reflects the heterogeneous and diverse realities of contemporary policing.

To enhance police competence in effectively responding to hate crime this dissertation recognises the need to raise awareness of the harm caused by hate crime in all its form, including minor, verbal incidents and psychological violence, through police training programmes that deal with diversity, multiculturalism and new forms of violence and crime. These programs should include, as a matter of course, content that deconstructs traditional perceptions of “gender” and “sexuality” and examines understandings of minorities and their susceptibility to bias motivated violence through a prism of vulnerability and difference (Chakraborti & Garland, 2012). Training should be mandatory for all members of the police, but particularly for the frontline officers who are most likely to be the first to respond to incidents when they are reported. To dispel the negative view among the gay, lesbian and bisexual people of the police’s likely response, efforts to promote hate crime prevention and reporting should be formalised and visibly promoted within the affected communities. In all contact with citizens, but in particularly during the process of reporting violence, officers should appear approachable, interested and should keep in touch with the victims post-reporting, providing them with adequate support measures and keeping them informed of any changes and requirements of the investigation. These are all action-orientated features of support that the LGBT community values because they constitute the empowering response that can help them overcome their victimisation (Dunn, 2010). Police should also consider the possibility of reported cases being high risk since the person reporting the violence has done so despite the significant dangers associated with being “outed” and the likelihood of receiving an “unhelpful” response.

My findings show that LGB people formulate their needs and expectations of services according to the (perceived) authority and competence of an agency and the desired outcome of reporting. While LGB people’s expectations toward the police centred on the need for an immediate and effective response to victimisation, the role of community organisations illustrated the importance of inclusive service provision, that is a visible LGBT-friendly

culture within victim support services. The participants mostly talked about their expectations of effective support in terms of services being able to overcome the ‘othering’ of LGB identities and the predominance of heterosexual norms that often prevent LGB people from being perceived as legitimate victims. This may also be the reason why LGBT organisations were viewed by LGB participants as more competent in providing effective support than the police and other statutory agencies. The findings suggest that, when reaching out to community organisations, victims will most often seek psycho-social support, clarity and empathy and safe space, where the experience of victimisation is validated and their sexual orientation is not questioned or seen as problematic. Mostly, however, the findings point to the central role LGBT organisations and victim support organisations have in explaining the process of reporting and the possible outcomes. Being aware of the implications and consequences of reporting was a significant element in the decision to report homophobic violence for many in this study, as for many participants the idea of reporting homophobic violence represented a confusing and frightening process, with majority unfamiliar with steps and implications.

On a final note, it seems apt to emphasise the importance of the visibility of anti-hate crime prevention and reporting programs. My findings show that the discourse on homophobic violence and crime as well as the invitation to report is not sufficiently visible and present in the programmes of both police and the LGBT organisations. This might lead to LGB people themselves undermining the importance of reporting this phenomenon, or feeling that there is no space where they can feel comfortable reporting and sharing their experience. This implies that both the police as well as the LGBT community should strengthen their efforts, invest more resources and engage more visibly in actions that raise awareness of the harm caused by hate crime and actively invite members of the LGBT community to report incidents.

6.3 Scientific relevance

The scientific relevance of the proposed research topic is two-fold. The study brings a unique contribution to understanding the role of victim decision making in reporting of homophobic violence. Secondly it examines structural and practical barriers that influence reporting and recording of homophobic violence in Slovenia.

To date, psychological and social-psychological accounts of homophobic violence have mostly dominated the literature. That is, scholarly contributions which mostly seek to understand the psychological impact of these incidents, along with the appropriate practical and emotional support needs for victim (Bell & Perry, 2015; Herek et al., 1999, 2002; Rose & Mechanic, 2002). Only a few contributions address the reporting behaviour and attempt to explain why some people report homophobic violence and crime, but most seem not to (Briones-Robinson et al., 2016; Peel, 1999; Wong & Christmann, 2008). In addition, homophobic violence in the context of hate crime has also not been an object of extensive theoretical inquiry in Slovenia. This study aims to address these gaps and brings important new cultural and language conceptualisations of acts of prejudiced violence into the scientific disciplines of social work, sociology and criminology.

First, rather than a legislative term, the study introduces hate crime as a social construct, and argues the commission of hate crime occurs not only as an act of direct violence, and as a result to an individual's response to difference, but also as a consequence of structural violence and a product of the social and political context that foster structural inequality and power hierarchies (Perry, 2001; Perry & Alvi, 2012). This functions as an incentive to readdress the extant sociological discourse on the topic and provides a starting point for a discussion on how prevalent heteronorm and political and social intolerance in Slovenia (Kuhar, 2013; Kuhar & Švab, 2013) influence subjective responses to homophobic violence in the contest of hate crime reporting and recording.

Furthermore, introducing hate crime as a social construct also allows this study to act as a missing link, connecting the subject of hate crime to the social work arena, thereby allowing the dissertation to argue for a more active role for social work theory and practice building on the subject. By studying hate crimes and relating them to notions of power, gender, identity, patriarchy, hierarchy and dominance, the dissertation theoretically places homophobic violence and crime in the contemporary framework of oppression and social injustices. This provides a starting point for both social work practitioners and scholars to conceptualise incidents of homophobic violence as hate crime and consider and develop practical support interventions embedded in confidence building and empowering discourse (Rush & Keenan, 2014; Swigonski, 2006). This, in turn, will contribute to the building of comprehensive support and reporting systems at the level of policy and practice.

Importantly, the study also introduces a new discourse on hate crime and homophobic violence into the field of criminology and presents an important paradigmatic shift in

traditional understanding of hate crime reminding the criminology scholarship that hate crime is not always about hate, but primarily about bias or prejudice (Perry, 2003). This new understanding relies on the recent scholarly contributions arguing for the need to define homophobic violence and crimes, in policy and practice, through the lens of “vulnerability” and “difference” rather than through criminality and criminalization of minority groups. Consequently, the goal of this dissertation is also to motivate Slovene criminology to develop theoretical approaches defining and recognising specific instances of homophobic hate crime as legitimate violence and as a dangerous manifestation of intolerance posing a serious threat to the security of individuals and to social cohesion (OSCE & ODIHR, 2009, 2013).

Finally, this study also introduces a unique scientific methodological and analytical approach. Iganski (2008), for example notes that victimisation experiences are mostly studied by means of quantitative large-scale surveys that mostly provide a static and ‘decontextualised’ picture of crime that conceals the processes behind incidents (p.10). Acknowledging the recommendations of previous studies examining reporting behaviour of victims of hate crime (Peel, 1999; Wong & Christmann, 2008), this study employs a qualitative and quantitative approach to examine both social context as well as psychological factors influencing the decision to report hate crime. By bringing social and psychological factors into the discourse on hate crime reporting, the dissertation argues for a much more inclusive and comprehensive model on crime reporting, providing a better insight into victims’ experiences and decision making and allowing the development of more efficient state and non-state responses.

6.4 Recommendations

The lack of national policy, limited understanding of hate crime in law enforcement policy, low recording rates and basic lack of case law indicate a clear gap in state responses to hate crime and homophobic violence in Slovenia. In the light of the findings of this survey, and to ensure that police can and do play their role effectively in combating hate crime and violence, this dissertation outlines several recommendations relevant for policy and practice. These recommendations are further substantiated by suggestions on improving policing of minorities found in the international literature (Ashworth, 2013; Jones & Williams, 2013; cf.: Oakley, 2005; Poláček & Le Deroff, 2011).

National policy and legislation

National anti-crime strategy (Anželj, 2012) should acknowledge hate crime, including homophobic violence, as a threat to community safety and a form of behaviour that can lead to conflict and violence on a wider scale. Such a public policy framework should explicitly outline and prioritise the role of police and empower them to effectively tackle all instances of hate crime. Any national strategy should also outline effective preventive and action measures that recognise verbal harassment, intimidation and threats as legitimate forms of homophobic victimisation that must be more proactively addressed by police and other relevant institutions. Preventative initiatives addressing hate crime and homophobic violence should encourage and facilitate the reporting of hate crime. Other potentially valuable considerations might include specifically trained hate crime officers, the establishment of independent advisory groups and setting up a national anti-hate crime network led by police and made up by police and other statutory actors as well as relevant representatives of the civil society and anti-violence programs. To establish the actual level of experience of hate crime incidents among vulnerable communities, the national strategy should also include initiatives to adequately measure monitor their frequency and nature. This should include a requirement for police to record all incidents of bias violence and crime as an identifiable category of crime, capable of specific statistical analysis. In addition to this, the national victimisation survey should include clear indicators for establishing the prevalence and nature of hate crime incidents. Monitoring and recording of bias motivated violence should allow disaggregation of data according to protected characteristics as defined by Slovene legislation such as religion, ethnicity, race, sexual orientation and gender.

A much broader understanding of hate crime and bias motivated incidents should also be applied to key criminal justice legislation such as The Criminal Code and The Protection of Public Order Act, both of which focus on policing incidents typically defined as hate speech only (Kogovšek Šalamon, 2012) rather than homophobic violence. Finally, to strengthen the message about the unacceptability of all forms of hate crimes, the Criminal Code should include, where it doesn't do so already, discriminatory motivation and intent as an aggravating circumstance in all common crimes.

Police practice

Clear procedural and practical guidance should be issued to the police on how to respond effectively to bias motivated incidents. In these guidelines, emphasis should be placed on

prioritising victims' needs including the provision of immediate victim advice and support, followed by referral to an independent agency that can provide specialist support where this exists. Such guidance should also include a requirement that the police initially record as "hate crime" any incident that they, a victim or witness perceive to be bias motivated, so that any subsequent investigation will include bias as a possible factor for victimisation.

Police officers should also receive training on the nature and significance of homophobic violence and crime, and the role of the police in combating this phenomenon. The training should outline the barriers to reporting incidences of homophobic victimisation and include references to services specifically designed for victims of homophobic hate crime. This dissertation strongly recommends that civil society representatives and experts on gender and sexuality should be involved in police training.

While all officers should be trained on how to respond to homophobic violence, individual police officers should also be appointed at a local level specifically to tackle hate crime. These specialist units should receive additional training and should be responsible for monitoring the police response to all hate crime incidents in the area, providing specialist advice where needed. These specialist units should demonstrate particular sensitivity to bias motivated incidents and liaise between police and vulnerable communities.

There should be a clear public commitment from police leadership, supported by internal directives, that the police will embrace their role in combating all forms of bias violence and crime and, including homophobic violence, and will fully and effectively use their authority under existing laws. Police leadership should also consider formalising cooperation with LGBT organisations and other minority organisations at a local level to encourage and facilitate the reporting of bias incidents, and to ensure that potentially vulnerable groups are aware of their commitment to dealing effectively with bias-motivated crime and violence.

Police initiatives should encourage and enable civil society organisations and anti-hate crime programs to work in partnership with the police in order to encourage and facilitate the reporting of homophobic violence, including setting up independent advisory committees and multi-agency networks. When setting up any multi-agency network, police should also recruit and liaise with social work professionals who will be able to provide specialist advice and support for victims and vulnerable communities.

6.5 Suggestions for further research

As the first study in Slovenia to explore the policing of homophobic violence through the lens of the experience of lesbian, gay and bisexual people and police officers, this dissertation possibly opens more questions than it answers. The literature review, for example, points to a limited understanding of hate crime, that results in the under-reporting and under recording of this phenomenon. This results in a lack of robust data on the scope, nature, prevalence and impact of this phenomenon and ultimately sends a message that no hate crimes are being committed so there is no need to take action to combat them.

Firstly, to address the invisibility of homophobic incidents and substantiate any future actions, the scope and impact of incidents on individuals and communities in Slovenia, *must* be more thoroughly researched and documented. Such research should also take into account that victims' experiences and their reactions to homophobic victimisation are rooted in gender (Dunn, 2010; D. Meyer, 2008), which further indicates the need to research male and female experiences of homophobic crime separately. An opportunity for further research might also examine how gay men and lesbian women determine that violence is based on their sexuality and study the role that masculinity plays in gay men's conceptualisation of violence together with how it might inform their decision to accept or reject support, compared with the experiences of lesbian women.

Discussing perceptions of police responses, this study identified a high level of anticipation and fear of police bias. Even though prior Slovene research (cf.: Kuhar et al., 2008), as well as the findings of this study, suggest this fear is mostly based on anecdotal and hearsay stories of oppressive police practice, this conclusion is based on the experiences of a small number of respondents. This poses an interesting opportunity for further research that focuses specifically on LGB people's reporting experiences and their engagement with law enforcement and (potentially) the criminal justice system. In turn, the police response to bias motivated incidents and particularly the way they address victims' needs also calls for a more in-depth examination. In this context, it might be interesting to examine to what extent Slovene police practice meets the provisions of the EU's directive of victim's rights⁶⁴ (Directive 2012/29/EU), which establishes minimum standards on the rights, support and

⁶⁴ Directive 2012/29/EU of the European Parliament and of The Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:per cent3A32012L0029>

protection of victims of crime, recognising also that the nature of bias-related crimes and the victim's personal characteristics including sexual orientation are an essential part of assessing their specific protection needs.

In comparison to other elements of this study, the qualitative interviews with police officers have perhaps presented as most challenging, due to high reluctance of police officers to address the main research questions of this study. Despite this barrier, the study managed to actively engage with 13 members of police suggesting that difficulties in recruiting police participants are surmountable. This might be a positive incentive for further research with police on the subject of the policing of socially marginalised communities. Most importantly however, the emerging findings of this study, relating to gay and lesbian officers, indicate that future research should bear focus on how the basic beliefs, values, and assumptions implicit within police culture impacts the workplace and career experiences of gay and lesbian police officers and shapes their decision to self-disclose.

This dissertation has also found that a discourse on hate crime, including homophobic violence, is notably absent from the Slovene social work literature and presumably also from social work practice. Extant literature suggests that in the context of raising visibility of LGB identities within social work, the most focus has been placed on discussing rights to family building (Kuhar & Sobočan, 2010; Sobočan, 2013), transition to parenthood (Sobočan, 2009) and the functioning and experiences of LGB parents and their children (Zaviršek & Sobočan, 2012). By outlining a clear role of social work profession in contemporary community safety initiatives and claiming that hate crimes and their traumatic aftermath are an important area for social work intervention, this dissertation concludes that further research initiatives should examine how hate incidences are defined and handled by social work professionals. Any future studies should focus on examining and developing preventive and intervention models that support both victims and perpetrators, and which examine approaches to effective partnership working between police and social work as an effective response to hate crime victimisation and a key aspect of the project of increased reporting.

On a final note, literature suggest transgender people's experiences with hate crime are, in many ways, different from the experiences of gay, lesbian and bisexual individuals (Cook-Daniels & Munson, 2010; STA, 2008), this is also the reason why this group is not specifically addressed in this dissertation. However, the international and Slovene literature points to this group being severely under researched, yet exposed to extreme homophobic

and sexist forms of violence. There is a clear opportunity for scholars and researchers to actively engage with this group and explore further their distinct experience of discrimination and oppression based on gender identity and gender expression.

6.6 Concluding comment

“I think this is not a common form of violence and also, we get very little incidents reported. If the numbers were higher, then I believe police would pay more attention to this phenomenon.” (Police rep 4)

The above quote sums up the main challenge addressed by this study as it points to the under-reporting and invisibility of homophobic violence which send a message that no hate crimes are being committed, so there is no need to take action to combat them. It is of course necessary, especially during the present times of heightened tension between different communities and groups, that policing should focus on the most serious incidents and incidents that are perpetrated by the most extreme individuals or groups. Obviously, such incidents are important and need to be urgently addressed. However, pursuing the aim of safe communities should not exclude policing of less extreme manifestations of intolerance as, regardless of their severity, all instances of hate crime, due to their harmful impact pose a serious threat to the security of individuals and to social cohesion. It is therefore imperative that the issue of under-reporting is highlighted as a problem that needs to be addressed, both by the communities it affects as well as the police and victim support agencies.

Various reports on discrimination and bias motivated violence note that occurrences of intolerant behaviour occur quite frequently in Slovene society, yet responses from policy and practice remain vague, unsystematic and informal. It is therefore imperative that helping professions, which have the most insight into the nature and effects of violence, conceptualise hate crime incidents and homophobic violence as a phenomenon requiring a response. They must also recognise the need to act, invest resources, contribute to policy development and develop initiatives that raise visibility and empower and enable victims to trust available support systems and come forward.

7. Vloga policije in LGBT skupnosti pri oblikovanju varnih skupnosti (daljši povzetek v slovenskem jeziku)

Uvod

Policija ne vodi posebne statistike pojavnosti homofobnega nasilja, toda raziskave kljub temu kažejo, da je več kot 60 % gejev in lezbijk v Sloveniji doživelo vsaj eno obliko psihičnega ali fizičnega homofobnega nasilja (Kuhar, 2014; Kuhar, Magić in Kogovšek, 2008). Podatki tudi kažejo, da okoli 90 % žrtev ne prijavi tovrstnega nasilja policiji ali drugim pristojnim institucijam. Kljub temu da se z nizkim številom prijav homofobnega nasilja soočajo skoraj vse članice EU (FRA, 2014; OSCE in ODIHR, 2014), se večina študij, ki preučujejo nasilje iz sovraštva, specifično homofobno nasilje, osredotoča na psihične posledice tovrstnega nasilja (Herek, Cogan in Gillis, 1999, 2002; Meyer, 2008; Rose in Mechanic, 2002). Le maloštevilni viri raziskujejo dejavnike, ki vplivajo na prijavo homofobnega nasilja, in odgovarjajo na vprašanje, zakaj nekatere žrtve prijavijo homofobne incidente, večina pa ne.

V pričujoči disertaciji si tako zastavljamo osrednje vprašanje »Zakaj žrtve homofobije v Sloveniji nasilja ne prijavljajo?« in preučimo različne dejavnike in ovire, ki vplivajo na (ne)prijavo homofobnega nasilja v Sloveniji. V raziskavi uporabljamo pristop z mešano metodologijo in črpamo iz izkušenj dveh skupin; lezbijk, gejev in biseksualnih oseb (LGB oseb) ter zaposlenih v policiji. V glavnih raziskovalnih vprašanjih smo preučevali odnos do homoseksualnosti in izkušnje s preiskovanjem homofobnih incidentov pri policiji, opredelili dejavnike, ki vplivajo na odločitev o prijavi homofobnega nasilja pri istospolno usmerjenih in biseksualnih osebah, ter ugotavljali vlogo policije in LGBT organizacij v procesu odzivanja na nasilje iz sovraštva. V študiji smo predstavili tudi nabor dobrih praks iz Anglije, ki v odgovor na nasilje iz sovraštva spodbujajo sodelovanje med policijo, drugimi javnimi službami in LGBT organizacijami, in preučili pogoje in potrebo po tovrstnem sodelovanju v Sloveniji.

Eno od temeljnih izhodišč te disertacije je, da lahko samo celovit pristop k prepoznavanju in preventivi homofobnega nasilja vpliva na zaupanje LGB oseb v državne institucije in tako dolgoročno vpliva na višje število prijav nasilja iz sovraštva pri tej skupini. Čeprav nosi glavno odgovornost za preventivo in regulativo nasilja iz sovraštva in s tem homofobnih incidentov policija (Blackbourn in Loveday, 2004; Polaček in Le Deroff, 2010), v disertaciji predstavimo socialne in svetovalne službe kot pomemben člen v procesu prijave

homofobnega nasilja. V razpravi trdimo, da odgovor na homofobne incidente ne more in ne sme biti samo odgovornost policije in prizadetih skupnosti, in predlagamo, da bi se v pobude za varnost v skupnosti vključevale tudi službe, ki so usposobljene za dajanje učinkovite podpore pri soočanju s posledicami nasilja. S tem argumentom v študiji umeščamo homofobno nasilje in njegove posledice na področje socialnega dela in dokazujemo, da ima socialno delo kot znanstvena veda in poklic primerno teoretično in praktično bazo, ki omogoča aktivno vlogo socialnih delavcev in delavk pri prepoznavi in odgovarjanju na tovrstno nasilje.

Empirično študijo smo izvedli na vzorcu 265 LGB oseb, ki so izpolnile spletni vprašalnik ali sodelovale v fokusnih skupinah, in na vzorcu 251 zaposlenih v policiji, ki so sodelovali v spletnem vprašalniku ali v polstrukturiranih intervjujih. Glede na raziskovalno metodologijo, lastnosti raziskovanih skupin in velikost vzorca ključne ugotovitve niso reprezentativne za celotno populacijo istospolno usmerjenih in biseksualnih oseb v Sloveniji ali zaposlenih v policiji. Iz nekaterih podobnosti v izkušnjah in mnenjih udeležencev obeh raziskovanih skupin pa velja sklepati, da so ugotovitve morebiti značilne, vsaj za Ljubljano, kjer je živela in delala večina udeležencev.

Disertacija je razdeljena na tri glavne dele. V prvem delu smo preučili relevantne teoretične okvirje, umeščene v sociologiji, kriminologiji, kvirovski teoriji in post-strukturalni teoriji, na katere se opiramo pri analizi podatkov in v razpravi. Predstavili smo pomembnejše konceptualne razprave in opredelili posledice homofobnega nasilja ter znane ovire, ki vplivajo na odločitev za prijavo. Preučili smo tudi obstoječe nacionalne programe in politike, ki usmerjajo delo policije na področju nasilja iz sovraštva v Angliji in Sloveniji, in predstavili praktične vidike antizatiralske prakse socialnega dela, relevantne za delo z istospolno usmerjenimi uporabniki. V drugem delu smo opisali zasnovo raziskave in glavne raziskovalne metode ter prikazali ključne empirične podatke. V razpravi primerjamo pridobljene rezultate in neposredno naslovimo nekatere ovire in pomisleke, ki vplivajo na prijavo in beleženje homofobnega nasilja, ter izpostavimo uporabnost rezultatov za delo policije ter prakso socialnega dela. V zaključku disertacije povzamemo glavne ugotovitve, oblikujemo priporočila in izpostavimo znanstveno relevantnost pridobljenih podatkov.

Raziskovalna vprašanja

Domačih in tujih virov, ki posredno ali neposredno zastavijo vprašanje, kako percepcija homofobnega nasilja kot tudi vidnost in kompetentnost prijavnega in podpornega sistema vplivajo na odločitev za prijavo, je zelo malo. Prav tako ni domačih virov, ki bi proučevali odnos zaposlenih v Slovenski policiji do gejev in lezbijk, ali dokumentirali izkušnje policistov in kriminalistov⁶⁵ s prepoznavo in preiskavo homofobnega nasilja. V ključnih raziskovalnih vprašanjih pri obeh raziskovanih skupinah smo tako naslovili vrsto tem, povezanih s prijavo homofobnega nasilja, ter sledili ugotovitvam in priporočilom obstoječih raziskav iz Slovenije, Velike Britanije in Združenih držav (glej: Bernstein in Kostelac, 2002; Goudriaan, Lynch in Nieuwbeerta, 2004; Kuhar in drugi, 2008; Peel, 1999; Wong in Christmann, 2008).

LGB udeleženci:

- 1) Kakšna je percepcija homofobnega nasilja?
- 2) Kakšna je verjetnost prijave homofobnega nasilja?
- 3) Kateri dejavniki vplivajo na prijavo homofobnih incidentov?

Zaposleni v policiji:

- 4) Kakšen je odnos do gejev in lezbijk?
- 5) Kako dobro so zaposleni v policiji seznanjeni z značilnostmi homofobnega nasilja?
- 6) Kakšne so možnosti sodelovanja med policijo in LGBT skupnostjo v procesu naslavljanja nasilja iz sovraštva in homofobnega nasilja?

Poleg tega smo v študiji tudi naslovili potrebe in pričakovanja istospolno usmerjenih in biseksualnih oseb v procesu prijave ter ugotavljali vlogo policije, LGBT skupnosti ter socialnih delavcev in delavk v družbenih procesih in praksah, s katerimi odgovarjajo na homofobno nasilje.

⁶⁵ V prevodu se izrazi, zapisani v moški slovnični obliki, uporabljajo kot nevtralni za ženske in za moške.

Ključne ugotovitve študije glede na raziskovalna vprašanja:

Raziskovalni vprašanji 1 in 2: Percepcija homofobnega nasilja in verjetnost prijave

Pri odgovoru na vprašanje o percepciji homofobnega nasilja in kako le-ta vpliva na odločitve o prijavi smo si pomagali s teoretičnim okvirom, ki raziskuje odnos med nasiljem in kulturnimi vzorci, ki ga vpelje angleški sociolog John Carter Wood (2007). V svoji teoriji Wood izpostavi, da na subjektivno opredelitev nasilja pomembno vplivajo družbeno-kulturne norme, zakonodaja, odnos kazenskopravnega sistema ter javni in medijski diskurz. Wood poudari še, da diskurz o nasilju, kot ga producirajo našteje institucije in družbeni okvirji, pomembno oblikuje tudi subjektiven odziv na nasilje. Na tem mestu sociološke teorije dodajo še, da v kontekstih, kjer zakonodaja in družbene norme legitimirajo določene oblike nasilje kot »vsakdanje«, izkušnja nasilja ne bo prepoznana kot dejanje, na katerega se je potrebno odzvati in ga prijaviti (Dwyer in Ball, 2012).

Pri raziskovanju percepcije in odziva na homofobno nasilje v Sloveniji v študiji ugotavljamo, da ozka konceptualizacija nasilja in zločina iz sovraštva v nacionalnih programih, slovenska kazenska zakonodaja, pogosto senzionalistična medijska poročanja in s predsodki zaznamovan političen diskurz, ki je redko sankcioniran, ustvarjajo okolje, kjer so lezbijke, geji in biseksualne osebe izpostavljene specifičnim primerom homofobnega nasilja, ki pogosto ni ovrednoteno kot »pravo« ali »legitimno« nasilje. Ugotovitve opozarjajo na to, da trenutno veljavna Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2012–2016 (ReNPPZK12-16) (Anželj, 2012), kazenska zakonodaja, kot sta na primer Kazenski zakonik (Republika Slovenija, 2008) ter Zakon o varovanju javnega reda in miru (ZJRM-1) (Republika Slovenija, 2006), neustrezno naslavlja nasilje iz sovraštva, predvsem specifične izkušnje LGB oseb z nasiljem, kot tudi predsodke, ki pomembno zaznamujejo izvajanje tovrstnega nasilja. Ugotovitve izpostavijo tudi odsotnost sodne prakse, kar še dodatno podkrepi ugotovitev, da bo homofobno nasilje najverjetneje ostalo nekaznovano in nesankcionirano.

Tovrstne prakse pa pomembno zaznamujejo percepcijo nasilja iz sovraštva in s tem homofobnega nasilja in negativno vplivajo na prepoznavo in odziv na, predvsem, primere psihičnega in verbalnega nasilja, kot so na primer nadlegovanje, žaljivke in grožnje. Kljub temu da je psihično nasilje najpogostejša oblika homofobnega nasilja tako v Sloveniji kot v drugih državah EU (Chakraborti in Garland, 2012; Kuhar, 2014), tovrstno nasilje pogosto ni prepoznano ali opredeljeno kot prekršek ali kaznivo dejanje. Nevidnost tovrstnega nasilja v

nacionalnih programih⁶⁶ in kazenski zakonodaji tako ustvarja okolje, kjer se na številne nasilne incidente ne odzovejo ne žrtev ne organi pregona. Tako največkrat psihični homofobni incidenti, ki imajo lahko podobne ali celo še hujše posledice za posameznika kot fizično nasilje (Herek in drugi, 1999; Meyer, 2010; Rose in Mechanic, 2002), ostanejo prezrti. Na tem mestu v študiji izpostavimo še, da izkazujejo LGB osebe v raziskavi visoko raven občutljivosti za prepoznavo homofobnega nasilja, hkrati pa tudi visoko toleranco do psihičnega, zlasti verbalnega nasilja. Udeleženci so tako pogosto trivializirali verbalno nasilje in njegove posledice kot tudi minimalizirali lastne potrebe po podpornem sistemu. Načeloma velja zaključiti, da je verjetnost prijave homofobnega nasilja tako policiji kot drugim institucijam zelo majhna, razen v primeru fizičnega nasilja, nasilja z orožjem in poškodovanja osebne lastnine.

Kulturni vzorci in pomanjkljiva zakonodaja pa ne vplivajo na ozko konceptualizacijo homofobnega nasilja samo pri žrtvah, temveč tudi pri organih pregona. Domače raziskave (Bučar-Ručman in Frangež, 2009) in ugotovitve naše študije izpostavijo, da policisti in kriminalisti v praksi dajejo neprimerno večji poudarek beleženju in preiskovanju resnejših ali fizičnih oblik kaznivih dejanj in nasilja. Zaradi različnih družbenih in institucionalnih pritiskov policisti na operativnem nivoju pogosto trivializirajo in minimalizirajo psihično nasilje, prav tako pa prezrejo motiv homofobije v procesu prijave. Tovrstna praksa pa ne vpliva samo na nizko število prijav, temveč tudi na nizko število zabeleženih homofobnih incidentov, saj tako ostanejo številni homofobni incidenti nezabeleženi, nepreiskani ali pa nepravilno kategorizirani.

Raziskovalno vprašanje 3: Dejavniki, ki vplivajo na prijavo homofobnega nasilja

Raziskovalci, ki se osredotočajo na prijavo nasilja iz sovraštva, opozarjajo, da se v procesih odločanja o prijavi tovrstnega nasilja prepleta več kompleksnih dejavnikov, ki med drugim vključujejo prepoznavo nasilja, lastnosti žrtve, naravo predsodka, odločitev o tem, kaj storiti, ter reakcijo in podporo socialnih in družinsko-sorodstvenih mrež (Wong in Christmann, 2008). Po drugi strani pa viktimološke študije izpostavljajo predvsem stopnjo resnosti in pogostost nasilja skupaj z analizo koristi in škode (*cost-benefit consideration*), kjer žrtev

⁶⁶ Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2012–2016 sicer opozarja na to, da se nasilje pojavlja v različnih oblikah (telesno, psihično, spolno, ekonomsko, zanemarjanje), vendar dokument psihičnega nasilja ne opredeli podrobno, prav tako ne opredeli LGB oseb kot ranljive skupine.

pretehta, ali je prijava policiji smiselna ali ne, kot dejavnike, ki najmočnejše vplivajo na odločitev o prijavi kateregakoli nasilja (Kaariainen in Siren, 2011; Skogan, 1984). Kot opozarjajo Goudriaan, Lynch in Nieuwbeerta (2004), pa je prevelik poudarek na pogostosti in stopnji resnosti nasilja lahko problematičen, saj negativno vpliva na razumevanje procesov, ki vplivajo na odločitev o prijavi nasilja, prav tako pa na razumevanje vloge prijavnega sistema. Denimo, če sprejmemo, da so vse žrtve pripravljene prijaviti vse resne oblike nasilja, potem ni razlogov za izboljšanje prijavnega sistema.

Goudriaan in drugi (2004) zato predlagajo, da bi morale raziskave, ki se osredotočajo na prijavo nasilja in kaznivih dejanj, bolj poudarjati vlogo dejavnikov, kot so lastnosti žrtve, dostopnost in kompetentnost prijavnega sistema, obstoj in vsebina kazenskoopravne zakonodaje ter zaupanje v policijo. Goudriaanov teoretski okvir je še posebej pomemben za diskusijo o prijavi homofobnega nasilja in kaznivih dejanj, saj tovrstno nasilje ohranjajo in spodbujajo specifični kulturni vzorci, ki imajo odločilen vpliv ne samo na izvajanje homofobnega nasilja, temveč tudi na oblikovanje identitete in izkušenj LGB oseb z diskriminacijo in zatiranjem, kot tudi na njihovo interakcijo z dominantnimi skupinami in državnimi institucijami (Perry, 2002).

Družbena klima, ki ohranja heternormativne vzorce, diskriminacijo in neenak položaj, izpostavi LGB osebe kot člane neprivilegirane skupine, ki je zaznamovana s spolno stigmo (Goffman, 1963) in je tako dovzetnejša za sistemsko nasilje, še posebej pa za nasilje iz sovraštva (Perry, 2003). Spolna stigma, kot piše Goffman (1963), pa ne opredeljuje le posameznikovega podrejenega položaja v družbi, temveč vpliva tudi na konstrukcijo spolne identitete, subjektivne projekcije in pričakovanja ter nenazadnje na interakcijo posameznikov z dominantnimi skupinami in drugimi avtoritetami. Goffman trdi še, da lahko zaradi diskreditirane in stigmatizirane identitete, ki jo definira kot »članstvo v manjvredni skupini« (str. 35), posameznik doživlja občutke krivde, sramu in podrejenosti, še posebej, kadar je stigmatizirana identiteta v konfliktu z družbeno normo, ki je temu posamezniku nedosegljiva. Ravno podrejen položaj pa zbuja dvom in neprijetne občutke, s katerimi ta posameznik pristopa k večini družbenih interakcij.

Že Stanko in Curry (1995) sta opazila, da se istospolno usmerjeni obračajo na policijo z določenimi zadržki, saj prijava homofobnega nasilja od njih zahteva potrditev izkušnje nasilja z razkritjem spolne usmerjenosti. S tem, kot pravi Goffman (1963), žrtve, kot so geji ali lezbijke, posledično tvegajo impozicijo določene in javno stigmatizirane identitete. Ugotovitve pričujoče študije potrjujejo to teorijo, saj so LGB udeleženci jasno izražali

občutke nelagodja in nesproščenosti ob možnosti samo-razkritja spolne identitete v okviru prijave homofobnega nasilja. Kljub temu da ugotovitve kažejo, da na odločitev za prijavo homofobnega nasilja močno vplivajo resnost in pogostost nasilja ter opredeljenosti določenega incidenta v kazenskopравnih mehanizmih, specifične izkušnje LGB oseb s prijavo dokazujejo, da je odločitev vse prej kot linearna in pogosto odvisna od številnih dejavnikov, ki niso univerzalni niti statični. Poleg značilnih dejavnikov kot so še lokacija incidenta, odnos med storilcem in žrtvijo, negativna ali neprijetna predhodna izkušnja s prijavo nasilja in pričakovan rezultat prijave, so LGB udeleženci predvsem izpostavili odločilno vlogo spolne stigme v procesu prijave. Na tem mestu v disertaciji ugotavljamo, da potreba po potrjevanju homofobnega nasilja s samo-razkritjem, pričakovana policijska pristranskost ter dvom, ali bo policija zadovoljivo raziskala homofobne incidente, pogosto negativno vplivajo na odločitev o prijavi homofobnega nasilja. Dejavniki, povezani s spolno stigmo, ter strah pred predsodki do policije tako pogosto presežejo značilne dejavnike in vplivajo na to, da mnogokrat ostanejo neprijavljeni tudi resnejši incidenti.

Strah in nelagodje ob samo-razkritju ter pred predsodki v odzivu policistov ob prijavi sta bila občutno močnejša pri udeležencih, ki niso razkriti pred širšo okolico. Nekateri udeleženci so izpostavili tudi pomislek, da bi zaradi slabe seznanjenosti s situacijo gejev, lezbijk in biseksualnih oseb policisti in kriminalisti ob prijavi obravnavali spolno usmerjenost žrtve kot »problem« in ne »ranljivost«, s tem pa izpostavili žrtev sekundarni viktimizaciji. v študiji sicer nismo raziskovali, do kakšne mere je ta strah upravičen, vendar pa zgodbe tistih, ki so prijavili homofobno nasilje, pričajo o tem, da policisti na prijavo pogosto odreagirajo prepočasi, delujejo nezainteresirano, žrtev pa se ob prijavi ne počuti pomirjeno in varno. Udeleženci sicer niso bili mnenja, da je policija kot organizacija homofobna, so pa menili, da policistom in policistkam manjka ozaveščenosti in znanja o specifičnih značilnostih in posledicah homofobnega nasilja ter da so negativni stereotipi in predsodki o gejih in lezbijkah v policiji navzoči. Predvsem slednja dva dejavnika pomembno vplivata na to, da geji, lezbijke in biseksualne osebe ohranjajo skoraj otipljivo nezaupanje v učinkovito in etično delo policije na področju homofobnega nasilja in se neradi obračajo po pomoč k tej instituciji.

LGB udeleženci so kot pomemben dejavnik, ki vpliva na prijavo, izpostavili tudi odnos med storilcem in žrtvijo. V študijah, ki naslavljajo to vprašanje, poročajo, da se žrtve zavedajo, da ima prijava nasilja ali kaznivega dejanja lahko določene posledice za storilca, ki je lahko zaradi tega javno izpostavljen (Kaariainen in Siren, 2011). Ugotovitve pričujoče raziskave

potrjujejo obstoječe raziskave, prav tako pa tudi da je verjetnost prijave homofobnega nasilja, ki se zgodi ali dogaja v kontekstu družine, partnerskega ali prijateljskega odnosa, občutno manjša kot v situacijah, kjer ni predhodnega odnosa med storilcem in žrtvijo. Za večino udeležencev je kompleksnost nasilja, ki se dogaja v fizično in čustveno odvisnih odnosih, ter možnost, da bo prijava prinesla nepotrebne težave tako žrtvi kot storilcu, predstavljala močno oviro pri prijavi policiji.

Raziskovalno vprašanje 4: Odnos zaposlenih v policiji do gejev in lezbijk

Pred skoraj dvema desetletjema so Umek, Meško in Abutovič (2000 v Meško, 2007) izvedli obširno raziskavo o odnosu zaposlenih v policiji do marginaliziranih družbenih skupin, v kateri ugotavljajo negativen odnos in predsodke v policiji, predvsem do etničnih manjšin in družbeno zaznamovanih skupin. Pričujoča študija pokaže, da so 16 let kasneje prvotne ugotovitve nemara še vedno relevantne ter da se slovenska policija še vedno bori s sprejemanjem »medkulturnosti« in »raznolikosti«. Da pa bi lahko razumeli odnos policijske organizacijske kulture do »različnosti« in s tem odnos do gejev in lezbijk, je najprej potrebno razumeti naravo, avtoriteto in omejitve sodobnega policijskega dela ter njegov konflikt s tradicionalnimi vrednotami na katerih sloni.

Domači viri beležijo, da je slovenska policija na prehodu v novo tisočletje z uvedbo policijskega dela v skupnosti doživela pomembno organizacijsko prenovu, ki je temeljila na moderni in vključujoči organizacijski kulturi ter sodelovanju policije s predstavniki lokalnih skupnosti in civilno družbo (Nalla, Meško in Modic, 2016; Nalla, Modic in Meško, 2014). Etični temelji sodobnega policijskega dela v Sloveniji tako načeloma odražajo standarde nediskriminatornosti, zavračajo predsodke in neenakost, temeljijo na sodelovanju policije s skupnostmi ter so osredotočeni na proaktivno reševanje problemov in preprečevanje (Borovec in drugi, 2014). Kljub liberalnim in progresivnim načelom, ki oblikujejo dolžnosti in naloge policije pa se sodobne vrednote še vedno spotikajo ob tradicionalne vzorce, ki se zgodovinsko prenašajo preko policijske organizacijske kulture.

V disertaciji ugotavljamo, da je policijsko delo v Sloveniji še vedno in pogosto pod vplivom maskuliniziranih idealov, ki karakterizirajo policijo kot poklic, ki je spolno zaznamovan. Čeprav v različnih virih (Pavček, 2011; Šega, 2011) kot tudi v pričujoča študiji ugotavljamo, da se položaj žensk v slovenski policiji izboljšuje ter da so policistke čedalje bolj enakopravne v nalogah in dolžnostih, so tako policistke kot tudi policisti v naši študiji

omenjali, da se morajo ženske še vedno bolj dokazovati tako pri delu pisarni kot tudi pri intervencijah. Ugotovitve naše študije tudi kažejo na velike razlike pri negativnih izkušnjah na delovnem mestu, kjer so policistke neprimerno bolj izpostavljene seksističnim pripombam, spolnemu nadlegovanju in izključevanju iz neformalnih mrež. Iz tega smo sklepali, da »spol« in »ženstvenost« še vedno delujeta kot pomembna komponenta spolne subordinacije znotraj Slovenske policijske organizacijske kulture.

Družbena konstrukcija »spola« in »spolnih vlog« pa je neizbežno povezana s konstrukcijo »spolnih identitet«, »seksualnosti/spolnosti« in »moškosti«. Edwards (2005 v Dunn, 2010), denimo, opozori na to, da sta v konvencionalni percepciji »spolnost« in »spol« neločljivo povezana v funkcioniranju opresivnih vzorcev. Trdi tudi, da »gejevska moškost« tako ni nič drugega kot kontradiktorna fraza, saj biti gej pravzaprav pomeni negirati moškost (Edwards 2005, str. 51 v Dunn, 2010, str. 121). Podobno Bernstein in Kostelac (2002) razpravljata o policijski kulturi, ki je zakoreninjena v hegemonski moškosti in heteroseksističnih vzorcih, ki stojijo nasproti »ženstvenosti« in tudi »homoseksualnosti«. Kimmel (1994) pa gre še dlje in trdi, da homofobija tvori osrednje organizacijsko načelo normativne definicije moškosti, saj z regulacijo spolno zaznamovanih odnosov moči med ženskami in moškimi hegemonška moškost tudi regulira spolno zaznamovana razmerja moči med moškimi.

V študiji pri raziskovanju odnosa do gejev in lezbijk v policiji sicer nismo odkrili skrajnih predsodkov do gejev in lezbijk, a rezultati kažejo na sorazmerno zaprtost policijske kulture do »drugačnosti«, navzočnost tradicionalnih vrednot ter negativnih mitov in stereotipov o gejih in lezbijkah. Izkušnje policistov in kriminalistov v raziskavi tudi potrjujejo odsotnost objektivne in pozitivne razprave, ki bi omogočala soočanje s stereotipnimi predstavami in predsodki. Miller in drugi (2003) opažajo, da odsotnost razprave o homoseksualnosti, izključevanje iz neformalnih mrež na osnovi (percepcije) spolne usmerjenosti ali siljenje v »moške pogovore« (str. 360), da bi se izognili spolni stigmati, občutno povečuje heteroseksistične in heternormativne vzorce v delovnem okolju. Občutno nelagodje med respondenti ob raziskovanju te teme ter nizka pripravljenost za sodelovanje v neformalnih intervjujih še posebej kažeta na to, da se policija v Sloveniji še vedno spotika ob konvencionalne percepcije »družbenega spola« in »spolnosti« ter ohranja heternormativne in tradicionalne vrednote, ki pomembno vplivajo na percepcijo gejev in lezbijk v policiji.

