



Islamophobia in the UK Debate on 20 December 2018

Summary

This House of Lords Library Briefing has been prepared in advance of the debate due to take place on 20 December 2018 in the House of Lords on the motion moved by Lord Sheikh (Conservative) “that this House takes note of the impact of Islamophobia in the United Kingdom”.

In the context of recent data showing a rise in the number of police recorded hate crimes and other Islamophobic attacks perpetrated against Muslims, the UK Government has been urged to adopt a formal definition of Islamophobia, similar to the definition of antisemitism adopted by the Government in 2016. This briefing summarises two definitions of Islamophobia; the first from the race equality think tank, the Runnymede Trust’s report, *Islamophobia: Still a Challenge for Us All* (2017); and the second from the report of the inquiry on a working definition of Islamophobia conducted by the All Party Parliamentary Group on British Muslims (2018).

This briefing includes a summary of the data on hate crimes against Muslims in the UK. The organisation TellMAMA (Measuring Anti-Muslim Attacks), which collects data on reported incidents of Islamophobic abuse, discrimination and violence, recorded 1,201 verified attacks on Muslims in 2017, a 30% increase on the previous year. According to Home Office data on police recorded hate crimes, there were 94,098 hate crimes of all forms in 2017/18, of which 76% were race hate crimes and 9% were religious hate crimes. The briefing also provides a summary of the law regarding hate crimes, free speech and ‘hate speech’.

Data from the Runnymede Trust and the Social Mobility Commission have shown that Islamophobia and discrimination contribute to British Muslims’ position as the most economically-deprived minority group in the UK. Half of Muslims experience household poverty compared to a national average of 18%, and only one in five of the Muslim population is in full-time employment. The report from the Social Mobility Commission found that young Muslims, in particular, face considerable barriers to progression in schools, higher education and the labour market.

Table of Contents

1. Definition of Islamophobia
2. Prevalence of Anti-Muslim Hate Crimes
3. Islamophobia and Discrimination
4. Government Policy

Table of Contents

1. Definition of Islamophobia	1
2. Prevalence of Anti-Muslim Hate Crimes	4
2.1 Free Speech and Hate Crime.....	6
3. Islamophobia and Discrimination	8
4. Government Policy	10

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I. Definition of Islamophobia

In October 2017, Baroness Warsi (Conservative), in an oral question in the House of Lords, asked the Government whether it had a definition of Islamophobia. Lord Bourne of Aberystwyth, then Parliamentary Under Secretary of State at the Department for Communities and Local Government, replied that the Government was committed to eradicating religious hatred and intolerance. However, regarding a definition, Lord Bourne stated:

The Government do not currently endorse a particular definition of Islamophobia. Previous attempts by others to define this term have not succeeded in attracting consensus or widespread acceptance.¹

Various organisations and commentators have argued that an agreed definition would aid initiatives to tackle Islamophobia. Consequently, the Government has been urged to adopt a formal definition of Islamophobia, in the same way the Government adopted the International Holocaust Remembrance Alliance's definition of antisemitism in December 2016.²

Runnymede Trust Definition

In 1997, the race equality think tank, the Runnymede Trust, published the report *Islamophobia: A Challenge for Us All*, which is credited with introducing the term 'Islamophobia' to public policy discourse in the UK.³ The report provided the following definition of Islamophobia, along with a summary of criticisms of the term:

Islamophobia refers to unfounded hostility towards Islam. It refers also to the practical consequences of such hostility in unfair discrimination against Muslim individuals and communities, and to the exclusion of Muslims from mainstream political and social affairs. The term is not, admittedly, ideal. Critics of it consider that its use panders to what they call political correctness, that is stifles legitimate criticism of Islam, and that it demonises and stigmatises anyone who wishes to engage in such criticism.⁴

In November 2017, to mark the 20th anniversary of the report's publication, the Runnymede Trust published an updated report, *Islamophobia: Still a Challenge for Us All*. The report claimed that in the intervening 20 years

¹ [HL Hansard, 17 October 2017, col 486.](#)

² Prime Minister's Office, '[Government Leads the Way in Tackling Anti-Semitism](#)', 12 December 2016.

³ All Party Parliamentary Group on British Muslims, [Islamophobia Defined: The Inquiry into a Working Definition of Islamophobia](#), 2018, p 23.

