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“Violence or harassment targeted at people because of their disability or perceived disability”

Disability Hate Crime

Glasgow Community and Safety Services



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“tackling crime and antisocial behaviour in glasgow”

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- Common Knowledge - Glasgow
- Disability Hate Crime Network – West Sussex (regional and national work)
- Disability Information Greater Glasgow (DIGG) - Glasgow
- Glasgow Association for Mental Health (GAMH) – Glasgow
- Ishara Project – based at Deaf Connections, Gorbals – Glasgow
- People First – Glasgow
- United Kingdom Disabled People's Council (UKDPC) – UK
- Vision Sense – Tyne and Wear
- Voices of Experience (VoX) – Glasgow branch
- Wise Women – Glasgow

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Disability Hate Crime – Executive Summary

This report explores three key issues in relation to disability hate crime:

- (1) Experiences of and impact upon victims;
- (2) Perpetrators' relationships with victims; and possible motivating factors of perpetrators;
- (3) Views of stakeholders in relation to tackling disability hate crime.

Highlighted below are some of the key issues that emerged from the research in relation to each of the three main sections.

PART ONE – VICTIMS OF DISABILITY HATE CRIME

Victims' experiences and the effects of victimisation were explored through examining literature in this area, and by looking at a selection of case studies.

- The incidence of abuse against disabled people was found to be as much as four times higher than that of the general population.
- Effects of hate crime victimisation generally have a deeper and more long lasting impact than non-bias motivated crimes upon victims and the communities to which they belong, due to the targeted nature of abuse against particular identities/characteristics that the victim generally cannot change.
- Fear as a result of victimisation can lead to avoidance, self-limitation, and also lack of confidence with regards to reporting.
- The case studies revealed a need for awareness raising and training with regards to reporting hate crime both for victims and care-givers/staff; the importance of community safety measures being in place; and the benefits of mediation processes with perpetrators of hate crime.

PART TWO – PERPETRATORS AND VICTIMS

- A range of relationship types between perpetrators and victims were identified. These included:
 - Strangers as perpetrators
 - Group dynamics between perpetrators
 - Children and teenagers as perpetrators
 - Disabled people as perpetrators
 - 'Grooming' relationships / strategic abuse / 'mate crime' (especially of people with learning difficulties).
- In order to gather views from relevant organisations in Glasgow regarding disability hate crime and perceptions of what motivates perpetrators, a questionnaire was created and sent to various organisations (both those with a specific disability remit, and other organisations). The questionnaire is included at the end of this report. There were 25 responses to the questionnaire.

The questionnaire looked at issues relating to:

1. Perceptions of what are the motivating factors for perpetrators of disability hate crime.
 2. Potential links between perpetrators' behaviour and/or motivations and other issues, such as for example, other offending behaviour.
 3. Stakeholder and service user experiences of disability related hate crime.
1. Many respondents believed that perpetrators of hate crime often operate as a result of ignorance, lack of respect, stereotyped attitudes towards disabled people and because they may feel they can get away with their actions. The need for education, awareness raising and a 'zero tolerance' message to perpetrators was highlighted. Further to this, some responses also suggested that perpetrators themselves may have a variety of issues that they need help to deal with in more proactive ways.
 2. Responses highlighted the need to address wider societal attitudes (including those perpetuated via the media) towards disabled people and to challenge bullying behaviour. There was also the perception that perpetrators of hate crime may not be aware that their behaviour is unacceptable, especially with regards to use of language. Factors were also mentioned relating more specifically to perpetrators' characteristics and backgrounds such as potential offending behaviour in other areas, drug and alcohol abuse, gang involvement, ignorance, and social problems in perpetrators' own lives.
 3. The examples of hate crime provided highlighted the often recurring nature of hate crimes and the constant suffering of some disabled people who are victims of such crimes. Correlating with findings from the literature review and case studies, the survey responses also highlighted a misunderstanding of mental health issues and stereotypical links being made between mental health issues and child abuse/sex offending. In one example, such false beliefs resulted in a person with schizophrenia being labelled as a paedophile and ostracised by their community as a result. This highlights the need to challenge negative stereotypes relating to disability, and in particular, mental health, and to provide education and general awareness raising in order to counter the discrimination that often occurs as a result of false ideas relating to 'difference'. A further example also aligned with previous findings relating to the abuse that people with learning difficulties can face from perpetrators whom they mistakenly perceive to be their 'friends'.

PART THREE – STAKEHOLDER CONSULTATION AND RECOMMENDATIONS

In order to gain specific insight into how to address gaps and improve services for victims of disability hate crime, consultation was sought with various disability-related organisations.

- A list of around 100 potential organisations to consult with in Glasgow was compiled using an online database.
- The remit was subsequently widened to a national level through contact with Anne Novis, Stephen Brookes and Katharine Quarmby (lead campaigners and academics in the UK against disability hate crime), who circulated the questionnaire designed for this consultation amongst their networks.
- Consultation was sought via a combination of face-to-face meetings, email and telephone communication and/or completion of an online questionnaire. One of the Glasgow-based organisations, People First, held a consultation/focus-group with their service users in answering the questionnaire, and fed back the responses.
- There were 11 responding organisations. These are listed below:
 - Action on Hearing Loss Scotland – Scotland
 - Common Knowledge - Glasgow
 - Disability Hate Crime Network – West Sussex (regional and national network)
 - Disability Information Greater Glasgow (DIGG) – Glasgow
 - Glasgow Association for Mental Health (GAMH) - Glasgow
 - Ishara Project – based at Deaf Connections, Gorbals - Glasgow
 - People First - Glasgow
 - United Kingdom Disabled People’s Council (UKDPC) – UK
 - Vision Sense – Tyne and Wear
 - Voices of Experience (VoX) – Glasgow branch
 - Wise Women – Glasgow

Several key issues emerged from the consultation including:

- Reporting
- Third-party reporting systems
- Training and connections
- Publicity and communication
- Multi-agency work
- Societal contexts
- Victims’ experiences
- Intervention and education work/awareness raising and disabled people leading
- Support for services
- Barriers to services
- Support for victims

Specific detail with regards to these issues can be found in chapter 7 of this report.