Ugotovitve tudi kažejo na visok nivo zaskrbljenosti udeležencev raziskave ob misli na samo-razkritje spolne usmerjenosti sodelavke ali sodelavca v delovnem okolju. Večina respondentov spletnega vprašalnika je menila, da bi razkritje lahko negativno učinkovalo

tako na posameznikovo kariero, produktivnost in dobro počutje kot tudi na moralo delovnega okolja. Tuji viri (glej: Bernstein in Swartwout, 2012; Jones in Williams, 2013; Lyons in drugi, 2008), ki raziskujejo vključenost istospolno usmerjenih v policiji, pa dokazujejo, da je tovrstna zaskrbljenost večinoma pretirana in da samo-razkritje pogosto nima negativnih učinkov na posameznika ali delovno okolje. Nasprotno, izkušnje in deloma tudi ugotovitve te disertacije kažejo na to, da samo-razkritju v policiji običajno sledi »tihi proces normalizacije« (Belkin in McNichol, 2002, str. 63).

Negativni odzivi in zaskrbljenost ob možnosti, da homoseksualnost v delovnem okolju postane vidna, še bolj odrinejo spolnost in s tem homoseksualnost na margino in jo stigmatizirajo kot nekaj »zasebnega«, nekaj kar ne spada na delovno mesto. kvirovska in poststrukturalistična teorija v nasprotju s tovrstnimi praksami predlagata, da je »spolnost« vedno vidna in vedno javna (Moran, 2007). Odsotnost razprave o homoseksualnosti ne prikrije razprave o »spolnosti«, temveč, kot pravi Moran (2007), ustvari in re(producira) hegemonsko heteroseksualnost tako v širši družbi, in kot ugotavljamo v tej disertaciji, v policiji. Nenazadnje odsotnost razprave o spolnosti in homoseksualnosti v policiji ni pravzaprav nič novega, temveč le odsev obstoječe družbene percepcije »spolnosti« in »spola«, ki se jo (re)producira v tem specifičnem okolju.

Eno od razlag za (re)produkcijo tradicionalnih vrednot v policiji lahko najdemo v teoriji novega institucionalizma, ki označuje organizacije, kot je policija, za diskretne enote s specifičnim organizacijskim etosom in normativnimi standardi, ki držijo svoje člane »pod nadzorom« z različnimi mehanizmi nadzora, na primer s hierarhijo in sankcijami (Monroe, 2007). Respondenti so opisovali policijsko organizacijsko kulturo kot »rigidno hierarhično strukturo« ter govorili o specifičnem značaju policijske kulture, ki, kot ugotavlja tudi Reiner (2010 v Couto, 2013), od svojih članov zahteva »sprejem in podrejenost določenim vrednotam, obnašanjem, simbolom, ritualom in praksam« (str. 116), ki so značilne za policijo in preko različnih metod prenesene na nove člane. Tako lahko ugotovimo, da morebitnega diskriminatornega vedenja, mnenj ali predsodkov v policiji ne oblikujejo le zunanji, kulturno-politični vzorci in subjektivne izkušnje zaposlenih, ampak tudi narava poklica ter organizacijska in poklicna kultura. V okoljih, kjer organizacijska kultura spodbuja negativne stereotipe ali odsotnost razprave o homoseksualnosti, pa to lahko pomembno vpliva na odnos zaposlenih do gejev in lezbijk in tudi na odnos do istospolno usmerjenih in njihove vključitve v delovno okolje.

Čeprav v pričujoči študiji nismo neposredno raziskovali izkušnje istospolno usmerjenih v policiji, ugotovitve potrjujejo, da je vloga subkultur v policijskem okolju zelo pomembna. Geji in lezbijke v policiji imajo namreč pomembno vlogo pri oblikovanju odnosa heteroseksualnih članov policije do homoseksualnosti in tudi pri sporočanju širši javnosti, kakšen odnos ima policija do različnosti (Couto, 2013; Jones in Williams, 2013). Subjektivna izkušnja (isto)spolne usmerjenosti pogosto tudi omogoča tem policistom in policistkam lažjo in neposredno povezavo in komunikacijo s člani LGBT skupnosti. Vidnejše delovanje gejev in lezbijk v policiji ima tudi pomembno vlogo pri dvigovanju zaupanja v delo policije pri žrtvah homofobnega nasilja, saj sporoča, da je policija odprta za specifične potrebe in pričakovanja LGBT skupnosti. Žrtve homofobnega nasilja se na takega policista lahko obrnejo in mu brez zadržkov zaupajo svojo izkušnjo, ne da bi pričakovale negativne posledice. Da pa bi lahko funkcionirali kot vezni člen med policijo in LGBT skupnostjo, mora policijska kultura istospolno usmerjenim nuditi pogoje, ki jim omogočajo, da brez zadržkov govorijo o spolni usmerjenosti tako v kontekstu delovnega okolja kot tudi v kontekstu podpore žrtvam.

Glede na hierarhično strukturo policije imajo zaposleni na vodilnih položajih ter policijski managerji največkrat najboljše izhodišče za uvedbo sprememb in prenos specifičnih znanj in navodil, ki lahko soočajo zaposlene z negativnimi stereotipi in predsodki ter tako pozitivno vplivajo na sprejemanje istospolno usmerjenih v policiji (Jones, 2015; Jones in Williams, 2013). Z odpiranjem in vzdrževanjem objektivne razprave o homoseksualnosti ter mentorstvom, supervizijo in usposabljanji, ki temeljijo na načelih, ki omogočajo večjo vidnost istospolno usmerjenih v policiji, policijski managerji lahko bistveno vplivajo na spremembo policijske kulture in percepcijo tega, »kdo je lahko pravi policist« ter »kdo legitimna žrtev nasilja iz sovraštva«. Preko komunikacijskih strategij, ki odprto naslavlja diskriminacijo, stereotipe in predsodke, lahko managerji vplivajo na pozitivne vrednote in vedenje do družbeno marginaliziranih skupin. Nediskriminatorne in vključujoče komunikacijske strategije pa morajo vključevati tudi jasne interne politike, ustrezen nadzor ter sankcije v primeru diskriminatornega vedenja. Vse to posreduje etično in pravično policijsko delo in prakso ter sporoča, da policijska kultura enakovredno varuje in sprejema istospolno usmerjene (Couto, 2013; Hassell in Brandl, 2009).

Da bi učinkovito naslovili vrednote policijske reforme, ki jih je prineslo policijsko delo v skupnosti, naslovili predsodke v policiji ter povezali policijo in LGBT skupnost, je policija v Angliji razvila pristope, ki spodbujajo namerno rekrutacijo predstavnikov manjšin v

policijo, omogočajo in zvišujejo vidnost gejev in lezbijk v policiji ter ustanavljajo posvetovalna telesa in večpartnerske mreže (Belkin in McNichol, 2002). Ugotovitve te raziskave pa kažejo, da je v Sloveniji stik med policijo in manjšinskimi skupnostmi večidel omejen na sodelovanje z romsko skupnostjo, v primeru LGBT skupnosti pa opredeljen z večinoma neformalno komunikacijo med specifičnimi policisti ter nekaj vodilnimi aktivisti, predstavniki LGBT skupnosti (Magić, 2012; Nemec, 2014). Tovrstne oblike sodelovanja pa ne vpeljujejo nobenih odgovornosti in dolžnosti za izvrševanje potrebnih sprememb nena strani policije ne na strani LGBT skupnosti. Disertacija zato dokazuje, da je sistematizirano sodelovanje med policijo in LGBT skupnostjo ter večja vidnost gejev in lezbijk v policiji potrebna, da se presežejo negativni stereotipi o gejih in lezbijkah ter dvigne zaupanje članov LGBT skupnosti v odprto in vključujočo policijsko kulturo. Nenazadnje pobuda o sistematičnem sodelovanju policije z manjšinskimi skupnostmi ter o aktivnem rekrutiranju manjšin v policijo ni samo ena od vodilnih misli te disertacije, temveč pristop, ki ga med drugim predlaga tudi slovenska kriminologija:

»Morebiti bi bilo vredno razmisliti o tem, da bi zaposlili več policistov in policistk iz družbenih skupin, ki so v interesu policije in njenega dela [...] Kot v nekaterih zahodnih državah, policisti iz manjšinskih skupin lahko bolj učinkovito naslovijo problem manjšinske skupnosti [...] Tak policist lažje razume probleme in potrebe manjšinske skupnosti ter vpliva na negativen odnos in predsodke svojih kolegov.« (Meško, 2007: 44)

Raziskovalno vprašanje 5: Kako dobro so zaposleni v policiji seznanjeni z značilnostmi homofobnih incidentov?

Mednarodne varnostne organizacije kot tudi raziskovalci opozarjajo na ključno vlogo policije ne samo pri implementaciji kazenske zakonodaje, temveč tudi pri pobudah, ki se osredotočajo na sistematično beleženje, nadzor in preiskavo nasilja iz sovraštva (FRA, 2012; Iganski, 1999; ODIHR, 2016). Kot kažejo pretekle raziskave ter ugotovitve te študije, pa je policija še vedno spolno zaznamovan poklic in kot taka predstavlja določen izziv za istospolno usmerjene in biseksualne osebe ter njihove potrebe tako v procesu prijave homofobnega nasilja kot tudi v strategijah, ki naslavlja varnost v skupnosti. Bernstein in Swartwout (2012) poudarjata, da sta odziv in pristop policije k nasilju iz sovraštva in njegovim oblikam močno odvisna od programa treningov in usposabljanj, internih pravil in politik ter policijske kulture in okolja, v katerem dela.

Viri, ki raziskujejo učinkovitost usposabljanj, namenjenih zaposlenim v policiji, beležijo, da kljub nekaterim dobrim praksam večina usposabljanj, ki posredno ali neposredno zadevajo področje nasilja iz sovraštva, temelji na generičnih programih, ki se osredotočajo na koncepte medkulturnosti, rasizma in diskriminacije (Oakley, 2005; Poláček in Le Deroff, 2010; Poláček in Le Deroff, 2011). Podobne izkušnje je imela velika večina respondentov v pričujoči raziskavi, saj ugotovitve kažejo, da več kot tri četrtine vseh sodelujočih v raziskavi v okviru usposabljanj ni prejelo nobenih ali pa zelo malo informacij o homofobnem nasilju ali položaju lezbijk, gejev in biseksualnih oseb v Sloveniji. Ugotovitve naše raziskave potrjujejo tudi, da je statistično večja verjetnost, da bodo usposabljanja s tovrstno tematiko primarno namenjena vodilnim v policiji ter policijskim managerjem. Vendar pa izkušnje respondentov v raziskavi opozarjajo na to, da so informacije redko posredovane navzdol, policistom in kriminalistom na postajah, tistim, ki najverjetneje prihajajo v stik z žrtvami homofobnega nasilja. Pridobivanje relevantnih informacij, ki pripomorejo k uspešni in kvalitetni preiskavi homofobnega nasilja, je tako največkrat odvisno od osebne motivacije, interesa ter predanosti posameznega policista.

Respondenti so tudi delili izkušnje z beleženjem in preiskovanjem homofobnega nasilja. Večina je menila, da še niso preiskovali homofobnega incidenta. Kljub pomanjkljivim usposabljanjem ter skupim izkušnjam z beleženjem in preiskovanjem homofobnih incidentov pa večina respondentov v raziskavi meni, da bi znali prepoznati homofobno nasilje in nanj ustrezno odreagirati. Ta samoocena je posebej zanimiva tudi zato, ker ugotovitve te študije kot tudi domače raziskave potrjujejo, da udeleženci v raziskavi večinoma niso v rednem stiku s člani LGBT skupnosti in so slabo seznanjeni z zgodovino zatiranja, sistemsko diskriminacijo ter drugimi oblikami nasilja nad lezbijkami, geji in biseksualnimi osebami (Magić, 2012; Nemec, 2014). Nekateri od respondentov so sicer prepoznali, da žrtve nasilja iz sovraštva v procesu prijave in tudi po prijavi potrebujejo specifično podporo, vendar so izpostavili tudi, da v policiji ni posebnih predpisov, ki bi posebej opredelili pristop k posameznikom, ki prijavijo nasilje motivirano s predsodki, ter da institucionalne omejitve in ustaljena policijska praksa načeloma ne spodbujata odklona od ustaljenih praks. Respondenti so poudarili, da policija ne razlikuje med nudenjem podpore žrtvam nasilja glede na motiv ali predsodke in da pristopajo k vsem prijavam na enak način. Zaradi specifične narave nasilja iz sovraštva kot tudi njegovih posledic pa tak pristop k prijavi lahko ključno vpliva na samoprijavo nasilja in tudi na kasnejše sodelovanje žrtve s policijo ali drugimi organi v sodno-pravnih postopkih.

Policisti in kriminalisti, ki so se v sklopu raziskave razkrili kot istospolno usmerjeni, so menili, da so zaradi lastne izkušnje kot gej ali lezbijka bolje opremljeni za prepoznavo in preiskovanje homofobnih incidentov. Menili so tudi, da so bolj seznanjeni s potrebami in pričakovanji LGBT skupnosti v procesu prijave in podpore. Čeprav osebna okoliščina spolne usmerjenosti še ne pomeni, da so geji in lezbijke v policiji avtomatično bolj usposobljeni za delovanje na področju nasilja iz sovraštva, tuji viri vedno bolj prepoznavajo ključno vlogo, ki jo imajo tovrstni policisti pri ugotavljanju potreb žrtev homofobnega nasilja in pri oblikovanju ustreznih pristopov podpore (glej: Couto, 2013; Miller, Forest in Jurik, 2003; Wolff in Cokely, 2007). Raziskave potrjujejo še, da imajo geji in lezbijke v policiji tudi ključno vlogo pri izobraževanju sodelavcev o specifikah homofobnega nasilja, saj lažje pridobijo ključne informacije o incidentu ter delujejo kot zagovorniki žrtev v procesu prijave.

Kljub temu da zakonodajni okvir in načela, ki usmerjajo policijsko delo v Sloveniji, odražajo sorazmerno ozko percepcijo nasilja iz sovraštva in s tem homofobnega nasilja, po drugi strani jasno zapovedujejo nediskriminatoren pristop, ki temelji na spoštovanju človekovih pravic in dostojanstva tako v delovnem okolju kot tudi v procesih prijave in preiskave kaznivih dejanj in prekrškov. To pa omogoča praktično osnovo za razvoj pobud, ki učinkovito odgovarjajo na nasilje iz sovraštva in temeljijo na sistematičnem in formalnem sodelovanju in partnerstvu z različnimi predstavniki manjšin in civilne družbe, vključno z LGBT skupnostjo (Državni zbor Republike Slovenije, 2013a, 2013b).

V kontekstu argumenta, da je sodelovanje med policijo in LGBT skupnostjo potrebno in zaželeno, pa moramo tudi prepoznati, da lahko tovrstne partnerske pobude predstavljajo izziv tako LGBT skupnosti kot tudi policiji. Tovrstno sodelovanje lahko namreč postavi zatirano manjšino nasproti dominantni skupini, katere misija, struktura in kultura še vedno spodbujajo in odražajo določeno hegemonijo in interne norme, ki lahko škodujejo konstrukciji identitet lezbijk, gejev in biseksualnih oseb. V nadaljevanju zato razpravljamo o dobrih praksah, ki temeljijo na opuščanju in dekonstrukciji heteronormativnih in heteroseksističnih standardov v policiji, prepoznavajo različnost kot pomemben vir za družbeno kohezijo in spodbujajo prenos znanj in dobrih praks. Predstavljeni pristopi med drugim tudi združujejo policijo, socialne in svetovalne službe in člane LGBT skupnosti in so pomembno vplivali na vsakdanje delo policije pri preprečevanju in zatiranju homofobnega nasilja v Angliji.

Raziskovalno vprašanje 6: Kakšne so možnosti sodelovanja med policijo in LGBT skupnostjo, v procesu naslavljanja nasilja iz sovraštva in homofobnega nasilja?

Pobuda, da bi se morala policija bolj povezovati s civilno družbo in da so občani pomembni partnerji pri zagotavljanju dobrobiti in varnosti v družbi, je eden temeljev sodobnega policijskega dela. Garland (2001), na primer, piše o tem, da z redistribucijo nalog preprečevanja in zatiranja kriminalitete, organi pregona opustijo avtoritativen in hierarhični pristop k preprečevanju in zatiranju kriminalitete in povabijo druge družbene akterje, da aktivno (so)oblikujejo pobude, ki naslavljajo varnost v skupnostih. Vendar pa policijski poklic in kultura nista (bila) vedno vključujoča do drugih družbenih akterjev, predvsem kar zadeva predstavnike marginaliziranih skupin. Viri tako opominjajo na zgodovinsko preganjanje in zatiranje mnogih manjšinskih skupin, tudi istospolno usmerjenih, ki so bile pogosto tarča opresivne policijske politike (Chakraborti in Garland, 2009; Perry, 2001).

Da bi presegla negativne izkušnje in učinkovito naslovila cilje sodobne reforme, policija v Angliji razvija številne iniciative na področju preventive, zaščite in podpore žrtvam nasilja iz sovraštva, ki med drugim zasledujejo tudi cilje, pomembne za LGBT skupnost. Dobre prakse, tudi preko ustanovitve funkcije LGBT policista, povečujejo vidnost gejev in lezbijk v policiji in nosijo pomembno sporočilo, da policija sprejema istospolno usmerjene v svojih vrstah ter nudi sistem podpore v okviru prijave homofobnega nasilja. Po drugi strani pa ustanavljanje neodvisnih LGBT posvetovalnih teles v okviru policije omogoča LGBT skupnosti, da aktivno sodeluje in svetuje policiji pri preiskavi homofobnih incidentov. Omeniti pa velja tudi večpartnerske mreže, ki jih vodi policija; sestavljajo jih tako vladne kot nevladne organizacije in so ustanovljene z namenom naslavljanja nasilja iz sovraštva in tudi razvijanja podpornega sistema (McGhee, 2003; Moran, 2007). V okviru evalvacije učinkovitosti teh praks McGhee (2003) poudari, da je nujno, da vsakršno sodelovanje policije z manjšinskimi skupnostmi temelji na vključujočih načelih, ki spodbujajo formalizacijo in sistematizacijo sodelovanja, in stremijo k večji vidnosti in udeležbi LGB oseb tako v policiji kot tudi v okviru pobud, ki odgovarjajo na nasilje iz sovraštva.

Dobre prakse, o katerih podrobneje razpravljamo v poglavju 4.7 pričujoče disertacije, predstavljajo tri različne načine sodobnega policijskega dela, ki aktivno naslovijo potrebe LGBT skupnosti in potrdijo pomembno vlogo in odgovornosti subkultur v sodobnih procesih preprečevanja in zatiranja kriminalitete. Vidnejša vloga gejev in lezbijk v policiji ter institut LGBT policista predstavljata pomembno priložnost za policijo, da prepozna in gradi na različnosti, ki jo ima v lastnih vrstah. Na drugi strani ustanovitev neodvisnih

posvetovalnih LGBT teles črpa iz znanja in izkušenj članov LGBT skupnosti in jih legitimira kot pomemben vir informacij pri procesih, ki naslavljajo varnost v skupnostih. Nenazadnje večpartnerske mreže oblikujejo platformo za sodelovanje tako policije, socialnih ali svetovalnih služb kot tudi predstavnikov civilne družbe ter jih povabi k skupnemu oblikovanju odgovorov na moderne oblike nasilja in kriminalitete ter druga vprašanja, povezana z varnostjo v skupnosti. Večpartnerske mreže, ki specifično odgovarjajo na nasilje iz sovraštva, so tudi pomembne za prenos znanj in dobrih praks, ki naslovijo stereotipe in predsodke in lahko vplivajo na razvoj bolj vključujočih javnih storitev in programov, ki temeljijo na opolnomočenju in zagovorništvu in tako gradijo zaupanje marginaliziranih skupin, ki jim služijo.

Večpartnerske mreže, ki odgovarjajo na nasilje iz sovraštva in ki v partnerstvo vključujejo marginalizirane skupine, pa morajo tudi prepoznati, da imajo člani manjšinskih skupnosti zaradi različnih razlogov nizko zaupanje v policijo in da pogosto odklanjajo sodelovanje s to institucijo. Strategije in pristopi, ki se osredotočajo na grajenje in vzdrževanje zaupanja manjšin v policijsko delo, morajo zato prepoznati, da je iz posameznih članov manjšinskih skupin najprej potrebno narediti »aktivne državljane«. To pa pomeni, da mora policija aktivno pristopiti in jih povabiti k sodelovanju ter oblikovati in promovirati programe, ki zagotavljajo varnost ter konsistentne, transparentne in zanesljive storitve na odprti, prijazni in pravični način. Ta disertacija ugotavlja, da je glede na nizko zaupanje v policijo ter maloštevilne prijave homofobnega nasilja v slovenskem kontekstu oblikovanje »aktivnega državljana« nujno, saj lahko predstavlja izhodiščno točko, ki vodi k bolj formalni in odprti interakciji med LGBT skupnostjo, socialnimi in svetovalnimi službami in policijo.

Ugotovitve te študije kažejo, da policisti in kriminalisti v vzorcu visoko cenijo in si želijo sodelovanja s predstavniki civilne družbe in tudi z lokalnimi skupnostmi ter da tovrstno sodelovanje razumejo kot bistven del svojih nalog. Večina je tudi menila, da bi moralo biti več sodelovanja med policijo, lokalnimi skupnostmi ter civilno družbo, vključno s predstavniki LGBT skupnosti. Tovrstna partnerstva, še posebej na področju preventive in neposrednih storitev, kot so na primer nasveti in podpora, pa so bila izpostavljena kot ključna tudi med domačimi raziskovalci (glej: Gorenak in Gorenak, 2007). Nenazadnje Mekinc in drugi (2008) poudarijo, da sta učinkovitost policije in njen ugled naposredno povezana z njeno organizacijsko sposobnostjo, da sodeluje s posamezniki, skupnostmi, civilno družbo in drugimi iniciativami. Tuji viri pa opozarjajo, da je sodelovanje policije z drugimi akterji v družbi pogosto zaznamovano z različnimi izzivi, ki izhajajo tako iz policijske kulture kot

tudi policijske prakse, ki temeljita na avtoritativnih in rigidnih vzorcih preventive in zatiranja kriminalitete in sodelovanja z občani (McCarthy, 2013). Na primer, čeprav glavna načela, ki vodijo moralne in etične standarde policijskega dela v Sloveniji poudarjajo vrednote, kot so profesionalnost, človekove pravice, človekovo dostojanstvo in temeljne svoboščine, v praksi odsotnost diskurza o homoseksualnosti znotraj delovnega okolja in nevidnost gejev in lezbijk v policiji sporoča »sram« in »stigma«, marginalizira istospolno usmerjene v policiji ter posledično tudi odtuji istospolno usmerjene občane in občanke. Vse to pa lahko sporoča, da policiji manjka resnične volje za spremembo organizacijske kulture ter da je sistematizirano sodelovanje z LGBT skupnostjo morebiti nezaželeno.

Na tem mestu torej velja še enkrat poudariti zavezanost policije k partnerstvu in organizacijski spremembi. Ključni dokumenti, ki vodijo policijsko delo, torej Zakon o organiziranosti in delu v policiji (ZODPol) (Državni zbor Republike Slovenije, 2013b) ter Zakon o nalogah in pooblastilih policije (ZNPPol) (Državni zbor Republike Slovenije, 2013a) izpostavljajo štiri osnovne elemente sodobne policijske reforme, ki so preventiva, reševanje problemov, partnerstva in organizacijska sprememba. V 35. členu (partnersko sodelovanje za zagotavljanje večje varnosti) ZODPol na primer izpostavi, da: »Policijske uprave in območne policijske postaje ter organi, organizacije in institucije sporazumno ustanavljajo svete, sosvete, komisije ali druge dogovorjene oblike partnerskega sodelovanja za zagotavljanje večje varnosti«. Slovenska policija ima torej vse teoretične temelje, da začne premoščati nekatere od praktičnih, strukturnih in kulturnih ovir, se aktivneje angažira v sodelovanju z manjšinami ter sprejme različnost v svojih vrstah kot vir lastnih informacij in znanja, ki ji lahko pomembno pomaga pri preventivi in zatiranju kriminalitete.

Uporabnost podatkov za prakso socialnega dela

Tradicija socialnega dela, vrednote in prenos znanj temeljijo na zaščiti in opolnomočenju tistih, ki imajo malo – »malo moči, malo glasu, malo denarja in malo upanja« (Staub-Bernasconi, 2009, p. 14). Čeprav niso vse LGBT osebe brez moči ali brez denarja, ta disertacija dokazuje, da so istospolno usmerjeni konsistentno podrejeni družbenim pritiskom in strukturnemu nasilju, diskriminaciji in marginalizaciji, ki pomembno vplivajo na oblikovanje identitete, procese socializacije, interakcijo z državnimi strukturami in nenazadnje na posameznikov odziv na nasilje. Kot smo že omenili, marginaliziran in neprivilegiran status LGB oseb ter občutki sramu in krivde v kombinaciji z izkušnjo s

homofobnega nasilja vpliva na to, da ta manjšina pogosto trivializira homofobno nasilje in minimalizira njegove posledice. V poglavju 2.7 pričujoče disertacije pa tudi dokazujemo, da homofobno nasilje močno vpliva na duševno zdravje posameznika ter da, v primerjavi z drugimi vrstami nasilja in kriminalitete, žrtve homofobnega nasilja izkazujejo več depresije, anksioznosti in simptomov post-travmatskega stresa (D'Augelli in Grossman, 2001; Johnson, Faulkner, Jones in Welsh, 2007; McFarlane, 1998). Študije tudi dokazujejo, da so LGB osebe zaradi manjših socialnih mrež, odsotnosti podpore družine in neučinkovite podpore s strani državnih institucij pogosto izpostavljene sekundarni viktimizaciji (Johnson, 2007). Javne službe in drugi svetovalni programi, ki želijo omogočiti učinkovito in ustrezno podporo žrtvam homofobije kot tudi spodbujati prijave homofobnega nasilja, morajo nuditi kompetenten sistem podpore, ki ima teoretska in praktična izhodišča v opogumljanju in dvigovanju samozavesti in ki lahko naslovi vprašanje družbene varnosti LGB oseb na način, ki presega prijavo nasilja in procesov kazenskopravnega sistema.

Ta disertacija ugotavlja in dokazuje, da je socialno delo kot veda in poklic opremljeno s primerno teoretsko in praktično osnovo, ki omogočata razvoj tako kratkoročnih kot tudi dolgoročnih intervencij, ki opogumljajo člane neprivilegiranih in stigmatiziranih skupnosti, učinkovito naslovijo sistemsko zatiranje in strukturne nepravilnosti ter spodbujajo manjšinske skupine h kolektivnem odgovoru na nasilje (Healy, 2005; Swigonski, 2006). Ključne ugotovitve opredelijo antizatiralsko prakso socialnega dela skupaj s poststrukturalistično teorijo kot primerna praktično-teoretično okvirja za naslavljanje specifične situacije LGB oseb in njihovih izkušenj s homofobnim nasiljem in njegovimi posledicami. Rogers (2012) zapiše, da je antizatiralska praksa koncept, ki v svojem jedru naslavlja zatiranje manjšin ter promovira enakopravnost in socialno pravičnost. Hines (2012) pa v svoji študiji, ki beleži vpliv in učinke antizatiralske prakse na delo z lezbičnimi uporabnicami socialnih in svetovalnih služb, ugotavlja, da je okvir antizatiralske prakse še posebej pomemben za delo z istospolno usmerjenimi, saj naslavlja tako spremembe v notranjem svetu uporabnika kot tudi v njegovi ožji in širši okolici. Oba, Hines in Rogers, tako izpostavita lastnosti antizatiralske prakse, ki poudarjajo vpogled v posameznikovo osebno, institucionalno, kulturno in ekonomsko ozadje in obvežejo socialnega delavca, da pri delu z uporabnikom vse te dejavnike enakovredno upošteva. Antizatiralska praksa tudi spodbudi socialnega delavca, da ugotovi, kako vsi ti dejavniki vplivajo na posameznikov odnos do kulturno-socialnih in ekonomskih vprašanj ter državnih institucij. Medtem ko antizatiralska praksa pomaga pri razvoju praktičnih intervencij, ki pomagajo LGB osebam

premagati izkušnje nasilja, poststrukturalistična teorija (glej: Butler, 1993; Foucault, 1978) pomaga socialnemu delavcu premostiti morebitne predsodke in negativne stereotipe o istospolno usmerjenih, saj omogoča dekonstrukcijo heteronormativnih, samo-skonstruiranih idej o spolnosti in spolu, ki označi LGB osebe kot problematične v večinsko heternormativnem kontekstu. Tovrstna perspektiva lahko ključno vpliva na razvoj intervencij, ki temeljijo na opogumljanju in premagovanju občutkov zatiranosti, saj podpira kapacitete uporabnika, da v sebi poišče moč in jo *izvaja* (glej: Foucault, 1978), namesto da se osredotoča na lastno nemoč zaradi strukturnega zatiranja in nadzora dominantnih skupin. To je še posebej pomembno, kadar želimo spodbuditi in povabiti marginalizirane in stigmatizirane skupnosti k interakciji in sodelovanju z državnimi institucijami v procesih, ki zahtevajo javno potrjevanje njihove stigmatizirane identitete.

Dean in drugi (2000) trdijo, da so bile v praksi socialne in svetovalne službe vedno ključni del preprečevanja in zatiranja kriminalitete, predvsem v procesih podpore žrtvam. Organi pregona in socialno delo sta tako poklicno zavezana k služenju isti ciljni skupni. To je še posebej pomembna misel v kontekstu sodobne policijske reforme, saj njeni temelji vabijo socialne delavce in policijo, da formalno združijo vire in znanje ter aktivno pristopijo k žrtvam nasilja iz sovraštva in da skupaj razvijajo učinkovite intervencije in preventivne storitve. Praksa kaže, da predvsem preventivne aktivnosti že dolgo niso več samo odgovornost policije, temveč da učinkoviti pristopi k modernim oblikam kriminalitete zahtevajo partnerstvo policije s socialnimi in svetovalnimi službami kot tudi storitvami javnega zdravstva (Garrett, 2004; McCarthy, 2013; McGhee, 2003). Svetovalne službe lahko, na primer, pomembno vplivajo na prijave specifičnih oblik nasilnih incidentov na policijo. V primeru prijave nasilja lahko socialni delavci nudijo takojšnjo emocionalno in psihosocialno podporo, preverijo ozadje incidenta ter družinske in socialne mreže, nudijo svetovanje in druge specializirane storitve oziroma žrtev napotijo k ustreznim sistemom podpore (Dean in drugi, 2000). V primerjavi z akterji civilne družbe, ki imajo pogosto omejene kompetence in vire, socialne in svetovalne službe lahko uradno spremljajo napredek posameznika pri soočanju z nasiljem in tudi podpirajo žrtve v kazensko-sodnih postopkih (Patterson, 2004). Če je žrtev homofobnega nasilja mladoletna oseba ali otrok in so povzročitelji homofobnega nasilja starši ali sovrstniki, socialne in svetovalne službe lahko koordinirajo odziv šole na tovrstno nasilje ter tudi nudijo podporo in mediacijo v primeru nasilja v družini (Dean in drugi, 2000).

Za učinkovito podporo posameznika tako v procesu prijave kot tudi pri soočanju z nasiljem pa morajo biti socialni delavci dobro seznanjeni s specifičnimi značilnostmi nasilja iz sovraštva in homofobnega nasilja kot tudi s posledicami tovrstnega nasilja ter socio-psihološkimi dejavniki, ki vplivajo na odzive žrtev na tovrstno nasilje in posledično na prijavo (Swigonski, 2006). Socialni delavci naj bodo tudi seznanjeni z obstoječimi praksami in pobudami, ki odgovarjajo na nasilje iz sovraštva tako pri policiji kot tudi na strani civilne družbe in organizacij. Seznanjenost z vsemi temi dejavniki je ključna in lahko koristi socialnim delavcem v različnih poklicnih kontekstih. Neustrezne informacije in pomanjkljivo znanje, še posebej o ovirah, ki preprečujejo LGB osebam, da se obračajo po pomoč na državne institucije, namreč lahko vodi v razvoj neprimernih intervencij, ki lahko povzročijo izkušnjo diskriminacije ali sekundarno viktimizacijo žrtve s strani socialnega delavca. To pa vzbudi še dodatno izkušnjo nasilja nad tistimi, ki so najbolj potrebni pomoči in zagovorništva. In nenazadnje, da bi lahko učinkovito spodbudili žrtev k prijavi homofobnega nasilja ter ji v tem procesu nudili ustrezno podporo, morajo socialni delavci tudi poznati specifikke policijske kulture in se zavedati dimenzije »hiper-mošкости«, ki jo opredeljuje. Predvsem pa morajo poznati, kako se heteronormativni in heteroseksističnih ideali (re)producirajo znotraj policije in vplivajo na odnos policije do manjšin. Z relevantnimi informacijami o nasilju iz sovraštva ter o tem, kako se geji, lezbijke in biseksualne osebe izražajo v heteronormativnih okvirih, socialni delavci lahko ozaveščajo in svetujejo policiji in nastopijo kot zagovorniki interesov žrtve v procesu prijave.

Uvajanje diskurza o homoseksualnosti ter posledicah homofobnega nasilja v prakso socialnega dela prinaša tudi potencial za nadgradnjo programov socialnovarstvenega sistema. Tako tuji kot tudi domači viri poročajo, da socialne in svetovalne službe ter tudi službe za duševno zdravje pogosto delujejo v okviru heteronormativnih standardov in vrednot, kar povzroča nastanek tako komunikacijskih kot tudi strukturnih ovir za istospolno usmerjene, ki iščejo podporo in pomoč (Fish, 2009; Moran, 2007; Urek, 2002). Istospolno usmerjene in biseksualne osebe so tako pogosto označene kot »nevidni uporabniki socialnih ali svetovalnih služb« (Fish, 2009, str. 50). Vpeljava in dekonstrukcija konceptov, kot so »spol«, »spolnost« in »heteronormativnost« na področje socialnega dela, posebej preko pobud in intervencij, ki odgovarjajo na nasilje iz sovraštva, ustvarja priložnosti za prenos znanj in izkušenj ter vpliva na to, da so obstoječe službe bolj vključujoče do potreb in pričakovanj LGBT skupnosti.

Ugotovitve pričujoče disertacije izpostavijo tudi to, da je diskurz o nasilju iz sovraštva in tudi o homofobnem nasilju vidno odsoten tudi iz akademske literature s področja socialnega dela. V disertaciji ne trdimo, da se socialno delo kot znanost in poklic izogiba razpravi o homoseksualnosti ali LGB identitetah. Nenazadnje se je število diplomskih nalog, napisanih v okviru Fakultete za socialno delo, ki se posredno ali neposredno dotikajo vprašanja spolne stigmatizacije in LGB identitet, v zadnjem desetletju skoraj podvojilo⁶⁷. Večina akademske literature pa se vendarle osredotoča na vprašanja pravic v kontekstu istospolnih partnerstev, starševstva in oblikovanja družine (Sobočan, 2009, Kuhar in Sobočan, 2010; Sobočan, 2013) in tudi izkušenj otrok v istospolnih družinah (Zaviršek in Sobočan, 2012). Relevantni domači prispevki so še diskurz o sovražnem govoru s socialno konstruktivistične (Dragoš, 2007) in psihoanalitične perspektive (Lešnik, 2010) ter prispevek Mojce Urek (2002), ki v svoji razpravi analizira potrebe in pričakovanja gejev in lezbijk v kontekstu heteronormativnega sistema, v katerem delujejo socialne in svetovalne službe ter službe duševnega zdravlja v Sloveniji. Zelo malo diplomskih in podiplomskih raziskav pa se osredotoča na izkušnje LGBT skupnosti z neposrednim homofobnim nasiljem. V pričujoči študiji tudi nismo odkrili prispevka, ki bi utemeljeval vlogo socialnega dela v preventivi in regulativi homofobnega nasilja in kriminalitete.

Ugotovitve pričujoče disertacije zato spodbujajo socialne delavce in akademike v polju socialnega dela, da razvijejo aktiven interes do preučevanja in raziskovanja ter razvoja odgovorov na nasilje iz sovraštva ter homofobnega nasilja, da gradijo tako na obstoječih teoretskih okvirih kot tudi praktičnih izkušnjah in oblikujejo odgovore v okviru teoretskih razprav, prakse socialnega dela ter v sodelovanju s civilnimi iniciativami in policijo.

Priporočila

Ozko razumevanje nasilja iz sovraštva v kazenskoopravnih mehanizmih, nacionalnih programih, ki narekujejo preventivo in regulativo nasilja in kriminalitete (Anželj, 2012), in odsotnost sodne prakse na temo sporočajo, da ima nacionalni okvir, ki narekuje naloge in dolžnosti policije, še veliko prostora za izboljšanje. V kontekstu ugotovitev te raziskave, ki ocenjujejo vlogo policije na področju odgovarjanja na homofobno nasilje, smo tako oblikovali priporočila, ki zadevajo tako zakonodajni okvir kot tudi prakso policijskega dela. Predlagana priporočila so tudi v skladu s smernicami za izboljšanje policijske prakse in

⁶⁷ Vir: : <http://ediplome.fsd.si/search/7>

sodelovanja z manjšinami, ki jih predlagajo strokovnjaki s področja ter mednarodne organizacije (glej: Ashworth, 2013; Jones in Williams, 2013; cf.: Oakley, 2005; Poláček in Le Deroff, 2011).

Nacionalna strategija in zakonodajni okvir

Naslednica Resolucije o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2012–2016 (Anželj, 2012) naj jasno prepozna homofobno nasilje kot nasilje iz sovraštva ter kot pojav, ki ogroža varnost v skupnostih in lahko vodi v konflikte v širši družbi (OSCE in ODIHR, 2014).

Nacionalni program naj tudi očrta naloge in dolžnosti policije pri preventivi in zatiranju nasilja iz sovraštva ter predlaga uvedbo mehanizmov, ki omogočajo policiji opravljati to nalogo, ter predlaga učinkovite pristope, ki prepoznajo oblike psihičnega nasilja, kot so verbalno nasilje, nadlegovanje in grožnje kot legitimne oblike homofobnega nasilja. Preventivne strategije, ki se odzivajo na nasilje iz sovraštva in homofobno nasilje naj aktivno omogočajo in spodbujajo prijavo tovrstnega nasilja.

Nacionalni program naj tudi predlaga ustanovitev funkcije manjšinskega policista oziroma enot, ki so usposobljene za delo z žrtvami nasilja iz sovraštva, ustanovitev manjšinskih posvetovalnih teles znotraj policije ter ustanovitev nacionalne večpartnerske mreže proti nasilju iz sovraštva, ki jo vodi policija in jo med drugim sestavljajo socialne in svetovalne službe, službe za duševno zdravje ter predstavniki civilne iniciative, ki delujejo na področju nenasilja.

Nacionalni program naj vključuje pobude, ki spodbujajo razvoj raziskovalnih programov, ki beležijo pogostost in naravo nasilja iz sovraštva. Ta naj vključuje tudi zahtevo, da policija beleži vse incidente z motivom predsodka ali sovraštva, kategorizirane glede na osebno okoliščino in na način, ki omogoča nadaljnjo statistično obdelavo podatkov. Nacionalne viktimološke študije naj vključujejo jasne kazalnike, ki merijo pogostost in naravo nasilja iz sovraštva in omogočajo kategorizacijo podatkov glede na ranljive osebne okoliščine, kot so opredeljene s slovensko zakonodajo: vera, rasa/etnično poreklo, spolna usmerjenost in spol.

Ključna mehanizma kazenskopravnega sistema, torej Kazenski zakonik ter Zakon o varovanju javnega reda in miru (ZVJRM-1), naj vključujeta širšo definicijo nasilja in incidentov iz sovraštva, saj se oba mehanizma osredotočata predvsem na preganjanje sovražnega govora (Kogovšek Šalamon, 2012) in tako izpustita številne incidente,

zaznamovane s predsodki. Kazenski zakonik naj vključuje predsodek kot motiv in kot otežujočo okoliščino pri vseh kaznivih dejanjih.

Policijsko delo

Vodstvo policije naj razvije jasna navodila in praktične smernice za policiste in kriminaliste na postajah za to, kako prepoznati, zabeležiti in se pravilno odzvati na nasilje iz sovraštva. Smernice naj tudi jasno izpostavijo potrebe žrtve v procesu prijave in po prijavi, vključno z navodili, kako nuditi učinkovito podporo, ter informacijami o morebitnih neodvisnih organizacijah, ki lahko nudijo specializirano podporo. Smernice naj tudi vključujejo potrebo, da se kot nasilje iz sovraštva zabeleži in preiskuje vse incidente, pri katerih žrtve v procesu prijave opozorijo na motiv iz sovraštva ali predsodek.

Policisti in kriminalisti naj se udeležijo usposabljanj, katerih programi se osredotočajo na homofobno nasilje in njegove posledice za posameznika in tudi za varnost v skupnosti. Program usposabljanja naj tudi vključuje poudarek o vlogi policije pri preventivi in zatiranju tovrstnega nasilja ter informacije o dejavnikih, ki negativno vplivajo na prijavo tovrstnega nasilja pri istospolno usmerjenih in biseksualnih osebah. Nenazadnje pa naj usposabljanja tudi nudijo informacije o specializirani podpori in svetovalnih službah, ki lahko nudijo pomoč in podporo žrtvam po prijavi. Ugotovitve te disertacije močno priporočajo, da tovrstna usposabljanja razvijejo in v njih sodelujejo predstavniki civilne družbe ter akademiki, strokovnjaki s področja »spola« in »spolnosti«.