⁴ Runnymede Trust, [Islamophobia: A Challenge for Us All](#), 1997, p 4.

“anti-Muslim prejudice has grown further and wider”.⁵ The report offered three explanations for the increase in anti-Muslim prejudice. First, an increase in terrorist incidents domestically and internationally since 2001 had contributed to a culture in which “the fear and threat of terrorism can be inflated by Islamophobia, and that Islamophobia can increase in the wake of terrorist attacks”.⁶ Second, compared with 20 years ago, “British Muslims are a larger, better-organized and more settled community”.⁷ Third, there is now more data about British Muslims; “their population, distribution, attitudes and outcomes, in the labour market, education, housing and health”.⁸

In the foreword to the 2017 report, Baroness Warsi claimed that to challenge Islamophobia “the starting point must surely be a definition, a mechanism that leads to accountability”.⁹ The report recommended that the Government should adopt its updated definition of Islamophobia.¹⁰ The report provided both a short definition—“Islamophobia is anti-Muslim racism”—and a longer definition:

Islamophobia is any distinction, exclusion, or restriction towards, or preference against, Muslims (or those perceived to be Muslims) that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.¹¹

All Party Parliamentary Group on British Muslims Inquiry Definition

Prompted by the Government’s reluctance to adopt a formal definition of Islamophobia, the All Party Parliamentary Group (APPG) on British Muslims established an inquiry into a working definition of Islamophobia in April 2018.¹² The APPG claimed that “no amount of documentation of the evidence of discriminatory outcomes faced by Muslims [...] can satisfy our desire to reverse these results if we cannot begin from the point of an agreed definition”.¹³ Following a “widespread consultation with academics, lawyers [and] Muslim organisations”, it recommended the adoption of the

⁵ Runnymede Trust, [Islamophobia: Still a Challenge for Us All](#), November 2017, p 5.

⁶ *ibid.*

⁷ *ibid.*

⁸ *ibid.*

⁹ *ibid.*, p v.

¹⁰ *ibid.*, p 2.

¹¹ *ibid.*, p 1.

¹² All Party Parliamentary Group on British Muslims, [Islamophobia Defined: The Inquiry into a Working Definition of Islamophobia](#), 2018, p 10.

¹³ *ibid.*, p 9.

following definition:

Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.¹⁴

The definition was supported by a range of Muslim organisations, including the Muslim Council of Britain (MCB). The MCB's general secretary, Harun Khan, stated:

Muslim organisations from different parts of the country and different backgrounds have come together to make a resounding call on our political leaders to adopt this definition. We hope that they all understand the importance of listening to communities, and look forward to their positive response.¹⁵

However, the APPG report has also faced criticism. Andrew Gilligan, writing in the *Spectator*, criticised the report's proposed set of tests for ascertaining whether "contentious speech is indeed reasonable criticism or Islamophobia masquerading as 'legitimate criticism'".¹⁶ He claimed that some of the tests—such as whether the speaker sincerely cares about the issue in question or is simply using it to attack Muslims—were so broad that they could be difficult to police. He also criticised the report's aspiration that the definition should control "a vast spectrum of activity, extending 'far beyond' anything that can currently 'be captured as criminal'".¹⁷

The APPG report has also been criticised by the National Secular Society (NSS), one of the organisations that submitted evidence to the inquiry. In a letter to the Home Secretary, Sajid Javid, urging the Government not to adopt the definition, the NSS described it as "vague and unworkable" and that it "conflates hatred of, and discrimination against, Muslims with criticism of Islam".¹⁸

Subsequently, in December 2018, the Government was asked, in a written parliamentary question in the House of Lords, about the definition of Islamophobia and whether it:

Consider[ed] Islamophobia to be a form of racism; and if so, whether they will adopt a definition of Islamophobia comparable to the International Holocaust Remembrance Alliance's definition of

¹⁴ All Party Parliamentary Group on British Muslims, [Islamophobia Defined: The Inquiry into a Working Definition of Islamophobia](#), 2018, p 11.

¹⁵ Muslim Council of Britain, [British Muslim Organisations Rally for Proposed Definition of Islamophobia](#), 2 December 2018.

