

The Challenges Involved in Investigating and Prosecuting Hate Crime Online

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Abstract : The digital revolution has radically transformed our social environment creating vast opportunities for interconnectivity and social interaction. This revolution, however, has also changed the reach and impact of hate crime, with social media providing a new platform to victimize and harass users in their homes. In this way, developments in the information and communication technologies have exacerbated and facilitated the commission of hate crime, increasing its prevalence and impact. Unfortunately, legislators, policymakers and criminal justice professionals have struggled to keep pace with these technological developments, reducing their ability to intervene in, regulate and govern the commission of hate crimes online. This work is further complicated by the global nature of this crime due to the tendency for offenders and victims to reside in multiple different jurisdictions, as well as the need for criminal justice professionals to obtain the cooperation of private companies to access information required for prosecution. Drawing on in-depth interviews with key criminal justice professionals and policymakers with detailed knowledge in this area, this paper examines the specific challenges the police and prosecution services face as they attempt to intervene in and prosecute the commission of hate crimes online. It is argued that any attempt to reduce online othering, such as the commission of hate crimes online, must be multifaceted, collaborative and involve both innovative technological solutions as well as internationally agreed ethical and legal frameworks.

Keywords : cybercrime, digital policing, hate crime, social media

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