Policija naj usposobi individualne policiste kot kontaktne točke za prijavo nasilja iz sovraštva. Te specializirane enote naj bodo posebej usposobljene za naslavljanje problematike manjšin ter zmožne nadzorovati prijave in voditi preiskave nasilja iz sovraštva v lokalni skupnosti in tudi nuditi specializirane nasvete in podporo. Ti policisti naj tudi delujejo kot vezni člen med policijo in manjšinskimi skupnostmi. Iniciative naj vključujejo tudi vzpostavitev nacionalnih večpartnerskih mrež in vzpostavitev neodvisnih posvetovalnih teles, ki delujejo znotraj policije in jih sestavljajo predstavniki manjšin. Pri vzpostavitvi večpartnerskih mrež naj policija aktivno sodeluje in se povezuje s socialnimi in svetovalnimi službami, ki lahko nudijo specialistično podporo in nasvet žrtvam in ranljivim skupnostim.

Vodstvo policije naj se javno obveže, da bo organizacija aktivno delovala proti vsem oblikam nasilja iz sovraštva, vključno s homofobnim nasiljem, in pri tem uporabila vse možne vire in avtoriteto, ki jim jo narekuje trenutni zakonodajni okvir. Vodstvo policije naj tudi formalizira sodelovanje s člani LGB skupnosti in drugimi manjšinskimi organizacijami,

ki delujejo v relevantnih lokalnih skupnostih, in spodbuja ter aktivno omogoča prijave tovrstnih incidentov.

Pobude s strani policije naj spodbujajo in aktivno vabijo organizacije civilne družbe ter programe, ki delujejo na področju nenasilja, k sodelovanju ter aktivno spodbujajo k prijavam nasilja iz sovraštva.

Zaključek

Pričujoča disertacija kaže na visoko pojavnost določenih oblik homofobnega nasilja v slovenski družbi, hkrati pa na nizko prijavo, beleženje in nevidnost homofobnih incidentov v kontekstu organov pregona in kazenskopravnega sistema. Tovrstna nevidnost pa sporoča, da homofobno nasilja ne obstaja, da pojav ni problematičen ter da ni potrebe po razvoju specifičnih strategij, da bi se nanj odzvali.

Sodobno družbo označujejo različni družbeni pritiski, napetosti in konflikti ter ekstremno nasilje med različnimi skupnostmi in skupinami, zato je seveda potrebno, da se policija odzove na najbolj resne incidente in dejanja, ki jih izvajajo organizirane skupine in nevarni posamezniki. Nedvomno je preprečevanje tovrstnih incidentov izredno pomembno in zahteva nujen in hiter odziv. Kljub vsemu pa, kot opozarja pričujoča disertacija, stremljenje k varnim skupnostim ne sme izključevati preganjanja in preventive manj ekstremne kriminalitete in dejanj, ki jih vodijo predsodki, saj vsa dejanja iz sovraštva lahko resno ogrožajo varnost posameznikov, skupin in širše družbe ne glede na nivo resnosti incidenta. Zato je pomembno, da se nizko število prijav nasilja iz sovraštva, specifično homofobnih incidentov, prepozna kot problem, na katerega se je potrebno odzvati.

V različnih poročilih o diskriminaciji manjšin in nasilju iz sovraštva (Klopčič, Zlatar in Tefera, 2011; Kuhar in drugi, 2008; Motl in Bajt, 2016) opazamo visoko prevalenco incidentov iz sovraštva, hkrati pa ostajajo odzivi na nivoju države nesistematični in neformalni. Zato je še toliko bolj potrebno, da javne službe, ki neposredno pomagajo ljudem v stiski in imajo največ vpogleda v naravo in posledice nasilja, konceptualizirajo nasilje iz sovraštva kot problem, ki zahteva konkretne odzive. Tako predstavniki policije kot tudi socialnovarstvenih služb lahko pomembno prispevajo k razvoju nacionalnih programov in politik ter razvijajo pobude, ki ozaveščajo o nasilju iz sovraštva ter opogumljajo in podpirajo žrtve, da zaupajo sistemu podpore in nasilje prijavijo.

8. Bibliography

- Abrams, L. S., & Moio, J. A. (2009). Critical Race Theory and the Cultural Competence Dilemma in Social Work Education. *Journal of Social Work Education*, 45(2), 245–261.
- Agius, S., Koehler, R., Aujean, S., & Ehrt, J. (2011). *Human Rights and Gender Identity: Best Practice Catalogue*. Brussels, Belgium: ILGA Europe.
- Albreht, M., Gorazd Meško: Strpnosti se učimo od malega. Retrieved from <http://www.delo.si/novice/slovenija/gorazd-mesko-strpnosti-se-ucimo-od-malega.html> (20th June, 2016)
- Allwood, G. (2005). *French Feminisms: Gender and Violence in Contemporary Theory*. London and Bristol: Taylor & Francis e-Library.
- Anželj, D. (2012). Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2012-2016. Ljubljana: Ministrstvo za notranje zadeve, Generalna policijska uprava.
- Ard, K. L., & Makadon, H. J. (2011). Addressing intimate partner violence in lesbian, gay, bisexual, and transgender patients. *Journal of General Internal Medicine*, 26(8), 630–633.
- Areh, I., Meško, G., & Umek, P. (2009). Attribution of personal characteristics to victims of rape - police officers' perspectives. *Stud. Psychol.*, 51(1), 85–100.
- Aromaa, K., & Heiskanen, M. (Eds.). (2008). *Victimisation Surveys in Comparative Perspective*. European Institute for Crime Prevention and Control.
- Ashworth, A. (2013). *Protecting Lesbian, Gay and Bisexual People: A Practical Guide for Police Forces*. London, UK: Stonewall UK.
- Babbie, E., & Rubin, A. (2011). *Research Methods for Social Work* (7th ed.). Brooks & Cole.
- Bagnoli, A., & Clark, A. (2010). Focus groups with young people: a participatory approach to research planning. *Journal of Youth Studies*, 13(1), 101–119.
- Barnoff, L., & Moffatt, K. (2007). Contradictory Tensions in Anti-Oppression Practice in Feminist Social Services. *Affilia*, 22(1), 56–70.
- Bavdaž, Š. (2009). *Vpliv heteronormativnosti na duševno zdravje istospolno usmerjenih*. Univerza v Ljubljani.
- Belkin, A., & McNichol, J. (2002). Pink and Blue: Outcomes Associated With the Integration of Open Gay and Lesbian Personnel in the San Diego Police Department.

- Police Quarterly*, 5(1), 63–95.
- Bell, J. G., & Perry, B. (2015). Outside looking in: the community impacts of anti-lesbian, gay, and bisexual hate crime. *Journal of Homosexuality*, 62(1), 98–120.
- Ben-Ari, A. T. (2001). Homosexuality and heterosexism: Views from academics in the helping professions. *British Journal of Social Work*, 31(1), 119–139.
- Bernstein, M. (2004). Paths to Homophobia. *Sexuality Research & Social Policy*, 1(2), 41–55.
- Bernstein, M., & Kostelac, C. (2002). Lavender and Blue: Attitudes About Homosexuality and Behavior Toward Lesbians and Gay Men Among Police Officers. *Journal of Contemporary Criminal Justice*, 18(3), 302–328.
- Bernstein, M., & Swartwout, P. (2012). Gay Officers In Their Midst: Heterosexual Police Employees' Anticipation of the Consequences for Coworkers Who Come Out. *Journal of Homosexuality*, 59(8), 1145–66.
- Bettinger, T. V. (2010). Ethical and methodological complexities in research. *New Horizons in Adult Education and Human Resource Development*, 24(1), 43–58.
- Blackbourn, D., & Loveday, B. (2004). Community safety and homophobic crime. *Safer Communities*, 3(2), 15–22.
- Bleich, E. (2007). Hate Crime Policy in Western Europe. *American Behavioral Scientist*, 51(2), 149–165.
- Bleich, E. (2008). Responding to Racist Violence in Europe and the United States. In J. Goodey & K. Aromaa (Eds.), *Papers from the 2006 and 2007 Stockholm criminology symposium* (pp. 9–16). Helsinki, Finland: European Institute for Crime Prevention and Control.
- Boeckmann, R. J., & Turpin-Petrosino, C. (2002). Understanding the Harm of Hate Crime. *Journal of Social Issues*, 58(2), 207–225.
- Bonner, M. J., & Francis, K. (2006). The development of constructivist grounded theory. *International Journal of Qualitative Methods*, 5(1).
- Boog, B. W. M. (2003). The emancipatory character of action research, its history and the present state of the art. *Journal of Community & Applied Social Psychology*, 13(6), 426–438.
- Borovec, K., Vitez, D., & Mraović, I. C. (2014). Police Effectiveness as the Influencing Factor of the Community Policing Strategy on Citizens' Sense of Safety in Croatia. *Revija Za Kriminalistiko in Kriminologijo*, 65(4), 259–271.
- Bosick, S. J., Rennison, C. M., Gover, A. R., & Dodge, M. (2012). Reporting violence to

- the police: Predictors through the life course. *Journal of Criminal Justice*, 40(6), 441–451.
- Bradbury, H., & Reason, P. (2003). Action Research. *Qualitative Social Work*, 2(2), 155–175.
- Briones-Robinson, R., Powers, R. A., & Socia, K. M. (2016). Sexual Orientation Bias Crimes: Examination of Reporting, Perception of Police Bias, and Differential Police Response. *Criminal Justice and Behavior*, XX(X), 1–22.
- Browne, K., Bakshi, L., & Lim, J. (2011). “It’s Something You Just Have to Ignore’: Understanding and Addressing Contemporary Lesbian, Gay, Bisexual and Trans Safety Beyond Hate Crime Paradigms. *Journal of Social Policy*, 40(4), 739–756.
- Brydon-Miller, M. (1997). Participatory Action Research: Psychology and Social Change. *Journal of Social Issues*, 53(4), 657–666.
- Brydon-Miller, M., Greenwood, D., & Maguire, P. (2003). Why Action Research? *Action Research*, 1(1), 9–28.
- Bučar-Ručman, A., & Frangež, D. (2009). Violence and Slovene Society. *Varstvoslovje / Journal of Criminal Justice and Security*, 11(4), 221–238.
- Burke, M. (1992). Cop Culture and Homosexuality. *Police Journal*, 65(1), 30–93.
- Butler, J. (1990). *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge.
- Butler, J. (1993). Imitation and Gender Insubordination. In H. Abelove, M. A. Barale, & D. M. Halperin (Eds.), *The Lesbian and Gay Studies Reader* (pp. 307–320). New York - London: Routledge.
- Butler, J. (1997). *The Psychic Life of Power Theories in Subjection*. Stanford, California: Stanford University Press.
- Butler, J. (2004). *Undoing Gender*. Abingdon and New York: Routledge.
- Carnwell, R., & Buchanan, J. (Eds.). (2009). *Effective Practice in Health, Social Care and Criminal Justice* (Second edi). New York: Open University Press.
- Carroll, A. (2016). *State - Sponsored Homophobia: A World Survey of Sexual Orientation Laws, Criminalisation, Protection and Recognition* (11th ed.). Geneva: International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA).
- Chakir, K. (2012). Sovražni govor v luči tolerance. *Socialna Pedagogika*, 16(2), 133–152.
- Chakraborti, N. (2015). Re-Thinking Hate Crime: Fresh Challenges for Policy and Practice. *Journal of Interpersonal Violence*, 30(10), 1738–1754.
- Chakraborti, N., & Garland, J. (2009). *Hate Crime: Impact Causes and Responses*.

- London: SAGE Publications.
- Chakraborti, N., & Garland, J. (2012). Reconceptualizing hate crime victimization through the lens of vulnerability and “difference.” *Theoretical Criminology*, 16(4), 499–514.
- Chakraborti, N., & Hardy, S.-J. (2016). *Healing the Harms: Identifying How Best to Support Hate Crime Victims*. University of Leicester, The Centre for Hate Studies.
- Charles, M. W., & Arndt, L. M. R. (2013). Gay- and Lesbian-Identified Law Enforcement Officers: Intersection of Career and Sexual Identity. *The Counseling Psychologist*, 41(8), 1153–1185.
- Charmaz, K. (2006). *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis*. London, UK: SAGE Publications, Ltd.
- Charnley, H. M., & Langley, J. (2007). Developing Cultural Competence as a Framework for Anti-heterosexist Social Work Practice: Reflections from the UK. *Journal of Social Work*, 7(3), 307–321.
- Cheng, Z. (2004). Hate Crimes, Posttraumatic Stress Disorder and Implications for Counseling Lesbians and Gay Men. *Journal of Applied Rehabilitation Counselling*, 35(4), 8–16.
- Cobb, N. (2009). “Gay Couple”s Break Like Fawlty Towers’: Dangerous Representations of Lesbian and Gay Oppression in an Era of “Progressive” Law Reform. *Social & Legal Studies*, 18(3), 333–352.
- Colyar, J., & Holley, K. (2010). Narrative theory and the construction of qualitative texts. In M. Savin-Baden & C. Howell-Major (Eds.), *New Approaches to Qualitative Research: Wisdom and Uncertainty* (pp. 70–80). Abingdon and New York: Routledge.
- Connell, R. W. (1987). *Gender and power: society, the person, and sexual politics*. Cambridge: Polity Press.
- Cook-Daniels, L., & Munson, M. (2010). Sexual Violence, Elder Abuse, and Sexuality of Transgender Adults, Age 50+: Results of Three Surveys. *Journal of GLBT Family Studies*, 6(2), 142–177.
- CoP. (2014a). *Hate Crime Operational Guidance*. Coventry: College of Policing Limited.
- CoP. (2014b). *National Policing Hate Crime Strategy*. Coventry: College of Policing Limited.
- Corbin, J., & Morse, J. M. (2003). The Unstructured Interactive Interview: Issues of Reciprocity and Risks when Dealing with Sensitive Topics. *Qualitative Inquiry*, 9(3), 335–354.

- Corcoran, H., Lader, D., & Smith, K. (2015). Hate Crime, England and Wales, 2014/2015. Home Office.
- Couto, J. L. (2013). *Covered in Blue: Police Culture and LGBT Police Officers*. School of Communication & Culture, Royal Roads University.
- CPS. (2014a). *Hate crime and crimes against older people report 2013-2014*. Crown Prosecution Service.
- CPS. (2014b). Homophobia and Transphobia. Retrieved from <https://www.cps.gov.uk/publications/prosecution/homophobia.html> (1st May, 2016)
- Craig-Henderson, K., & Sloan, L. R. (2003). After the hate: Helping Psychologists Help Victims of Racist Hate Crime. *Clinical Psychology: Science and Practice*, 10(4), 481–490.
- Crenshaw, K. W. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics. In K. Bartlett & R. Kennedy (Eds.), *Feminist Legal Theory* (pp. 57–80). Boulder: Westview Press.
- Crenshaw, K. W. (1994). Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color. In M. Albertson Fineman & R. Mykitiuk (Eds.), *The Public Nature of Private Violence* (pp. 93–118). New York: Routledge.
- Cyr, J. (2015). The Pitfalls and Promise of Focus Groups as a Data Collection Method. *Sociological Methods & Research*, 1–29.
- D’Augelli, A. R. (2002). Mental Health Problems among Lesbian, Gay, and Bisexual Youths Ages 14 to 21. *Clinical Child Psychology and Psychiatry*, 7(3), 433–456.
- D’Augelli, A. R., & Grossman, A. H. (2001). Disclosure of Sexual Orientation, Victimization, and Mental Health Among Lesbian, Gay, and Bisexual Older Adults. *Journal of Interpersonal Violence*, 16(10), 1008–1027.
- Dean, Charles, W., Lumb, R., Proctor, K., & Klopovic, J. (2000). *Social Work and Police Partnership: A Summons To The Village Strategies and Effective Practices*. The Governor’s Crime Commission North Carolina Department of Crime Control and Public Safety.
- De Vries, M. S., & Van der Hooft-Van der Zijl, A. H. (2003). The Implications of Community Policing for Police–Citizen Relationships. *International Journal of Public Administration*, 26(8–9), 1017–1035.
- Denissen, J. J. A., Neumann, L., & van Zalk, M. (2010). How the internet is changing the implementation of traditional research methods, people’s daily lives, and the way in

- which developmental scientists conduct research. *International Journal of Behavioral Development*, 34(6), 564–575.
- Dick, S. (2008). *Homophobic hate crime: The Gay British Crime Survey 2008*. London, UK: Stonewall.
- Dragoš, S. (2007). Sovražni govor. *Socialno Delo*, 46(3), 135–144.
- Državni zbor Republike Slovenije. Zakon o nalogah in pooblastilih policije, Pub. L. No. EPA 653-VI (2013). Slovenija.
- Državni zbor Republike Slovenije. Zakon o organiziranosti in delu v policiji (ZODPol), Pub. L. No. EPA 654-VI (2013). Slovenija.
- Državni zbor RS. (2013). Resolucija o nacionalnem programu socialnega varstva za obdobje 2013 - 2020 (ReNPSV13–20). Ljubljana: Državni zbor Republike Slovenije. Retrieved from <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/113130> (15th April, 2016)
- Duke, A., & Davidson, M. M. (2009). Same-Sex Intimate Partner Violence: Lesbian, Gay, and Bisexual Affirmative Outreach and Advocacy. *Journal of Aggression, Maltreatment & Trauma*, 18(8), 795–816.
- Dunn, P. (2010). *Abuse around difference: a sociological exploration of gay men's experiences of "hate crime" and policy responses to it*. The London School of Economics.
- Dworski-Riggs, D., & Langhout, R. D. (2010). Elucidating the power in empowerment and the participation in participatory action research: a story about research team and elementary school change. *American Journal of Community Psychology*, 45(3–4), 215–30.
- Dwyer, A., & Ball, M. (2012). GLBTI police liaison services: a critical analysis of existing literature. In I. Bartkowiak-Theron & M. Travers (Eds.), *Proceedings of the Australian and New Zealand Critical Criminology Conference* (pp. 11–18). New Zealand: University of Tasmania.
- ECRI. (2014). *ECRI Report on Slovenia (fourth monitoring cycle)*. Strasbourg: Council of Europe.
- Elze, D. E. (2006). Oppression, prejudice and discrimination. In L. Messinger & D. F. Morrow (Eds.), *Sexual Orientation & Gender Expression in Social Work Practice: Working with Gay, Lesbian, Bisexual & Transgender People* (pp. 43–81). New York: Columbia University Press.
- Evans, J. R., & Mathur, A. (2005). The value of online surveys. *Internet Research*, 15(2),

- Fairtlough, A., Bernard, C., Fletcher, J., & Ahmet, A. (2013). Experiences of Lesbian, Gay and Bisexual Students on Social Work Programmes: Developing a Framework for Educational Practice. *British Journal of Social Work*, 43(3), 467–485.
- Fish, J. (2006). *Heterosexism in Health and Social Care*. Hampshire: Palgrave Macmillan.
- Fish, J. (2009). Invisible No More? Including Lesbian, Gay and Bisexual People in Social Work and Social Care. *Practice*, 21(1), 47–64.
- Foucault, M. (1978). *The history of sexuality, volume I: An introduction*. New York: Vintage Books.
- FRA. (2009a). *Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States: Part II - The Social Situation* (Updated ed). Vienna - Austria: European Union Agency for Fundamental Rights.
- FRA. (2009b). Sovražni govor in kazniva dejanja iz sovraštva do lezbijk, gejev, biseksualcev in transseksualcev. Agencija Evropske unije za temeljne pravice.
- FRA. (2012). *Making hate crime visible in the European Union: acknowledging victims' rights*. Vienna, Austria: European Union Agency for Fundamental Rights.
- FRA. (2014). *EU LGBT survey: Main results*. Luxemburg: European Union Agency for Fundamental Rights.
- FRA. (2015). *Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU: Comparative legal analysis Update 2015*. Vienna - Austria: European Union Agency for Fundamental Rights.
- FRA. (2016). *Professionally speaking: challenges to achieving equality for LGBT people*. Vienna - Austria: European Union Agency for Fundamental Rights.
- Friedman, R. C., & Downey, J. I. (2002). *Sexual Orientation and Psychoanalysis: Sexual Science and Clinical Practice*. New York: Columbia University Press.
- Frippiat, D., & Marquis, N. (2010). Web Surveys in the Social Sciences: An Overview. *Population-E*, 65(2), 285–312.
- Frisby, W., Maguire, P., & Reid, C. (2009). The 'f' word has everything to do with it: How feminist theories inform action research. *Action Research*, 7(1), 13–29.
- Galvin-White, C. M., & O'Neal, E. N. (2015). Lesbian Police Officers' Interpersonal Working Relationships and Sexuality Disclosure: A Qualitative Study. *Feminist Criminology*.
- Garland, D. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society*. The University of Chicago Press, Oxford University Press.

- Garland, J., & Chakraborti, N. (2012). Divided by a common concept? Assessing the implications of different conceptualizations of hate crime in the European Union. *European Journal of Criminology*, 9(1), 38–51.
- Garrett, P. M. (2004). Talking Child Protection: The Police and Social Workers “Working Together.” *Journal of Social Work*, 4(1), 77–97.
- Gašič, D., & Pagon, M. (2004). Organisational Commitment in the Slovenian Police Force. In G. Meško, M. Pagon, & B. Dobovšek (Eds.), *Policing in Central and Eastern Europe: Dilemmas of Contemporary Criminal Justice* (pp. 1–13). Maribor: the Faculty of Criminal Justice, University of Maribor, Slovenia.
- Gašič, D., & Pagon, M. (2007). The Interaction between Leadership Styles and Organisational Outcomes in the Slovenian Police. In G. Meško & B. Dobovšek (Eds.), *Policing in Emerging Democracies - Critical Reflections* (pp. 127–153). Ljubljana: Faculty of Criminal Justice and Security, University of Maribor, Slovenia.
- Gates, G. J. (2007). Effects of “Don’t Ask, Don’t Tell” on Retention among Lesbian, Gay, and Bisexual Military Personnel. Los Angeles: The Williams Institute on Sexual Orientation Law and Public Policy.
- GBP. UK Equality Act 2010 (2010). Great Britain: Great Britain Parliament. Retrieved from http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf (10th April, 2016)
- Goffman, E. (1963). *Stigma*. London: Penguin.
- Goodey, J. (2008). Racist Crime in the European Union: Historical Legacies, Knowledge Gaps, and Policy Development. In J. Goodey & K. Aromaa (Eds.), *Papers from the 2006 and 2007 Stockholm criminology symposium* (pp. 16–28). Helsinki, Finland: European Institute for Crime Prevention and Control (UN - HEUNI).
- Gorenak, V., & Gorenak, I. (2007). Ocene in stališča delavcev centrov za socialno delo do sodelovanja s policisti.
- Goudriaan, H., Lynch, J. P., & Nieuwbeerta, P. (2004). Reporting to the police in western nations: a theoretical analysis of the effects of social context. *Justice Quarterly*, 21(4), 933–969.
- Gračanin, E. (2014). Tatjana Bobnar: “Nasilje se lahko ustavi le v primeru prijave.” Retrieved from <http://narobe.si/novi/?p=6676> (9th July, 2016)
- Grant, J. L. (2011). Storytelling, Group Dynamics, and Professional Cultures: Lessons from a Focus Group Study. *Planning Theory & Practice*, 12(August 2012), 407–425.
- Grattet, R., & Jenness, V. (2001). Examining the boundaries of hate crime law: Disabilities

- and the “dilemma of difference.” *Journal of Criminal Law & Criminology*, 91(3), 653–697.
- Greif, T., & Velikonja, N. (2001). *Anketa o diskriminaciji na osnovi spolne usmerjenosti*. Ljubljana: ŠKUC LL.
- Guasp, A. (2012). *The School Report: The experiences of gay young people in Britain's schools in 2012*. Cambridge: Stonewall UK, Centre for Family Research - University of Cambridge.
- Guasp, A., Gammon, A., & Ellison, G. (2013). *Homophobic Hate Crime: The Gay British Crime Survey 2013*. London: Stonewall, YouGov.
- Hall, N. (2011). Policing hate crime in London and New York City: Some reflections on the factors influencing effective law enforcement, service provision and public trust and confidence. *International Review of Victimology*, 18(1), 73–87.
- Hand, H. (2003). The mentor's tale: A reflexive account of semi-structured interviews. *Nurse Researcher*, 10(3), 15–27.
- Harrell, M. C., & Bradley, M. (2009). *Data Collection Methods Semi-Structured Interviews and Focus Groups. Distribution*. Santa Monica, California: National Defense Research Institute.
- Harvey-Jordan, S., & Long, S. (2001). The process and the pitfalls of semi-structured interviews. *Community Practitioner*, 74(6), 219–221.
- Hassell, K. D., & Brandl, S. G. (2009). An Examination of the Workplace Experiences of Police Patrol Officers: The Role of Race, Sex, and Sexual Orientation. *Police Quarterly*, 12(4), 408–430.
- Healy, K. (2001). Participatory action research and social work: A critical appraisal. *International Social Work*, 44(1), 93–105.
- Healy, K. (2005). *Social Work Theories in Context: Creating Frameworks for Practice*. Hampshire: Palgrave Macmillan.
- Herek, G. M. (1984). Beyond Homophobia: A Social Psychological Perspective on Attitudes Towards Lesbians and Gay Men. *Journal of Homosexuality*, 10(1–2), 1–21.
- Herek, G. M. (1986). The Social Psychology of Homophobia: Toward a Practical Theory. *Review of Law and Social Change*, XIV(923), 923–934.
- Herek, G. M. (1991). Stigma, prejudice, and violence against lesbians and gay men. In *In John C. Gonsiorek & James D. Weinrich (Eds.) (1991), Homosexuality: Research implications for public policy* (pp. 66–80). Newbury Park, CA: Sage.
- Herek, G. M. (2004). Beyond “Homophobia”: Thinking About Sexual Prejudice and

- Stigma in the Twenty-First Century. *Sexuality Research & Social Policy*, 1(2), 6–24.
- Herek, G. M. (2009). Hate crimes and stigma-related experiences among sexual minority adults in the United States: prevalence estimates from a national probability sample. *Journal of Interpersonal Violence*, 24(1), 54–74.
- Herek, G. M., Cogan, J. C., & Gillis, J. R. (1999). Psychological Sequelae of Hate Crime Victimization Among Lesbian Gay and Bisexual Adults. *Journal of Consulting and Clinical Psychology*, 67(6), 945–951.
- Herek, G. M., Cogan, J. C., & Gillis, J. R. (2002). Victim Experiences in Hate Crimes Based on Sexual Orientation. *Journal of Social Issues*, 58(2), 319–339.
- Herek, G. M., Gillis, R. J., Cogan, J. C., & Glunt, E. K. (1997). Hate Crime Victimization Among Lesbian, Gay, and Bisexual Adults: Prevalence, Psychological Correlates, and Methodological Issues. *Journal of Interpersonal Violence*, 12(2), 195–215.
- Hicks, S. (2008). Thinking through Sexuality. *Journal of Social Work*, 8(1), 65–82.
- Hines, J. M. (2012). Using an Anti-Opressive Framework in Social Work Practice with Lesbians. *Journal of Gay & Lesbian Social Services*, 24(1), 23–39.
- Home Office. (2014). *Challenge It, Report It, Stop It: Delivering the Government's hate crime action plan*. the Home Office.
- Home Office. (2016). *Action Against Hate: The UK Government's plan for tackling hate crime*. London: Home Office.
- Hopkins, P. (1992). Gender Treachery: Homophobia, Masculinity, and Threatened Identities. In L. May & R. Strikwerda (Eds.), *Rethinking Masculinity: Philosophical Explorations in Light of Feminism* (pp. 111–131). Landham: Rowman and Littlefield.
- Houston, S. (2010). Prising Open the Black Box: Critical Realism, Action Research and Social Work. *Qualitative Social Work*, 9(1), 73–91.
- Humphries, B. (Ed.). (2000). *Research in Social Care & Social Welfare: Issues and Debates for Practice*. London and Philadelphia: Jessica Kingsley Publishers.
- Humphries, B. (2008). *Social Work Research for Social Justice*. Hampshire: Palgrave Macmillan.
- Iganski, P. (1999). Why make “hate” a crime? *Critical Social Policy*, 19(3), 386–395.
- Iganski, P. (2001). Hate Crimes hurt more. *American Behavioral Scientist*, 45(4), 626–638.
- Iganski, P. (2008). *“Hate Crime” and the City*. Bristol: The Policy Press.
- Iganski, P., & Lagou, S. (2014). Hate crimes hurt some more than others: implications for the just sentencing of offenders. *Journal of Interpersonal Violence*, 30(10), 1696–1718.

- ILGA Europe. (2011). Closing conference of Working with the police and challenging hate crimes in Europe 2008-2011. Retrieved June 15, 2016, from http://old.ilga-europe.org/home/issues/hate_crime_hate_speech/projects/ilga_europe_hate_crime_project/closing_conference (22nd August, 2016)
- ILGA Europe. (2016a). *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe 2016*. (E. Paradis, S. Agius, & J. Lavrikos, Eds.). Brussels: ILGA-Europe.
- ILGA Europe. (2016b). Greater equality is on the way for same-sex couples in Slovenia. Retrieved July 22, 2016, from <http://www.ilga-europe.org/resources/news/latest-news/greater-equality-same-sex-couples-slovenia> (15th September, 2016)
- Ivačič, M., & Sešek, K. (2015). *Ognjišče, nožnica in "ženski homoseksualec."* Univerza v Ljubljani.
- Jarman, N., & Tennant, A. (2003). *An Acceptable Prejudice? Homophobic Violence and Harassment in Northern Ireland*. Belfast: Institute for Conflict Research.
- Jenkins, R. (1992). *Key Sociologists: Pierre Bourdieu*. (P. Hamilton, Ed.). London and New York: Routledge.
- Jere, M., Bučar-Ručman, A., & Eman, K. (2013a). Nacionalna kriminološka konferenca: Kriminaliteta, nered in družbeno nadzorstvo v času ekonomske krize – kriminološke refleksije. *Prikazi in Poročila*, 408–413.
- Jere, M., Bučar-Ručman, A., & Eman, K. (2013b). Nacionalna kriminološka konferenca: Kriminaliteta, nered in družbeno nadzorstvo v času ekonomske krize – kriminološke refleksije. (G. Meško, Ed.), *Prikazi in poročila*. Maribor: Univerza v Mariboru, Fakulteta za varnostne vede.
- Johnson, K. (2007). Researching suicidal distress with LGBT communities in UK. *The Australian Community Psychologist Volume*, 19(1), 112–123.
- Johnson, K., Faulkner, P., Jones, H., & Welsh, E. (2007). *Understanding Suicide and Promoting Survival in LGBT Communities*. Brighton, UK: University of Brighton.
- Jones, M. (2015). Who Forgot Lesbian, Gay, and Bisexual Police Officers? Findings from a National Survey. *Policing*, 9(1), 65–76.
- Jones, M., & Williams, M. (2013). Twenty years on: lesbian, gay and bisexual police officers' experiences of workplace discrimination in England and Wales. *Policing and Society*, 25(2), 188–211.
- Kaariainen, J., & Siren, R. (2011). Trust in the police, generalized trust and reporting crime. *European Journal of Criminology*, 8(1), 65–81.

- Kam-Tuck Yip, A. (2012). Homophobia and Ethnic Minority Communities in the United Kingdom. In L. Trappolin, A. Gasparini, & R. Wintemute (Eds.), *Confronting Homophobia in Europe: Social and Legal Perspectives* (p. 291). Oxford: Hart Publishing.
- Kelley, P. (2009). *Filling in the blanks: Homophobic hate crime in London*. London, UK: Galop.
- Kielinger, V., & Paterson, S. (2007). Policing Hate Crime in London. *American Behavioral Scientist*, 51(2), 196–204.
- Kimmel, M. (1994). Masculinity as Homophobia: Fear, Shame and Silence in the construction of Gender Identity. In H. Brod & M. Kaufman (Eds.), *Theorizing Masculinities* (pp. 119–141). Thousand Oaks, California: SAGE Knowledge.
- Kirst-Ashman, K. K. (2010). *Introduction to Social Work & Social Welfare: Critical Thinking Perspectives* (3rd ed.). Brooks & Cole.
- Klopčič, V., Zlataar, F., & Tefera, E. (2011). *Racist Violence in Slovenia*. Brussels: European Network against Racism (ENAR).
- Kogovšek Šalamon, N. (2012). Traits of Homophobia in Slovenian Law: From Ignorance towards Recognition? In L. Trappolin, A. Gasparini, & R. Wintemute (Eds.), *Confronting Homophobia in Europe: Social and Legal Perspectives* (p. 319). Oxford: Hart Publishing.
- Kogovšek Šalamon, N. (2015). *Executive Summary: Country Report Slovenia 2013 on measures to combat discrimination*. European Network of Legal Experts in the Non-Discrimination Field.
- Kolenc, T. (2002). *Slovenska policija*. (M. Koren, Ed.). Ljubljana: Ministrstvo za notranje zadeve RS, Policija, Generalna policijska uprava.
- Kuehnle, K., & Sullivan, A. (2003). Gay And Lesbian Victimization: Reporting Factors in Domestic Violence and Bias Incidents. *Criminal Justice and Behavior*, 30(1), 85–96.
- Kuhar, R. (2006). Homofobija: kultura strahu pred homoseksualnostjo. *Teorija in Praksa*, 43(3–4), 540–556.
- Kuhar, R. (2013). In the Name of Hate: Homophobia as a Value. *Southeastern Europe*, 37, 1–16.
- Kuhar, R. (2014a). Ljubljana: The Tales From the Queer Margins Of The City. In J. . Evans & M. Cook (Eds.), *Queer Cities, Queer Cultures: Europe Since 1945* (p. 328). London and New York: Bloomsbury Academic.
- Kuhar, R. (2014b). *Raziskava o pravni podinformiranosti LGBT skupnosti in vsakdanjem*

- življenju gejev in lezbijk*. Ljubljana: Društvo informacijski center Legebitra.
- Kuhar, R., Kogovšek Šalamon, N., Humer, Ž., & Maljevac, S. (2011). *Obrazi homofobije*. Ljubljana: Mirovni Inštitut.
- Kuhar, R., Magić, J., & Kogovšek, N. (2008). *Activate! Discrimination and Rights Violations Against LGBT People in Slovenia*. Ljubljana: Information Centre Legebitra.
- Kuhar, R., Maljevac, S., & Humer, Ž. (2011). Integrated, but Not Too Much: Homophobia and Homosexuality in Slovenia. In L. Trapollin, A. Gasparini, & R. Wintemute (Eds.), *Confronting Homophobia in Europe: Social and Legal Perspectives* (p. 291). Oxford and Portland: Hart Publishing.
- Kuhar, R., & Sobočan, A. M. (2010). Družina – osnovna celica ... ideoloških spopadov. *Socialno Delo*, 49(5/6), 277–281.
- Kuhar, R., & Švab, A. (2008). Homophobia and violence against gays and lesbians in Slovenia. *Revija Za Sociologiju*, Vol XXXIX(4), 267–281.
- Kuhar, R., & Švab, A. (2013). The Interplay between Hatred and Political Correctness: the Privatisation of Homosexuality in Slovenia. *Southeastern Europe*, 37, 17–35.
- Kuhar, R., & Švab, A. (2014). The Only Gay in the Village? Everyday Life of Gays and Lesbians in Rural Slovenia. *Journal of Homosexuality*, 61(8), 1091–1116.
- Lešnik, B. (2010). Sovražni govor v psihoanalitični perspektivi. *Socialno Delo*, 49(5–6), 299–304.
- Lewis, G. B. (2003). Black-white differences in attitudes toward homosexuality and gay rights: Why Would Racial Differences Matter? *Public Opinion Quarterly*, 67, 59–78.
- Lobnikar, B., Koporec, & Šumi, R. (2006). Evaluation of Police Officer Integrity Training. *Varstvoslovje / Journal of Criminal Justice and Security*, 8(3–4), 303–309.
- Lobnikar, B., Prislan, K., Čuvan, B., & Meško, G. (2016). The code of silence and female police officers in Slovenia: Gender differences in willingness to report police misconduct. *Policing: An International Journal of Police Strategies & Management*, 39(2), 387–400.
- Loudes, C., & Paradis, E. (2008). *Handbook on monitoring and reporting homophobic and transphobic incidents*. Brussels: ILGA Europe.
- Lyons, C. J. (2006). Stigma or sympathy? Attributions of fault to hate crime victims and offenders. *Social Psychology Quarterly*, 69(1), 39–59.
- Lyons, C. J., & Roberts, A. (2014). The Difference “Hate” Makes in Clearing Crime: An Event History Analysis of Incident Factors. *Journal of Contemporary Criminal*

- Justice*, 30(3), 268–289.
- Lyons, P. M., DeValve, M. J., & Garner, R. L. (2008). Texas Police Chiefs' Attitudes Toward Gay and Lesbian Police Officers. *Police Quarterly*, 11(1), 102–117.
- Macfarlane, B. (2010). Values and virtues in qualitative research. In M. Savin-Baden & C. Howell-Major (Eds.), *New Approaches to Qualitative Research: Wisdom and Uncertainty* (pp. 19–28). Abingdon and New York: Routledge.
- Magić, J. (2012, December). Homofobično nasilje, LGBT in policija: od nezaupanja k sodelovanju. Retrieved from <http://narobe.si/novi/?p=3931> (5th April, 2016)
- Magić, J., & Maljevac, S. (2016). Research for Action: Challenging Homophobia in Slovene Secondary Education. *Journal of LGBT Youth*, 13(1–2), 28–45.
- Maiss, M. (2010). Ethical Learning and Ethical Deliberation in Social Work: Remembering some aspects of the pragmatist approach of social ethics. In D. Zaviršek, B. Rommelspacher, & S. Staub-bernasoni (Eds.), *Ethical Dilemmas in Social Work: International Perspective* (pp. 39–64). Ljubljana: Faculty of Social Work, University of Ljubljana.
- Maljevac, S., & Magić, J. (2009). No Place for Faggots: Homophobic Violence in Schools. *Journal of Contemporary Educational Studies*, 60(4), 90–104.
- Mallory, C., Sears, B., & Hasenbush, A. (2015). *Discrimination and Harassment by Law Enforcement Officers in the LGBT Community*. The Williams Institute.
- Marshall, J., & Reason, P. (2007). Quality in research as “taking an attitude of inquiry.” *Management Research News*, 30(5), 368–380.
- Mason, A., & Palmer, A. (1996). *Queer Bashing – a National Survey of Hate Crime against Lesbian and Gay Men*. London: Stonewall.
- Mason, G. (2001). Body Maps: Envisaging Homophobia, Violence and Safety. *Social & Legal Studies*, 10(23), 24–44.
- Mason, G. (2005). Hate crime and the image of the stranger. *British Journal of Criminology*, 45(6), 837–859.
- Matić, R., & Dremel, A. (2016). The challenges of understanding violence in contemporary society: a sociological approach. In G. Meško & B. Lobnikar (Eds.), *Criminal Justice and Security in Central and Eastern Europe: Safety, Security, and Social Control in Local Communities, conference proceedings* (pp. 251–259). Ljubljana: University of Maribor, Faculty of Criminal Justice and Security.
- Mavčič, A. M., & Avbelj, M. (2010). *Legal Study on Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity*. Vienna: European Union Agency

for Fundamental Rights.

- McCarthy, D. J. (2013). Gendering “Soft” policing: multi-agency working, female cops, and the fluidities of police culture/s. *Policing and Society*, 23(February 2015), 261–278.
- McDevitt, J., Balboni, J., Garcia, L., & Gu, J. (2001). Consequences for Victims: A Comparison of Bias- and Non-Bias-Motivated Assaults. *American Behavioral Scientist*, 45(4), 697–714.
- McFarlane, L. (1998). *Diagnosis: Homophobic. The Experiences of Lesbians, Gay Men and Bisexuals in Mental Health Services*. London: PACE.
- McGhee, D. (2003). Joined-Up Government, ‘Community Safety’ and Lesbian, Gay, Bisexual and Transgender ‘Active Citizens’. *Critical Social Policy*, 23(3), 345–374.
- McGhee, D. (2006). Community Safety and Lesbian, Gay, Bisexual and Transgender Communities. In *Community Safety: Critical Perspectives on Policy and Practice* (pp. 35–53). Bristol: The University of Bristol.
- McLaughlin, E. (2002). Rocks and hard places: The politics of hate crime. *Theoretical Criminology*, 6(4), 493–498.
- Mekinc, J., Anžič, A., Rep, R., & Ovsenik, M. (2008). Odnos policijskih menagerjev v slovenski policiji do temeljnih vrednot. *Teorija in Praksa*, 45(5), 517–534.
- Mekinc, J., & Kalčina, L. (Eds.). (2001). *Policijsko delo v demokratični družbi: ali vaša policija spoštuje človekove pravice* (Zbirka Slo). Ljubljana: Informacijsko dokumentacijski center Sveta Evrope pri NUK, Ministrstvo za notranje zadeve Republike Slovenije ;
- Meško, G. (2007). The Obstacles on the Path to Police Professionalism in Slovenia: a Review of Research. In G. Meško & B. Dobovšek (Eds.), *Policing in Emerging Democracies - Critical Reflections* (pp. 15–57). Ljubljana: Faculty of Criminal Justice and Security, University of Maribor, Slovenia.
- Meško, G., & Bučar-Ručman, A. (2005). An Overview of Criminological Research on Violence in Slovenia. *International Journal of Comparative and Applied Criminal Justice*, 29(2), 219–241.
- Meško, G., & Jere, M. (2012). Crime, criminal justice and criminology in Slovenia. *European Journal of Criminology*, 9(3), 323–334.
- Meyer, D. (2008). Interpreting and experiencing anti-queer violence: race, class, and gender differences among lgbt hate crime victims. *Race, Gender & Class*, 15(3–4), 262–283.