¹⁶ Andrew Gilligan, [The Danger of the 'Islamophobia' Label](#), *Spectator*, 8 December 2018.

¹⁷ *ibid.*

¹⁸ National Secular Society, [Home Secretary Urged Not to Adopt Definition of 'Islamophobia'](#), 9 December 2018.

antisemitism.¹⁹

In reply, Lord Bourne of Aberystwyth stressed that the Government took Islamophobia very seriously and that it was committed to tackling all hate crime. He stated, “it is now of vital importance that we hear a range of views on the proposed definition”.²⁰

2. Prevalence of Anti-Muslim Hate Crimes

The police and the Crown Prosecution Service (CPS) have agreed the following definition for identifying hate crimes:

Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person’s disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.²¹

The organisation TellMAMA (Measuring Anti-Muslim Attacks) collects data on reported incidents of Islamophobic abuse, discrimination and violence. Its 2017 annual report stated that it recorded 1,380 incidents in 2017, of which 1,201 were verified by its staff.²² The annual report provided other breakdowns:²³

- More than two thirds of verified incidents occurred ‘offline’, or at street level (70%), which represents a 30% rise in offline reports when compared with the previous reporting period.
- Over the last three years, TellMAMA recorded a steady increase in offline anti-Muslim incidents year-on-year. Between 2015 and 2016 it recorded a 46.9% increase in offline incidents.
- Most victims were female (57.5%). Most perpetrators were male (64.6%). A clear majority (72%) of the perpetrators were white men.
- Over half of the victims were visibly Muslim women (53%), where data is available.

The annual report stated that there was often a “spike” of reported attacks following particular political events or terrorist incidents. The report stated that TellMAMA recorded a “475% increase” in offline anti-Muslim incidents

¹⁹ House of Lords, ‘[Written Question: Religious Hatred: Islam](#)’, 10 December 2018, HL11998.

²⁰ *ibid.*

²¹ Crown Prosecution Service, ‘[Hate Crime](#)’, accessed 11 December 2018.

²² TellMAMA, [Beyond the Incident: Outcomes for Victims of Anti-Muslim Prejudice: Annual Report 2017](#), 23 July 2018, p 5.

²³ *ibid.*, pp 5–6.

following the 2016 EU referendum and a “700% increase” in incidents in the week following the Manchester Arena terrorist attack on 22 May 2017.²⁴

The latest Home Office hate crime statistical bulletin for England and Wales was published on 16 October 2018. In 2017/18, there were 94,098 hate crimes of all forms recorded by the police, a 17% increase on the previous year.²⁵ The bulletin stated:

This continues the upward trend in recent years, with the number of hate crimes recorded by the police having more than doubled since 2012/13 (from 42,255 to 94,098 offences; an increase of 123%). This increase is thought to be largely driven by improvements in police recording, although there has been spikes in hate crime following certain events such as the EU referendum and the terrorist attacks in 2017.²⁶

Of the total police recorded hate crimes in 2017/18, 76% were recorded as race hate crimes and 9% were recorded as religious hate crimes.²⁷

The statistical bulletin also provided hate crime data from the crime survey for England and Wales (CSEW). The CSEW provides a different measure than police recorded crime, based on face-to-face household surveys of respondents’ experience of crime.²⁸ The two measures are not directly comparable. The bulletin states that hate crime data for a single CSEW year is “too unreliable to report on”.²⁹ Therefore, an annual estimate is based on three years of survey data. The CSEW includes crimes that do not come to the attention of the police.³⁰ As a result, the CSEW hate crime estimate was approximately double the recorded crime figure:

According to the combined 2015/16 to 2017/18 CSEW, there were around 184,000 incidents of hate crime a year.³¹

Of those incidents, the CSEW data estimated that 101,000 incidents were racially motivated per year.³² Analysis of racially motivated hate crime by

²⁴ TellMAMA, [Beyond the Incident: Outcomes for Victims of Anti-Muslim Prejudice: Annual Report 2017](#), 23 July 2018, p 6.

²⁵ Home Office, [Hate Crime, England and Wales, 2017/18: Statistical Bulletin 2018](#), 16 October 2018, p 7.

²⁶ *ibid*, p 7.