- Meyer, D. (2010). Evaluating the Severity of Hate-motivated Violence: Intersectional Differences among LGBT Hate Crime Victims. *Sociology*, 44(5), 980–995.
- Meyer, I. (1995). Minority stress and mental health in gay men. *Journal of Health and Social Behavior*, 36(1), 38–56.
- Meyer, I. (2011). Statement of Ilan H. Meyer, Ph.D. Before The United States Commission on Civil Rights Briefing on Peer-To-Peer Violence And Bullying: Examining The Federal Response May 13, 2011. Retrieved from <http://williamsinstitute.law.ucla.edu/research/safe-schools-and-youth/meyer-usccr-testimony-may2011/> (15th July, 2016).
- Miles-Johnson, T. (2013). LGBTI Variations in Crime Reporting: How Sexual Identity Influences Decisions to Call the Cops. *SAGE Open*, 1–15.
- Miller, S. L., Forest, K. B., & Jurik, N. C. (2003). Diversity in Blue: Lesbian and Gay Police Officers in a Masculine Occupation. *Men and Masculinities*, 5(4), 355–385.
- MNZ. (2012). *Poročilo o delu policije za 2011*. Ljubljana: Republika Slovenija, Ministrstvo za notranje zadeve, policija.
- MNZ. (2015). *Poročilo o delu policije za 2014*. Ljubljana: Republika Slovenija, Ministrstvo za notranje zadeve, policija.
- MNZ Policija. (2013). V slovenski policiji policistke sistemsko zaposlujeemo že 40 let. Retrieved from <http://www.policija.si/index.php/component/content/article/35-sporocila-za-javnost/66293-v-slovenski-policiji-policistke-sistemsko-zaposlujeemo-40-let-> (22nd July, 2016).
- MNZ Policija. (2016). *Letno poročilo o policije za o delu policije za 2015*. Ljubljana: Republika Slovenija, Ministrstvo za notranje zadeve, policija.
- MNZ, & Slovenska Policija. (2009). Slišite zvoke nasilja iz sosednjega stanovanja? Prenehajte samo poslušati, ukrepajte! Retrieved from <http://www.policija.si/index.php/component/content/article/35-sporocila-za-javnost/7405-nasilje-nad-enskami-kampanja> (20th May, 2016).
- Monro, S. (2007). New institutionalism and sexuality at work in local government. *Gender, Work and Organization*, 14(1), 1–19.
- Moran, L. (2002). Homophobic Violence as Hate Crime. *Criminal Justice Matters*, 48(1), 8–41.
- Moran, L. (2007). 'Invisible minorities': Challenging community and neighbourhood models of policing. *Criminology and Criminal Justice*, 7(4), 417–441.
- Moran, L., Paterson, S., & Docherty, T. (2004). "Count me in!" *A Report on the Bexley*

- and Greenwich Homophobic Crime Survey*. Galop.
- Moran, L., Skeggs, B., Tyrer, P., & Corteen, K. (2004). *Sexuality and the Politics of Violence and Safety*. London: Routledge.
- Motl, A., & Bajt, V. (2016). *Sovražni govor v republiki sloveniji: pregled stanja*. Ljubljana: Mirovni Inštitut.
- Nalla, M. K., Meško, G., Lobnikar, B., Dobovšek, B., Pagon, M., Umek, P., & Dvoršek, A. (2007). A Comparison of Officers' Perceptions of Police Organisational Climate in Large, Midsize, and Small Cities in Slovenia. In G. Meško & B. Dobovšek (Eds.), *Policing in Emerging Democracies - Critical Reflections* (pp. 101–127). Ljubljana: Faculty of criminal Justice and Security, University of Maribor, Slovenia.
- Nalla, M. K., Meško, G., & Modic, M. (2016). Assessing police–community relationships: is there a gap in perceptions between police officers and residents? *Policing and Society*, 9463(April), 1–20.
- Nalla, M. K., Modic, M., & Meško, G. (2014). Community Policing Reforms and Organizational Changes: An Assessment of Officers' Perceptions of Community-Police Relations in Slovenia. *Revija Za Kriminalistiko in Kriminologijo*, 65(4), 271–286.
- Nalla, M. K., Rydberg, J., & Meško, G. (2011). Organizational factors, environmental climate, and job satisfaction among police in Slovenia. *European Journal of Criminology*, 8(2), 144–156.
- National Assembly of the Republic of Slovenia. Organisation and Work of the Police Act (ZODPol), Pub. L. No. EPA 654-VI (2013). Slovenia.
- National Assembly of the Republic of Slovenia. Police Tasks and Powers Act (ZNPPol), Pub. L. No. EPA 653-VI (2013). Slovenia.
- Nemec, I. (2014). *Percepcija udeležencev o kakovosti zagotavljanja varnosti s strani policije na paradah ponosa v Sloveniji*. Univerza v Mariboru.
- Nugus, P., Greenfield, D., Travaglia, J., & Braithwaite, J. (2012). The politics of action research: “if you don’t like the way things are going, get off the bus”. *Social Science & Medicine*, 75(11), 1946–53.
- O’Neill, M., & McCarthy, D. (2014). (Re)Negotiating Police culture through partnership working: trust, compromise and the “new” pragmatism. *Criminology and Criminal Justice*, 14(2), 143–159.
- Oakley, R. (2005). *Policing Racist Crime and Violence: A Comparative Analysis*. Luxembourg: Office for Official Publications of the European Communities: Europe

- Monitoring Centre on Racism and Xenophobia.
- ODIHR. (2009). *Hate Crime Laws: A practical guide*. Warsaw, Poland: OSCE Office for Democratic Institutions and Human Rights.
- ODIHR. (2016). *ODIHR's Efforts to Counter Hate Crime*. Warsaw, Poland: OSCE/ODIHR.
- Okitikpi, T., & Aymer, C. (2010). *Key concepts in Anti-discriminatory Social Work*. London: SAGE Publications, Ltd.
- Opotow, S. (2001). Social Injustice. In D. J. Christie, R. V. Wagner, & D. A. Winter (Eds.), *Peace, Conflict, and Violence: Peace Psychology for the 21st Century* (p. 16). Englewood Cliffs, New Jersey: Prentice Hall.
- Orme, J. (2003). 'It's Feminist because I Say So!': Feminism, Social Work and Critical Practice in the UK. *Qualitative Social Work*, 2(2), 131–153.
- OSCE, & ODIHR. (2009). *Preventing and responding to hate crimes: A resource guide for NGOs in the OSCE region*. Warsaw: OSCE/ODIHR.
- OSCE, & ODIHR. (2013). *Hate crimes in the OSCE region, Incidents and responses: Annual report for 2012*. Warsaw: OSCE/ODIHR.
- OSCE, & ODIHR. (2014). *Hate Crime Data-Collection and Monitoring Mechanisms: A Practical Guide*. Warsaw: OSCE/ODIHR.
- Padgett, D. K. (2009). Qualitative and mixed methods in social work knowledge development. *The Social Worker*, 54(2), 101–105.
- Pakouta, A., & Forsyth, A. (2010). *LGBT Liaison Officer's Manual of Guidance*. London, UK.
- Pattavina, A., Hirschel, D., Buzawa, E., Faggiani, D., & Bentley, H. (2007). A comparison of the police response to heterosexual versus same-sex intimate partner violence. *Violence Against Women*, 13(4), 374–94.
- Patterson, G. T. (2004). Police-social work crisis teams: Practice and research implications. *Stress, Trauma and Crisis: An International Journal*, 7(2), 93–104.
- Pavček, T. (2011). *(Ne)enak položaj žensk v slovenski policiji*. Fakulteta za uporabne družbene študije v Novi Gorici.
- Pečar, J. (1993). Drugačnost in različnost kot motivacija za nasilje. *Revija Za Kriminalistiko in Kriminologijo*, (2), 139–152.
- Peel, E. (1999). Violence Against Lesbians and Gay Men: Decision- Making in Reporting and Not Reporting Crime. *Feminism & Psychology*, 9(2), 161–167.
- Perry, B. (2001). *In the Name of Hate: Understanding Hate Crimes*. New York - London:

Routledge.

Perry, B. (2002). Hate crime and identity politics. *Theoretical Criminology*, 6(4), 485–491.

Perry, B. (2003). Where do we go from here? Researching hate crime. *Internet Journal of Criminology*, 1–59.

Perry, B. (2009). *Hate Crime: The Victims of Hate Crime*. Westport, Connecticut, London: Greenwood Publishing Group.

Perry, B. (2012). Identity and Hate Crime on Canadian Campuses. *Race and Justice*, 1(4), 321–340.

Perry, B., & Alvi, S. (2012). “We are all vulnerable”: The in terrorem effects of hate crimes. *International Review of Victimology*, 18(1), 57–71.

Poláček, R., & Le Deroff, J. (2010). *Cooperation between police forces and LGBT organisations in Europe*. Brussels: ILGA Europe: The European Region of the International Lesbian, Gay, Bisexual, Trans & Intersex Association (ILGA).

Poláček, R., & Le Deroff, J. (2011). *ILGA-Europe toolkit for training police officers on tackling LGBTI-phobic crime*. Brussels: ILGA Europe.

Pollack, D. (2009). International Legal Note: Hate crimes and social work: An international perspective. *International Social Work*, 52(3), 409–415.

Rabionet, S. E. (2011). How I learned to design and conduct semi-structured Interviews: An ongoing and continuous journey. *The Qualitative Report*, 16(2), 563–567.

Reisig, M. D., Tankebe, J., & Meško, G. (2014). Procedural Justice, Police Legitimacy, and Public Cooperation with the Police Among Young Slovene Adults. *Journal of Criminal Justice and Security*, (2), 147–164.

Reiter, L. (1991). Developmental Origins Of Antihomosexual Prejudice In Heterosexual Men And Women. *Clinical Social Work Journal*, 19(2), 163–176.

Republic of Slovenia. Criminal Code (2008). Slovenia. Retrieved from <http://www.policija.si/eng/images/stories/Legislation/pdf/CriminalCode2009.pdf> (20th September, 2016).

Republika Slovenija. Zakon o Varstvu Javnega Reda in Miru (2006). Slovenija. Retrieved from <https://zakonodaja.com/zakon/zjrm-1> (15th October 2016)

Riet, M. (2008). Participatory Research and the Philosophy of Social Science: Beyond the Moral Imperative. *Qualitative Inquiry*, 14(4), 546–565.

Robinson, K. (2010). A study of young lesbian and gay people’s school experiences. *Educational Psychology in Practice*, 26(4), 331–351.

Rogers, J. (2012). Anti-Oppressive Social Work Research: Reflections on Power in the

- Creation of Knowledge. *The International Journal*, 31(7), 866–879.
- Rose, S. M., & Mechanic, M. B. (2002). Psychological Distress, Crime Features, and Help-Seeking Behaviors Related to Homophobic Bias Incidents. *American Behavioral Scientist*, 46(1), 14–26.
- Rush, M., & Keenan, M. (2014). The Social Politics of Social Work: Anti-Oppressive Social Work Dilemmas in Twenty-First-Century Welfare Regimes. *British Journal of Social Work*, 44(6), 1436–1453.
- Ryan, K. E., Gandha, T., Culbertson, M. J., & Carlson, C. (2013). Focus Group Evidence: Implications for Design and Analysis. *American Journal of Evaluation*, 0(0), 1–18.
- Salvendy, J. T. (1999). The dynamics of prejudice in Central Europe. *International Journal of Psychotherapy*, 4(2), 145–159.
- Savin-Baden, M., & Howell-Major, C. (Eds.). (2010). *New Approaches to Qualitative Research: Wisdom and Uncertainty*. Abingdon and New York: Routledge.
- Schultz, B. (1999). Comment: The Private and Its Problems--Pragmatism, Pragmatist Feminism, and Homophobia. *Philosophy of the Social Sciences*, 29(2), 281–305.
- Šega, M. (2011). *Ženske v policiji*. Univerza v Mariboru.
- Sekereš, Z. (2010). *Ponotranjena homofobija*. Univerza v Ljubljani.
- Skogan, W. G. (1984). Reporting Crimes to the Police: The Status of World Research. *Journal of Research in Crime and Delinquency*, 21(2), 113–137.
- Slokan, S., & Šumi, R. (2011). Strategija in projekti Odbora za integriteto in etiko v policiji v obdobju 2012-2015. *Revija Varnost*, 59(4), 35–38.
- Slovene Ministry of the Interior. Code of Police Ethics (2008). Ljubljana: Ministrstvo za notranje zadeve RS. Retrieved from <http://www.policija.si/eng/images/stories/Publications/Kodeks.pdf> (22nd June, 2016)
- Slovenska Policija. (2014). Policija vztraja na ničelni toleranci do neenake obravnave v uradnih postopkih. Retrieved from <http://www.policija.si/index.php/component/content/article/35-sporocila-za-javnost/75975-policija-vztraja-na-nielni-toleranci-do-neenake-obravnavе-v-uradnih-postopkih> (13th May, 2016)
- Sobočan, A. M. (2009). Istospolne družine v Sloveniji. *Socialno Delo*, 48(1/3), 65–86.
- Sobočan, A. M. (2013). LGBT gibanje, širitev pojmovanja družine in socialno delo. *Socialno Delo*, 52(2–3), 201–203.
- STA. (2008). *Transgender Experiences in Scotland, Research Summary*. Edinburgh: Scottish Transgender Alliance.

- Stake, R. E. (2010). *Qualitative Research: Studying how things work*. New York: The Guilford Press.
- Stanko, E. A., & Curry, P. (1995). Homophobic Violence and The Self "At Risk": Interrogating the Boundaries. *Social and Legal Studies*, 6(4), 91–100.
- Staub-Bernasconi, S. (2009). Social Work as Discipline and Profession. In *Theories and Methods of Social Work: exploring different perspectives* (p. 1999). Ljubljana.
- Stotzer, R. L. (2010). Sexual Orientation-Based Hate Crimes on Campus: The Impact of Policy on Reporting Rates. *Sexuality Research and Social Policy*, 7(3), 147–154.
- Šumi, R. (2011). Odbor za integriteto in etiko v policiji - temelji in vizija. *Zbornik Prispevkov*. Služba Generalnega direktorja Policije. Retrieved from https://www.fvv.um.si/dv2011/zbornik/integriteta_policistov/Sumi.pdf (14th July, 2016)
- Švab, A., & Kuhar, R. (2005). *The Unbearable Comfort of Privacy: The Everyday Life of Gays and Lesbians in Slovenia*. Ljubljana: Peace Institute - Institute of Contemporary Social and Political Studies Slovenia.
- Švab, A., & Kuhar, R. (2008). Researching Hard-To-Reach Social Groups: The Example of Gay and Lesbian Population in Slovenia. *Društvena Istraživanja: Journal for General Social Issues*, 17(3), 529–552.
- Swank, E., & Fahs, B. (2012). An Intersectional Analysis of Gender and Race for Sexual Minorities Who Engage in Gay and Lesbian Rights Activism. *Sex Roles*, 68(11–12), 660–674.
- Swigonski, M. E. (1993). Feminist Standpoint Theory and the Questions of Social Work Research. *Affilia*, 8(2), 171–183.
- Swigonski, M. E. (1995). Claiming a Lesbian Identity as an Act of Empowerment. *Affilia*, 10(4), 413–425.
- Swigonski, M. E. (2006). Violence, Hate Crimes, and Hate Language. In D. F. Morrow & L. Messinger (Eds.), *Sexual Orientation & Gender Expression in Social Work Practice: Working with Gay, Lesbian, Bisexual & Transgender People* (p. 513). Columbia University Press.
- Takács, J., & Szalma, I. (2013). How to Measure Homophobia in an International comparison. *Družboslovne Razprave*, XXIX(73), 11–42.
- Taylor, P., & Pettit, J. (2007). Learning and teaching participation through action research: Experiences from an innovative masters programme. *Action Research*, 5(3), 231–247.
- Thomas, D. R. (2003). A general inductive approach for qualitative data analysis. *School*

- of Population Health, University of Auckland, New Zealand. Retrieved from http://fycs.ifas.ufl.edu/swisher/6802_15/Inductive2003.pdf (10th August, 2016)
- Tomaževič, N., Seljak, J., & Aristovnik, A. (2016). The importance and impact of perceived values on job satisfaction in slovenian police. In G. Meško & B. Lobnikar (Eds.), *Criminal Justice and Security in Central and Eastern Europe: Safety, Security, and Social Control in Local Communities, conference proceedings* (pp. 204–2019). Ljubljana: University of Maribor, Faculty of Criminal Justice and Secuurity.
- Tomsen, S. (2006). Homophobic Violence, Cultural Essentialism and Shifting Sexual Identities. *Social & Legal Studies*, 15(3), 389–407.
- Tomsen, S., & Mason, G. (2001). Engendering homophobia: violence, sexuality and gender conformity. *Journal of Sociology*, 37(3), 257–273.
- Tourangeau, R., & Smith, T. W. (1996). Asking Sensitive Questions: The Impact of Data Collection Mode, Question Format, and Question Context. *Public Opinion Quarterly*, 60(2), 275–304.
- Trappolin, L., & Gasparini, A. (2012). Introduction. In L. Trappolin, A. Gasparini, & R. Wintemute (Eds.), *Confronting Homophobia in Europe: Social and Legal Perspectives* (pp. 1–11). Oxford: Hart Publishing.
- UNESCO. (2016). *Out In The Open: Education sector responses to violence based on sexual orientation and gender identity/expression*. Paris: UNESCO.
- Urek, M. (2002). Vodič za preživetje skozi socialno-varstvene službe in službe duševnega zdravlja za lezbijke in geje. *Socialno Delo*, 41(2), 113–118.
- van Ewijk, A. R. (2011). Diversity within Police Forces in Europe: A Case for the Comprehensive View. *Policing*, 6(1), 76–92.
- Vehovar, V., Motl, A., Mihelič, L., Berčič, B., & Petrovčič, A. (2012). Zaznava sovražnega govora na Slovenskem spletu. *Teorija in Praksa*, 49(1), 171–189.
- Victim Support. (2006). *Crime & prejudice: The support needs of victims of hate crime: a research report*. London, UK: Victim Support National Office.
- Vukadin, I. K., & Matić, R. (2013). Specific Roles and Responsibilities of the Police in Victim Assistance: Police Officers' View. *Varstvoslovje, Journal of Criminal Justice and Security*, (2), 145–168.
- Weir, A. (2009). Who are we? : Modern identities between Taylor and Foucault. *Philosophy & Social Criticism*, 35(5), 533–553.
- West, C., & Zimmerman, D. (1987). Doing Gender. *Gender & Society*, 1(2), 125–151.
- Wickberg, D. (2000). Homophobia: On the Cultural History of an Idea. *Critical Inquiry*,

27(1), 42–57.

Wigerfelt, B., Wigerfelt, A. S., & Kiiskinen, J. (2014). When Colour Matters: Policing and Hate Crime. *Social Inclusion*, 2(1), 1–11.

Wiles, P. (2008). The British Crime Survey. In K. Aromaa & M. Heiskanen (Eds.), *Victimisation Surveys in Comparative Perspective* (pp. 128–132). European Institute for Crime Prevention and Control.

Williams, M. L., & Robinson, A. L. (2004). Problems and Prospects with Policing the Lesbian, Gay and Bisexual Community in Wales. *Policing & Society*, 14(3), 213–232.

Williams, T., Connolly, J., Pepler, D., & Craig, W. (2005). Peer victimization, social support, and psychosocial adjustment of sexual minority adolescents. *Journal of Youth and Adolescence*, 34(5), 471–482.

Wintemute, R. (2012). Homophobia and United Kingdom Law: Only a Few Gaps Left to Close? In L. Trappolin, A. Gasparini, & R. Wintemute (Eds.), *Confronting Homophobia in Europe: Social and Legal Perspectives* (pp. 233–264). Oxford: Hart Publishing.

Wolff, K. B., & Cokely, C. L. (2007). “To Protect and to Serve?”: An Exploration of Police Conduct in Relation to the Gay, Lesbian, Bisexual, and Transgender Community. *Sexuality and Culture*, 11(2), 1–23.

Wong, K., & Christmann, K. (2008). The Role of Victim Decision Making in Reporting of Hate Crimes. *Community Safety Journal*, 7(2), 19–35.

Wood, J. C. (2007). Conceptualizing Cultures of Violence and Cultural Change. In S. Carroll (Ed.), *Cultures of Violence: Interpersonal Violence in Historical Perspective* (pp. 79–96). Palgrave Macmillan.

Young, I. M. (1990). *Justice and the Politics of Difference. Practice*. New Jersey: Princeton University Press.

Younglove, J. A., Kerr, M. G., & Vitello, C. J. (2002). Law Enforcement Officers’ Perceptions of Same Sex Domestic Violence: Reason for Cautious Optimism. *Journal of Interpersonal Violence*, 17(7), 760–772.

Zaviršek, D., & Sobočan, A. M. (2012). *Mavrične družine grejo v šolo: perspektive otrok, staršev in učiteljic*. Ljubljana: Fakulteta za socialno delo.

Zaykowski, H. (2010). Racial Disparities in Hate Crime Reporting. *Violence and Victims*, 25(3), 378–394.

Zuber-Skerritt, O., & Fletcher, M. (2007). The quality of an action research thesis in the social sciences. *Quality Assurance in Education*, 15(4), 413–436.

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10. Appendices

10.1 Interview with Albert Černigoj, Head of Organised Crime Division, Criminal Police Directorate (In Slovene)

Intervju: Albert Černigoj, Vodja oddelka za terorizem in ekstremno nasilje v upravi kriminalistične policije, Generalna policijska Uprava, 19. September 2013

AC: Sem Vodja oddelka za terorizem in ekstremno nasilje v upravi kriminalistične policije, kjer imamo pregled nad celotno policijo, na sistemskem, strateškem, kot tudi operativnem nivoju. Naša naloga je da spremljamo stvari, na sistemsko-strateški ravni, na mednarodni ravni, kjer skrbno spremljamo in sodelujemo pri oblikovanju novih smernic in politik, dobrih praks, vse do operativno taktičnih [...] torej kako pristopiti k preprečevanju, odkrivanju in obravnavi ravnanj. Obstoj našega oddelka, torej obravnava ekstremnega nasilja, kaže na to da policija resno obravnava sovražne delikte. Jaz jih ne bi imenoval zločine, ampak odklonska ravnanja, delikti, ki so kazniva dejanja in prekrški

JM: Je kakšna posebna oblika teh prekrškov in kaznivih dejanj na katere ste še posebej pozorni oziroma izstopajo v slovenskem prostoru ali pa kakšna skupina, ki jo bolj nadzorujete?

AC: Uvodoma bi moral tako reči, da se, na splošno, policija še posebej v zadnjih nekaj letih močno zaveda razsežnosti, ki jih predstavljajo odklonska ravnanja s konotacijo sovražnosti kakršnekoli, ali je to islamofobija ... ali je to, kakorkoli. Razsežnosti tega fenomena se zavedamo predvsem zaradi družbene nevarnosti. Blazno močen dejavnik oziroma vidik, ki bi moral biti celo na prvem mestu je zavedanje o ranljivosti žrtev samih, deprivilegiranost nekaterih skupin, in če se spustim na čisto policijsko raven se zavedamo potenciala eskalacije tovrstnih dejanj. Kako lahko ob ustreznih družbenih, ali pa socialnih premikih ali pa pogojih, kako lahko pride do eskalacije nekih [...] ne vem, če se ozremo po tujih državah, Grčija, Italija, lahko vidimo kako se ob napadu na homoseksualca, recimo s strani nekega desničarja, kako se ljudje organizirajo in to potem lahko to hitro postane problem z velikim varnostnim tveganjem. No skratka, predvsem je tu pomembna ranljivost žrtev [...] no saj, žrtev smo v vsakem primeru, izsiljevanja, rop, vloma [...] ampak menim, da bi morali nekako uveljaviti širše, to zavedanje, da v teh primerih govorimo še o posebni stopnji ranljivosti.

JM: Pa se vam zdi da imajo policisti na terenu, dovolj zavedanja [...] da so te informacije prišle do tistih, ki jih potrebujejo za svoje delo?

AC: Krog dela policije, kot organa odkrivanja [...] policija si postavlja neke prioritete, glede na tveganje, ampak kot sem rekel, ne glede na to, da imamo izredno malo primerov, recimo homofobije, to še vedno postavljamo ob bok kaznivim dejanjem, ki so na primer prioriteta, po obsegu številčnosti, materialni škodi itn, ravno iz tega zavedanja, ki sem ga prej omenjal. Na nacionalni ravni, dejansko postavljamo to na vrh in to poskušamo tudi, skozi strategijo, politiko dela, načrte dela, sistemske uveljavitve, to izpeljati. Naša naloga na GPU je ravno to, da oblikujemo smernice za lokalno raven. To pa seveda potem uveljavljamo na različne načine; najprej sistemsko spremljamo te pojave, da lahko ustrezno odreagiramo na neka nova tveganja, pripravimo ustrezne smernice in jih posredujemo na lokalno raven, to se pravi policiji, policistom, ki delujejo tako rečeno v prvi vrsti in se prvi srečujejo na terenu s tem. Kako to naredimo; v prvi vrsti gre za usposabljanja, treningi, izredno močen segment je skozi uveljavljane dobrih praks in standardov etike in integritete v policij, kjer poleg tega, da smo senzibilni za te stvari, da ne omalovažujemo oziroma zmanjšujemo pomena teh odklonskih ravnanj in ogromno poudarka je na tem da policija v svojem ravnanju, do teh ranljivih skupin ustrezno odreagira. Bodisi, da posameznike spodbujamo k prijavljanju tovrstnega nasilja, da jih poskušamo v kontaktih naslavljanju, naj se odločijo za to, naj se ne bojijo [...] Radi bi presegli to prepričanje, da policija itak ne more nič narediti. Od policije na lokalni ravni pričakujemo, da ne glede na to, ali je žrtev že pripravljena, da bo sodelovala v pregonu, da ji nudimo vrsto nekih podatkov, kakšne so njene pravice, kje lahko išče pomoč, ker zaenkrat, čeprav upam, da bo to v prihodnosti postavljeno, zaenkrat v policiji še nimamo neke posebne pomoči tovrstnim žrtvam. Imamo pa dobro poznavanje psihološke podpore, kot tudi organizacijske mreže, torej, kje lahko žrtve najdejo to pomoč. Seveda je potem to odvisno od posameznika in tudi policista, ki to obravnava. Nekateri so malo bolj senzibilni za te stvari, nekateri manj, ampak načeloma zadeva deluje v takem ustroju. In mislim, da lahko vodstvo policije zagotavlja to, ne glede na občutek javnosti.

JM: Omenili ste, da policija spodbuja k prijavam tovrstnega nasilja, lahko to malo bolj predstavite? Gre to bolj skozi lokalne policiste ali obstajajo še kakšni drugi ukrepi, ki bi spodbujali k prijavam?

AC: Sam nisem seznanjen z nobeno od kampanj, razen splošnih, ki ne naslavljaajo vašo ciljno skupino posebej. Mogoče bi morali poiskati odgovor kje drugje.

JM: Če vprašam čisto laično, kot navadni občanki se mi zdi, da se obravnava deliktov iz sovraštva, v javnosti, ne vidi toliko, je to samo moj občutek?

Kot strokovnjak s področja, bi se z vami strinjal, jaz bi si dejansko želel več razprave na temo in v vseh mojih zapisih, mnenjih, stališčih, strokovnih ekspozicijah itn izpostavljam to, da bi bilo potrebno delati več na ozaveščanju. Zakaj kot družba ne govorimo več o tem pojavu, zakaj se tudi še med sabo iščemo. Čeprav imamo neko vrsto sodelovanja, ampak še vedno se preveč iščemo. Po mojem mnenju bi morala biti že na nacionalni ravni neka politika strategija, ki pa je ni.

JM: Če govoriva o deliktih iz sovraštva, v tujini na primer, sem zasledila, da so policisti specifično usposobljeni za različne ranljive skupine in manjšinsko problematiko, pri nas, če sem prav seznanjena, prednjači znanje in izkušnje kar zadeva romsko problematiko, pa nasilje nad ženskami in otroci, kako pa je z drugimi ranljivimi skupinami, dobijo policisti kak vpogled v temo?

S temi bi se lahko kar nekako strinjal. Na tak način kot ste omenili, te tri kategorije, družinsko nasilje, nasilje nad otroci in ženskami, romi [...] imamo specifično usposobljeno lokalno policijo, za druge osebne okoliščine pa po mojem mnenju in znanju tega še ni. Imamo pa skozi različne tipe usposabljanj to umeščeno v program treningov. Ena od izredno pomembnih za lokalno raven policije so periodična strokovna usposabljanja za pomočnike komandirjev, ki potem delujejo kot multiplikatorji in so odgovorni za prenos znanja navzdol, da se dejansko to, v vsakem konkretnem primeru naslavlja in rešuje. Mogoče samo še korak nazaj, zakaj recimo to težko postavim ob bok družinskemu nasilju, [...] verjetno, da ravno zaradi obsega. Ne me narobe razumeti, to ničesar ne opravičuje, en sam tak primer, ki prizadene eno žrtev oziroma posameznika, je absolutno preveč, in to vedno povem, vendar statistika je nizka in verjetno zato še ni prišlo do tega, da se dejansko sistemsko to vzpostavi. Mislim pa, da smo na dobri poti. Glede usposabljanj je tu še višješolski in visokošolski program, policijska akademija v Tacnu, tam imamo zelo širok program. In tu imamo ta dva policijska programa, ne vem če ste se že kaj pogovarjali z drugimi, kjer imamo predmet etika in človekove pravice, v okviru katerega tudi naslavljam to temo. Tudi v sklopu etike in integritete dajemo posebno skrb temu vidiku, predvsem načelu enakega obravnavanja, kot tudi nediskriminatornosti znotraj policije. To se mi zdi izredno pomembno sploh za delo policije z žrtvijo. Saj se ravno skozi to dotaknemo zelo močno nekih vidikov in dejavnikov za neprijavo tovrstnih deliktov.

JM: Obstajajo kakšne konkretne smernice za policiste, kako delati z žrtvijo nasilja, ki je motivirano s sovraštvom?

AČ: Ne, prav za to ne. Imamo vrsto drugih usmeritev, ki se vežejo na operativno taktične postopke. Na primer glede na razširjenost pojava svetovnega spleta, kjer najdemo res nenormalne vsebine, smo pred časom pripravili prve nujne ukrepe za, na primer, zavarovanje dokazov. Kar vidim, kot izredno pomembno. In v sklopu tega potem, na primerih sovražnega govora in drugih oblik sovražnosti, pokažemo kako to teče in zakaj in kje so znaki, ki so na primer potrebni za tožilca, da ne spregleda družbeno odklonskost oziroma nevarnost.

JM: Omenili ste, da policisti žrtev usmerijo naprej, na primer po primerno [psiho-socialno] pomoč. Sama sem namreč dobila občutek, ko sem govorila s policisti, da to deluje pri tistih treh oblikah nasilja, ki sva jih omenjali zgoraj, glede drugih osebnih okoliščin pa se zdi, kot da primanjkuje znanja. Kako dobijo policisti informacije, kam usmeriti žrtev nasilja?

AČ: Jaz mislim, da gre to bolj skozi prenos dobrih praks. Tako kot na primer gledamo [...] imamo informacijo o domnevni žrtvi, ki jo posredujemo naprej na lokalno raven, kjer najdemo ustreznega sogovornika za to. Vemo, da so na vsaki policijski postaji, na vsaki upravi kriminalistične policije, da obstajajo ljudje primerni za obravnavo določenih specifičnih okoliščin.

JM: Gredo te posamezniki skozi specialistična usposabljanja ali kako pridejo, do teh znanj?

AČ: Ne, kot sem že povedal, skozi neke vrste teh multiplikatorjev, pomočniki komandirjev in potem se to prenaša navzdol.

JM: Poskušam razumeti kako se določi tistega, ki je na primer bolj senzibiliziran za določeno tematiko. So na postajah 'vsi za vse' ali so vloge policistov bolj določene?

AČ: To se hitro vidi, pri nas imamo znotraj postaje za posamezna področja potem določene posameznike [...]

JM: Omenili ste, da širše strategije s področja, kaj pa lahko policisti na postajah naredijo, da recimo spodbudijo žrtev k prijavi?

AČ: To je naša dolžnost. In zakon.

JM: [...] in usposabljanja, ampak prej ste omenili, da usposabljanja niso specifična glede na primer osebno okoliščino spolne usmerjenosti, vero [...]. Recimo širše, zadnje čase se o islamofobiji zelo veliko govori, so za to kakšni posebni ukrepi?

AČ: Statistično gledano, pa ne rad se opiram na statistiko ampak ko ste omenili islamofobijo, nimamo na temo zabeleženega niti enega kaznivega dejanja. Temo drugače naslavljamo skozi policijsko delo v skupnosti, in opozorimo policiste naj bodo pozorni na grafito na primer. Nenaden pojav grafitov v nekem lokalnem okolju lahko pomeni [...]. Ampak kolikor vidim Ljubljano ne vidim nekih skrb zbujajočih zapisov, da bi po razširjenosti in po vsebini ustrezali klasifikaciji ekstremnega, sistematičnega ali organiziranega nasilja. Kar se tiče homofobije je bistveno več tega ali pa recimo proti židovski skupnosti, to je recimo v tujini velik problem. Pri nas pa so to prej izjeme, kot pravilo.

JM: Se vam zdi, da je Slovenija nek specifičen primer glede prijave sovražnega nasilja. Se vam zdi, da smo neke vrste oaza in imamo res zelo malo tovrstnega nasilja? Sama namreč opažam, da ne samo na policijo, tudi na nevladne organizacije se žrtve ne obračajo.

AČ: Na to lahko odgovorim samo osebno izven uradnega mandata za ta pogovor. Moje osebno mnenje je, da imamo pri nas blazno težavo z zelo razširjenim sovražnim govorom. Ne bi se pa strinjal, da gre tu za ekstremno nasilje. Sicer s tem odpreva debato, o ekstremizmu, kaj je ekstremistično in tako naprej, kdaj presežemo kakšno mejo in tako naprej. Ne vem, ekstremno nasilje si jaz drugače predstavljam. Zakaj pa nimamo odziva na to, ne vem. [...] to da se skrivamo za tem, da ljudje iz nekih osebnih razlogov, nezaupanja do policije, ne vem, samoobtoževanja, se mi zdi, da bi morali to že zdavnaj preseči. Mislim, da imamo pri nas nek splošen družbeni problem [...] čeprav po drugi strani pa si upam trditi, da smo kot družba danes bistveno bolj senzibilni na tovrstne odklonske pojave, kot smo bili nekoč, pa ne samo zaradi števila prijav ampak zaradi same vsebine in odnosa, kako naj se ljudje potem vedejo. Kako je bilo včasih in kako je danes.

JM: Osebno se mi zdi da je sicer res zavest višja aktivnost pa ne toliko [...]

AČ: Ja, je pa to verjetno pogojeno z nekimi ne samo lokalnimi zakonitostmi, ampak tudi s to mentaliteto [...] enostavno ni neke pričakovane odzivnosti [...] nekako ne izpolnjujemo, jaz temu pravim teorijo množice. Nič ni [...] zgodi se nekaj v lokalnem okolju, obsojanja vredno in mi smo čisto paralizirani.

JM: Kar jaz vidim problematično v kontekstu individualnega nasilja, ker s tem ko ne dobivamo informacij z lokalnega okolja zgublamo pomembne informacije o obsegu, o specifikah tega nasilja. Recimo to da policija beleži vse incident z motivom sovraštva od skupno točko in jih ne klasificira glede na motiv [...]

AČ: Ja, ločimo med prekrški in kaznivimi dejanji in potem imamo katalog po motivu.

JM: Omenili ste, da se kot družba ne zavedamo dovolj pojavnosti nasilja iz sovraštva, kako pa bi po vašem mnenju to angažiranost lahko povečali?

AČ: To sem že omenil, da se končno na neki najvišji ravni oblikuje neka politika, neke temeljne smernice, da nekdo da jasen signal, to bomo naslovili in to bomo rešili.

JM: Menite, da bi moral tovrsten poziv za spremembe priti s strani civilne družbe?

AČ: Ne moramo pričakovati, da bo policija pobudnik takih stvari, tako kot si policija ne more sama pisati zakonov. Civilna družba je ne nek način tista, ki je gonilo vsega skupaj. Je pa res, da nimam nekega vpogleda v to in ne morem dajati neke vrednostne sodbe, kdo bi moral kaj narediti.

JM: Naslov mojega doktorskega dela je vloga policije in LGBT skupnosti pri boju proti homofobnem nasilju [...] kakšna je po vašem mnenju vloga policije [...]

AČ: Ključna. Definitivno je ključna, ker ni, dokler smo 'servis', ker zelo malo je tistega težkega policijskega dela, vse ostalo je servilnost. Od reševanja mačkov z dreves, do zapiranja vode [...] Čeprav tu potem pridem do dileme, ljudje od nas pričakujejo ne vem kaj vse, ob včasih najbolj nemogočih situacijah, ko pridemo pa do tega momenta prijave, pa nihče nič ne bi. Očividec na primer ne bi povedal, da je videl kaznivo dejanje, žrtev ne bi prišla in se ne bi izpovedala. To je zanimivo, še posebej, ker ko je napaden predstavnik določene skupine, ne gre samo za to, da je celotna skupnost kateri pripada napadena ampak gre za dolgoročne posledice tudi na tega posameznika.

JM: Skozi pogovor sva že omenila sodelovanje policije z LGBT skupnostjo, pa me zanima na kakšen način vidite vi tovrstno sodelovanje in ali menite, da ima dodano vrednost? Pa še, na kakšen način bi tovrstno sodelovanje moralo potekati, da bi bilo za policijo ustrezno in realno.

AČ: Z eno besedo bi rekel celovitost, jaz sem samo v to usmerjen. Da se ne ukvarjamo parcialno s tem, vsak na svoj način, hodimo po isti že prehojeni poti, ki jo je že nekdo drug prehodil, ampak enostavno gre za

celovitost, gre za nek multi [agency] pristop, da identificiramo kdo so ključni partnerji, pri tem, da vemo kaj je izziv, da ga identificiramo pravilno, da določim, kaj lahko vsak od partnerjev prispeva in na kakšen način bomo to skupaj racionalno in učinkovito realizirali.

JM: Menite, da je interes na strani policije, da s časoma vzpostavi tako sodelovanje?

AČ: Jaz mislim, da policija kaže dovolj velik interes. Jaz jo sicer res sedaj močno zagovarjam.

Ampak jaz močno verjamem, kot tudi verjamem vašim ugotovitvam, ker jih opirate [...] ampak jaz pred vami ne sedim zato ker sem dobil neko nalogo, da moram to storiti, to je tudi v mojem interesu, da se midva pogovarjava. In se mi zdi tale naša pripravljenost, sodelovanje, sploh z Legebitro, pa Spletno oko forum [...] policija je bila prva zraven, sodelovali smo od same vzpostavitve, tudi vmes, ko na neki točki nismo več vedeli, kako bi lahko projekt še razvijali, smo se zopet povezali [...] tako da jaz mislim, da smo pripravljeni in da smo zreli. Poleg tega, da je to nujno potrebno zaradi celovitega pristopa. Mi nimamo znanja, časa, sredstev. Imamo en kup nekih omejitev, imamo tudi svoje prednosti, ki vam jih lahko ponudimo, ki jih lahko izkoristite kot priložnost, in zakaj potem ne bi tu vzpostavili neke vzajemnosti, mislim, da z nekim racionalnim pristopom, da je to čisto uresničljivo. Verjamem tudi, da se stvari razvijajo v tej smeri.

10.2 Tatjana Bobnar, keynote speech at expert round table on reporting of homophobic violence, December 2014, Ljubljana (in Slovene)

Govor na: Strokovni forum »Prijava homofobnega nasilja: pričakovanja, predsodki in praksa«, 10. december 2014

Spoštovanje človekovih pravic in temeljnih svoboščin je ustavna zapoved, ki jo ta člen precizira za policijsko delo. Človekove pravice in temeljne svoboščine se uresničujejo neposredno na podlagi ustave. Po ustaljeni ustavno-sodni presoji se lahko omejijo zaradi pravic drugih oziroma zaradi javne koristi; zakon lahko določi le način njihovega uresničevanja, kadar tako določa ustava ali če je to nujno zaradi posamezne pravice ali svoboščine (prvi do tretji odstavek 15. člena ustave). V prvem odstavku tega člena je posebej izpostavljena pravica do življenja. Dikcija ustave je bolj skopa kot dikcija Konvencije o varstvu človekovih pravic in temeljnih svoboščin (EKČP). Pravica do življenja ni absolutna, ESČP pri izjemah uporablja merilo "absolutne neogibnosti (ang. *"absolute necessity"*). Izjema od te restriktivne razlage bi lahko predstavljala zakonita obramba življenja druge osebe. V prvem odstavku je posebej izpostavljeno tudi varstvo človekove osebnosti in dostojanstva. Človekova osebnost in dostojanstvo sta tudi kazenskoopravno varovana, in sicer kot »kršitev človeškega dostojanstva z zlorabo uradnega položaja ali uradnih pravic« (266. člen KZ-1) in »izsiljevanje izjave« (267. člen KZ-1). Odras spoštovanja človekove osebnosti in dostojanstva sta npr. določba o zagotavljanju posebne prehrane pridržani osebi na podlagi njenega prepričanja (prvi odstavek 71. člena ZNPP) ali določba, da varnostni pregled oziroma pregled osebe praviloma opravi oseba istega spola (sedmi odstavek 51. člena ZNPP in tretji odstavek 52. člena ZNPP). Z varstvom človekove osebnosti in dostojanstva je povezana tudi določba tretjega odstavka, ki prepoveduje mučenje ali podobno ravnanje oziroma kaznovanje. Gre za mednarodno uveljavljene pojme, ki so prevzeti po Konvenciji proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju (zlasti po 1. in 16. členu konvencije). Podobno formulacijo vsebujejo tudi 18. člen ustave (nihče ne sme biti podvržen mučenju, nečloveškemu ali ponižujočemu kaznovanju ali ravnanju) in drugi zavezujoči mednarodnopravni akti.

Pravica do življenja, varstvo človekove osebnosti in dostojanstva ter prepoved mučenja in podobnega ravnanja in kaznovanja so med najbolj občutljivimi človekovimi pravicami in temeljnimi svoboščinami tudi z vidika policijskega dela, zato jih 13. člen posebej poudarja. Njihov pomen je razviden tudi iz dejstva, da jih ni mogoče začasno suspendirati, kot je to v vojnem in izrednem stanju izjemoma dopustno za večino drugih človekovih pravic in temeljnih svoboščin (16. člen ustave). V drugem odstavku 13. člena je izpostavljena pozitivna obveznost policistov, da še posebej obzirno ravnaajo z žrtvami in osebami, ki potrebujejo dodatno pozornost, pomoč in skrb (t. i. ranljive skupine). Naštevaje je eksemplifikativno ("kot so otroci, mladoletniki, starejši, invalidne osebe, nosečnice in žrtve nasilja v družini"), saj je nemogoče kazuistično zajeti vse oblike ranljivosti. Poleg tega bo vprašanje, kdo potrebuje dodatno pozornost, odvisno tudi od okoliščin konkretnega primera ali kombinacije različnih dejavnikov (npr. šok zaradi dogodka v povezavi z zdravstvenimi težavami osebe). Skupine, ki so v drugem odstavku 13. člena ZNPP izrecno našteje, so ranljive že na podlagi različnih značilnosti – starosti, nezrelosti, telesne prizadetosti in nosečnosti (pri žrtvah nasilja v družini pa gre za psihološko in drugačno zlorabljenost). Odras omenjene pozitivne obveznosti policistov so tudi določbe o ravnanju s pridržanimi osebami (npr. o medicinski pomoči, o zagotovitvi posebne prehrane zaradi bolezni, o zagotovitvi primernih oblačil ali obutve, če je oseba pripeljana v mokrih oziroma neustreznih oblačilih, zlasti glede na letni čas in vremenske razmere). S 14. členom ZNPP sta pravici iz 14. in 22. člena ustave RS precizirani za policijsko delo. Osebnostne okoliščine pa so upoštevane tudi glede na Protokol št. 12 k Evropski konvenciji o človekovih pravicah (Splošna prepoved diskriminacije) in prvi odstavek 131. člena KZ-1. Pri tem je treba poudariti, da 22.

člen ustave, v katerem je urejeno enako varstvo pravic v postopku pred sodiščem in pred drugimi državnimi organi, organi lokalnih skupnosti in nosilci javnih pooblastil, ki odločajo o pravicah, dolžnostih ali pravnih interesih, dejansko govori o enakosti pred zakonom, pravzaprav gre za nekakšno "podvrsto" enakosti iz 14. člena ustave.

14. člen ustave je zapisan v pozitivni obliki ("V Sloveniji so vsakomur zagotovljene enake človekove pravice in temeljne svoboščine ..."), 14. člen ZNPP pa v negativni obliki ("nikogar ne smejo diskriminirati na podlagi ..."). Iz ustavne formulacije sledi, da je diskriminacija prepovedana le na področju človekovih pravic in temeljnih svoboščin in le z vidika osebnih okoliščin, s čemer je zakonodajalcu *a contrario* dana "pravica do samovolje" pri drugih pravicah in drugih merilih. 14. člen ustave (in posledično 14. člen ZNPP) pa izrecno prepovedujeta neenako (policijsko) obravnavno posameznikov ali skupin na podlagi različnih osebnih okoliščin, kot so rasa, spol ipd., oziroma zapovedujeta enako obravnavo, ne glede na omenjene neenakosti (aristotlovska izravnalna pravičnost oziroma *iustitia commutativa*). Kršitev takšne policijskih postopkov na podlagi etnične pripadnosti osebe kot lastnosti, ki "statistično kriminalizira" osebo (t. i. *racial profiling*). Identificiranje z upoštevanjem etnične pripadnosti, ugotovljene na podlagi videza, bi bilo mogoče le, če bi bila oseba "po opisu podobna iskani osebi (peta alineja prvega odstavka 40. člena ZNPP)."

Posebej velja poudariti, da je prepoved diskriminacije v policijskem delu absolutna, kar je posebnost. Temeljni zakon s področja diskriminacije definira enako obravnavanje kot odsotnost neposredne oziroma posredne diskriminacije zaradi katere koli, v tistem zakonu naštetih osebnih okoliščin (slednje se nekoliko razlikujejo od osebnih okoliščin, naštetih v 14. členu ustave). Pod določenimi pogoji pa opušča pravno razlikovanje tudi na podlagi osebnih okoliščin, kadar gre za t. i. posredno diskriminacijo, torej za navidezno nevtralni predpis, merilo ali prakso, ki pa osebo z določeno osebo okoliščino v enakih ali podobnih situacijah in pogojih *de facto* postavlja v manj ugoden položaj kot druge osebe. Takšno razlikovanje je po omenjenem zakonu dopustno, če te določbe, merila ali ravnanja objektivno upravičujejo zakoniti cilj in če so sredstva za doseganje tega cilja ustrezna in potrebna (prvi in tretji odstavek 4. člena Zakona o uresničevanju načela enakega obravnavanja; Uradni list RS, št. 93/07 – UPB1; ZUNEO). Posredna diskriminacija je pod podobnimi pogoji dopustna tudi na področju delovnega prava (tretji odstavek 6. člena Zakona o delovnih razmerjih, Uradni list RS, št. 42/02, 79/06 – ZZZPB-F, 46/07 – odločba US, 103/07, 45/08 – ZArbit, 83/09 – odločba US; ZDR).

Kršitev načela enakega obravnavanja lahko predstavlja tudi kaznivo dejanje »kršitev enakopravnosti« iz 131. člena KZ-1. Iz 22. člena ustave za policijsko delo izhaja zlasti dolžnost, da osebe niso obravnavane neenakopravno, v smislu, da bi v njeni zadevi odločili drugače, kot se sicer odloča v vsebinsko podobnih (ali enakih) primerih. Omenjena določba ustave je sicer podlaga za bogato sodno prakso, ki se nanaša zlasti na odločanje sodišč, ne glede na to pa določba izrecno velja tudi za policijo ("drugi državni organ, ki odloča o pravicah, dolžnostih ali pravnih interesih"). Tako 14. kot tudi 22. člen ustave sta v 14. členu ZNPP konkretizirana z vidika opravljanja policijskih nalog. Policijske naloge izhajajo iz temeljnih dolžnosti policije, tj. zagotavljanja varnosti posameznikom in skupnosti, spoštovanja človekovih pravic in temeljnih svoboščin ter krepitve pravne države. Policijska naloga je naloga, predpisana z ZNPP ali drugim zakonom in se opravlja z uporabo policijskih pooblastil ali drugih uradnih dejanj (1. točka prvega odstavka 3. člena ZNPP). Ključne naloge, ki izhajajo iz navedene dolžnosti, določa prvi odstavek 4. člena ZNPP. Policijsko pooblastilo je z zakonom določen ukrep, ki policistom omogoča opravljanje policijskih nalog in s katerim se praviloma posega v človekove pravice ali temeljne svoboščine ali druge pravice (2. točka prvega odstavka 3. člena ZNPP). Policijska pooblastila so naštetja v prvem odstavku 33. člena ZNPP.

Policisti torej pri opravljanju svojih nalog ne bodo smeli (*de facto*) diskriminirati oseb na podlagi njihovih osebnih okoliščin, hkrati pa bodo morali v svojih postopkih odločati enako, ko bo šlo za vsebinsko podobne primere.

Temeljna načela je treba razumeti večplastno: predstavljajo namreč celovita vodila, ki po eni strani prevevajo druge določbe ZNPP, po drugi strani pa tudi vsako zase in vsa skupaj (razumljena v kontekstu celotnega pravnega sistema) usmerjajo policista pri njegovem delu. 17. člen ZNPP dejansko združuje dve načeli: strokovnost in integriteto. Načelo strokovnosti je v nekoliko drugačni obliki vseboval 4. člen PPP: pooblastila mora policist izvesti strokovno in odločno, vendar obzirno, tako da po nepotrebnem ne prizadene dostojanstva osebe v postopku.

Izraz "krepiti integriteto" je uvedel Zakon o integriteti in preprečevanju korupcije (ZIntPK), ki je dal večji poudarek pozitivni plati preprečevanja korupcije (tj. razvijanju "poštenih" praks delovanja). Izraz integriteta etimološko izhaja iz angleškega izraza "*integrity*", ta pa iz latinskega *integritas*. Preprosto bi ga lahko poslovenili tudi kot poštenost. Integriteta mora vsebovati tako "materialni" oziroma moralni kot tudi "procesni" vidik – tj. doslednost pri uresničevanju. ZIntPK integriteto definira kot pričakovano delovanje in odgovornost oseb in organizacij pri preprečevanju in odpravljanju tveganj, da bi bila oblast, funkcija, pooblastilo ali druga pristojnost za odločanje uporabljena v nasprotju z zakonom, pravno dopustnimi cilji in etičnimi kodeksi (3. točka 4. člena ZIntPK). S krepitvijo integritete se krepí tudi delovanje pravne države (1. člen ZIntPK). Sistemsko je za krepitev integritete in svetovanje pri krepitvi integritete pristojna komisija za preprečevanje korupcije (prva in četrta alineja 12. člena ZIntPK). Krepitev integritete je posebej pomembna pri policistih, ki

s svojimi pooblastili praviloma posegajo v človekove pravice in temeljne svoboščine, hkrati pa imajo vpogled v različne evidence in razpolagajo z veliko občutljivimi informacijami. Navedeno jih dela še bolj ranljive za korupcijo. V okviru policije je bil januarja 2011 ustanovljen Odbor za integriteto in etiko v policiji, ki naj bi trajno skrbel za etiko in integriteto, podajal mnenja (gre za posvetovalno telo generalnega direktorja policije), sistematično preučeval strateške predloge, novosti, vprašanja in dileme s področja integritete in etike, dejaven pa naj bi bil tudi pri oblikovanju načrta krepitev integritete.

V Policijski akademiji smo v letu 2014 vključili tematiko LGBT v dve usposabljanji: Policijsko delo v skupnosti in Vodenje v policiji. Predavatelj, ki je brezplačno izvedel 2 predavanji in eno delavnico, je bil: **izr. prof. dr. Roman Kuhar**. V letu 2014 je izr. prof. dr. Roman Kuhar v Policijski akademiji izvedel:


- 14. 4. 2014 in 16. 4. 2014 dve predavanji za 68 izvajalcev programa usposabljanja Policijsko delo v skupnosti. Osredotočil se je na formativni cilj iz programa: policisti v postopkih vzpostavijo sodelovalni stik z občani, razvijejo empatičen odnos do strank v postopku, spoštujejo drugačnost (ne ravnaajo homofobno, ksenofobno ...)
- 18. 11. 2014 je izvedel dve- in polurno delavnico o homofobiji v slovenskem prostoru za 22 vodij – komandirjev in pomočnikov komandirjev s policijskih postaj, vodij kriminalističnih oddelkov. Pravi ti operativni vodje se vsak dan pri vodenju operativnega dela policistov srečujejo z razumevanjem tematike LGBT in naravnostjo policistov v postopkih z »drugačnimi«. Udeleženci tega programa so odlično sprejeli visoko strokovno raven obravnave te zahtevne tematike.

Dr. Roman Kuhar je prav zaradi dobre sprejetosti pri udeležencih usposabljanja pripravljen sodelovati tudi v izvedbah programa Vodenje v policiji v letu 2015. Na podlagi izkušenj, ki jih je pridobil v mednarodnem raziskovalnem projektu pri švedski policiji, bo pripravil sodobno interaktivno delavnico o tematiki LGBT.

V preteklem obdobju je bil vzpostavljen kontakt s predstavnico LGBT gospo Jasno Magić. Dogovorjeno je bilo, da se kot predstavnica LGBT obrne na kontaktno osebo policije (v primerih, ko bi bilo potrebno preveriti kakšne informacije povezane z homofoničnimi dogodki oz. v primeru obravnave "občutljivih" primerov. Navedena je v preteklosti sodelovala tudi na predstavitvi izkušenj in ugotovitev iz njenih raziskav na usposabljanju pomočnikov komandirjev SPN, ki ga je organiziral UUP GPU v Gotenici (2010-2011). Sicer pa se inšpektorji, ki pokrivajo delovna področja SPN kot so delo policije v večletnih skupnostih, nasilje v družini, delo s subkulturnimi skupinami, redno udeležujejo forumov, posvetov, predstavitev in strokovnih srečanj, ki jih organizirajo organizacije civilne družbe, nevladne organizacije, izobraževalne institucije. Na teh srečanjih so praviloma prisotni tudi predstavniki LGBT, ki predstavljajo svoje referate s področja homofobije in diskriminacije. Za uvid v trende gibanja ugotovljenih kršitev 20. člena ZJRM (vzbujanje nestrpnosti); v enajstih mesecih 2014 so policisti obravnavali 40 kršitev 20. člena ZJRM, lani v istem obdobju pa 52 kršitev. Sodelovanje z LGBT skupnostjo: Vodje policijskih okolišev (in vodstvo PP Ljubljana Center) sodeluje z vsemi predstavniki, vodje prireditev, najemniki oz. lastniki lokalov, kjer se zbira več udeležencev članov LGBT z namenom zagotavljanja varnosti vseh oseb in predvsem z namenom preprečevanja hujših kršitev vzbujanja nestrpnosti, JRM ali kaznivih dejanj povezanih oz. storjenih z namenom vzbujanja spolne, rasne, etnične nestrpnosti. Pred organiziranjem večjih prireditev VPO, vodstvo PP Ljubljana Center in policisti sodelujejo z organizatorji, člani LGBT itd., kjer usklajujejo in izmenjujejo podatke (prijave morebitnih groženj, itd..). Predstavniki ki delujejo na območju PP Ljubljana Center imajo tudi imena in priimke policistov in posameznikov iz vodstva PP Ljubljana Center ravno zaradi interesa dobrega sodelovanja.

Priprava: T.B.

10.3 Official statement and permission from the General Police for his study to be conducted (in Slovene)

 REPUBLIKA SLOVENIJA
MINISTRSTVO ZA NOTRANJE ZADEVE
POLICIJA
Generalna policijska uprava
Policijska akademija
Ročenska ulica 56, 1211 Ljubljana Šmartno
T: 01 514 70 00
F: 01 514 71 00
E: pa@policija.si
www.policija.si

Jasna Magič
[redacted]
1000 Ljubljana

Številka: 630-134/2013/7 (2641-01)
Datum: 28. 8. 2013

Zadeva: Prošnja za zbiranje podatkov v policiji oz. izvedbo akcijskega raziskovanja za namen izdelave doktorske disertacije, soglasje

V zvezi z vašo prošnjo za zbiranje podatkov v policiji oz. izvedbo akcijskega raziskovanja za namen izdelave vaše doktorske disertacije z naslovom *Vloga policije in LGBT skupnosti pri oblikovanju varnih skupnosti*, ki jo izdelujete na Fakulteti za socialno delo Univerze v Ljubljani, vam sporočamo, da **soglašamo** z izvedbo:

- spletnega anketiranja zaposlenih na policijskih postajah oz. policijskih upravah v RS z anketnim vprašalnikom *Odnos zaposlenih v policiji do gejev in lezbijk in izkušnje s kaznivimi dejanji in prekrški iz sovraštva na osnovi spolne usmerjenosti*,
- polstrukturiranih intervjujev z nekaterimi zaposlenimi v policiji, s pomočjo katerih želite pridobiti poglobljene informacije o dejavnih, ki vplivajo na (ne)prilagojenost tovrstnega nasilja, ter druge informacije s področja obravnavane teme.

Prav tako vam dajemo tudi **načelno soglasje** za izvedbo morebitnih drugih aktivnosti, potrebnih za uspešno izvedbo vaše akcijske raziskave (npr. predstavitev rezultatov raziskave, desiminacija pridobljenega novega znanja, ipd.), pri čemer pa se morate predhodno dogovoriti z ustrezno pristojno službo oz. pristojno osebo v policiji.

Glede načina in termina izvedbe vseh vaših aktivnosti povezanih z zbiranjem podatkov se dogovorite neposredno z vodstvi posameznih policijskih uprav v RS, za objavo obvestila o izvajanju anketiranja in povezave do spletnega anketnega vprašalnika na intranetu policije pa se dogovorite neposredno s Službo generalnega direktorja policije, Sektorjem za odnose z javnostmi.

Pri zbiranju in obdelavi podatkov ter prikazovanju rezultatov raziskave v vaši doktorski disertaciji upoštevajte osnovna etična načela v raziskovanju. Zato vse, ki bodo vključeni v raziskavo, seznanite z vsebino, s cilji, z namenom in s potekom raziskave, z načinom obdelave podatkov, z načinom poročanja o dobljenih rezultatih ter glede hranjenja podatkov. Zbiranje podatkov mora potekati v času ko bo delovni proces v policijskih enotah najmanj obremenjen ter tako, da bodo pri tem vsi respondenti in drugi sodelujoči sodelovali prostovoljno in da bo zagotovljena njihova anonimnost. Opozarjamo vas tudi na spoštovanje določb Zakona o varstvu osebnih podatkov (ZVOP-1-UPB1), Ur. list RS, št. 94/2007, in drugih predpisov, ki urejajo varstvo osebnih podatkov.

10.4 Online questionnaire for LGBT participants (in Slovene)

Q1 - Spolna usmerjenost

Q2 - Ste član/članica oziroma aktivno sodelujete s katero ob obstoječih organizacij, civilnih iniciativ, neformalnih skupin v Sloveniji, ki deluje na področju zagovorništva pravic istospolno usmerjenih oseb?

- ☐ Da
☐ Ne

Q3 - Bi zase lahko rekli, da ste aktivno udeleženi pri procesih, ki si prizadevajo za izboljšanje pravic istospolno usmerjenih oseb?

- ☐ Da
☐ Ne

Q4 - Ali vam je udobno ob misli, da ste istospolno usmerjeni? To pomeni, da se lastne spolne usmerjenosti ne sramujete.

- ☐ Da
☐ Ne

Q5 - Ali ste ljudem, ki vas obkrožajo razkrili vašo spolno usmerjenost?

- ☐ Razkrit/-a sem pred večino ljudi, ki me obkrožajo.
☐ Razkrit/-a sem samo pred prijatelji/-cami.
☐ Razkrit/-a sem samo pred družino.
☐ Razkrit/-a sem pred prijatelji/-cami in družino.
☐ Nisem razkrit/-a.

Q6 - 2. Nasilje in prijava nasilja

Q7 - Kaj od naštetega je za vas nasilje? Prosim, izberite odgovor DA ali NE za vsako od predpostavk.

	Ne	Da
Žaljenje in zmerjanje	<input type="radio"/>	<input type="radio"/>
Namerno izključevanje iz družbe ali ignoriranje	<input type="radio"/>	<input type="radio"/>
Grožnja s fizičnim nasiljem	<input type="radio"/>	<input type="radio"/>
Poškodovana ali uničena osebna lastnina	<input type="radio"/>	<input type="radio"/>
Obmetavanje s kamni ali predmeti	<input type="radio"/>	<input type="radio"/>
Preganjanje ali zasledovanje	<input type="radio"/>	<input type="radio"/>
Porivanje	<input type="radio"/>	<input type="radio"/>
Udarci ali brce	<input type="radio"/>	<input type="radio"/>
Zavrnitev zdravstvenih ali drugih socialno-varstvenih storitev	<input type="radio"/>	<input type="radio"/>
Napad ali poškodba z orožjem	<input type="radio"/>	<input type="radio"/>
Spolno nadlegovanje	<input type="radio"/>	<input type="radio"/>
Javno razkritje osebe brez njenega privoljenja	<input type="radio"/>	<input type="radio"/>
Sovražni grafiti	<input type="radio"/>	<input type="radio"/>
Sovražna pošta	<input type="radio"/>	<input type="radio"/>
Zavrnitev na delovnem mestu / odpustitev	<input type="radio"/>	<input type="radio"/>
Zavrnitev javnih storitev (zavrnen dostop v bar / restavracijo, ipd.)	<input type="radio"/>	<input type="radio"/>
Sovražni komentarji na spletnih straneh in forumih	<input type="radio"/>	<input type="radio"/>

Q8 - Kaj naštetega razumete kot kaznivo dejanje? Prosim, izberite odgovor DA ali NE za vsako od predpostavk.

	Ne	Da
Žaljenje in zmerjanje	<input type="radio"/>	<input type="radio"/>
Namerno izključevanje iz družbe ali ignoriranje	<input type="radio"/>	<input type="radio"/>
Grožnja s fizičnim nasiljem	<input type="radio"/>	<input type="radio"/>
Poškodovana ali uničena osebna lastnina	<input type="radio"/>	<input type="radio"/>
Obmetavanje s kamni ali predmeti	<input type="radio"/>	<input type="radio"/>
Preganjanje ali zasledovanje	<input type="radio"/>	<input type="radio"/>

	Ne	Da
Porivanje	<input type="radio"/>	<input type="radio"/>
Udarci ali brce	<input type="radio"/>	<input type="radio"/>
Zavrnitev zdravstvenih ali drugih socialno-varstvenih storitev	<input type="radio"/>	<input type="radio"/>
Napad ali poškodba z orožjem	<input type="radio"/>	<input type="radio"/>
Spolno nadlegovanje	<input type="radio"/>	<input type="radio"/>
Javno razkritje osebe brez njenega privoljenja	<input type="radio"/>	<input type="radio"/>
Sovražni graffiti	<input type="radio"/>	<input type="radio"/>
Sovražna pošta	<input type="radio"/>	<input type="radio"/>
Zavrnitev na delovnem mestu / odpustitev	<input type="radio"/>	<input type="radio"/>
Zavrnitev javnih storitev (zavrtnjen dostop v bar / restavracijo, ipd.)	<input type="radio"/>	<input type="radio"/>
Sovražni komentarji na spletnih straneh in forumih	<input type="radio"/>	<input type="radio"/>

Q9 - V kolikor bi bili sami izpostavljeni naštetim situacijam, motiv zanje pa bi bila vaša spolna usmerjenost, kako verjetno je, da bi izkušnjo ali dogodek prijavili na:

	Policijo				Nevladno organizacijo			
	Ne bi prijavila	Malo verjetno	verjetno	Zelo verjetno	Ne bi prijavila	Malo verjetno	verjetno	Zelo verjetno
Žaljenje in zmerjanje	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Namerno izključevanje iz družbe ali ignoriranje	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Grožnja s fizičnim nasiljem	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Poškodovana ali uničena osebna lastnina	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obmetavanje s kamni ali predmeti	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preganjanje ali zasledovanje	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Porivanje	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Udarci ali brce	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zavrnitev zdravstvenih ali drugih socialno-varstvenih storitev	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Napad ali poškodba z orožjem	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Spolno nadlegovanje	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sovražni graffiti	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sovražna pošta	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zavrnitev na delovnem mestu / odpustitev	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zavrnitev javnih storitev (zavrtnjen dostop v bar / restavracijo, ipd.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sovražni komentarji na spletnih straneh in forumih	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Javno) razkritje vaše spolne usmerjenosti brez vašega privoljenja	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q10 - Kaj bi vplivalo na vašo odločitev, da bi zagotovo prijavili homofobno nasilje?

Možnih je več odgovorov

☐ Homofobno nasilje bi prijavil/-a, če bi to pomenilo, da bo storilec/-ka sankcioniran/-a (npr. zaslišan/-a, priprt/-a).

☐ Homofobno nasilje bi prijavil/-a, če bi to pomenilo da me bo nekdo poslušal in slišal mojo

zgodbo/izkušnjo.

- ☐ Homofobno nasilje bi prijavil/-a, če bi to pomenilo, da bi se storilec/-ka soočil/-a s svojimi dejanji.
- ☐ Homofobno nasilje bi prijavil/-a, če bi s tem preprečil/-a, da bi se tovrstno nasilje dogajalo še naprej (meni ali komur drugemu).
- ☐ Homofobno nasilje bi prijavil/-a, če bi s prijavo nekaj 'iztržil/-a' (npr.: občutek maščevanja, finančno odškodnino ...).
- ☐ Homofobno nasilje bi prijavil/-a, če bi bil/-a izpostavljen/-a fizičnemu nasilju.
- ☐ Homofobno nasilje bi prijavil/-a, če bi bil/-a izpostavljen/-a psihičnemu nasilju.

Q11 - Ali po vašem mnenju in/ ali izkušnjah homofobno nasilje lahko prijavite na:

	Ne	Da
Policijo	<input type="radio"/>	<input type="radio"/>
Društvo Informacijski center Legebitra	<input type="radio"/>	<input type="radio"/>
Društvo ŠKUC-LL	<input type="radio"/>	<input type="radio"/>
DNK – Društvo za nenasilno komunikacijo	<input type="radio"/>	<input type="radio"/>

Q12 - Ali poznate še kakšno organizacijo vladno ali nevladno kamor lahko prijavite homofobno nasilje? Če je vaš odgovor da, vas prosim, da ime(na) organizacij/e vpišete pod drugo.

Možnih je več odgovorov

- ☐ Da
- ☐ Ne
- ☐ Drugo:

Q13 - Policija in homofobno nasilje

Q14 - Spodnje trditve se navezujejo na vaša pričakovanja do dela policistov in policistk v procesu prijave homofobnega nasilja. Ocenite kako pomembni so posamezni dejavniki za vas, v kolikor bi bili sami izpostavljeni nasilju, ki bi ga prijavljali.

	Ni pomembno	Pomembno	Zelo pomembno
Da vam policisti in policistke verjamejo in vas ob prijavi obravnavajo korektno in brez predsodkov.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da vam policisti in policistke znajo svetovati glede nadaljnjih korakov v postopku prijave.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da vas policisti in policistke napotijo na ustrezno pravno ali psiho-socialno podporo ter omogočijo zdravstveno pomoč.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da imajo policisti in policistke ustrezno znanje / zavedanje o položaju istospolno usmerjenih v družbi.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da ste s prijavo zaščiteni/-a pred nadaljnjim tovrstnim nasiljem (npr. policija identificira in najde storilca/-ko, aretira in zasliši storilca/-ko itd.).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q15 - Kako bi ocenili vaše poznavanje dela policije na področju boja proti homofobnemu nasilju:

- ☐ Z delom policije na tem področju sem zelo dobro seznanjen/-a
- ☐ Z delom policije sem nekoliko seznanjen/-a
- ☐ Z delom policije nisem seznanjen/-a
- ☐ Drugo:

IF (1) Q15 = [1, 2]

Q16 - V nadaljevanju so zapisane nekatere trditve o delu slovenske policije na področju ukrepanja proti homofobnemu nasilju. Ocenite, v kolikšni meri se strinjate s spodnjimi trditvami:

	Sploh se ne strinjam	Se ne strinjam	Ne vem	Se strinjam	Povsem se strinjam
Policija ima vodilno vlogo pri zagotavljanju varnosti v LGBT skupnosti.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policija je uspešna pri zmanjševanju strahu pred homofobnim nasiljem v LGBT skupnosti.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policija spodbuja k prijavam homofobnega nasilja.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Sploh se ne strinjam	Se ne strinjam	Ne vem	Se strinjam	Povsem se strinjam
Policija nudi učinkovit sistem podpore posameznikom, ki se soočajo s homofobnim nasiljem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policija objektivno obvešča širšo javnost o ukrepih in reakcijah na homofobno nasilje.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

IF (2) Q15 = [1, 2]

Q17 - V nadaljevanju so zapisane nekatere trditve o policistih in policistkah ter njihovih izkušnjah z obravnavo primerov homofobnega nasilja. Ocenite, v kolikšni meri se strinjate s spodnjimi trditvami:

	Sploh se ne strinjam	Se ne strinjam	Ne vem	Se strinjam	Povsem se strinjam
Policisti in policistke ob prijavi homofobnega nasilja ukrepajo korektno in upoštevajo obstoječo zakonodajo s področja.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policisti in policistke so ob prijavi homofobnega nasilja fleksibilni in dojemljivi za specifično situacijo tistih, ki se soočajo s homofobnim nasiljem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policisti in policistke imajo ustrezno znanje o značilnostih homofobnega nasilja in ga znajo prepoznati.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policisti in policistke učinkovito varujejo dogodke, ki so primarno namenjeni LGBT skupnosti (Parada ponosa, različne zabave in druge prireditve).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q18 - 3. Društvo Legebitra in homofobno nasilje

Q19 - Ali ste seznanjeni z delom društva Legebitra na področju svetovanja in podpore ter ukrepanja proti homofobnem nasilju?

- ☐ Z delom Društva Legebitra sem zelo dobro seznanjen/-a
☐ Z delom Društva Legebitra sem nekoliko seznanjen/-a
☐ Z delom Društva Legebitra nisem seznanjen/-a

IF (3) Q19 = [1, 2]

Q20 - Spodnje trditve se navezujejo na vaša pričakovanja do dela svetovalcev in svetovalk na Legebitri v procesu prijave homofobnega nasilja. Ocenite kako pomembni so posamezni dejavniki za vas, v kolikor bi bili sami izzpostavljeni nasilju, ki bi ga prijavljali.

	Sploh ni pomembno	Ni pomembno	Ne vem	Pomembno	Zelo pomembno
Da svetovalci in svetovalke mojo izkušnjo vzamejo resno in me poslušajo.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da mi svetovalci in svetovalke svetujejo o tem, kako naj se sam/-a zaščitim, izognem tovrstnem nasilju.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da mi svetovalci in svetovalke nudijo podporo pri prijavi nasilja na policijo in druge institucije.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da mi svetovalci in svetovalke nudijo psiho-socialno podporo.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da me svetovalci in svetovalke napotijo na pravno podporo.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da me svetovalci in svetovalke napotijo na zdravstveno podporo.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Da me svetovalci in svetovalke opolnomočijo. (*Opolnomočiti pomeni dati moč osebi, da se lahko skozi pridobljene informacije / znanje samostojno odloča in vzame življenje v svoje roke).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

IF (4) Q19 = [1, 2]

Q21 - V nadaljevanju so zapisane nekatere trditve o delu Društva Legebitra na področju podpore in pomoči ter ukrepanja proti homofobnemu nasilju. Ocenite, v kolikšni meri se strinjate s spodnjimi trditvami:

	Sploh se ne strinjam	Se ne strinjam	Ne vem	Se strinjam	Povsem se strinjam
Društvo Legebitra nudi učinkovit sistem podpore osebam, ki se soočajo s homofobnim nasiljem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Društvo Legebitra učinkovito obvešča LGBT skupnost o programih podpore in pomoči za tiste, ki se soočajo s homofobnim nasiljem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Društvo Legebitra objektivno obvešča širšo javnost o ukrepih in reakcijah na homofobno nasilje	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q22 - Ali je po vašem mnenju na področju boja proti homofobnemu nasilju potrebno sodelovanje policije z LGBT skupnostjo?

- ☐ Da
☐ Ne
☐ Ne vem

IF (5) Q22 = [1, 4]

Q23 - Na kakšen način menite, da bi moralo potekati sodelovanje, da bi bilo učinkovito? (*odgovor ni obvezen*)

Q24 - Če vas je katerokoli vprašanje omejilo oziroma bi radi glede na temo še na kaj opozorili, izpostavili še kakšno izkušnjo, ki je povezana s homofobnim nasiljem, prosim, napišite (*odgovor ni obvezen*) :

Q25 - 5. Demografija

Q26 - Starost:

- ☐ 18–25
☐ 26–35
☐ 36–45
☐ 46–55
☐ 56–65
☐ več kot 65

Q27 – Spolna identiteta:

- ☐ Ženska
☐ Moški
☐ Transpolna oseba
☐ Drugo
☐ Ne želim opredeliti spolne identitete

Q28 - Kako se opredeljujete?

- ☐ Lezbijka
☐ Gej
☐ Biseksualec/biseksualka
☐ Queer
☐ Heteroseksualec/heteroseksualka
☐ Drugo

Q29 - Kakšen je vaš trenutni stan?

- ☐ Samski/samska
☐ V partnerskem razmerju
☐ Ne želim odgovoriti

Q30 - V kakšnem okolju živite oziroma preživite največ časa?

- ☐ Vaško okolje
☐ Obrobje manjšega mesta
☐ Obrobje večjega mesta

- ☐ Manjše mesto: Kranj, Koper (do 100.000 prebivalcev)
☐ Večje mesto: Ljubljana, Maribor (več kot 100.000 prebivalcev)

Q31 - Ste trenutno:

- ☐ Zaposlen/-a
☐ Nezaposlen/-a
☐ Honorarni delavec/-ka
☐ Upokojenec/-ka
☐ Študent/-ka

Q32 - Dosežena stopnja izobrazbe:

- ☐ Osnovnošolska izobrazba
☐ Poklicna izobrazba
☐ Srednješolska izobrazba
☐ Višje ali visokošolska izobrazba
☐ Univerzitetna izobrazba
☐ Magisterij, specializacija, doktorat
☐ Drugo:

10.5 Questionnaire for police participants (in Slovene)

Q1 - Policija kot delovno okolje

Q2 - Koliko let ste že zaposleni v policiji?

- ☐ Manj kot 5 let
☐ Od 5–10 let
☐ Od 11–15 let
☐ Od 16–20 let
☐ Več kot 20

Q3 - Označite glavni razlog, zakaj ste izbrali delo policista/policistke?

- ☐ Da bi preprečeval/a kazniva ravnanja
☐ Da bi pomagal/a ljudem
☐ Ekonomske prednosti (plača, pokojnina, pokojninsko varčevanje ...)
☐ Razgibanost dela
☐ Drugo:

Q4 - V kolikšni meri se strinjate s spodnjimi trditvami?

	Sploh se ne strinjam	Se ne strinjam	Ne vem	Se strinjam	Povsem se strinjam
Delo vsakega policista/policistke mora vključevati sodelovanje s predstavniki lokalnih skupnosti in državljani.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Delo vsakega policista/policistke mora vključevati tudi sodelovanje s predstavniki zainteresiranih organizacij ali iniciativ, ki spadajo pod policijsko upravo znotraj katere delujem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pri lastnem delu si želim več sodelovanja s predstavniki zainteresiranih organizacij ali iniciativ, ki spadajo pod policijsko upravo znotraj katere delujem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zelo sem zadovoljen/zadovoljna s svojo službo.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Če bi lahko dobil/a premestitev v drugo policijsko enoto, bi to brez razmisleka sprejel/a.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Če bi dobil/a ponudbo za boljše plačano delo izven policije, bi jo brez odlašanja sprejel/a.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q5 - Ali ste se v zadnjih petih letih kot zaposleni/zaposlena v policiji kdaj znašli v situaciji, kjer so vas nadrejeni ali sodelavci:

	Ne	Da
Naslovili z neprimernimi besedami.	<input type="radio"/>	<input type="radio"/>
Podvomili v pravilnost realizacije postopka, ki ste ga izvedli?	<input type="radio"/>	<input type="radio"/>
Poniževali ali vas obravnavali z viška?	<input type="radio"/>	<input type="radio"/>
Izključevali iz neformalnih mrež?	<input type="radio"/>	<input type="radio"/>
Neupravičeno zavrnili napredovanje ali priložnosti za izobraževanje?	<input type="radio"/>	<input type="radio"/>
Se vam poskušali intimno približati brez vaše pobude?	<input type="radio"/>	<input type="radio"/>
Se norčevali iz vas?	<input type="radio"/>	<input type="radio"/>
Dali manj ugodno oceno dela, kot menite, da si zaslužite.	<input type="radio"/>	<input type="radio"/>

Q6 - Odnos zaposlenih v policiji do gejev in lezbijk

Q7 - V kolikšni meri se strinjate s spodnjimi trditvami:

	Sploh se ne strinjam	Se ne strinjam	Niti niti	Se strinjam	Povsem se strinjam
Policistka se mora najprej dokazati, preden ji zaupam.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policist se mora najprej dokazati, preden mu zaupam.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ženska lahko opravlja policijsko delo tako dobro kot vsi ostali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policisti in policistke morajo biti vzorniki v družbi.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Zaposlovanje gejev in lezbijk v policiji ruši te vrednote.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policija ne bi smela zaposlovati gejev in lezbijk, saj prenašajo spolno prenosljive bolezni.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gej lahko opravlja policijsko delo tako dobro kot vsi ostali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lezbijka lahko opravlja policijsko delo tako dobro kot vsi ostali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Spolna usmerjenost je izbira.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Geji in lezbijke so napaka narave, so poženščeni moški ali ženske-možače.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vzrok za spolno usmerjenost je predvsem napačna vzgoja ali travmatska doživetja (npr. posilstvo žensk, spolne zlorabe v otroštvu ...).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parade ponosa in vidnejši dogodki spodbujajo istospolno usmerjenost in povečujejo število istospolno usmerjenih v družbi.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q8 - Ali poznate policista/policistko, ki je istospolno usmerjen?

- ☐ Da
☐ Ne
☐ Drugo:

IF (1) Q8 = [1, 3]

Q9 - Kako bi opisali svoj osebni odnos s tem policistom/policistko?

- ☐ Ni prijateljski/tesen
☐ Nekoliko prijateljski
☐ Prijateljski/tesen
☐ Drugo:

IF (1) Q8 = [1, 3]

Q10 - Ali ta oseba v delovnem okolju odkrito govori o svoji istospolni usmerjenosti?

- ☐ Da
☐ Ne
☐ Ne vem
☐ Drugo:

IF (1) Q8 = [1, 3]

Q11 - Ali ste v delovnem okolju, sami oziroma v okviru skupine, naredili karkoli od naslednjega nekomu, za katerega ste menili (ali vedeli), da je gej ali lezbijka?

	Ne	Da
Se izogibali stiku s to osebo.	<input type="radio"/>	<input type="radio"/>
Zavračali delo s to osebo.	<input type="radio"/>	<input type="radio"/>
Za geja ali lezbijko uporabili žaljivko.	<input type="radio"/>	<input type="radio"/>
Izrekli negativne pripombe ali spraševali žaljiva vprašanja o spolnosti ali osebnem življenju te osebe.	<input type="radio"/>	<input type="radio"/>
Pustili sporočila, pisma, slike, posterje ali predmete spolne narave, ki so opozarjali na spolno usmerjenost te osebe.	<input type="radio"/>	<input type="radio"/>

Q12 - Če bi bil/a eden od vaših sodelavcev/k na postaji odkrit gej ali lezbijka (ocenite, v kolikšni meri se strinjate s spodnjimi trditvami):

	Sploh se ne strinjam	Se ne strinjam	Ne vem	Se strinjam	Povsem se strinjam
Bi ga/jo kolegi še vedno spoštovali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi imel/a enake možnosti napredovanja.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi se ga/jo sodelavci izogibali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi ga/jo sodelavci fizično nadlegovali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi bil/a tarča verbalnih groženj.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi bil/a tarča šal na njegov/njen račun.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi ga/jo občudovali zaradi odkritosti.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi izgubil/a svojo kredibilnost.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi drugim vzbujal/a gnus.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mu sodelavci/ke ne bi zaupali, da nudi dobro podporo/okrepitev.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi njegovo/njeno delo podrobneje nadzirali.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi ga/jo sodelavci namerno izključili/izključevali iz družbe.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bi nadrejeni onemogočili/njegovo napredovanje.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q13 - Policija in kazniva dejanja iz sovraštva na osnovi spolne usmerjenosti

Q14 - Ali ste v času izobraževanja za policista/policistko dobili kakršnekoli informacije o osebni okoliščini spolne usmerjenosti ali kaznivih dejanjih na osnovi spolne usmerjenosti?

- ☐ Da
☐ Ne
☐ Drugo:

Q15 - Odkar ste zaposleni v policiji, ali ste se udeležili kakršnihkoli izobraževalnih aktivnosti (seminarjev, delavnic, predstavitev, treningov, usposabljanj ...), ki so posebej naslavljali okoliščino istospolne usmerjenosti ali homofobnega nasilja?

- ☐ Da
☐ Ne
☐ Drugo:

Q16 - Ali Kazenski zakonik RS predpisuje strožje kazni za nasilje proti istospolno usmerjenim kot za običajne napade?

- ☐ Da
- ☐ Ne
- ☐ Ne vem

Q17 - Ali po vašem mnenju policisti obravnavajo geje in lezbijke v postopku enakopravno v primerjavi z ostalimi občani?

- ☐ Da
- ☐ Ne
- ☐ Ne vem

Q18 - Ali ste v policijskem postopku že kdaj obravnavali žrtev homofobnega nasilja?

- ☐ Da
- ☐ Ne
- ☐ Ne vem
- ☐ Drugo:

Q19 - Ali menite, da znate prepoznati značilnosti homofobnega nasilja?

- ☐ Da
- ☐ Ne
- ☐ Drugo:

Q20 - Ali je po vašem mnenju pomembno, da je na policijski postaji vsaj ena oseba, ki ima specifična znanja o osebni okoliščini spolne usmerjenosti?

- ☐ Da
- ☐ Ne
- ☐ Ne vem
- ☐ Drugo:

Q21 - Ali je po vašem mnenju na področju boja proti homofobnemu nasilju potrebno sodelovanje policije z gejevsko-lezbično skupnostjo?

- ☐ Da
- ☐ Ne
- ☐ Ne vem
- ☐ Drugo:

Q22 - Demografija

Q23 - Označite policijsko upravo, v okviru katere delujete:

- ☐ Policijska uprava Celje
- ☐ Policijska uprava Koper
- ☐ Policijska uprava Kranj
- ☐ Policijska uprava Ljubljana
- ☐ Policijska uprava Maribor
- ☐ Policijska uprava Murska Sobota
- ☐ Policijska uprava Nova Gorica
- ☐ Policijska uprava Novo mesto
- ☐ Drugo:

Q24 - Starost:

- ☐ 18–25
- ☐ 26–35
- ☐ 36–45
- ☐ 46–55
- ☐ 56–65
- ☐ Več kot 65

Q25 - Vaš spol:

- ☐ Moški
- ☐ Ženska

Q26 - Kakšen je vaš trenutni stan

- ☐ Poročen/poročena
☐ Živim v registrirani istospolni partnerski skupnosti
☐ V partnerskem razmerju
☐ Samski/samska
☐ Vdovec/vdova
☐ Ne želim odgovoriti
☐ Drugo:

Q27 - V kakšnem okolju opravljate delo policista?