²⁷ *ibid*. These statistics may include some double counting, as it is possible for hate crimes to be recorded with more than one motivating factor.

²⁸ *ibid*, p 7.

²⁹ *ibid*, p 9.

³⁰ *ibid*.

³¹ *ibid*, p 21.

³² *ibid*, p 25.

religion showed:

Muslim adults were more likely to be a victim of racially motivated hate crime (1.5%) than other adults (for example, 0.1% of Christian adults or those with no religion).³³

According to the CSEW data, there were 39,000 incidents of religiously motivated hate crime over the same period, with Muslim adults more likely to be victims than other adults.³⁴

Despite the higher rate of hate crimes found by the CSEW, the bulletin stated that the trend in hate crimes using this measure showed a decline over recent years:

[T]rends [in the CSEW hate crime data] over the longer term suggest reductions in the number of hate crime incidents. This is in contrast to the upward trend in police recorded hate crime.³⁵

2.1 Free Speech and Hate Crime

As set out in the definition used by the Crown Prosecution Service, hate crimes are classed as criminal offences motivated by hostility or prejudice based on a person's: disability; race; religion; sexual orientation; or transgender identity.³⁶ Some commentators have raised the issue of whether the law regarding hate crime offences is in tension with legislation protecting an individual's freedom of speech and expression (often conflated with the concept of 'hate speech' as a separate criminal offence). In 2014, the Law Commission undertook a review of hate crime and produced the following summary of the relevant legislation:

Although "hate crimes" are recorded for all five of [the] "protected characteristics", the criminal offences that specifically deal with hate crime only cover some of the characteristics.

The first set of hate crime offences are the "aggravated offences". They are contained in the Crime and Disorder Act 1998. If a person commits one of a list of offences and, in doing so, demonstrates, or was motivated by, hostility on the grounds of race or religion, that offence becomes a separate "aggravated" offence, with a higher sentence available.

³³ Home Office, [Hate Crime, England and Wales, 2017/18: Statistical Bulletin 2018](#), 16 October 2018, p 26.

³⁴ *ibid.*

³⁵ *ibid.*, p 21.

³⁶ Relevant sections of the Public Order Act 1986 and the Crime and Disorder Act 1998.

The second set of hate crime offences are the offences of “stirring up hatred”. These are contained in the Public Order Act 1986. They tackle the problem of people who try to stir up hatred on grounds of race, religion or sexual orientation. At present, the stirring up offences do not cover hatred on grounds of transgender identity or disability.³⁷

The Racial and Religious Hatred Act 2006 amended the Public Order Act 1986 to insert section 29J, which protects freedom of expression. Section 29J states:

Nothing in this part shall be read or given effect in a way which prohibits or restricts discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions or the beliefs or practices of their adherents, or of any other belief system or the beliefs or practices of its adherents, or proselytising or urging adherents of a different religion or belief system to cease practising their religion or belief system.³⁸

The Law Commission explained that for “stirring up hatred” offences, to not be protected by the provisions of section 29J the conduct or behaviour must be threatening and there must have been an intention to stir up hatred:

The words or conduct must be *threatening* and there must have been an *intention* to stir up hatred. Also, a specific defence is provided to protect free speech. This says that criticising, insulting or ridiculing religious beliefs is not an offence under the stirring up law.³⁹

In November 2018, Lord Pearson of Rannoch (UK Independence Party) asked the Government whether the definition of hate crime included hate speech and, if so, what was the basis in statute for hate speech as an offence. Baroness Williams of Trafford, Minister of State for Countering Extremism at the Home Office, replied:

The term ‘hate speech’ does not have any legal meaning. For any example of hate speech to be treated as a hate crime it would need to meet the police and Crown Prosecution Service definition of a hate crime.⁴⁰

On 18 October 2018, the Law Commission announced that in 2019 it would undertake a “wide-ranging review into hate crime to explore how to make current legislation more effective and consider if there should be additional

³⁷ Law Commission, [Hate Crime: Should the Current Offences be Extended? Summary for Non-Specialists](#), 28 May 2014, pp 1–2.

³⁸ Public Order Act 1986, s 29J.

³⁹ Law Commission, [Hate Crime: Should the Current Offences be Extended? Summary for Non-Specialists](#), 28 May 2014, p 18. Original emphasis.