- ☐ Vaško okolje
☐ Obrobje manjšega mesta
☐ Obrobje večjega mesta
☐ Manjše mesto: Kranj, Koper (do 100.000 prebivalcev)
☐ Večje mesto: Ljubljana, Maribor (več kot 100.000 prebivalcev)

Q28 - Dosežena stopnja izobrazbe:

- ☐ Poklicna izobrazba
☐ Srednješolska izobrazba
☐ Višje- ali visokošolska izobrazba
☐ Univerzitetna izobrazba
☐ Magisterij, specializacija, doktorat
☐ Drugo:

Q29 - Vaš služben naziv:

- ☐ Direktor PU
☐ Komandir PU
☐ Pomočnik komandirja
☐ Kriminalist
☐ Vodja policijskega okoliša
☐ Policist/policistka
☐ Drugo:

Q30 - V kolikor bi radi dodali kakršnokoli drugo izkušnjo ali komentar, pomemben za raziskavo, ga, prosim, vpišite tu:

10.6 Open coding, main themes and memo analysis of LGB focus groups with (in Slovene)**Raziskovalno vprašanje 1: Percepcija homofobnega nasilja in zločina?**

Odprta koda	Lastnosti	Primer citata
Tip nasilja	Delitev na psihično in fizično nasilje; Delitev na kazniva dejanja in manjše incidente, Delitev na homofobno diskriminacijo in nasilje	<i>»Jaz bi zagotovo prijavila grožnjo s fizičnim nasiljem, žaljenje in zmerjanje v tem primeru, da bi bilo, da bi se počutila to neprijetno, no.«</i> <i>»Jaz bi isto, pač vse, kar je s fizičnim nasiljem povezano bi prijavil, da ne naštevam. Pa mogoče res ne bi prijavil posmehovanja in izključevanja iz družbe, ker pač ni tle kaj za naredit, lahko zgolj sam pač nekaj vplivaš. Pa ne vem, da bi mi lastnino uničili, zaradi tega ker sem gej, ali pa tudi to zavrnitev zdravstvenih in drugih socialno varstvenih storitev, to se mi zdi osnova.«</i>

		<i>“Problem je v tem, da mi v glavah razločujemo na fizično in psihično.”</i>
Posledice in vpliv nasilja	<p>Psihično nasilje ima dolgoročnejše posledice kot fizično nasilje.</p> <p>Neoprijemljivost nekaterih oblik psihološkega nasilja</p> <p>Prespraševanje - katera oblika fizičnega in psihološkega nasilja je vredna prijave in katera ne?</p>	<p><i>“Jaz tudi mislim, da je poanta v tem, koliko je to zares zares lahko dokazljivo. Mislim oblike psihičnega nasilja, če govorimo o policiji in koliko je to kaznivo. Ampak ni problem v tem, mislim ja če vprašaš mene, tu res ne bi smelo biti razlike. Po izkušnjah, bi rekla, da mi je celo manj doživeti udarec, kot pa podoživljati psihične pritiske.”</i></p> <p><i>“ja tudi dolgoročno, je jasno, da ima psihično nasilje večje posledice, kakor fizično.”</i></p>
Razumevanje nasilja	Percepcija nasilja se oblikuje preko: medijev, zakonodajnega okvirja in javnih, političnih razprav	<i>“Sedaj razmišljam, da sploh ne vem ali imamo sploh elemente psihičnega nasilja kot kaznivo dejanje opredeljeno v kazenskem zakoniku? To se mi zdi zelo pomembno in bi bilo potrebno pogledati v zakonik, če bi to šlo skozi.”</i>
Vpliv percepcije nasilja na prijavo	<p>Večja naklonjenost k prijavi nasilja, ki se ga razume, dojema, čuti, kot 'resno', 'fizično' nasilje</p> <p>Večja naklonjenost k prijavi nasilnih incidentov, ki so v obstoječi zakonodaji in politikah opredeljeni kot nasilje ali prekršek in za katere je zagrožena kazen</p> <p>Večja naklonjenost k prijavi nasilnih incidentov, ki se ponavljajo</p>	<p><i>“Če bi bilo fizično. Zame, če bi bilo fizično. Pa tudi psihično, če bi se ponavljalo.”</i></p> <p><i>“Fizično v prvem momentu, psihično pa ponavljajoče.”</i></p> <p><i>“Jaz psihičnega po moje ne bi prijavljala, jaz bi poskušal drugače urediti.”</i></p>
Odziv na nasilje	Visoka toleranca psihičnega nasilja, minimaliziranje, trivializiranje manjših incidentov, opazk, šal	<i>“Ja, pri verbalnem. Seveda, če bi me pretepli kot žival sredi ceste, bi to najbrž prijavil. Če bi me nekdo pljuval in ogovoril na nesramen način in šel naprej, pa najbrž da ne”</i>

Raziskovalno vprašanje 2: Kakšna je splošna naklonjenost za prijavo homofobnega nasilja?

Odprta koda	Lastnosti	Citati, besede
Prijava psihičnega nasilja	Verjetnost prijave zelo majhna; Intenziteta, pogostost vpliva na odločitev na prijavo, opredeljenost v zakonodajnem okvirju, če je dokazljivo	<i>“Za ostale pa, vsaj jaz, no, žaljenje, posmehovanje, nadlegovanje, to ne lih. Grožnja s fizičnim, to bi mogoče že.”</i>
Prijava fizičnega nasilja	Verjetnost prijave višja Odvisno od poškodbe / škode, Incidenti, ki so dokazljivi opredeljenost v zakonodajnem okvirju	<p><i>“Jaz bi prijavila težje zadeve”</i></p> <p><i>“Jaz bi definitivno, poskus umora, spolno nadlegovanje,</i></p>

		<p><i>spolno zlorabo, napad ali poškodbo z orožjem</i></p> <p><i>“Tudi jaz bi prijavil vse, kar se tiče fizičnega nasilja”</i></p>
Prijava homofobnega nasilja	<p>Odvisna od: oblike nasilja, intenzitete, profila storilca, odnosa med storilcem in žrtvijo, lokacije, od stopnje razritosti žrtve</p>	<p><i>“Ja jaz bi žaljenje in zmerjanje, če bi se ponavljalo v službi, bi definitivno prijavil. Pač samo da bi se ponavljalo, da bi bilo redno. Ker če ti samo nekdo nekaj reče, bi prijavil, ne bi šel na policijo, ampak kakšni organizaciji ali delodajalcu”</i></p>
Prijavna točka	<p>Psihično nasilje se prijavlja na LGBT društva, fizično nasilje se prijavlja na policijo.</p> <p>Odvisno od tega kaj pričakujemo od prijave: takojšnja reakcija, zaščita žrtve (policija), psihosocialna podpora, reference na druge smeri podpore (društva)</p>	<p><i>“Jaz ne bi sploh razmišljal. Jaz ne bi trpel homofobije v službi. In bi prijavil ne glede na karkoli”</i></p> <p><i>“Jaz pa pri psihičnem nasilju, ne vem, če bi se obrnila na nevladno organizacijo, tega ne bi storila z namenom prijave, ampak bi šla bolj po pomoč zase. Se dvignit nazaj, opolnomočit in opogumit. Ne bi šla tja z namenom iskati kazni”</i></p>
Prijava na policijo	<p>Verjetno prijave na policijo je višja v primeru fizičnega nasilja, nasilja z orožjem, groženj z nasiljem</p>	<p><i>“Jaz mislim, da tisto kar je bolj evidentno in ko točno veš da se z nekaterimi oblikami ukvarja policija, greš do policije, tisto kar je pa mogoče rahlo zamegljeno, kar sicer vemo, da je nasilje, recimo nadlegovanje, pa, no vsaj jaz, ne zaupam, bi znala policija odreagirati, me ne bi jemali resno, kot na primer neka nevladna organizacija, ki se s tem ukvarja. Jaz kot posameznica se v tem primeru ne bi počutila tako močne, da bi šla na policijo. Bi potem raje šla na nevladno organizacijo in potem preko njih.”</i></p>
Prijava na LGBT društva	<p>Homofobna diskriminacija, lažje fizične poškodbe, psihično nasilje, društvo je vmesni člen do prijave na policijo</p>	<p><i>“Jaz pa pri psihičnem nasilju, ne vem, če bi se obrnila na nevladno organizacijo, tega ne bi storila z namenom prijave, ampak bi šla bolj po pomoč zase. Se dvignit nazaj, opolnomočit in opogumit. Ne bi šla tja z namenom iskati kazni”</i></p>

Raziskovalno vprašanje 3: Kateri dejavniki vplivajo na prijavo homofobnega nasilja

Odprta koda	Lastnosti	Citati, besede
Razkritost v postopku prijave in odziv policije	Stigma, strah, splošna razkritost	<p><i>“Meni jih pride kar par na misel. Se pravi tudi služba, pa recimo v mojem primeru, moj oče ne ve zame in sem trenutno še kar dosti</i></p>

		<i>odvisen od njega in če ne bi bilo kaj takega res očitnega, da ne bi ravno z brazgotinami domov prišel, potem čisto mogoče, da ne bi prijavil.”</i>
Kompetence policije	Znanje s področja LGBT tem, znanje s področja homofobije, zakonodaja	<p><i>“Prva stvar je definitivno korekten odnos. Se pravi, da ni nekih predsodkov, zasmehovanja s strani policije. Se pravi nek občutek varnega okolja, kjer lahko to narediš brez posledic zase.”</i></p> <p><i>“Varnost ne, da ti da policija občutek varnosti. Ne da pridejo, napišejo zapisnik in grejo in te pustijo, kjer si bil.”</i></p>
Profil storilca	Odnos med storilcem in žrtvijo	<i>“Jaz mislim, da bi prijavil, odvisno od tega, kakšen občutek bi imel. A lahko ta prijava kaj pripomore v tej situaciji ali ne. Se mi zdi, da po eni strani, če bi se neki doma dogajalo, pa da bi imel občutek, da lahko eskalira, bi najbrž prej prijavil, kakor, da se ti zgodi neka naključna situacija na cesti, pa imam občutek, da teh ljudi nikoli več v življenju ne bom videl.”</i>
Lokacija dogajanja	Razlikovanje med »Zasebnim« in »javnim« prostorom, delovno mesto	<p><i>“žaljenje in zmerjanje, če bi se ponavljalo v službi, bi definitivno prijavil. Pač samo da bi se ponavljalo, da bi bilo redno.”</i></p> <p><i>“Jaz pa bi prijavila tudi nadlegovanje in posmehovanje in žaljenje in zmerjanje, odvisno od koga bi prihajalo. Če bi se to zgodilo na primer v službi, da bi se na primer nadrejeni posmehoval in me žalil in me nadlegoval, ali pa sodelavci, bi prijavila. Če bi me sodelavci, potem bi šla do nadrejenega, če bi pa nadrejeni, bi pa nekam ven šla, ali na nevladno, ali pa, ne vem, na katero institucijo.”</i></p>
Rezultat prijave	Storilec je zaustavljen, policija odreagira, zaščita je učinkovita, žrtev ima čustveno, pravno in zdravstveno podporo	<i>“Če ne bi imel občutka, da ta prijava nekaj pomeni, pa da lahko vpliva na situacijo, potem pač tega ne bi naredil”</i>
Percepcija policije v procesu prijave	LGB udeleženci se ne počutijo varne, ko razmišljajo o prijavi na policijo, Policija je primarna točka za prijavo nasilja iz sovraštva Udeleženci menijo, da policija ne spodbuja k prijavi	<i>“Rok: Jaz mislim, da so popolnoma neprilagojeni na to. Se tudi parado ponosa varuje kot katerokoli fudbal tekma, se v bistvu na isti način obnašajo do ljudi, ki so na neki javni demonstraciji, ki je mirna v svoji osnovi in se enako obnašajo na nogometni tekmi, kjer delajo z</i>

		<i>istim številom pijanih relativno agresivnih ljudi. Jaz mislim, da nimajo razčiščen, kakšne pristope bi morali ubrat.”</i>
Percepcija LGBT društev	Varni prostori, NVO niso primarna točka za prijavo nasilja iz sovraštva Potrebna je večja vidnost programov, ki pozivajo k prijavi	<i>“Pri fizičnem nasilju bi se takoj na policijo, šri ponavljajočem psihičnem pa bi se verjetno najprej na kakšno organizacijo,”</i> <i>“jaz ne vem, kaj pa bi pričakovala od nevladne organizacije? Razen psihološke podpore, NVO nimajo v resnici veliko moči pri prijavi nasilja”</i>

10.7 Personal notes from semi-structured interviews with members of police (in Slovene)

10.7.1 Interview 1

Policija: Intervju 1

Datum: 19.09.2013, Kavarna SEM, Tabor, Ljubljana

Spol: moški; starost: 35

Naziv: policijski inšpektor, pomočnik komandirja

Zakaj je izbral službo policista:

Ker ga je to veselilo, ker je to dinamično delo. Poklic je bil včasih drugače ovrednoten, bolj cenjen.

Ocena policije kot organizacije:

Kljub vsem spremembam, je policija tog, zaprt sistem. Preveč birokracije, prenizki kriteriji zaposlovanja, preveč je ekonomskih migrantov. Ljudje se ne zaposlujejo več iz razloga “pomagati ljudem”. Pred krizo, se je zaposlovalo vsepovprek in vsakogar, v 2013 imamo prepoved zaposlovanja, kar pomeni premalo policistov in prevelika obremenjenost. Policija je še militaristična; ni prostora za razmišljanje s svojo glavo in se ga tudi ne dopušča. Veliko se da na položaj in moči in avtoritete.

Zadovoljstvo pri delu:

Trenutno ni zadovoljen, kot poklic pa ga še vedno veseli, še vedno čuti izziv, vendar zaradi ZUJFA ni možnosti napredovanja. Ima manjšo plačo. Nezadovoljen je zaradi ukrepov države, ki ne izboljša položaja policistov.

Odnosi med zaposlenimi:

Ocenjuje, da so generalno odnosi na postajah dobri, da se pomaga drug drugemu. Ocenjuje tudi da je samoiniciativnost policistov manjša kot je bila pred leti ravno zaradi ZUJFA, sploh pri ugotavljanju prekrškov, da ni več take zagnanosti beležiti in preiskovati prekrške, kot je bila včasih.

Odnos do žensk:

Ocenjuje, da je policija sedaj bolj odprta in da se položaj žensk izboljšuje, da lahko končno ženske prevzemajo tudi vodstvene položaje. Meni, da so ženske v določenih primerih lahko bolj učinkovite kot moški. Načeloma so enakopravno obravnavane in opravljajo enakovredno delo kot moški policisti.

Odnos do manjšin na splošno:

Od zadeve Ambrus se zelo veliko dela z Romi. Od 2007 so se na nivoju policijskih postaj izvajala usposabljanja o položaju in problematiki Romov. Potekalo je tudi učenje romskega jezika. Meni, da bi morala policija sodelovati z vsemi manjšinami oziroma predstavniki manjšin. Meni, da je potreba po tem, sodelovanja pa ni veliko.

Odnos policije do gejev in lezbijk

Istospolna usmerjenost je tabu tema, o tem se ne govori, se ne pogovarja. Splošno mnenje je da je to osebna stvar posameznika, ki naj ne bi vplivalo na njegovo opravljanje poklica. Po letu 2008 je več poudarka na temo nasilja nad istospolno usmerjenimi zaradi prenove KZ in novega kodeksa policijske etike, ker se je definiralo homofobijo kot obliko kvalificiranega kriminalnega dejanja.

Citat: »Ministrica Kresal je naredila velik korak, ko se je udeležila parade ponosa [2009 op.] čeprav je na račun tega v policiji doživela zelo negative odziv. To je bilo zelo pogumno dejanje.«

Geji in lezbijke v policiji

Pozna nekoga, ki je razkrit gej, policist, in je in je na račun tega pred leti doživel veliko zbadanja, predvsem skozi šale in komentarje. Vodstvo postaje je bilo obveščeno o nadlegovanju; reakcije ni bilo. Citat: »Na delovnih sestankih tega nismo nikoli obravnavali kot odklonsko vedenje, ki je nezaželeno.« Sodelavci so se navadili in sedaj tega policista obravnavajo kot vsakega drugega. Meni, da danes ni več negativnih odstopanj

v odnosu do njega. Meni, da se gej in lezbijke v policij ne razkrivajo, zaradi strahu pred stigmatom in šikaniranjem. Se pa danes veliko bolj sprejema geje in lezbijke tudi v policiji. Meni, da strah pred nerazkritostjo ni popolnoma upravičen. Kljub stereotipom in predsodkom, se ne bi zmanjšala, na primer, možnost napredovanja. Poudari, da je to osebna okoliščina, stvar odločitve in posameznika kako se odloči ali se bo razkril ali ne, zaradi tega človek ni slab policist ali policistka

Delovne izkušnje s primeri homofobnega nasilja

Največ prijav policija dobi preko Spletnega očesa in potem odreagirajo v kolikor je zakonska podlaga. Tu gre predvsem za sovražni govor na spletu. Meni, da take prijave obravnavajo z vso resnostjo, kot vsaka ostala kazniva dejanja. Večinoma poznajo dobro ZJRM in to tudi največkrat uporabljajo, KZ niti ne toliko. Citat: *»Ni netipično, da bi policist za šartal najprej na prekršek. Lažje je procesirati prekršek kot pa kaznivo dejanje. Tisti, ki so v prekrškovnem postopku bodo lažje in hitreje kaznovani kot pa tisti, ki se jih preganja z kaznivo dejanje.«* Meni, da posamezni policisti niso dovolj strokovno podkovani za prepoznavo homofobije kot kaznivega dejanja ali prekrška.

Homofobno nasilje, kot tema usposabljanj in treningov v policiji

Ni seznanjen s specifičnimi usposabljanji na to temo, niti se ne spomni, da bi se o tem kaj bolj izrazito govorilo skozi usposabljanja. Omeni interna navodila za obravnavo tovrstnih kaznivih dejanj, ki so vsebovala informacije na kaj biti pozoren in kako prepoznati elemente homofobije. Gre za interne smernice, ki niso obvezujoče in posamezen policist se lahko še vedno odloča po lastni vesti in znanju.

Citat: *»Teh informacij ne dobimo posebej preko izobraževanj. Tukaj je ključen osebni interes, radovednost in angažiranost posameznega policista kar zadeva manjšinsko problematiko, ker pristop ni sistematiziran.«*

Sodelovanje z LGBT skupnostjo:

Sodelovanje je smotno in potrebno. Meni, da bi morala policija več delati na preventivi, s tem bi tudi dosegli, da se o tem več govori tudi znotraj same policije. Meni, da bi to razbilo predsodke tako na strani policije kot na strani lgbt skupnosti in vplivalo na večje število prijav, če bi policija bolj aktivno in vidno delala na tem. Na nivoju policijski postaj bi morali biti zadolženi kriminalisti ali pa vodje policijskih okolišev in vzdrževati redni stik z predstavniki te manjšine. Predstavnike LGBT skupnosti, bi se lahko povabilo tudi na delovne sestanke, kjer se medsebojno izmenjuje informacije. Podatkov da bi bila to praksa jih nima. Bolj ali manj se ukvarjajo z Romi. Meni, da je potrebno pokazati bolj resen, formalen pristop policije, da se tovrstna kazniva dejanja in prekrške ne obravnava z levo roko in da se jih obravnava kot vse ostale prijave. Paralela z Romsko integracijo problematike v policijo in posledično integracijo predstavnikov Romov v policiji, kot policisti.

10.7.2 Interview 2

Policija: Intervju 2

Datum: 24.08.2013, Kavarna SEM, Tabor, Ljubljana

Spol: ženska; starost: 42

Naziv: kriminalistka

Zakaj je izbrala službo policistke:

Družinsko ozadje, člani družine policisti in policistke, tudi ekonomski razlogi, redna plača, pokojnina, zavarovanje, itn.

Ocena policije kot organizacije:

V zadnjem desetletju se je delo zelo zbirokratiziralo. Pozna se tudi vpliv ekonomske krize in varčevanja. Citat: *»Rešujemo vse, od krav do mačk in potem zmanjka za tisto kar bi morali res delati. Trenutno se ne zaposluje, kar pomeni, da so vsi za vse. Tudi napredovanja so ustavili pa ni plačnega napredovanja. Delo se opravlja brez prave motivacije.«*

Odnosi med zaposlenimi:

Odnosi med policisti so se spremenili, so bolj individualizirani. Mladi policisti nimajo odnosa do starejših, ni istih vrednot in odnosa do znanja ki je v organizaciji.

Odnos do žensk:

Zelo težko se napreduje, ženska se mora veliko bolj dokazovati, kot moški. Osebno bi šla rada ven iz policije ali pa vsaj na drugo delovno mesto.

Odnos do manjšin na splošno:

Nezaupanje policije do nevladnih organizacij.

Citat: *»Z aktivisti so sami križi in težave.«*

Citat: *»Zaradi vse birokracije povprečnega policista delo z občani niti ne zanima. Zapiše se najbolj nujno, včasih se niti ne vpraša vseh detajlov okrog incidenta. Samo, da se čimprej zaključi primer.«*

Opazke na temo etnične pripadnosti, barve kože in spolne usmerjenosti so vseprisotne.

Odnos policije do gejev in lezbijk

Meni da je policija začela delati na tem, ker je takratna politika 2009 tako zahtevala. Katarina Kresal je bila zelo zavzeta za manjšinske teme in ker je bila ministrica je imela tak položaj in moč, da je to speljala. Opazi

tudi upad interesa in to pripiše temu, da se je potem zamenjalo vodstvo in s tem prioritete, ki so šle korak nazaj kar zadeva geje in lezbijke, vendar občutno napredovale na drugih področjih kot je družinsko nasilje in nasilje nad ženskami, kjer se ji zdi, da je policija naredila velik korak naprej. Policija je še vedno zelo zaprt prostor in govor o homoseksualnosti je redek in ne vedno dobrodošel.

Geji in lezbijke v policiji:

Ne pozna nobenega razritega policista ali policistke. Pozna nekaj zgodb o nadlegovanju v policiji, vendar meni, da so to trači, ve premalo, da bi o tem objektivno razpravljala.

Delovne izkušnje s primeri homofobnega nasilja / zločina iz sovraštva

Citat: *»Imam občutek, da ko pride nekdo na postajo, ki je istospolno usmerjen ali kakorkoli drugačen, da se ne počuti varno. Ali je to upravičeno ali ne, ne vem, ampak ja, zdi se mi da policija pri manjšinah ne zbujajo občutka varnosti. Morebiti se je na splošno izgubil pomen varnosti in varovanja. Pri vsej birokraciji imaš toliko dela, da se ti fučka za vse.«*

Policija se ne postavlja v vlogo žrtve ali v vlogo manjšine.

Ko pride do homofobnega nasilja so vedno neki komentarji, »ja kaj se pa izpostavljajo.«

Citat: *»Super bi bilo da bi imeli čim več razkritih policistk in policistov, da se te tabuji razblinijo in da se to normalizira«*

Iz komentarjev med sodelavci opaža, da so nekateri nezainteresirani za obravnavo manjših incidentov. Da se jim to zdi nepotrebno in preveč birokracije ter, da raje poiščejo ovinke in zaključijo primer čimprej, še najraje incident uvrstijo med prekrške in pošljejo položnico, da odključajo. To tudi zaradi pritiskov 'od zgoraj', da so stvari čimprej urejene in da ni preveč primerov odprtih. Meni, da je ogromno prostora za spremembe na tem področju vendar ni zaznati, da bi bila to prioriteta vodstva.

Tema homofobnega nasilja in zločina iz sovraštva v usposabljanjih in treningih

Se ne spomni, da bi se o tem kadarkoli govorilo.

Sodelovanje z LGBT skupnostjo:

Potrebno in pomembno. Zaveda se da skoraj ni registriranih primerov homofobnega nasilja in da je najbrž delo policije na področju polno napak, vendar se policija ne more naučiti, če ni prijav. Želi si več prijav, pa tudi da bi bili občani bolj aktivni pri prijavljanju.

10.7.3 Interview 3

Policija: Intervju 3

Datum: 16.08.2013, Kavarna SEM, Tabor, Ljubljana

Spol: ženska; starost: 38;

Naziv: kriminalistka, policistka

Zakaj je izbrala službo v policiji:

Družinski razlogi, pomagati ljudem.

Ocena policije kot organizacije:

Mislila, da je več dela z občani, je pa bolj malo dela z občani pa veliko birokracije, nima občutka da ravno pomaga ljudem. Meni da je problem v sistemu, ker je zelo tog sistem in nefleksibilen, stvari so preveč zakomplicirane. Citat: *'Tam kjer se začne logika, se policija neha'.*

Zadovoljstvo pri delu:

Delo v policiji ni ravno tisto kar si je predstavljala, vendar želi vztrajati in upa, da bodo še kakšne sistemske spremembe, ki bodo bolj poudarile pomen dela z občani in skupnostmi. Meni, da je tega premalo.

Odnosi med zaposlenimi:

Na drugih postajah opaža zelo tekmovalno okolje, zelo napete odnose, zaradi hierarhije, ki se sedaj zaradi ekonomske krize samo še bolj odraža. V policiji je veliko ljudi, ki so zaposleni zaradi ekonomskih razlogov. Sama je zadovoljna z odnosi na postaji

Odnos do žensk:

Ne počuti se zatirano, je morebiti odklon pri policistih, če gre za večjo intervencijo, če je potrebna fizična moč, moški sodelavci včasih rečejo, da ne želijo ženske zraven, drugače pa nima problemov. Je pa tudi odvisno od sodelavca, kakšni moški so bolj zategnjeni, drugi veseli, če imajo lahko žensko sodelavko pri npr. posilstvih ali pa nasilju v družini. Na postaji ni slušala komentarjev. Ni pripomb s strani vodstva, meni, da se govori da so ženske bolj delavne.

Odnos do manjšin na splošno:

Sama občuti veliko razlikovanja. Ker pripada eni od etničnih manjšin je bila tarča komentarjev določenih policistov, predvsem tistih iz starejše generacije. Zaposlenih je nekaj Romov, veliko ji skriva, da so Romi. Omeni tudi da se geji in lezbijke skrivajo, tudi v okviru postaje kjer je zaposlena.

Odnos policije do gejev in lezbijk

Zaprto okolje, veliko negativnih komentarjev na temo. Premalo intervencije s strani vodstva, premalo govora na temo. Manjka osebnega stika z geji in lezbijkami. Ker se premalo govori, potem tudi policisti nimajo možnosti razbiti svojih stereotipov

Geji in lezbijke v policiji:

Pozna geja, za katerega vsi vedo, da je razkrit. Vsake toliko še vedno sliši komentarje ali šale na temo. Meni, da je fino, da se geji in lezbijke v policiji razkrijejo, ker je tudi sistem tak, da te bo slej ko prej postavil v tak položaj, zaradi tesnosti in intenzivnosti dela in odvisnosti od tima.

Zdelo se ji je pogumno, da se je ta policaj razkril. Meni, da je ta policaj sedaj popolnoma sprejet in ga sedaj pustijo na miru. Osebnost meni, da ne razmišlja o gejih in lezbijkah stereotipno, tako da ta razkritje tega kolega ni bistveno vplivalo na njen odnos do tematike. Na negativne šale ali komentarje na postaji se odzove, če je le priložnost. Meni da spolna usmerjenost ni zadržek pri napredovanju v policiji.

Delovne izkušnje s primeri homofobnega nasilja / zločina iz sovraštva

Veliko je predsodkov, da so žrtve same krive za nasilje sploh kadar gre za medpartnersko nasilje in homofobno nasilje. Da bi lahko ženske prej zapustile partnerja in pa da geji in lezbijke izzivajo. Pozna par primerov homofobnih napadov iz medijev, sama meni, da ni delala na homofobnem primerih. Po izkušnjah je prijav homofobnega nasilja zelo malo in kadar so, gre za nasilje s hujšimi telesnimi poškodbami. Meni, da se ljudje obračajo na policijo prepozno.

Meni tudi, da so policaji premalo seznanjeni z zakonodajo glede homofobnega nasilja, naj bo to KZ ali pa ZJRM. Meni da je to zato, ker se ne srečujejo toliko s prijavi homofobnega nasilja in se ne poučijo o tem. Meni tudi da to ni pogosta oblika nasilja.

Citat: *»To ni pogosta oblika nasilja, pa tudi prijav je zelo malo, če bi bilo prijav več, potem bi se policisti tudi bolj na to usmerili, bolj bili seznanjeni in bolj pozorni.«*

Meni da je obravnava homofobije odvisna od individualnega policista. Vse lahko vpliva: ali ima slab dan, ali ima predsodke, koliko bo sposoben prepoznati elemente, imel voljo zadevo raziskati in koliko bo seznanjen z ZJRM in KZ na temo homofobije. Če bo policist super dobre volje in pripravljen pomagati, se lahko tudi take stvari kot so žaljivke in podobno, če se jih lahko dokaže, oglobi pod ZJRM.

Citat: *»Večina policistov se ne zaveda posledic homofobije na posamezniku in na družbi, ne zdi se jim dovolj pomembna, ker večinoma ne gre za fizično nasilje.«*

Tema homofobnega nasilja in zločina iz sovraštva v usposabljanjih in treningih

Predavanja so, vendar premalo, znanja in tolerance ni dovolj. Omeni usposabljanje na temo različnosti, ki se ga je udeležila pred leti. Poudarek je bilo na Romih. Predavanje je bilo sicer generično, spolno usmerjenost se je omenjalo zelo malo.

Sodelovanje z LGBT skupnostjo:

Predlaga konzorcij manjšinskih organizacij, ne samo lezbijk in gejev, ki bi delovale skupaj proti nasilju in bi sodelovale s policijo na delovnih sestankih, da pride do medsebojne izmenjave informacij. Meni, da bi bilo dobro da obstajajo javne kontaktne osebe na policiji, ki bi ali delovale specifično na področju zločina iz sovraštva ali pa specifično na homofobiji. Meni, da bi bilo to dobro, ker bi prej spodbudilo kontakt med žrtvami in policijo. Ljudje bi se raje obračali na konkretno osebo, na nekoga ki ga poznajo, gre za osebni kontakt, kot pa na informacijsko točko. Meni da bi se taki policisti tudi bolj zavzeli za razreševanje določenih primerov ali incidentov.

10.8 LGBT focus groups transcripts (in Slovene)

10.8.1 Focus group 1

Kraj in datum: Informacijski Center Legebitra, Trubarjeva 76a, Ljubljana, 17. april, 2013

Udeleženci/ke: Gabi, Helga, Klara, Kristina, Rita, Mia

Trajanje: 50.34

Moderator: Ko pogledate različne oblike situacij, ki jih imate pred sabo, če bi bili vi izpostavljeni katerikoli od teh situacij, motiv pa vaša spolna usmerjenost, katero od njih bi zagotovo prijavili, policiji ali pa nevladnim organizacijam?

Klara: To je zelo odvisno, kdo bi to naredil.

Mia: Jaz bi prijavila težje zadeve.

Rita: Vse kar je res fizično, ne?

Helga: Jaz bi definitivno, poskus umora, spolno nadlegovanje, spolno zlorabo, napad ali poškodbo z orožjem, zavrnitev zdravstvenih in drugih socialno-varstvenih storitev, ker v tem pač delam, porivanja ne bi po mojem [...]

Klara: [...] odvisno, kam padeš.

Helga: Porivanje še ne pomeni, da kam padeš,

Klara: Aja.

Helga: No lahko pa tudi, vprašanje kakšne so posledice. Ampak, ja.

Mia: Če bi se dalo kaj iztržiti na primer [...]

Rita: [...] pa odvisno kdo bi bil povzročitelj.

Helga: Pregarjanje ali zasledovanje, absolutno, obmetavanje s kami ali s predmeti tudi, poškodovano ali uničeno osebno lastnino to absolutno, ampak to bi prijavila, ne glede na spolno usmerjenost, grožnjo s fizičnim nasiljem tudi [...] namerno izključevanje iz družbe ali ignoriranje, ne vem, odvisno kaj je s tem mišljeno [...] a veš, če je to na primer nekaj kar je [...]

Klara: v službi [...]

Helga: [...] ja, to absolutno

Rita: ali pa če se udeležuješ nečesa, kar je zate zelo pomembno, na primer

Kristina: [...] ali pa se na primer udeležiš nekega javnega dogodka in te na primer vržejo [...]

Helga: ja, to, ja

Kristina: [...] ven zaradi spolne usmerjenosti, na primer.

Helga: Nadlegovanje, je mišljeno kako? Verbalno? Ali fizično ali na splošno?

Moderator: Če lahko, bi to interpretacijo prepustila tebi.

Helga: Ja to je potem zopet odvisno, verbalnega nadlegovanja, ravno vsakega ne bi. Fizično absolutno, posmehovanja ne bi, žaljenje, zmerjanje, pa mislim, da glede na to da ga še do sedaj nisem, ga ne bi tudi v bodoče.

Mia: Jaz pa bi prijavila tudi nadlegovanje in posmehovanje in žaljenje in zmerjanje, odvisno od koga bi prihajalo. Če bi se to zgodilo na primer v službi, da bi se na primer nadrejeni posmehoval in me žalil in me nadlegoval, ali pa sodelavci, bi prijavila. Če bi me sodelavci, potem bi šla do nadrejenega, če bi pa nadrejeni, bi pa nekam ven šla, ali na nevladno, ali pa, ne vem, na katero institucijo.

Klara: [...] pa pri kakšnem zdravniku verjetno isto.

Mia: ja to je odvisno kdo, ne. Sedaj pa če si predstavljam [...] mislim, ja ne vem, če bi uradno prijavila, ampak nekaj bi verjetno naredila. Če bi me sodelavci izključevali iz družbe in ignorirali v zbornici, potem bi sčasoma verjetno nekaj ukrenila.

Rita: V kakšnem primeru pa ne bi, recimo?

Mia: Recimo, da smo neke zunaj v nekem baru, pa je zraven neka družba in bi priletela ena pripomba se mi verjetno ne bi dalo s tem ukvarjati ampak, bi pač enostavno popokala in šla, če bi šlo na primer za nek družaben večer. Odvisno, če bi šlo pa to v razsežnosti,

Rita: Se pravi je to ta moment [...] če lahko greš stran, ne?

Mia: Seveda, ker v službi pač si tam, seveda in še nekaj časa boš. Pa bolj si zaščiten v službi. Mislim, saj tudi zunaj se ti ne sme to dogajati, ampak, realno gledano je, mislim, ne vem kaj bi lahko policija naredila, če ti rečeš, da ti je en tam rekel 'lej jo prokleta lezba', ne vem kaj, mislim, policaj po mojem, ko bi ga poklicala, bi si najbrž mislil, 'pa, halo'.

Helga: 'Pejt v rit.'

Mia: Ja, najbrž res to. No upam, da ne bi to rekel. Vsekakor, pa mislim, da me ne bi resno jemal. Če bi mi pa v šoli nekdo rekel od kolegov, 'prokleta lezba', bi pa sigurno šla naprej. Pri meni je zelo odvisno, kje se to zgodi.

Klara: Se strinjam.

Kristina: Pa od koga.

Moderator: Bi bila kakšna razlika v vašem odnosu, do prijave, če motive ni spolna usmerjenost?

Helga: pri meni ne.

Rita: Pri meni tudi ne.

Moderator: Torej pravite, da bi bili konsistentni v svoji odločitvi, do prijave? Ne glede na motiv?

Helga: Ja. Zame neka nasilna situacija nikoli ne more biti povezana s spolno usmerjenostjo ampak z napadom na človeka kot takega.

Mia: Je pa res, da mogoče, če gre recimo za neko posmehovanje, bi mogoče prej odreagirala [...]

Rita: Jaz tudi [...]

Mia: [...] če bi šlo zaradi spolne usmerjenosti, kakor če bi se mi malo tako posmehovali, čeprav bi morala tudi na tisto, ampak mislim, da bi prej odreagirala, zato ker vem da je to očitna diskriminacija. Vem da sem zaščiten in kako in tu grem naprej.

Moderator: Meniš, da drugače nisi zaščiten, če na primer ni predsodka v samem dejanju?

Kristina: Ne, ne vedno, zaradi drugih osebnih okoliščin nisem zaščiten, mene zaradi teže moje dostikrat zbadajo in se mi smejiyo in se derejo za mano, zato ker sem debela. Tu nimam osnove za zaščito ne v teoriji, niti ne v praksi.

Klara: Tudi zato, ker smo ženske, pač enostavno, ene stvari moraš preslišat. Če ne bi se moral res ob vsako stvar obregnit

Kristina: Tudi to ja.

Moderator: Na koga bi se prej obrnili s prijavo nasilja na osnovi spolne usmerjenosti, na policijo ali nevladno organizacijo?

Kristina: Odvisno od oblike nasilja.

Klara: Na primer, tegale z orožjem ne bi šla prijavljat na nevladno organizacijo.

Kristina: Tudi jaz ne.

Mia: Jaz mislim, da tisto kar je bolj evidentno in ko točno veš da se z nekaterimi oblikami ukvarja policija, greš do policije, tisto kar je pa mogoče rahlo zamegljeno, kar sicer vemo, da je nasilje, recimo nadlegovanje, pa, no vsaj jaz, ne zaupam, bi znala policija odreagirati, me ne bi jemali resno, kot na primer neka nevladna organizacija, ki se s tem ukvarja. Jaz kot posameznica se v tem primeru ne bi počutila tako močne, da bi šla na policijo. Bi potem raje šla na nevladno organizacijo in potem preko njih.

Klara: pa tudi na primer, poskus umora, ali pa posmehovanje, sta dve taki stvari, na primer, ene pač ne moreš ignorirati, drugo pa nekako lahko. Če se ti ravno ne da ukvarjati z nekimi uradnimi papirji in z drugimi ljudmi in te stvari.

Helga: Meni je vedno prvi impulz policija ampak, mislim, da je to jasno zakaj, ker imamo to v družini. Zato težko razmišljam kaj bi prijavila nevladni organizaciji, kaj bi prijavili policiji. V bistvu, ko bi se odločila za prijavo, ne vem če bi sploh pomislila na nevladno organizacijo.

Rita: Pa verjetno je tudi odvisno koliko je dejanje dokazljivo in vse. Se mi zdi, da je to tudi povezano. V smislu tega, koliko se počutiš močen. Če imaš veliko dokazov na primer najbrž ni težko iti do policije. Ker je nek ta moment, da drugače te ne bodo vzeli resno in se boš moral potem še z njimi zapletati. Ti pa predvsem želiš takoj naslovit nasilje, ko se ti dogaja.

Mia: Ja, na primer, če imaš posneto, recimo, da si v lokalu, ko se ti nekdo posmehuje in se dela norca iz tebe, potem je seveda lažje iti naprej in se bockati tako s policijo kot tudi s tistim, ki te nadleguje. Ker imaš kaj pokazati.

Moderator: Katere oblike nasilje pa bi absolutno, brez razmišljanja prijavili?

Rita: Fizično nasilje bi takoj prijavila, ker psihično nasilje je težko prepoznati in ga dokazati.

Kristina: Kristina: ja pri psihičnem nasilju je zelo težko. Vem, da ga je veliko, da ga nekateri na primer doživljajo vsakodnevno, ampak kje je na primer tista meja, ko nekaj prepoznamo kot nasilje?

Mia: ja psihično nasilje je res težko prepoznati. Včasih se mi zdi, ko se o tem pogovarjamo, da je to cela znanost, da moraš biti načitan o tem, kaj vse je v resnici zapisano in razloženo kot psihično nasilje.

Klara: Jaz se ne strinjam

Helga: Jaz mislim, da je to tudi zelo subjektivno, kako vsak pri sebi dojema psihično nasilje.

Rita: Samo potem pridemo do vprašanja, kaj je tisto kar dojemaš kot psihično nasilje, se postavi vprašanje ali bi šel in to prijavil

Klara: samo za nekaj takega kot je psihično nasilje, se mi zdi ne rabiš biti načitan

Mia: se mi zdi, da moraš vseeno nekaj vedeti o tem, ker drugače ne prepoznaš, mislim, večinoma itak govorimo samo o fizičnem nasilju

Kristina: Dobro saj ti tudi zdrava kmečka logika, lej tole je bolelo, tole pa je šlo na primer pod mojo čast. Ne rabiš vsega vedeti, da prepoznaš, da te nekdo maltretira psihično. Vsaj kadar je vsaj malo očitno. Tista vmesna siva cona je bolj problematična.

Mia: ja tudi, res. Ampak saj to sem mislila, to kar je v bistvu siva cona.

Helga: saj ta siva cona potem hitro rata črna. Nasilje ni stvar, ki se vleče v sivi coni dolgo časa.

Mia: Ja in tudi slej ko prej ga prepoznaš, ker če se psihično nasilje ponavlja, se najbrž tudi stopnjuje in jaz mislim, da si slej ko prej itak prisiljen v neko reakcijo, si mislim.

Moderator: Če se osredotočim na prijavo psihičnega nasilja, kakšna je verjetnost, da bi ga sploh prijavili, NVO ali policiji?

Kristina: Jaz osebno ne poznam nobenega, ki bi šel prijavljat psihično nasilje na policijo, poznam pa jih nekaj, ki to doživljajo v družini ali pa v partnerskem razmerju. Samo v tem primeru pač greš, ne prijaviš, če ni fizično.

Rita: jaz bi prijavila psihično nasilje, odvisno od oblike, ampak če bi se počutila, da sem naredila vse in da situacije ne obvladujem in se počutim ogroženo, potem ja potem bi prijavila ampak najbrž nevladni

organizaciji prej kot policiji. Ne vem, pri psihičnem nasilju imaš na primer čas preštudirati, kaj so sploh tvoje opcije in potem odreagiraš glede na to. Pri fizičnem nasilju je pa le malo drugače. Ponavadi moraš takoj odreagirati, torej ... prijaviš ali pa ne. Druge opcije ni. V tem primeru se mi zdi prijava na policijo bolj smiselna

Mia: Jaz pa pri psihičnem nasilju, ne vem, če bi se obrnila na nevladno organizacijo, tega ne bi storila z namenom prijave, ampak bi šla bolj po pomoč zase. Se dvignit nazaj, opolnomočit in opogumit. Ne bi šla tja z namenom iskati kazni.

Rita: Ja, se strinjam, tudi jaz tako razmišljam.

Kristina: jaz ne vem, kaj pa bi pričakovala od nevladne organizacije? Razen psihološke podpore, NVO nimajo v resnici veliko moči pri prijavi nasilja

Mia: ja saj to. Jaz bi se potem obrnila, na kako podporno skupino ali pa kaj podobnega.

Rita: ja ali pa se obrneš na prijatelje in njim poveš

Mia: Ko pomislim še enkrat, psihičnega zagotovo ne bi prijavila.

Rita: ma, ja, tudi to sploh ne vem, kaj so možnosti za prijavo psihičnega nasilja, mislim, kaj šteje kot kaznivo dejanje, kaj so sploh moje možnosti v okviru policijskih pristojnosti, če grem tja prijaviti psihično nasilje? Tu se dostikrat vprašam, kaj bi sploh dosegla, ker ko gre za fizično nasilje so meje precej bolj jasne. Se na primer umakneš stran od storilca, pobegneš, poiščeš pomoč...

Helga: Problem je v tem, da mi v glavah razločujemo na fizično in psihično.

Mia: ja, to, ja.

Rita: Saj že skozi ta pogovor to počnemo. Ampak je res, seveda, na vse oblike bi morali enako odreagirati, ampak do tega ne pride.

Kristina: Ampak težko prepoznamo psihično, zato ne odreagiramo.

Rita: ja, najbrž je največji problem v tem zakaj se ne obrnemo na institucijo, ker še mi sami ne vemo kako odreagirati in kaj pravzaprav hočemo ali nam je na voljo

Helga: Jez tudi mislim, da je poanta v tem, koliko je to zares zares lahko dokazljivo. Mislim oblike psihičnega nasilja, če govorimo o policiji in koliko je to kaznivo. Ampak ni problem v tem, mislim ja če vprašaš mene, tu res ne bi smelo biti razlike. Po izkušnjah, bi rekla, da mi je celo manj doživeti udarec, kot pa podoživljati psihične pritiske.

Mia: ja tudi dolgoročno, je jasno, da ima psihično nasilje večje posledice, kakor fizično.

Helga: Sedaj razmišljam, da sploh ne vem ali imamo sploh elemente psihičnega nasilja kot kaznivo dejanje opredeljeno v kazenskem zakoniku? To se mi zdi zelo pomembno in bi bilo potrebno pogledati v zakonik, če bi to šlo skozi.

Klara: kako potem razložiš je grožnja s fizičnim nasiljem? To je oblika psihičnega nasilja in kot vem policija to jemlje resno.

Kristina: ja seveda, ampak, če ti pa nekdo tepta samozavest in psiho in ti uničuje osebnost, pa ti pri tem jasno ne grozi s fizičnim nasiljem, pa ne verjamem da bi odregirali.

Helga: Ja, se strinjam, tukaj je še en kup drugih oblik psihičnega nasilja, ne gre samo z grožnjo s fizičnim nasiljem, ki je v tem primeru nemehna, za policijo mislim. Osebnost, če bi bilo psihično nasilje klasificirano kot kaznivo dejanje, bi absolutno prijavila, ker ima psihično nasilje lahko bolj dolgotrajne posledice na človeku.

Mia: če bi bilo to opredeljeno v zakoniku, bi morali vedeti da je [...]

Helga: [...] ja to je isto kot psihične bolečine, problematika psihičnega nasilja je da se potem to, recimo v civilni tožbi, tretira kot psihična bolečina. Ti lahko to iztočiš v civilni tožbi. Če ne govorimo o grožnji z nasiljem na primer, ki je kaznivo dejanje. In potem tu govorimo o denarju, o odškodnini na primer. Torej se to jemlje kot odškodnina in ne kaznivo dejanje ali nasilni incident v klasičnem smislu.

Rita: Potem pa se pojavi to vprašanje, če si maltretiran psihično, je to edina kompenzacija? Civilna tožba in odškodnina?

Helga: Ne vem, to sem se sedaj spomnila. Razmišljam pa, da če je to ena od možnosti, bi jo uporabila, če bi to pomenila, da bi se nasilje nehalo.

Moderator: Ko razmišljate o prijavi homofobnega nasilja, kaj bi vas najbolj motiviralo, da bi tovrstno nasilje prijavili?

Kristina: Predvsem, da preprečiš ponovitve in da zaščitiš potencialno še koga drugega.

Mia: Pa še tej osebi daš vedeti, da to kar dela ni prav, mogoče se kakšni niti ne zavedajo, da to kar počnejo ni prav.

Helga: Ja, daš priložnost nekako te osebi, da se sooči s tem, to se strinjam, mislim, da sta tukaj dve posledici zmeraj. Nekaj kar je zate, ki doživljaš to in da se to prepreči, recimo, po drugi strani pa daš tudi drugem možnost, ne samo kaznovanja ampak tudi možnost soočenja s temi zadevami, ker se pogosto lahko zgodi, da je bila ta oseba tudi sama maltretirana pa to potem nadaljuje.

Rita: Ja ampak dostikrat pa je tudi motiv, da sebe zaščitiš. Mogoče te ta situacija toliko že onemogoči in onesposobi, preden se odločiš, da boš to prijavil in vse, je verjetno včasih, seveda odvisno kaj se dogaja [...] ampak gre za to da tudi sebi poveš. Sploh občutek nemoči [...] je lahko to potem en tako zaključni akt [...] ali pa prvi, ali končni, ali kakorkoli.

Mia: [...] da vzameš stvari v svoje roke [...]

Rita: [...] ja, zase.

Klara: [...] pa da se zaščitiš [...]

Rita: [...] in da greš potem od tam naprej, praktično reševati vse skupaj.

Mia: Verjetno odvisno za katero vrsto nasilja in od koga, ne?

Rita: Seveda. Mislim, kadar gre za fizično nasilje, ne dvomim, da bi prijavila, ker se mora seveda to končati [...] Tako da so potem pragmatični motivi in pa manj pragmatični.

Kristina: Zagotovo pa to kdo naredi tudi iz maščevanja

Rita: No ali pa ta, ta je bila tudi meni zanimiva za izprašati se, recimo pri psihičnem, res v povezavi s to odškodnino, recimo če bi bil lahko to nek motiv, odškodnina, ne. Če te to zapelje toliko daleč, da greš potem čez cel ta postopek.

Mia: Mislim, ljudje smo tudi tako narejeni, da če te nekdo dolgo časa prizadene, vedno znova, je mogoče tudi ta moment, ne samo da prijaviš, ampak da je potem tudi neka sankcija v smislu, ne vem če čisto maščevanje, ampak neko to [...] ja v bistvu, je to maščevanje, da prideš do nekega tega zadoščenja [...]

Kristina: [...] da je tudi ta oseba prizadeta in ranjena?

Mia: [...] ja. Vem, da je to neumno, ampak ja. Pa vem, da na dolgi rok to ne pomaga.

Rita: Ampak kaj to tebi pomeni, da ti nekdo plača za čustvene bolečine.

Mia: Ne vem, odvisno [...] kaj to tej osebi pomeni. Mislim, če to osebo to ne prizadene, potem ni smisla, zame. Po drugi strani, pa če, je oseba brez denarja, pa tudi ne bi šla v odškodninsko tožbo, ali kaj?

Rita: Res ne bi?

Mia: Mislim, da bi potem to osebo spravila na ulico ne vem če bi lahko potem s tem živela.

Rita: Dobro ampak sedaj govoriš o partnerskem nasilju?

Mia: Ja.

Moderator: Ampak moje vprašanje se ni nanašalo na prijavo med-partnerskega nasilja.

Mia: Ja, ja, to je bilo samo moje razmišljanje v tej zadnji situaciji [...] Na splošno pa mislim da, ne vem zelo je odvisno od razmerja, kako si ti zapleten s partnerjem in za kaj gre, če pa te na primer v službi ali pa da ti na primer zavrnejo zdravstvene storitve, v tem primeru, pa vsaj jaz, predvsem zato, da se to nebi ponavljalo in da jim daš vedeti, da to ni prav.

Moderator: Te teme smo se že malo dotaknili skozi pogovor; kaj v procesu prijave homofobnega nasilja potrebujete in pričakujete od policije?

Kristina: Odvisno za kakšno nasilje je šlo [...]

Moderator: Recimo, da je šlo za tako obliko, da te je na koncu pripeljalo do prijave na policijo.

Helga: Jaz bi pričakovala neko toplino in neko razumevanje. Da vidiš, da nekdo razume zakaj si prišel do njih.

Mia: Neko razumevanje.

Vsi: Ja, razumevanje.

Helga: Ne vem kako bi to točno opredelila [...]

Klara: [...] da te resno jemljejo.

Mia: To da te resno jemljejo.

Helga: Da si vzamejo čas.

Rita: Da te poslušajo.

Kristina: Da te resno vzamejo in poslušajo, sploh pri psihičnem nasilju je zelo težko, ker že ti nisi stoprocenten, 'ja', 'ne', potem pa ti nekdo pride in reče, kaj mi težiš sedaj s tem [...]

Moderator: Še kaj drugega mogoče? Če razmišljate pristojnosti policije in njihovem delu.

Mia: Da nas bodo obravnavali korektno. Namreč sedaj se mi zdi, lahko pa da je to samo moj predsodek ali domneva, da bi jim bilo zoprno, če bi jaz prišla tja, da bi mislili, da morajo kaj drugače, skratka, da prideš tja in niso obremenjeni s tem in to ni problem. Ne vem kako naj to razložim.

Kristina: Predvsem, da prepoznajo kot homofobno nasilje in ne na primer kot pretep med dvema kolegoma.

Klara: Da ne bi bilo teh stereotipov, v smislu, da pridem na postajo in prijavim nasilje, ker sem se poljubila s partnerko na ulici na primer in mi policaj reče 'zakaj si se morala izpostavljati'. To da vejo, da ni krivda na naši strani in da ne izzivamo ali pa se izpostavljamo.

Helga: Zaščito in tudi pomoč strokovno, če jo potrebuješ, zdravstveno pomoč, recimo če jo potrebuješ

Mia: da te povežejo z nekom naprej, ne?

Helga: ne tudi zaščito tako, pred osebo, ki ti je to storila.

Mia: če gre pa prav za homofobno nasilje, pa bi pričakovala, da so podučeni o tem kako reagirati, mislim, naprej da to ni tabu tema, da jim ni nerodno, ko prideš tja in poveš za kaj je šlo. Ampak da to jemljejo na enak način kot vse ostale oblike nasilja na podlagi česar koli drugega.

Kristina: da ne doživiš še tam kakšnega posmehovanja, recimo.

Mia: ali pa recimo, meni bi bilo že to, čisto mimo, če bi prišla na policijo, zbrala pogum, prišla na policijo, pa bi mi rekli 'joj, jaz se pa s tem ne ukvarjam' pa bom nekoga drugega, pa bi se me podajali tam od enega do drugega, ker se noben ne bi hotel s tem ukvarjati

Rita: [...] no saj ravno to sem hotela reči, ko se znajdeš v par situacijah, da res veliko pomeni to da oni obvladajo postopek, kakorkoli je že zakonodaja, pa da te oni ne obremenjujejo še s tem, ker ne vedo kako se obrnit.

Mia: [...] ja in da moraš potem še ne vem kolikokrat ponavljati svojo zgodbo.

Rita: že pri normalni prometni nesreči se lahko zgodi, da ne znajo odreagirati. To je zelo obremenjujoče, ker tebe postavi v nek položaj, ker ti dajo občutek, da ne vedo ali ti sploh lahko sedaj oni pomagajo. Mislim, pred časom sem bila v neki manjši prometni nesreči in policist, ki je prišel je bil tako aroganten [...] hkrati pa nič vedel, kaj moram narediti.

Mia: [...] ja tebi je pa to zadnja bilka.

Kristina: [...] ja kar pomeni, da moraš poznati postopek in to.

Rita: [...] mislim, da dobiš potrebno informacijo. Okej, glede na to kar se je zgodilo, imaš ti sedaj možnosti, to, to in to [...]

Mia: in to vsi, čisto vsi, ne glede na to na katerem delovnem mestu delajo. Ali so samo začetniki na križišču, ko usmerjajo promet [...] če imaš ti takrat težavo in prideš do njega, se mora znati s tabo ukvarjati.

Rita: Ali pa vsaj vedeti, kaj se lahko naredi.

Kristina: Ma, ko razmišljam o prijavi na policijo in potem na NVO ali kam drugam... Zame je najpomembnejša razlika ta, da ko pridem na primer na Legebitro vem, da mi ne bo potrebno razlagati nič okoli svoje spolne usmerjenosti, vse je jasno. Ne skrbi me reakcija ljudi tam. Medtem, ko pri policajih nikoli ne veš kako bodo odregirali, mrbit bo to da sem lezbijka že problem samo po sebi.

Moderator: Glede na vaše mnenje in informacije, kako ocenjujete delo policije na področju homofobnega nasilja? Se vam zdi, da ima policija dovolj kompetenc s področja, je njihovo delo dovolj vidno?

Rita: Mislim, jaz se sploh sprašujem kako niso kompetentni? Ampak ja seveda, realnost je ta...

Kristina: Jaz mislim, da se stanje izboljšuje.

Helga: Jaz tudi mislim, da z veliko sodelovanja na primer z Legebitro [...]

Kristina: Stanje je definitivno boljše. Recimo, deset let nazaj, na primer pride en gej do policije, pa, 'aha, so te pretepli, whatever' [...]

Klara: [...] ja, ne 'kaj pa izzivaš'.

Rita: Ja, ma ne v Ljubljani [...]

Klara: po mojem je odvisno na kakšnega človeka naleti, kar ne bi smel biti standard.

Mia: kar je v bistvu res grozno, ker na policiji to ne bi smelo biti problem.

Moderator: Kristina, hotela sem vprašati, ker si omenila, da se ti zdi da je odnos policistov do homofobnega nasilja v Ljubljani drugačen ...

Kristina: Drugačen je najbrž samo zaradi tega ker je več prometa. Očitno so imeli možnost biti bolj kompetentni, zaradi [...]

Helga: [...] treninga.

Rita: Ma, še enkrat, jaz ne morem verjeti, da niso kompetentni.

Moderator: Nikakor ne govorim o tem, da niso kompetentni. Sprašujem po vaši oceni. Sprašujem o tem ali se vam zdi da policija enako ščiti in naslavlja istospolno usmerjene, kot vse ostale državljane.

Mia: Po pravici povem, če bi jaz mogla iti na policijo prijaviti neko zadevo, ki se je zgodila zato ker sem lezbijka, bi vsakič imela ta strah koga bom dobila tam. A bo policist v redu reagiral ali ne, ali se bom morala še s tem ukvarjati. Ne vem pa kakšna je realnost, to je pač v moji glavi. To je moja percepcija.

Kristina: Jaz mislim, da v Ljubljani [...] se strinjam, da so najbrž v Ljubljani bolj podučeni. V Ljubljani bi šla in bi riskirala ali bi dobila ali ne, ker se mi zdi vseeno, da na vsaki policijski postaji pa vsaj nekdo je s katerim bi se lahko normalno pogovarjala o teh stvareh. Na kakšni vasi pa ne vem kaj bi naredila [...] pa res ne vem. V kakšnem manjšem kraju si pa sploh ne znam predstavljati. Res ne, ker se vsi poznajo med sabo.

Klara: Jaz itak raje ne bi šla na policijo, če bi le šlo.

Moderator: Praviš, da ne bi šla na policijo v nobenem primeru, ko govorimo o homofobnem nasilju?

Klara: Seveda, v kakšnem primeru bi že šla. Ampak če bi šlo za homofobno nasilje imam ogromne zadržke. Sploh pa ne tam kjer sem jaz doma. Mislim, ne vem kaj bi moglo biti. Mogoče bi šla samo prijaviti in bi rekla, da nočem nobenega nadaljevanja, ampak zaradi statistike, da ne bodo mislili na primer, da se to pri nas ne dogaja. To je vse. Saj lahko tudi to narediš.

Mia: Anonimno, ja.

Klara: Ne anonimno. Se je to zgodilo, ampak nočem nobenih [...] nič naprej.

Kristina: Ampak a niso dolžni potem preganjati? Če je kaznivo dejanje on po uradni dolžnosti mora [...]

Klara: Ampak saj veš kako se dostikrat zgodi, da se tudi po uradni dolžnosti nič ne zgodi, tudi tam kjer bi radi da se nekaj preganja.

Kristina: Ja ampak tvoja beseda pri tem, da nočeš [...] on mora po uradni dolžnosti raziskati.

Klara: A res?

Helga: Ja, če je kaznivo dejanje, mora.

Kristina: Ja odvisno kaj je, če je prekršek, potem ne. Če pa je kaznivo dejanje [...]

Helga: [...] pa to ni več v tvojih rokah, ker to država prevzame.

Klara: No potem je to še en razlog, da bi mogoče kar doma ostala.

Moderator: Če se še malo vrnem nazaj na vprašanje; se vam zdi da je policija senzibilizirana, kar zadeva homofobno nasilje?

Mia: Ne še.

Kristina: Verjetno ne povsod po Sloveniji.

Moderator: Glede na to da smo vsi iz Ljubljane, pa vzemimo Ljubljano.

Mia: Jaz mislim, da Ljubljana zmeraj bolj, kot smo že rekli. Ampak še vedno pa ne vsi. Jaz, bi najbrž vedno imela malo pomislekov. Šla bi, ampak vedno bi imela to v glavi koga bom dobila na drugi strani.

Helga: jaz se podobno strinjam kot Gabi. Se pa zavedam, da imam mogoče premalo podatkov kako čisto zares zadeve izgledajo v teh postopkih, če si vpleten.

Klara: Bi se pozanimala, pri kakšni nevladni organizaciji, kako bi šlo ali pa do koga stopit?

Mia: Ja, saj zato sem pa jaz prej govorila, da bi verjetno šla najprej do nevladne.

Helga: Jaz, ne, po *defaultu* ne bi šla, čisto po inerciji.

Klara: Ampak, če recimo ne govorimo o Legebitri ampak kaki drugi organizaciji, tudi lgbt, h kaki drugi tudi jaz ne bi šla.

Rita: Mislim, ja saj vem, da ne bi šla, ampak sedaj lahko govorimo, ampak ko si v stiski. Mislim, saj jaz si lahko predstavljam sebe čisto prestrašeno

Klara: Ja saj to je pa tudi res ja.

Helga: Ja, to je tudi res. Ampak čisto tako, moj možgan po inerciji bi šel najprej na policijo. Sedaj pa kaj bi pa res realno naredila [...]

Mia: No saj tega pa itak nihče ne ve [...] mogoče bi poklicala koga osebno iz nevladne [...]

Rita: Ma dobro, jaz iz nekih drugih razlogov ne bi šla na policijo. Večinoma so moje izkušnje, da sploh niso znali odreagirati že pri kakem klasičnem prometnem prekršku. In ko pomislim na homofobno nasilje mi je tukaj vedno alternativa nevladna, čisto iz tega, ker želim nekaj izpeljati iz tega in nekaj zaključiti.

Moderator: Če sem prav razumela, tvoje oklevanje glede prijave nasilja na policijo izvira iz tvojih prejšnjih izkušenj s policijo?

Rita: Ja, imam en kup izkušenj s policijo, kjer nisem bila zadovoljna z njihovim odzivom, prometne nesreče, bila sem zraven, ko so mojega prijatelja pretepli ko so prišli na kraj dogodka, ko je bilo še vse sveže, pa si samo predstavljaj, kako bi bilo če bi šlo za homofobno nasilje. Pa tudi pri meni je različno in odvisno kje bi se zgodilo, manjši kraj [...]

Mia: Zelo je odvisno. Jaz mislim, da se tudi premalo govori o homofobnem nasilju in ravnanju policije do tega. Ker je zelo malo, kolikor jaz vem, je zelo malo prijav in posledično tudi zelo malo izkušenj in zelo malo vemo o teh stvareh. O tem se sploh ne govori. In če bi se o teh stvareh malo bolj govorilo, bi najbrž imeli malo več vpogleda v to. Ker mogoče pa s kom drugim pa je policija dobro delala. Jaz se spomnim na primer, a je bil Anglež tisti policaj, ki so ga pretepli, je rekel, da so ga korektno obravnavali.

Rita: Najbrž tudi kot tujca.

Mia: Ja, in da je bil pač zelo zadovoljen z delom policije pri nas.

Helga: Ampak [...] zaradi tega, če sem te prav razumela, je bil tudi on policaj, ali kako?

Mia: Ja samo tujec, pa ne vem, a je on takoj povedal ali ni [...] on je bil pač pretepen zato ker je gej. Ne glede na to ali je policaj ali ne, mislim, da je celo, mogoče to še huje za kolege policaje, če bi bili oni sami nastrojeni proti temu, da je on policaj, pa še gej, pa [...]

Helga: No saj zato se sprašujem, če ni dobil boljšega tretmaja, če so vedeli, da je policaj.

Kristina: Vprašanje, če so vedeli.

Mia: Jaz ne vem, če so vedeli. Ne vem. Nimam pojma. Ampak saj pravim, kaj pa vem. Tiste v Openu so jih tudi kar dosti hitro dobili sicer. Ne vem kako so potem peljali naprej, itak potem ni bilo več v njihovih rokah ampak v rokah sodišča. Ampak očitno so se potrudili, da so jih dobili. Lahko bi pač malo zamahnili z roko, pa do takrat niso še nobenega.

Kristina: To bi bilo težko, ker je bil tisti primer tako medijsko izpostavljen. To težko zamahneš z roko.

Mia: Ma, s časoma bi se poleglo pa ne bi bilo nič.

Klara: Takrat, ko so pretepli enega mojega prijatelja, ki je gej, je sam našel storilca, policaji niso niti mignili s prstom. On ga je sam izsledil po mailih in ne vem vse čem. Toliko o policiji. Pretepen je bil pa zelo.

Moderator: Če prav razumem je nekako splošno mnenj, da ko razmišljamo o prijavi na policijo, se odločamo na podlagi lastnih, prejšnjih izkušenj ali pa izkušenj nekoga ki ga poznamo?

Kristina: Ja, predvsem koliko je smiselno prijaviti.

Moderator: Lahko razložiš kaj si mislila s tem?

Kristina: Smiselno zame, na primer, če se za mano nekdo dere na ulici ali s prtom kaže in se mi posmehuje. Ne vem, koliko je smiselno hoditi na policijo. Ga ne bom znala niti opisati, težko je dokazljivo, ni kaznivo dejanje, torej ni zame smiselno, da grem sploh na policijo, ker je po eni strani škoda mojega časa.

Mia: ampak jaz pa mislim, da je smiselno, tudi če se čisto nič ne zgodi naprej, ravno zato kar je prej govorila Klara, zaradi statistike. Ker če pa ne prijaviš, potem pa to pomeni, da se to ne dogaja. In če hočemo, da se bo začelo tudi kaj dogajati tudi v tej smeri, da bodo začeli obravnavati homofobno nasilje, kot homofobno nasilje in ne samo kot nasilje, potem moramo prijavljati to kot tako nasilje. In več kot bo prijav, prej bodo, žal, imeli večjo statistiko, da bodo sploh začeli resno jemati. Kar je itak nonsense.

Kristina: No in to je sploh problem po manjših naseljih.

Mia: Absolutno

Kristina: Ker tam pa če nisi outiran, pa ne boš šel na policijo prijavljati. V Ljubljani še, v manjših krajih pa pač [...]

Rita: Jaz bi pa vseeno na tvoje vprašanje dodala to, da jaz osebno vem vseeno, da ti ko doživiš res nasilje to je posebna okoliščina, tako da takrat, ni ne, verjetno bi vseeno šla, tudi če bi ocenila, da policija [...] če bi videla, da mi je to izhod, definitivno bi iskala. Izhod v smislu tega [...], ker te to zna spraviti v eno tako stanje ko ne moreš sam *hendlat* tega, in ni [...] in potem takrat bi šla na policijo. Tudi če bi se spomnila na vse primere nazaj, in ja okej vprašanje če bodo kompetentni, ampak to je to kar imam.

Mia: V bistvu je policija res tista zadnja, no v bistvu edina bilka na katero se lahko obrneš. Mislim, imamo to v glavi še vedno, da so tam zato da nam pomagajo in da držijo nek red.

Rita: Ker nasilje, pa zame je taka okoliščina, k ni da bi rekla, da bi to lahko vse *hendlala* sama.

Moderator: Kaj pa prijava na nevladno organizacijo? Kaj pričakujete in potrebujete od nevladnih organizacij v primeru prijave homofobnega nasilja?

Kristina: Stokovno in čustveno podporo.

Helga: Vse. Celostno obravnavo osebe in zaščito.

Mia: In jaz bi tudi to pričakovala, da, če bi jaz privolila v to, da bi oni vodili postopek naprej na policiji. V mojem imenu, da se jaz ne bi s tem ukvarjala, da ne bi še enkrat morala čez vse te stvari iti. Pol vem da bi, ampak vseeno, da bi ta prvi stik pa vseeno oni peljali.

Helga: Da bi šli s tabo, da ti oni tudi omogočijo na primer to, da če se ti na primer doma zgodi, da ti omogočijo, da ne greš nazaj domov. Da te tudi v tem smislu zaščitijo.

Mia: Nevladne organizacije so vseeno med sabo tudi tako povezane, da vejo, da imajo to neko mrežo kam te naprej poslati. Ali pa koga poklicati. Da znajo tudi v tebi prepoznati te stiske in da vejo pol naprej kaj delat. Ker ti sam mogoče niti ne veš da obstajajo na primer varne hiše. Nevladne organizacije pa vse to vejo.

Moderator: Kako pa ocenjujete obstoječ sistem podpore, če ga gledate celostno, torej policijo, nevladne organizacije, zdravstveno-varstvene storitve...

Helga: Zdi se mi, da imam premalo vpogleda v to, da bi lahko ocenila sistem, res. Iskreno. Lahko ocenim iz pripovedovanja drugih, na primer kakšne so povezave med temi institucijami [...]

Klara: ja tudi meni je težko celostno gledati [...]

Moderator: Bom drugače postavila vprašanje, v primeru da bi bili soočeni s homofobnim nasiljem, imate občutek, da ste zaščiteni, da veste na koga se lahko obrnete?

[Cela skupina se strinja.]

Helga: Ja, ampak bolj po zaslugi, da poznam nekoga v lgbt organizaciji, s katerim se o tem lahko pogovarjam. Da bi jaz rekla, da sem že prej poznala [...] že prej preden sem postala del scene, to ne.

Klara: Ampak vsekakor bi znala nekaj poiskati, da te nekdo nekam usmeri, končno nekam v pravo smer.

Mia: Jaz mislim, da sedaj preko interneta, ko imamo internet. Včasih se je to res, tudi tisti, ki se niso vrteli v teh krogih, je bilo res težko nekoga najti oziroma vedeti kam se obrnit. Sedaj tudi, če nisi na sceni, po internetu lahko vse izbrskaš. Mislim, ni takega razloga več, da ne veš.

Rita: recimo, če si poskusim predstavljat, da pride do mene prijatelj in hoče informacije o tem kar vse obstaja in kam se lahko obrne. Ni da bi mu lahko naštel vse možnosti, ki jih ima. To ne.

Kristina: Ampak osnovo pa veš [...] koga poklicati, kam se peljati, na katero nevladno organizacijo se obrniti [...]

[Cela skupina se strinja.]

Rita: ja, jaz sem bolj mislila na to, da sem ponavadi vedno izčrpna pri informacijah, no tu ne bi znala biti.

Ampak ja prvi korak bi vedela kaj je.

Mia: No pa saj vsaj itak ne rabiš vedeti vseh podrobnosti. Jaz mislim, da za to, da greš nekam, da zato pa so ti ljudje tam, da ti oni potem naprej pomagajo. Mislim, jaz osebno o ničemer ne vem hudih podrobnosti, kakšni so postopki, ampak saj zato pa imam ljudi, ki se s tem ukvarjajo.

Helga: Okej, tebi se zdi da veš dovolj točno kam se obrnit, če nimaš dovolj znanja, kako veš ali je na primer bolj primeren ŠKUC LL ali pa Legebitra pri prijavi nasilja?

Kristina: Ja, to že ampak v vsakem primeru, veš, da se lahko obrneš in na enega in na drugega in ti bo pomagal in te bo naprej usmeril.

Mia: Se strnjam, mi scenski imamo nek vpogled, zunanji pa mogoče ne.

Helga: Ne govorim o tem, sprašujem se ali je tema tudi pri nevladnih organizacijah zadosti prisotna in vidna. Nisem čisto prepričana, ali poznam še kaka druga društva, razen dveh lgbt organizacij na katere bi se lahko ali želela obrniti.

Mia: ne, ampak saj je dosti da poznaš enega.

Helga: Ne ni res, vidiš meni se pa to ne zdi prav. Mislim, zakaj, okej jaz poznam dve največji organizaciji, potem imamo še par manjših ampak jaz nimam pojma ali kaj delajo na tem, mislim, zakaj ne bi več o tem vedela.

Mia: ja super bi bilo če bi. Ampak za neko krizno situacijo, ko se moraš ne nekoga obrnit, pa je najbrž dovolj če poznaš eno pa te potem že oni naprej usmerijo [...].

Helga: Ja okej. Do neke mere se strinjam. Do neke mere pa mislim, da je vidnost in govor o homofobnem nasilju tabu tudi v lgbt skupnosti.

Mia: Ja to se strinjam, tukaj je še ful prostora.

Moderator: Kaj pa bi nevladne organizacije po vaše še lahko naredile da bi bilo stanje boljše?

Kristina: v obe smeri bi morali iti. Po eni strani bi sem moralo več ozaveščati o homofobnem nasilju in oblikah pa tudi o tem, da policija ni bav bav in če drugega ne je potrebno, da se prijavi, če drugega ne zato da imamo neko statistiko, da če že prijavimo, da se jasno reče da gre za homofobno nasilje, ne da rečemo en me je tam obmetaval, ne vem zakaj.

Helga: Ja pa potrebno je razbiti ta predsodek pred prijavo, mogoče predstaviti sam postopek prijave, kako izgleda, kaj se dogaja, kaj je potrebno povedati, da se zadeva razjasni.

Mia: Jaz mislim, da bi morale nevladne organizacije bolj aktivno nagovarjati lgbt in pa tudi širšo javnost, bi bila nujno potrebna ena ozaveševalna kampanija na temo, tako kot ima na primer SOS telefon plakate z informacijami, ki so in po ulicah in po šolah. Da bi bilo tudi za tovrstno nasilje bili plakati. Mislim, da sploh ne smemo nehati opozarjati. Se mi pa zdi kot da sploh mogoče še nismo dobro začeli.

Moderator: Še kakšna ideja na na temo? Naslednje vprašanje je; Se vam zdi da obstaja potreba po tesnejšem sodelovanju policije z lgbt skupnostjo?

[Cela skupina se strinja.]

Moderator: kako pa menite, da bi moralo tovrstno sodelovanje potekati, na kakšen način?

Kristina: če drugega ne bi lahko nevladne organizacije organizirale delavnice in seminarje za senzibilizacijo policistov in policistk.

Mia: [...] in skupnosti.

Kristina: Tudi to seveda, ampak da sodelovanje policije in nevladnih organizacij sploh steče.

Mia: Ja ampak saj to gre potem tudi v to smer, da če je skupnost dovolj ozaveščena, bo začela prijavljat, prijavljat bo začela, če bodo senzibilizirani in strokovni policaji, za vse to pa mislim, da so [...].

Helga: jaz pa imam težavo s temi treningi, mislim, moti me ta strokovnost, v smislu, policaji s dolžni človeka celostno obravnavati, ne glede na to ali je tisti ki je prišel pred njih črn, bel ali gej.

Mia: Absolutno, ampak v realnosti to ni tako.

Helga: Ja ampak potem lahko govorimo, imejmo seminarje za napade, recimo za kazniva dejanja proti romom, pa potem proti nacionalistom, pa potem imejmo še bosanske in srbske [...].

Mia: Razumem, kaj hočeš povedati [...].

Helga: Kaj hočem povedati je to da policisti, naj ne bi smeli potrebovati nekih treningov za neke posebne skupine, bolj b morali biti človeški in obravnavati vse enako. Torej kdorkoli pride, nima veze, ker lahko boš pa ti doživela dvojno diskriminacijo in nasilje, ker si romkinja in še lezbijka, kaj pa pol, pa smo spet v zagati.

Mia: Ja jaz se s tem popolnoma strinjam, vem pa da v realnosti to ni tako. Jaz mislim, da bi se moralo na isti način delati glede strokovne obravnave romov in kogarkoli [...].

Rita: Ampak to potem demantira to kar smo potem rekli, da je sodelovanje potrebno, a sedaj pravimo da ni?

Moderator: Sodelovanje lahko poteka skozi različne korake in ima različne namene. Enega ste že omenili, na primer izobraževanja [...].

Mia: Ampak jaz mislim, da je še vseeno potrebno izobraževati, tako nas in sceno, kot tudi policiste ne samo o nasilju, ampak o homofobno nasilju. Ker homofobno nasilje je nasilje iz sovraštva, in ne samo zato ker sta se dva skregala, pa sta se malo zmerjala, je to pač druga vrsta nasilja in je treba tudi voditi drugo statistiko in če policija ni usposobljena tovrstno nasilje prepoznati, ga pač ne bodo zabeležili oziroma ga bodo zreducirali na navadni prekršek ali incident.

Klara: kdo je bolj usposobljen kakor mi, da povemo kaj nam manjka, kaj mislimo, da bi bilo treba narediti pa kako se to naredi. Ravno tako, kot jaz ne morem za nekega muslimana govoriti, kako v bistvu, ne vem, naj policija z njimi dela. A naj dajo ženski roko [...] vse tiste malenkosti. Ko [...] jaz tega ne vem.

Rita: To je res, samo po mojem bi moral to že biti del njihove strokovnosti, ne samo [...].

Klara: Ja samo kako, saj se stvari skozi spreminjajo, pred dvajsetimi leti na primer ni bilo gejev in lezbijk ki bi javno to povedali, pa tudi muslimani niso bili tako vidni.

Rita: Ja, ma, potem je treba sledit.

Mia: Ja ma saj, ampak ni tako lahko, saj to hočem reči, jaz mislim, da imajo policaji zelo podobno vlogo kot učitelji, se opravičujem ker na to dostikrat [...] ampak v osnovi naj bi bili vsi v šoli totalno objektivni, človeški in vse, ampak nisi. Ti ko prideš tja, tako, kot oni, ki bi morali vsakega enako obravnavati. Tudi učitelji bi morali vsakega enako obravnavati, pa ga žal ne, in mladi učitelji in tisti, ki so že 50 let učitelji, pa sploh niso še nikoli prej slišali za geja in lezbijko ampak jih je pač treba izobraževati, ker če ne jih pač ne senzibiliziraš, ne pride to v njihovo govorico in ne ozavestijo tega, da to sploh je.

10.8.1.1 Focus group 1, code memo

Kodirni memo

Percepcija nasilja

- Striktne delitve na psihično in fizično nasilje.
- Psihično nasilje težko prepoznati in evidentirati in zato ne odregiramo.
- Psihično nasilje ima bolj dolgoročne posledice kot fizično nasilje
- Visoko zavedanje o pojavnosti homofobnega nasilja naj bo to psihično ali fizično

Dejavniki, ki vplivajo na prijavo:

- Profil storilca
- Okolje, kjer se nasilje dogaja
- Tip in narava nasilja: psihično / fizično vs enkratno / ponavljajoče
- Če bi šlo za nasilje ali diskriminacijo na podlagi spolne usmerjenosti bi prej odreagirali, kot pa če ne, ravno zaradi zakonske zaščite. Če obstaja dokaz
- Zakonska zaščita, kolikor jo poznamo, vpliva na prijavo.

Prijava psihičnega in fizičnega nasilja:

- Naklonjenost k prijavi psihičnega nasilja, če bi bilo opredeljeno v KZ in bi šlo za kaznivo dejanje
- Prijavili bi fizično nasilje skoraj takoj, psihično, ko bi se ponavljalo in ko bi imeli občutek, da situacije ne obvladujemo več
- Psihično se prijavlja na NVO, fizično na policijo.

Prijava na policijo in prijava na NVO:

- Prijava nasilja na policijo, kar lahko dokažeš, poškodbe, kamere, priče, se gre na policijo, odvisno ali je za posameznika smiselna, glede na čas, trud,
- Strah pred tem, da policija ne bi znala odregirati na psihično nasilje in oblike homofobnega nasilja
- Zadržek pred prijavo na policijo zaradi narave nasilja in pa osebne okoliščine
- Zadržek pred prijavo na policijo, sploh v manjših okoljih izven središč
- Zadržek pred prijavo na policijo, ker ne poznamo postopkov in ne vemo kako prijava poteka, kaj narediti, kaj reči
- Pri prijavi nasilja načeloma NVO dojemano kot vmesni člen do prijave na policijo.
- Zavedanje, da je prijava na policijo pomembna zaradi statistike,

- Prijava na policijo je odvisna od prejšnjih izkušenj s policijo, ne glede ali je šlo za homofobno nasilje ali ne

Kaj bi jih motiviralo, da bi tovrstno nasilje prijavili?

- Preprečiš ponavljanje za sebe in za druge
- Dati priložnost storilcu, da se sooči s tem in s tabo

Kaj pričakujemo/potrebujeemo od policije:

- Razumevanje
- Strokovnost pri prijavi
- Da se ne posmehujejo in da homofobijo jemljejo resno
- Da si vzamejo čas in te poslušajo, sploh kadar gre za psihično nasilje
- Predvsem, da prepoznajo kot homofobno nasilje in ne na primer kot pretep med dvema kolegoma.
- Da ne krivijo žrtve za nasilje:
- Da jim ni nerodno se s tem ukvarjati in se te ne podajajo od enega do drugega.

Kako ocenjujejo delo policije na področju homofobnega nasilja:

- Stvari se izboljšujejo
- Poznajo, da policija sodeluje z Legebitro
- V Ljubljani je situacija najbrž boljša kot v okolici in v drugih mestih, ker je tu več primerov homofobije, oziroma je centralizacija organizacij
- Hkrati povedo, da ne poznajo dovolj dela policije na splošno, sploh pa ne s področja

Kaj pričakujejo/potrebujejo od nevladnih organizacij?

- Strokovno in čustveno podporo, celostno obravnavo osebe in zaščito.
- V primeru prijave, da bi oni vodili postopek na policiji in svetovali okoli postopka
- Večja aktivnost nevladnih organizacij glede homofobnega nasilje, ne samo, ko se nasilje zgodi ampak tudi kot preventiva, ozaveščanje.
- Občutek, da je govor o homofobnem nasilju tabu tudi v lgbt skupnosti. Če ni kot reakcija na nasilje, ga ni.
- Nevladne organizacije bi morale bolj aktivno pozivati k prijavi, oglaševati sodelovanje s policijo, prebiti predsodke pred policijo

Seznanjenost s sistemom podpore?

- Bolj seznanjeni so tisti, ki so bolj aktivni in v stiku z organizacijami, veliko jih je omenjalo da pred tem niso niti razmišljali o podpornem sistemu
- Poudarijo pomen interneta pri iskanju informacij in podpore pri soočanju z nasiljem

Kaj bi morale nevladne organizacije narediti več na temo:

- Več ozaveščanja, preventive, vidnejše kampanje
- Pozivati k prijavi nasilja

Sodelovanje policija – LGBT skupnost na področju boja proti homofobnem nasilju:

- Strinjajo se, da je potreba, ki more presegati izobraževanja
- Spremembe se morajo kazati tudi znotraj policije, da primer se nekdo jasno izpostavi kot kontaktna točka, kar potem lgbt organizacije oglašujejo,
- manjkajo zloženke, letaki, ki bi večale vidnost, da policijo to področje sploh zanima in da se od tega ne distancira
- Sodelovanje more biti jasno oglaševano z strani obeh akterjev.

10.8.2 Focus group 2

Fokusna Skupina 2

Kraj in datum: Bar Skrito, Maribor, 8. maj, 2013

Udeleženci/ke: Iztok, Lev, Tomaž, Dejan, Matej

Trajanje: 62:26

Moderator: Ko pogledate različne oblike situacij, ki jih imate pred sabo, če bi bili vi izpostavljeni katerikoli od teh situacij motiv pa vaša spolna usmerjenost, katero od njih bi zagotovo prijavili, policiji ali pa nevladnim organizacijam?

Iztok: Jaz imam predvsem dosti takih, ki ne bi prijavil. Se mi zdi malo drugačno gledanje imam glede tega. Preveč prijavljanje in poudarjanje tega, ne vem če je to ravno generalno dober prispevek temu, da se problemi zmanjšujejo. Dostikrat ravno zaradi policije, ko nekaj napihuješ, potem je še bolj napihnjeno. Tak da jaz sem mnenja, da bi jaz recimo določene probal ignorirati in s tem največ narediš. To je moje mnenje.

Moderator: Ne glede na to, kakšen bi bil je motiv?

Iztok: Ok, par stvari je tukaj noter. Vsekakor udarci, brce, spolna zloraba absolutno, take ja. Ampak tu zgori žaljenje in zmerjanje, tu pač, jaz bi se enostavno umaknil in šel stran, tu jaz nimam kaj delat, oni pa se naj sami zaje***. Posmehovanje ravno tako ali pa nadlegovanje. Jaz nikoli pač nisem imel problemov s tem, mogoče zaradi tega.

Moderator: Še kakšno mnenje mogoče ali izkušnja?

Lev : Jaz bi, ja, tudi prijavil, neke težje oblike nasilja, ko so tu navedene, udarci, brce, spolna zloraba, spolno nadlegovanje...zdaj, ravno ne nekega posmehovanja, žaljenja, zmerjanja, čisto mogoče že iz tega ker je težko dokazljivo to. Tudi do zdaj koliko sem slišal recimo iz izkušenj ostalih ni ravno nekega efekta na to. Ampak ja, bi pa vsekakor prijavil verjetno neke [...] tudi grožnje mogoče ja, ampak žaljenje, zmerjanje, pa recimo namernega izključevanja iz družbe pa ne, čisto iz vidika da ni učinkovito in je težko dokazljivo.

Jernej: Kako to javno razkritje brez privoljenja [...] Po moje tako da on ti bo reku, kaj pač nekdo je tak usmerjen [...] mislim, mogoče kot je že Lev rekel, težko dokazat, oziroma, če bi to prijavil, kaj recimo konkretno to javno razkritje, ne, ti bo nekdo rekel, ja kaj naj ti zdaj jaz naredim [...]

Lev: Ne bi te vzeli resno.

Iztok: Seveda.