⁴⁰ House of Lords, [‘Written Question: Hate Crime’](#), 6 December 2018, HL11724.

protected characteristics such as misogyny and age”.⁴¹

3. Islamophobia and Discrimination

In its report, the All Party Parliamentary Group (APPG) on British Muslims stated that Islamophobia is “a phenomenon that encompasses far more than hate crimes, extending to a variety of different manifestations such as behaviours, casual discrimination, or the well-known conflation of Islam with terrorism”.⁴² The APPG report cited survey evidence that, although 94% of Muslims felt able to practice their religion freely in the UK, 70% reported that they had experienced religious-based discrimination, and young Muslims felt that they faced more prejudice than other religious groups.⁴³

The Runnymede Trust report, *Islamophobia: Still a Challenge for Us All* (November 2017) and a study by the Social Mobility Commission, *The Social Mobility Challenges Faced by Young Muslims* (September 2017) each contained a range of data on the economic position and living standards of UK Muslims. The Social Mobility Commission report concluded that, for young Muslims:

Islamophobia, discrimination and/or racism is ever present and pervasive, experienced in both direct and indirect forms and was experienced by the participants from schools through to work.⁴⁴

The Runnymede Trust report found that “Muslims demonstrate a more disadvantaged profile than any other minority faith group”.⁴⁵ The findings of the two reports, across a range of public policy areas, are summarised below.

Poverty and Unemployment

The Social Mobility Commission report found that “Muslims experience the greatest economic disadvantages of any group in UK society”.⁴⁶ Almost half (46%) of the Muslim population live in the 10% of the most deprived local authority districts in the UK.⁴⁷ Almost 50% of British Muslims face household

⁴¹ Law Commission, ‘[Law Commission Review Into Hate Crime Announced](#)’, 18 October 2018.

⁴² All Party Parliamentary Group on British Muslims, [Islamophobia Defined: The Inquiry into a Working Definition of Islamophobia](#), 2018, pp 28–9.

⁴³ *ibid*, p 9.

⁴⁴ Social Mobility Commission, [The Social Mobility Challenges Faced by Young Muslims](#), September 2017, p 2.

⁴⁵ Runnymede Trust, [Islamophobia: Still a Challenge for Us All](#), November 2017, p 21.

⁴⁶ Social Mobility Commission, [The Social Mobility Challenges Faced by Young Muslims](#), September 2017, p 1.

⁴⁷ *ibid*, p 6.

poverty, compared with 18% of the national population.⁴⁸

Only one in five of the Muslim population are in full-time employment and 24% of Muslims are classified as having “never worked/long-term unemployed”, compared to 6% for the overall population.⁴⁹ Muslim women are more likely to be economically inactive because of household obligations; 18% of Muslim women aged 16 to 74 were recorded as “looking after home and family”, compared with 6% in the overall population.⁵⁰

Education and Career Progression

The Runnymede Trust report found that British Muslims are more likely than other religious groups to leave school at 16 with no qualifications.⁵¹ However, conversely, the report also found that Muslims were more likely to go on to further and higher education compared to the national average.⁵²

The report of the Social Mobility Commission found that while students in higher education from the Pakistani and Bangladeshi communities, particularly girls, often achieved high attainment, there was a “‘broken social mobility promise’ for young Muslims where educational success did not translate into good labour market outcomes”.⁵³ The commission reported that following their education young Muslims’ transition into the labour market was “hampered by insufficient careers advice, lack of access to informal networks and discrimination in the recruitment process”.⁵⁴ Only 6% of Muslims are in “higher managerial, administrative and professional occupations” compared to 10% of the overall population.⁵⁵

Housing and Health

According to the Runnymede Trust, 15% of Muslims owned their homes outright, compared to 31% of all households in England and Wales.⁵⁶ Similarly, 11.5% of Muslims lived in the social rented sector, compared to 8% of all households.⁵⁷ Muslims are also more likely to live in overcrowded housing and to score highly on indicators of poverty and poor health, such as

⁴⁸ Runnymede Trust, [Islamophobia: Still a Challenge for Us All](#), November 2017, p 25.

⁴⁹ Social Mobility Commission, [The Social Mobility Challenges Faced by Young Muslims](#), September 2017, p 6.

⁵⁰ *ibid.*

⁵¹ Runnymede Trust, [Islamophobia: Still a Challenge for Us All](#), November 2017, p 21.

⁵² *ibid.*

⁵³ Social Mobility Commission, [The Social Mobility Challenges Faced by Young Muslims](#), September 2017, p 1.

⁵⁴ *ibid.*, p 3.

⁵⁵ *ibid.*, p 6.

⁵⁶ Runnymede Trust, [Islamophobia: Still a Challenge for Us All](#), November 2017, p 23.

⁵⁷ *ibid.*

not having central heating.⁵⁸

The Runnymede Trust also considered the contention that it is not possible to explain all instances of poverty and disadvantage within the Muslim population as directly caused by Islamophobia and discrimination. However, the report highlighted evidence from academic studies which had found that, controlling for other variables, Muslims face a discernible “religious” and “ethnic penalty” in the economy and the labour market compared to other groups in the UK population.⁵⁹

4. Government Policy

In October 2018, the Government published an updated version of its 2016 hate crime action plan, which had been implemented to cover the period 2016 to 2020.⁶⁰ The 2016 action plan had identified five themes through which the Government intended to focus its policies to tackle hate crime:⁶¹

- Preventing hate crime by challenging beliefs and attitudes;
- Responding to hate crime in our communities;
- Increasing the reporting of hate crime;
- Improving support for victims; and
- Building our understanding of hate crime.

The updated action plan identified policies that had been achieved since 2016 across the five themes, such as:⁶²

- Engaged with over 17,000 young people to challenge hatred and prejudice;
- Provided 90 grants for protective measures at places of worship across the UK;
- Worked with the Crown Prosecution Service to produce guides for victims of hate crime;
- Required police forces to disaggregate crime data by faith; and
- Commissioned a review of police effectiveness in responding to hate crimes.

⁵⁸ Runnymede Trust, [Islamophobia: Still a Challenge for Us All](#), November 2017, p 23.

⁵⁹ *ibid*, pp 25–6.

⁶⁰ HM Government, [Action Against Hate: The UK Government’s Plan for Tackling Hate Crime](#), July 2016; and [Action Against Hate: The UK Government’s Plan For Tackling Hate Crime— ‘Two Years On’](#), October 2018.

⁶¹ HM Government, [Action Against Hate: The UK Government’s Plan for Tackling Hate Crime](#), July 2016, pp 9–10.

⁶² *ibid*, p 2. A full list of completed actions relating to the 2016 hate crime action plan was also published: HM Government, [Update on the Actions from the UK Government’s 2016 ‘Action Against Hate’ Action Plan](#), October 2018.

The 2018 update retained the five themes of the 2016 action plan and contained a number of new policy announcements, including:⁶³

- Commissioning the Law Commission to undertake a review of hate crime legislation (referred to in section 2 of this briefing);
- The launch of a nationwide public awareness campaign in autumn 2018, designed to educate the public on what hate crime is;
- Extending the Home Office places of worship scheme for a further year to support more religious institutions which are vulnerable to hate attacks;
- Provision of over £1.5 million of further funding for groups such as the Anne Frank Trust and Kick It Out, to challenge prejudice and hatred; and
- Antisemitism and anti-Islamophobia roundtables to discuss responses to these issues.

In answer to a House of Lords written question in October 2018, Lord Bourne of Aberystwyth, then Parliamentary Under Secretary of State at the Department for Communities and Local Government, stated that the updated hate crime action plan would:

Guide [the] Government's work against all forms of prejudice and discrimination over the period 2018 to 2020. This includes a strong focus on tackling anti-Muslim hatred and Islamophobia through the cross-government working group to tackle anti-Muslim hatred. In addition to this, the Government is providing TellMAMA, a specialist organisation allowing people to report anti-Muslim abuse, with £2.5 million between 2016 and 2020, to boost reporting of Islamophobic and anti-Muslim incidents, and to support victims.⁶⁴

⁶³ Home Office, '[Hate Crime Plan Refreshed to Protect Victims and Promote Shared Values](#)', 16 October 2018.

⁶⁴ House of Lords. '[Written Question: Religious Hatred: Islam](#)', 29 October 2018, HL10921.