Jernej: Pa kaj maš od tega. Tudi recimo, da komu, da govoriš o neki javni osebi, pri nas imamo kar nekaj, ki so javno nerazkriti [...] (*govor ni več relevanten*)

Dejan: 'jaz samo žaljenja ne bi nikoli prijavil, ker mislim, mogoče sem ga preveč vaju, ker sem v najstniški družbi, kjer je vsak prasec in vsaka prasica, tak da, žal tako je.

En čez drugega: ja tako živiš [...] vzameš to kot nekaj samoumevnega.

Dejan: Mislim, ja [...].

Moderator: Kaj je bolj samoumevno žaljenje ali posmehovanje, kaj točno misliš s tem?

Dejan: V bistvu žaljenje je bolj samoumevno. Če bi me pa nekdo na primer obmetaval s kamnom, bi pa mogoče malo bolj jaz ukrepal, komu povedal, zagotovo bolj, kot pa če mi nekdo reče da sem fuknjen, pardon na izrazu. Pač konkreten primer dam.

Matej: 'Pa tudi recimo druge institucije, recimo šola, jaz sem imel pri coming outu v srednji šoli težavo s tem, da so ponoreli in je bilo ravno to žaljenje, posmehovanje, izključevanje iz družbe in nadlegovanje. Tudi, ko sem jaz recimo pol že predelal toliko, da bi lahko mogoče prijavil in ko sem se pogovori s socialno delavko na šoli, sploh ne vzamejo to kot nekaj kar bi bilo potrebno prijaviti, tak da tudi z drugih institucij ne dobiš pobude, kot da je to potrebno prijaviti, ne jemljejo kot da je to potrebno prijaviti.'

Dejan: Ne dobiš podpore.

Moderator: Pa ima kdo od vas kakšno izkušnjo s prijavo homofobnega nasilja na policijo ali nevladno organizacijo?

Dejan: Kot otrok je vsak rekel, v šoli me izzivajo, mami, ne vem tak neki socialni delavki pa ne.

Iztok: Jaz sem nekoč še, ko sem bil v vojski, to še v jugi, ja prijavil, kak naj rečem, po službeni dolžnosti, pač nadrejenemu, ne, en incident, ki se je pač zgodil. Ampak po tistem sem jaz rekel, da nikoli več. Zato ker, če bi jaz tisti problem, ki se je pač zgodil, sam rešil, bi ga po moje boljše rešil, kot pa te instance višje, ki so stvari vse skupaj obrnili, in je potem čisto nekaj tretjega ven prišlo, kar sploh ni bilo, tisti osnovni motiv. Tak da, se včasih iz muhe naredi slona. Ampak ena izkušnja je za tebe. Saj pravim jaz sem rajše previden, bolj noter, če se le da sam.

Moderator: Je bilo to povezano s homofobijo?

Iztok: Ne ne ne, čisto tak, ker je bilo to še v jugi, je šlo za nacionalno pripadnost. Leta 1990/1991 [...] Mala zadeva je bla. Zato pravim, pri takih zadevah je včasih boljše zamižat, pa si misliš, dobro, na tvoji stopnji si, zakaj bi se moral jaz tja spuščat. Ker več škode narediš, meni se je zdelo na koncu, da je bilo več škode storjene, kot če bi se to po neki naravni poti [...]

Moderator: Če se osredotočim na prijavo homofobnega nasilja, kakšna je verjetnost, da bi ga sploh prijavili, NVO ali policiji?

Andrej: Odvisno za kaj bi šlo, ampak, ker moraš iti na policijo pa s tem ko prideš tja in poveš de je šlo za homofobijo se postaviš v nevhvalno vlogo in ker ne veš kakšen odnos ima policaj do same homoseksualnosti, sam sebe takoj postaviš v neko tako [...] dejansko sebe razkriješ [...] v neko nevhvalno vlogo postaviš, ker ne veš kako bo odreagirali ali se bo smejali, ali predal komu drugemu, da te obravnava...ali kaj bo naredil ob tem ko mu boš povedal.

Moderator: To praviš zaradi kakšne prejšnje izkušnje s policijo? Ali predvidevaš?

Andrej: Čisto konkretno, ko so nas leta 2007, ko smo imeli Akcijo strpnosti v Mariboru, ko so nas napadli takrat pripadniki Viol, reakcija policije je bila [...] mi smo jih klicali takoj ko se je zgodilo, policijska postaja je bila 400 metrov od kraja dogodka, policija je prišla čez eno uro pogledat, kaj se je zgodilo [...] so naredili zapisnik, mi smo jim povedali številko tablic tistega kombija, ki je prišel, potem pa smo jih še tri, štirikrat klicali, če so ugotovili, kdo je bil lastnik vozila pa to, pa niso naredili nič. Tak da imam to predispozicijo [...] to negativno izkušnjo, da po moje, mislim, da je bil takrat njihov [...] ne vem tako je izgledalo češ, saj je prav da so malo nabutali pedre.

Moderator: So bile to prav njihove besede?

Jernej: Ne, tako sem jaz dojel ta njegov pristop, pa mačizem je bil zelo viden. Verjetno je ta negativna izkušnja no bla, ki zdaj vpliva na vse, kaj bi se zdaj dogajalo. Če bi moral ponovno kaj prijaviti, bi moje res petkrat premislil preden bi šel tja, pa se izpostavljaj, ne glede na to, da sem drugače outiran, samo, da se pol tam [...] da spet greš čez vse to...

Modrator: Lev, lahko tudi tebe vprašal, ker si prej rekel, da ne bi prijavil homofobnega nasilja, tudi zaradi prejšnje izkušnje?

Lev: Preprosto, zato ker sem takšen človek. Jaz se s tem ne bi ukvarjal. Jaz bi pač pustil, in šel naprej. Definitivno pa ne bi šel na policijo. Sploh ne po enih takih izkušnjah kot jih ima Jernej s policijo. Srečo imam, da do zdaj nimam izkušenj z njimi, ampak predvidevam, da bi se isto zgodilo kot je Jernej povedal.

Moderator: Še kakšna misel ali mnenje o prijavi nasilja na policijo ali NVO? Recimo da ste izpostavljeni homofobnem nasilju, psihičnemu ali fizičnemu, kaj je tisti ključen dejavnik, mogoče kontekst, ki bi vas absolutno prepričal, da greste zadevo prijaviti?

Dejan: Če bi bilo recimo prav... Če bi nekomu grozili s smrtjo, ne vem, nož na vrat, ok, potem ne razmišljam, še posebej če je meni nož na vrat. Če dobim jaz nož na vrat, takoj ko ga dobim dol, pokličem policijo, mislim, ali pa vsaj z nekom govorim, ne vem, ni se mi še to zgodilo, imam to srečo. Ampak najbrž bi nekaj takega, da bi imel res... pač, da bi lahko takoj umrl, če bi tista druga oseba vztrajala.

Matej: Verjetno isto spet neko, verjetno neko fizično, hard core nasilje, situacija iz katere se ne moreš sam rešit. Ne vem, ne vem opisat take situacije, ker nimam izkušenj s tem, ne. Ampak verjetno ko res sam več ne bi zmoget, če bi me do mrtvega pret... ne do mrtvega, ampak tak da bi moral it v bolnico, ne, bi verjetno prijavil. Mislim, saj pol bi moral verjetno prijaviti, če bi šel v bolnico.

Dejan: Ja, nekaj takega, ja. Se mora tak prijaviti. Če si bil hospitaliziran.

Lev: Mislim, da oni to potem prijavijo.

Dejan: no skratka v tem primeru bi prijavil. Dokler bi šlo pa samo za neko žaljenje, pa so že vsi rekli, pa spustiš mimo, enostavno.

Jernej: Absolutno tudi fizični, ne vem, da me nekdo pretepe, da me nekdo spolno nadleguje, recmo zloraba kaka taka, to absolutno ja. Tudi ne glede na negativne izkušnje, ki jih imam. Bi šel.

Moderator: Bi šel? tudi ne glede na negativno izkušnjo, ki jo imaš, bi šel to prijaviti?

Andrej: Ja. Tu se mi zdi, da bi lahko, da so taki primeri, da bi mogoče lahko kaj naredili, pa če ni druge, bi šel zaradi sebe, da bi prijavil to.

Matej: S tem da ja, razumem, psihično ti po mojem pomaga, ampak jaz poznam zelo osebno en primer, ko je en pač eno fizično mislim spolno nadlegoval, mislim res, res ji ni pasalo, pa se je to vse skupaj vleklo pet ali koliko let, pa se ni dosti kaj izcimilo iz tega ven.

Lev: Ampak to je ona sama kriva po eni strani, ker ni prijavila tega.

Matej: Ne, ne, ne, je prijavila...

Lev: Al pa mu ni dovolj jasno dala vedet, da bi bil čas, da on to neha počet.

Matej: Ne pa sej...

Dejan: Ponavadi, osebe, ki nadlegujejo, jim ni tak dosti pomembno, če jaz rečem, ne, pa če me ti nadleguješ, me boš še dalje nadlegoval, tudi če ti jaz rečem, ja pa ne paše mi, verjetno ne na kaj dosti zaleže, no. Jaz sem tudi, ko sem imel izkušnjo iz šole, ne, s psihičnim nasiljem ne, z verbalnim nasiljem, sem tudi povedal, ne paše mi, nehaj. Ne, ne pomaga. Meni bi bila meja verjetno tam, ko več sam dalje enostavno ne bi, ne bi zmoget, ne glede na to ali je to psihično ali fizično nasilje. Tudi če je to žaljenje, če bi tak daleč prišlo, da enostavno se ne bi mogel več sam soočiti s tem, bi v tistem, mogoče bi v tistem pa prijavil, no. Sem recimo razmišljal, da bi prijavil, samo se mi pol res ni zdelo vredno.

Moderator: ampak ti si rekel, da si se obrnil po pomoč, ampak da do prijave ni prišlo, zato ker ti je socialna delavka tako svetovala. Sem prav razumela?

Dejan: V bistvu ne, jaz sem, ko sem recimo prišel do tega, da sem bil jaz recimo bolj sposoben it do socialne delavke se pogovoriti o tem, pa je v bistvu, ko je to bilo že vse za mano, mislim bolj ali manj, ko sem jaz pol

zamenjal razred oziroma ko sem padel letnik, sem šel v drug razred in se je to malo zmanjšalo, sem se jaz takrat pogovoril s socialno delavko, [...] je bilo to tak, taki puhli nasveti, ni pa prišlo direktno do nasveta, daj prijavi. Jaz pa tudi nisem nekaj razmišljal, v bistvu, tudi če sem, mogoče v tistem, me je bilo strah to prijaviti. Ne zaradi policije, kak bi policija [...] ampak kak bi recimo, kak bi se homofobi odzvali na prijavo, ker bi absolutno poslabšalo stvari. Ni zdaj bilo odsvetovano, ne, ampak ni pa tudi bla spodbudna [...]. Meni se zdi naloga enega socialnega delavca, da se, če ti pride nekdo s problemom, da ti ponudi vsa razpoložljiva sredstva. Ampak po moje da tudi niso dovolj obveščeni in informirani o tem, da se to da prijaviti, da se da homofobno nasilje prijaviti, ne. Konec koncev, koliko smo imeli do sedaj primerov iz homofobije na sodišču v javnosti, samo en, ne, samo en primer.

Moderator: Ja, na sodišču je samo en.

Matej: Samo en je na sodišču?

Moderator: Ja, predlani je bil obsojen en fant, ki je 2010 spodbujal k nasilju na paradi ponosa preko socialnih omrežij. Če sprašujem naprej; ko razmišljate hipotetično o prijavi nasilja in nekaterih oblikah o katerih smo se ravnokar pogovarjali, na koga bi se prej obrnili s prijavo nasilja na osnovi spolne usmerjenosti, na policijo ali nevladno organizacijo?

Jernej: Jaz mislim, da absolutno je, zaradi tega ker ti ko boš šel na društvo recimo, al tako Lingsium, Legebitra, karkoli, boš tam dobil že takoj en varen prostor, kjer boš to prijavil, ne boš se rabil še s tem obremenjevat, kaj si ta druga oseba misli o tebi in ali to sprejema ali tega ne sprejema, ali je homofob ali ni homofob. Boš imel en varen prostor, kjer boš ti dejansko lahko povedal, zaradi česar si prišel, ne boš rabil sam sebe prvo outirat pa to pričakovat, kak bodo na to odreagirali, pa šele potem prešel na problem, zaradi katerega si prišel, ampak boš samo avtomatsko problem povedal. In jaz bi dejansko te zadeve vse prijavil, če ne zaradi drugega, da bi se začelo to malo evidentirat.

Moderator: Aha, ti bi šel in bi prijavil na kakšni od teh nevladnih organizacij?

Jernej: Ja, tak kak je že Dejan rekel, ziher bi dobu, če ne drugega, bi mi svetovali pa pomagali pa mogoče prekel njih tudi ... ne vem, bi mi pomagali pa bi se odločil in prijavil (ne vem če sem prav razumela), to nasilje na policijo. Da imam en back up, recimo temu.

Lev: to si jaz si tak razlagam, da če jaz na Lingsium ali Legebitri prijavim, mi lahko Legebitra, največ kar mi lahko ponudi je v bistvu neko svetovanje, ... kar je neke vrste zaščita, nekaj kar bo meni psihično pomagalo, problemov pa ne reši in če hoče meni Legebitra, Lingsium ali katerokoli od teh društev, če mi hočejo pomagat, je spet treba it prek ene od te institucije, policija, sodišče, nekaj takega.

Dejan: Nikakor ne moreš mimo sodišča ali policije.

Matej: Ma, če prijaviš, je pa lahko osebna podpora, ki ti psihološko pomaga.

Iztok: ja lahko si predstavljam, da jaz pridem na Lingsium, povem, kaj se mi dogaja in mi svetujejo, dejansko ne, oziroma mi nudijo neko podporo psihološko in da me oni vodijo pol čez postopek prijave, da mi recimo da mi pomagajo prepričati, da to prijavim.

Moderator: Če prav razumem praviš, da bi s pomočjo NVO možnost prijave na policijo pri tebi zrasla?

Iztok: Ne, če bi želel prijaviti, bi prijavil sam, če pa ne bi želel, bi se pa obrnil pač na eno društvo, iz tega, da mi psihološko, osebno pomagajo, ne [...]

Moderator: Aha, če bi se obrnil na društvo, bi se zaradi osebno podporo?

Iztok: Ja, ja, ja. Če bi pa hotel prijaviti, bi pa sam prijavil.

Moderator: Na policijo?

Iztok: Ja.

Moderator: Še kakšne misli na temo prijave NVO in policija?

Matej: Jaz osebno si mislim, da če bi jaz nekemu grozil in bi mi rekel, na Lingsium te bom prijavil, bi se mu režal, ker pač oni, pardon, mislim, sej so okej organizacija pa vse, ampak že kot tak, oni meni ne morejo silno prepričati, da bom jaz šel koga preteptat, medtem ko ima policija malo več avtoritete.

Jernej: Če bi se tebi to zgodilo, bi prijavil?

Matej: Če bi jaz moral prijaviti, bi verjetno prej prijavil na policijo.

Dejan: Jaz tudi.

Lev: Jaz tudi, če bi moral.

Iztok: Ker bi bilo prej konec.

Dejan: Odvisno kaj hočeš doseči, v bistvu.

Lev: Ker konec koncev bi tako potem pristal na policiji.

Iztok: Ja, na koncu si itak tam.

Matej: Jaz bi recimo, če bi šlo za neko nasilje, ki bi bilo bolj psihično, pa vseeno dovolj hudo, bi jaz po tistem recimo šel na Lingsium, bi šel prijaviti, že zaradi evidentacije, že zaradi tega da bi jaz dobil neko pomoč, ne, za mene osebno, če bi pa šlo za fizično, tak, da bi jaz hotel, da se to sankcionira, ne, pa bi prijavil direkt na policijo. ... Če želiš sankcijo je tak, kot je Matej rekel, Lingsium lahko meni pomaga, ne morem, ne dojemam pa Lingsiuma kot neko avtoriteto, ki lahko vsakega sankcionira, vsaj neposredno.

Moderator: Te teme smo se že malo dotaknili skozi pogovor; kaj v procesu prijave homofobnega nasilje pričakujete in potrebujete s strani policije?

Lev: Čisto normalen človeški odnos, kot ga imajo do vseh ostalih. Da zdaj ni ne [...] da ne zaznaš tisto, no jaz sem pa prišel, ker me je fant pretepel, pa že vidiš, kak se muza, da se recimo začne smejat, kar se je tudi že dogajalo, ne. En čisto normalen človeški odnos, pa ne, ker si ti v situaciji pa v stiski, da se temu primerno obnašajo. Brez tega da pokažejo, da tudi če, recimo, oni dojemajo, da drugače ne sprejemajo, da tega ne pokažejo, ne. Jaz ne morem njih prisilit, da oni pa zdaj nas morajo sprejemati mene kot geja, ampak pričakujem, da ukrepajo enako, kot če bi prišla moja hetero kolegica in bi prijavila, da jo fant pretepa.

Dejan: Da si enakopravno tretiran.

Iztok: Popolnoma profesionalen odnos.

Moderator: Bolj konkretno me zanima, kaj bi želeli da se zgodi ob prijavi? Če si lahko tako nekako plastično predstavljate? Pridete na policijo... kaj se mora na primer zgoditi, da se počutite varno?

Iztok: Jaz pri policiji ne bi prijavljaj, ne. Če pa že gre za neko, da si bil nekje neenakopravno obravnavan, to pa jaz vidim edino, bi lahko bilo v službi, pa pač, pri zaposlitvi, ali pa ne vem, v šoli, da nisi bil sprejet, ker se je vedlo, da si pač to [...]. To se mi zdi, to enostavno bi prijavil, pa se naj potem institucije, ki to rešujejo, ker to je za institucije, po mojem, in potem pričakuješ, pričakuješ, da bo proces stekel do konca, ne da se nekje bo ustavil, tak kak je Jernej rekel, ja to in tam se vstavi, ne gre potem naprej. Jaz ne vem kak imajo logistiko naprej dodelano, kdo je odgovoren za to, da postopek vodi, in tak naprej, kdo tudi odgovarja za to, tak kot za vsa ostala kriminalna dejanja.

Lev: Da te z določeno, ne vem, [...] da ko prideš prijaviti, da te sprejmejo z določeno stopnjo empatije, glede na to, da si ti v stiski, če prijavljaš... Ja mene v bistvu lih ta, da pokažemo, mogoče vseeno neke empatije, nekega sočustvovanja, oziroma, ne, da res da profesionalno spelje to, da [...]

Iztok: Mogoče pri nas nismo navajeni, toliko na to, da ko prideš, recimo da prijaviš, da se tista oseba tam v bistvu zaveda, kaj je njegova naloga, da ne reagira osebno na to, ampak vzame tisti papir, saj imajo verjetno obrazce [...], na osnovi katerega potem izpolni tisto prijavo in tak naprej. To je po mojem čisto robotsko delo, tu ne rabi zdaj bit on, ne vem, osebno vključen noter. Mora te pa, saj pravim, logično, in to se mi zdi normalno, da pač normalno reagira na ta sistem, da pozna kak bo potem celotna logistika potekala, da se bo problem rešil. Če se bo en problem rešil, potem verjetno se ne bo več ponavljal tak, ker bojo vedli, da pa čakajo malo, te pa to ni to.

Jernej: Jaz če bi prijavil, jaz bi pričakoval, da pridejo v doglednem času, oziroma pač če grem jaz tja, kakorkoli, da je profesionalen, da so profesionalni, da me res konkretno izprašajo, kaj je bilo, da mi pokažejo vse možnosti, kake mam, kaj lahko naredim, kaj mi lahko oni ponudijo, česa mi ne morejo, kak lahko jaz dalje postopam. Da mi dejansko vse pač možnosti kaj zdaj imam jaz, na podlagi česa kaj se mi je zgodilo, da na podlagi tega potem lahko dalje, kaj jaz lahko naredim tam. Seveda brez vsakršnega kakršnegakoli posmehovanja ali to, tak vse normalno. Da je, to je en izraz profesionalnost, meni glede na neke osebne okoliščine, isto obravnavo.

Moderator: Glede na vaše mnenje in informacije, kako ocenjujete delo policije na področju homofobnega nasilja? Se vam zdi, da ima policija dovolj kompetenc s področja? Da zna prepoznati homofobijo?

Iztok: Absolutno je premalo, tak kak ste sami rekli, ne, zakonsko je zelo dobro narejeno, celo kazni naj bi bila povišana duplira, verjetno se pa ustavi, a vejo oni to? Jaz mislim, da ne. Jaz mislim, da verjetno ne. Samo zakaj pa ne, tu pa jaz nisem strokovnjak za to.

Dejan: Ja, jaz se sedaj sprašujem a sploh poznamo delo policije na tem področju? Po drugi strani pa niti ne vem koliko naše organizacije vložijo truda v izobraževanje policije. V delavnice na policiji....

Matej: Jaz ne poznam.

Lev: Po mojem so, mislim, valjda so izobraženi. Vsak od njih je imel tekom študija, tekom nekih službenih izobraževanj po službeni dolžnosti verjetno možnost oziroma je bil prisiljen oziroma se je moral izobraziti na tem, tudi na tem področju, ker to spada pod njihovo delo. Drugo vprašanje pa je, če hočejo oni delati s tem oziroma koliko je njim pa zdaj to pomembno. Sej oni so po moje tudi še posebej imeli kaj dodatnega izobraževanja, za delo z Romi, ne, ampak koliko zdaj njim to pomaga, koliko zdaj to vpliva, to pa ne vem, no.

Matej: Jaz imam bolj občutek, tak kot je Milan prej reku, oni imajo zakon in oni se tega držijo. Oni so čista administracija.

Iztok: Samo če bi delali po zakonu, zakaj se je ustavilo?

Matej: Tu so pa potem drugi vplivi, višjih instanc, ki...

Lev: Po moje da jemljejo pač, zgodil se je zločin, pač recimo zločin, saj je vseeno, po moje da je njim vseeno zločin iz ljubosumja, ali iz homofobije, po moje, da to enakopravno, ne. Po moje da so izobraženi, ampak, da se jim ne zdi pomembno, da bi obravnavali še dodatno zdaj to, ker se je to zgodilo iz homofobije. Ok, dobil je po nosu, in to je to. In po moje da jim ni pomembno, če si ti dobil pač zato ker si istospolno usmerjen po nosu, ne.

Jernej: Po moje pa niti približno, približno, niso dovolj izobraženi. Niti približno ne dovolj. Ker če bi bili, se ne bi dogajali primeri, kot se dogajajo in jaz mislim, da je še treba tu zelo zelo zelo dosti vlagati v to delo za izobraževanje. Mogoče celo vključiti, sej vem, da je to mogoče tak, ampak da bi se mogoče to vključilo v en tip njihovega izobraževanja, predvsem da bi se srečali s temi vsebinami. Po moje se ti ljudje niso srečali in če bi šli intervjuvat policaje, pa bi vprašali, ne vem, kaka je zagrožena kazen za homofobijo, tri četrt jih ne bi vedlo, kaj sploh to je, homofobija, to je ja neki s pedri, ampak kaj več od tega, pa po moje sploh ne. Tak da... Vprašanje tudi če je njim to v interesu, da se bo nekaj izobraževal pa to, saj itak jih ni dosti, zakaj se bom za tistih par ljudi ki se nekaj kažejo tam izobraževal jaz pa tu nekaj.

Iztok: Ampak saj to ni njihova pristojnost da oni odločajo o tem, kaj je njim v interesu in kaj ne. Isto kot če si ti nekje zaposlen noter ne, pač ti dobiš vsa navodila in se tistega držiš. Ampak jaz tu malo dvomim, da obstaja ta follow up, se pravi spremljanje delovanja teh uslužbencev. A jih spremljajo, na kak način delujejo, kako postopajo. Tudi se mi zdi da je problem, mogoče še ne pri tistih manjših niti ni tak velik problem bil, verjetno pri tistih [...] procesih se odločajo, pa reče zdaj pa ta patrulja gre tja, ta gre tja. To je eden, ki je na višji inštanci, on odloča in jih pošlje, te ljudi tu pa tu. In jaz mislim, da tu notri zaštekata, pri tistih višjih malo. To je moje mnenje.

Matej: Po moje zdaj ni to tok, kak so oni izobraženi. Jaz mislim, da je malo bolj problem v nekem čisto osebnem odnosu. Prej sem omenil da zbiram te zgodbe. Sem zdaj dobil eno zgodbo, resnično zgodbo o enem fantu, ki se je ravno zaradi homofobije... Po šoli so ga počakali, pretepli do nezvesti, ko se je zbudil iz nezvesti, je šel na policijo in je to prijavil. Na policiji so se mu začeli smejati.

Moderator: Je to resnična zgodba, ki jo sedaj govoriš?

Matej: To je resnična izkušnja fanta iz Slovenije. Ko je prijavil nasilje, in ko je povedal, da zaradi tega, ker je gej, so se mu baje začeli smejati. In ta fant je tudi poskusil narediti samomora čez [...] v kratkem času po tem. To ni moja zgodba, niti nisem bil zraven, ampak, da je to resnična zgodba.

Moderator: Meniš, da take zgodbe zelo vplivajo na to kako dojemamo policijo v procesu prijave?

Matej: Meni je recimo tudi od takrat, ko sem to zgodbo dobil, mi je recimo, že čisto iz tega, ne... Preden bi prijavil, bi verjetno na to se spomnil. Bi to verjetno bila ena meja prek, [...] o shit, kaj pa če bo zdaj tak, ne. Mislim, ker, če je, čisto hipotetično lahko govorim, ker ne morem reči, da je realna, pa ne morem reči, da je zdaj to laž, ampak jaz mislim, da je realna zgodba. Ampak to je, to je pa za prijaviti višji, če je, da nekomu ko je v taki stiski, da pride pretepen, da se mu začneš smejati zaradi tega ker je povedal da je gej.

Moderator: Če vemo, da je policija kljub vsemu, neka prva točka kjer se nasilje lahko sankcionira, se vam zdi pomembno sodelovanje policije z nami, s skupnostjo, na področju boja proti homofobnem nasilju?

Lev: Ja, vsekakor, vsekakor je pomembno. Koliko so pa naša društva, oziroma in društva in policija pripravljena to narediti. Sej mogoče mi delamo vsi skupaj eno veliko krivico policajem. Mi smo zdaj vse skupaj dali v en koš. Obstajajo mlajše generacije policajev, ki so mogoče veliko bolj izobražene kot starejši in to malo drugače sprejemajo. Mogoče se ti bo tisti, ki je trideset let policaj, ko prideš tja homofobno kaznivo dejanje prijaviti, da se ti bo smejal. Samo potem pa bo en mlajši, ki je začel komaj, ki ima mogoče malo več izkušenj, širši pogled, bo pa drugače to vzel. Dobro, to ne moreš nikoli vedeti.

Jernej: Po moje da bi blo fajn, recimo,

Matej: Definitivno pa bi bilo fajn kakšne delavnice z naše strani, pa izobraževanje v sodelovanju...

Moderator: Se pravi, da bi skupnost vzpostavila kakšen stik s policijo. Pa misliš, da ni tega stika?

Matej: Mogoče so, ampak jaz mislim, da je še vedno, če so ne, so premalo, so samo kakšna izobraževanja, izobraževanja za policaje, ni pa tistega neposrednega stika naše skupnosti, nas, tisti ki nismo v... in pa policije.

Moderator: pa se vam zdi osebno pomembno, da tako sodelovanje obstaja?

Matej: absolutno da je, samo če generalno pogledamo, tak, zakaj mi sploh policijo imamo, ne, sploh recimo Slovenci v Sloveniji, če pogledamo statistiko, koliko jih imamo mi, vidim, da jih imamo mi skoraj štirikrat več, kot recimo skandinavske države uniformiranih policistov. tudi, kdo jih financira? To je Evropa, ki jih financira prekel določenih institucij in seveda, jim tudi daje naloge, tiste prioritete, ker pa smo šengen tu in tak naprej. Zdaj pa v tej naši veliki, sej pravim skoraj štirikrat več na prebivalca, vse to razlagat, ne vem, ne vem, kdo bi imel interes..... Ko se bo nekak to umirilo, ko bojo oni drugi, ko bomo mi, če bomo, jaz ne vem, če se bomo malo bolj približali skandinavskemu razmišljanju, da bomo manj tega rabli, potem res za tiste primere ki so nam družbeno potrebne, da bi se lahko to bolj vzpostavilo, oziroma tudi izobraževalo in dalo večji pomen temu, da so seznanjeni zakaj konkretno jih rabimo in na kakšen način delujejo. Pri nas so čisto tak, kot imam jaz občutek, da bolj vsi lovijo tiste prebežnike sem pa tja in jih zaradi tega tudi informirajo in izobražujejo in materialno podpirajo.

Moderator: A je mogoče kaj odgovornosti tudi na nas, da se mogoče mi izobrazimo recimo o postopku prijave? A poznamo naše pravice v postopku prijave?

Andrej: Po moje ne, ker smo čisto preveč pasivni kot državljani. Tudi nekih državljskih pravic in dolžnosti čisto takih, kot jih imamo, ne zavedamo in po moje tudi teh pravic, teh nekih postopkov, kak reagirat, kak postopati tudi ne poznamo. To se mi zdi tak generalno neka pasivnost kot taka se mi zdi državljanov, no.

Matej: To bi se že lahko recimo v, dobro to bom zdaj jaz kritiziral šolski sistem, to je ena tema, ki se obravnava pri državljski vzgoji in etiki, ne o lačnih otrocih v Afriki, ker... dobro je to pomembna tema, da se recimo osvesti, ampak jaz dam to na prednostno listo, da se že kot otrok, ker so otroci tudi dostikrat izpostavljeni čemu takemu, pa tudi ne, pa že za pol, kot naložba, po moje je to tudi ena vsebina, ki bi jo bilo treba dat v šole, da se izobrazi o postopku. Tak kak se recimo pri zdravstvenih vsebinah v šoli, kak pokličesh reševalce, kak prijaviti nasilje, kake pravice imaš, na kak način te oni morajo zaščititi. Po moje je že tu treba začeti.

Iztok: Tudi obelodaniti, da to obstaja. Tisto o Afriki, to je tak bulšit. Tisto prvič so laži, kar nas učijo, drugič pa ja... Če pa imamo mi tu probleme. Verjetno moraš najprej tu na prioriteten listo dat svoje probleme, naše skupnosti.

Lev: Po moje da je to potrebno, no. Zdaj ne vem na policiji, koliko je ... koliko jih je smiselno izobraževati, ker je zdaj dokazano, recimo, oni dobijo eno izobraževanje, ne, šlo jih bo, kolikor jih bo šlo, ker po moje te ne morejo prisilit v službi, da greš na izobraževanje.

Iztok: No, to bi morali spremeniti, če ni to tak. Službo imaš, hočeš to službo ali nočeš? Mislim, saj ne rabiš it, samo pol bomo nekoga drugega v službo vzel, ne?

Lev: Ampak načeloma, če jaz grem, recimo, ne vem... ena od teh organizacij lgbt, ponudi izobraževanje, meni v službi to povejo kot policaj, in se jaz odločim, da grem, pol jaz predvidevam, da tak človek, ki bo šel na to, je že toliko odprt do te tematike, da je že sam recimo malo pogledal, in že ima toliko oseben pristop, recimo ni homofoben, kar je meni tu zelo pomembno, ne. Po moje zdaj nekdo, ki ima zelo proti temu, se ne bo šel izobraževati o tem, in tudi če bo moral sedeti na predavanju, ne bo nič od tega odnesel.

Moderator: Menite, da je slovenska policija homofobna?

Dejan: Nimam blage veze. Jaz sem se s policijo ukvarjal samo v primeru, ko je prijateljica zgubila telefon oziroma so ji ga ukradli. Ampak ni imelo veze s tem, če je lezbijka, če je strejt, če je karkoli... Torej ne vem.

Iztok: Absolutno ja. Bolj kot recimo skandinavske države, absolutno manj kot recimo v Srbiji ali pa na Hrvaškem. Mi pa smo tu noter, tu se lepo da videt...

Moderator: Kako to veste?

Iztok: Ja, zato ker vidiš, sej pa potuješ. Opaziš. Pa se z ljudmi pogovarjaš.

Torej iz izkušenj drugih vemo, ali pa sklepamo?

Iztok: Ja, ker je to tematika, ki nas vedno zanima, ko nekam potuješ, kak, na kak način boš zaščiten. Kaj lahko si dovoliš, kaj ne.

Jernej: Po moje absolutno so, ja. To se kaže. Čeprav, spet mogoče je zdaj krivično generalizirati na vse, ampak iz nekih trenutnih zadev, ki so ble, pa ne vem, pa niso... ni bilo pokazanega dovolj interesa, to ti nekaj pove. Če ti ne pokažeš dovolj interesa, da boš nekoga ujel, ki je ne vem to pa to naredil... zakaj? Saj so po drugi strani pozitivni primeri, kaj se je zgodilo z Openom in s tem, ko so jih potem ujeli in obsodili, ja. Samo toliko je pa spet drugih primerov, nekih, ki pa govorijo zoper to, da po moje so kar ja. Sploh, ne vem, če primerjam z Londonom, tam ko je na Sohotu ne vem, prav policaj, ki z lgbt dela, ga les lahko vprašaš, se res počutiš varno, in če bi karkoli bilo, bi šel tam takoj do njega, ga vprašal, ne vem, ono tretje...

Lev: Nimam toliko izkušenj z njimi, da bi... Tak kot sem že prej rekel, vse v isti koš dajat, je zelo težko. So definitivno nekateri homofobni [...], ampak mislim, da vedno več mlajših policajev malo to drugače sprejema.

Matej: Jaz enega poznam, ki je policist, sicer ga ne poznam tak službeno, ampak privatno, sosed mi je in ni nekaj kazal, mislim, sem imel fejest že izpade, mislim smo imeli čage in ne vem kaj še vse, pa ni bilo nobenih problemov nikoli. Mislim še zmeraj, tudi danes, ko bom šel domov, ga bom sigurno pozdravil, če ga bom tam videl. Nimam nekih slabih izkušenj jaz glede tega.

Lev: Po moje je zdaj težko generalno reči. Veš, težko je zdaj generalno reči, policija je pa homofobna, ne. Ne vem. Jaz lahko [...] gremo na primer zdaj od tukaj, nekdo pride sem, nas napade, prijavim, bo zelo super, ne. Ne moreš generalno reči, slovenska policija je homofobna, zato ker je sestavljena iz različnih posameznikov. Lahko bi zdaj rekli, ok, je zelo moških, je prisoten mačizem, sklepamo da so homofobni, ampak jaz ne morem reči tega, no. Je pa recimo... Tak kot je Iztok rekel, se pa vidi na določenih primerih, da pa delo policije z lgbt skupnostjo še ni toliko zrelo, kot je recimo v skandinavskih državah, v Angliji recimo ali pa v nekih bolj razvitih državah.

Moderator: Če se strinjamo, da je sodelovanje pomembno, kakšna oblike sodelovanja pa bile najbolj učinkovite. Kaj bi morali narediti, da bi policija pridobila naše zaupanje?

Matej: Če bi hoteli dejansko videti, kakšni smo, greš ven in preživiš dan s policistom, neka taka varianta. To je isto kot so imeli [...] Ja no, če hočeš videt dejansko kako dan poteka [...] Neka taka varianta, ker drugače, saj ne moreš vedeti [...] recimo greš na kavo, če imam jaz recimo s tabo pogovor, ne vem, ja to pa je papir, to mi nič ne pove o osebi, ne moreš nekoga spoznat kot osebnosti. Pač čim več različnih ljudi.

Jernej: Ne vem, mene je do zdaj, recimo tak, kolikor imam do zdaj z akcije strpnosti, s parade [...] ne vem, saj to je zdaj spet tak reči, ampak meni se je tak zdelo recimo, vsaj ko sem jih na paradi gledal policiste, kot da boj zaspali tam zraven, kot da sploh niso tam zraven, da bi recimo [...] ne vem, on hodi zraven povorke, daj vprašaj malo ljudi, je bilo kaj narobe, ste videli koga, malo bolj [...] Jaz vem, da na akciji strpnosti, ko so bili policaji, vem, da je bilo lani, ne lani ni bilo, predlani, da je prišla policistka, da je vprašala, je vse v redu, je kaj [...] Pa se je meni zdelo, tak super se mi je zdelo, no, ker je tak prišla, je blo kaj, je bil kaki problem, pa vem da takrat tudi, ko so bili oni tipi z štili od marel tam, da so tudi prišli, pa so bili pol skoz tam, recimo, takrat se mi je zdelo kul, no.

Moderator: Se pravi neka proaktivnost tudi s strani policije?

Dejan: Po moje itak delavnice ja, primarno neke delavnice, da se izobrazijo na tem področju. Samo neko izobraževanje tako teoretično ni dovolj. Kdaj prit, pa se dejansko soočit s tem, kaj je tam na papirju, kaj je lgbt skupnost, kaj to pomeni v realnosti. Mogoče ne na ta način da ti dan preživiš s policajem, ampak da mogoče policaj kdaj ne vem na kaki da se kaj organizira skupaj s policija, ne vem na kake literarne večere s to tematiko, ali nekaj, da spoznajo ljudi, da vidijo kak funkcionira. Da se tudi oni dejansko znebijo nekih stereotipov in predsodkov, ki jih mogoče imajo. In da bi na ta način. Ker samo teorija, saj vemo kak je, tu not pri drugi uhi vun [...] Najbolje, da ti vidiš, pa lahko potem apliciraš, če imaš neko praktično znanje, praktično izkušnjo, kar je predvsem tak [...]

Iztok: Kolikor jaz vem, da zdaj niti teorije ne dobijo, ko imajo verjetno ta obdobja izobraževanja, ne vem jaz koliko jim je tam ta tematika predstavljena v procentih po času.

Lev: Ja, saj tak kot sem prej rekel, ne, za njih je po moje zločin in po moje da se lih [...]

Iztok: Ampak glede na to, da je tudi po zakonu specificirano drugače, bi bilo mogoče dobro tudi v času samega izobraževanja namenit mogoče vsaj eno uro, da se to omeni, da spoznajo to tekom izobraževanja, da pa ni to isto, kot če mož ženo pretepa, ampak da tu je pretep, ampak da je pretep z ozadjem, zaradi česa je bil nekdo pretepen, ne. Bi vseeno mogli tudi v izobraževanju to imet.

10.8.1.2 Focus group 2, code memo

Prijava na policijo

- Prijava na policijo naredi več škode, kot koristi
- Prijava fizičnega nasilja je smiselna, prijava ne fizičnega ne toliko, ker ga je težko dokazati in policija nima kaj narediti v tem primeru
- Prijavili bi policiji, če bi nekomu grozili s smrtjo, če bi bilo hardcore fizično nasilje...

Prijava fizičnega in psihičnega nasilja

- Prijava psihičnega nasilja nič ne prinese (primer s šolo in socialno delavko)
- Prijava nasilja na policijo odvisna od prejšnjih izkušenj s policijo
- Fizično nasilje bi prijavili tudi tisti, ki imajo slabe izkušnje s policijo

Prijava NVO in policija:

- Društvo predstavlja varen prostor, policija predstavlja nesigurnost, nepredvidljivost, s katero se žrtev ne želi ukvarjati niti hipotetično, kaj šele v praksi ..
- Na društvo se gre po čustveno oporo, opogumljanje, svetovanje

- Ko je potrebna instant sankcija in reakcija, v primeru grobega nasilja se gre na policijo, zato da se nasilje ustavi

Ob prijavi na policijo pričakujemo / potrebujemo:

- Da te sprejmejo z določeno stopnjo empatije, glede na to, da si ti v stiski, če prijaviš
- Da se ne posmehujejo
- Da vzamejo vse oblike nasilja kot nasilje
- Da pridejo v doglednem času,
- Da so profesionalni in se žrtvi konkretno posvetijo,
- Da znajo razložiti vse možnosti ob prijavi, kaj se lahko naredi, kaj lahko policija naredi
- Da znajo usmeriti naprej po pravno ali drugo pomoč

Kako ocenjujejo delo policije:

- Dvom, da policija ve da je za homofobijo zapisana večja kazen po ZJRM-1
- Ne poznajo dobro sodelovanja LGBT organizacij s policijo, in na kakšnem nivoju to poteka
- Percepcija, da se držijo črke zakona, tisto kar je napisano in to je to, brez zavedanja o posebnih potrebah
- Predvidevajo da so starejši policisti in pa vodstvo veliko bolj izobraženi in dovzetni za temo, vendar menijo, da informacije ne pridejo navzdol, do policistov na postajah, ker se o tej temi ne razpravlja
- Dvom da je policija dovolj izobražena, da bi bilo potrebno veliko več narediti, predvsem izven Ljubljane

Seznanjenost s sistemom podpore

- Očitek, da smo lgbt preveč pasivni in da včasih delamo krivico tudi policiji, ker se premalo zavedamo svojih pravic in dolžnosti
- Predlog, da bi se morali o temo pogovarjati v srednji in osnovni šoli in razbiti predsodke pred prijavo nasilje

Kaj bi morala policija narediti, da bi pridobila naše zaupanje:

- Večja proaktivnost, na javnih akcijah, kot je recimo vidna v tujini, ko policaji aktivno sodelujejo z organizatorji in ne dajejo občutka, kot da je z dogodkom nekaj narobe in da gre za zbor huliganov in nogometno tekmo.

Sodelovanje policije z lgbt skupnostjo:

- Vidijo kot zelo pomembno
- Malo bolj se zakomplicira pri temu kako to izpeljati
- Predvidevajo, da je mlajša generacija policajev bolj odprta

Menijo, da je slovenska policija homofobna?

- Kot organizacija ne, posamezniki da
- Policija odraža strukturo družbe, hkrati pa glede na to, da je sestavljena večino iz moških, predvidevajo da je mačistična in polna predsodkov
- Veliko primerjave s tujino, kjer je policija bolj vidna v skupnosti,

Kaj bi morala policija narediti, da bi pridobila naše zaupanje:

- Večja proaktivnost, na javnih akcijah,
- Večja vidnost v skupnosti in več naslavljanja manjšinskih tem, ne samo Romi.
- Primanjkuje raznolikosti v policiji