Key Findings and Recommendations

Recommendations have been provided under the following main themes:

- Training, education and awareness raising
- Accessibility of services
- Reporting
- Joint working
- Perpetrators
- Disabled people leading
- Monitoring and evaluation

A full list of key findings and recommendations can be found in chapter 8 of this report.

PART 1

VICTIMS* OF DISABILITY HATE CRIME

Chapter 1: Introduction

The Social Model of Disability

The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

A disabled person may have more than one impairment, may be affected by an impairment that is not immediately visible or apparent, and may find that their impairment is more or less severe at different times. Further to this, a more complex issue arises regarding whether a person with a physical and/or mental impairment considers him or herself to be a disabled person, as some people may not wish to identify as such.

There are various 'models' that define disability, however, the two most common are the medical model and the social model. The approach of this report sits within the context of the social model of disability which maintains that *"disability is the product of the physical, organisational and attitudinal barriers present within society, which leads to discrimination."* (Wise Women, 2010, p.2).

- The medical model primarily views disability in terms of a person's impairment, that is to say, they are disabled because of their physical and/or mental impairment.

For example, if a wheelchair user is unable to access a building because of there being steps, the medical model would suggest that this is because of the wheelchair user rather than the steps (ODS, 2010, p. 38).

- The social model, in contrast, asserts that people with such physical and/or mental impairments are disabled by society, which in the main only recognises and caters for the majority of people who are not disabled.

In relation to the example above, the social model would suggest that a ramp or other forms of access can be provided in order to remove such barriers.

* Please note that the term 'victim' is used for ease of reference with regards to those who experience disability hate crime and in relation to those who perpetrate such crimes; this is in no way meant to undermine the agency and identity of disabled people as individuals.

What is Hate Crime?

Hate crimes, or ‘bias-motivated crimes’ are crimes motivated by prejudice, malice or ill-will towards specific groups of people because of their race, religion, sexual orientation, transgender identity or disability, or because they are perceived to be a member of one or more of these groups.

The Association of Chief Police Officers in Scotland (ACPOS), in their Hate Crime Guidance Manual 2010, distinguishes between hate crimes and hate incidents:

“A hate incident is any occurrence (where a crime has not occurred), which is perceived to be a hate incident by the victim or any other person.”(ACPOS, 2010, pp.8-9).

However, informally, the term ‘hate crime’ is also often used to describe hate incidents.

Summary of Key Legislation

ACPOS summarises the key pieces of legislation available in Scotland that are related to tackling hate crime as:

- The Public Order Act 1986
- The Criminal Law (Consolidation) (Scotland) Act 1995
- Section 234A of the Criminal Procedure (Scotland) Act 1995
- Section 96 of the Crime and Disorder Act 1998
- Section 74 of the Criminal Justice (Scotland) Act 2003
- The Offences (Aggravation By Prejudice) (Scotland) Act 2009

(ACPOS, 2010, pp. 11-12).

- Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012

Disability Hate Crime

Disability hate crime is a criminal offence involving violence or harassment targeted at people because of their disability or perceived disability (someone does not need to be disabled in order to be a victim of disability hate crime). Disabled people (or those perceived to be disabled) can also suffer from hate incidents committed against them.

Forms of Attack

Hate crimes and hate incidents against disabled people include bullying, harassment, name-calling, physical abuse, threats, intimidation and damage to or theft of property. These can take the following forms:

- **Physical attacks** – these can include physical assault, sexual abuse, damage to property, offensive graffiti, arson, murder.
- **Verbal and other written abuse** – offensive language, name calling related to the person’s disability or presumed disability, bullying in schools, spreading rumours and false allegations (there were many cases in the literature reviewed of adults with learning difficulties being accused of sex offending simply because of false negative stereotypes relating to their impairment). Disabled people may also be targeted through other forms of abuse such as ‘cyber bullying’, online abuse, offensive texts, letters, emails, etc.
- **Threat of attack** – these could include various forms of intimidation, obscene or abusive text messages, telephone calls, threatening letters or emails, direct verbal threats, or groups congregating around a person’s home, street, neighbourhood, etc in order to cause fear and intimidation.
- **Abuse of a position of power** – this could include, for example, incidents perpetrated by those in positions of power such as statutory agency staff, carers or family members.

Frequency of Hate Crime against Disabled People

Some victims may experience one-off abuse. However, for many, it is also likely that they will experience and silently endure the effects of cumulative incidents (whether by the same or different perpetrators) that build up over a longer period of time, and have a 'drip-drip' effect on the victim, which can be very distressing. Quarmby suggests that "deaf and disabled people in the UK are regularly mocked, taunted, robbed, assaulted and harassed." (2008, p.7).

Other studies into disability hate crime also suggest that disabled people are often the subject of persistent attacks

- "The incidence of abuse of people with disabilities may be as much as four times higher than it is within the non-disabled population" (Mencap, 2001, p. 1).
- A Home Office report "in 2007 built on the findings from the Higgins survey of Scottish people with learning disabilities, which reported that 20 per cent of respondents had experienced an attack at least once a week." (Sin et al, 2009, p. 18).
- A study into disabled people's experiences of targeted violence and hostility, found that incidents targeted at people with mental health conditions are "often multiple and escalating; either experienced on an ongoing basis perpetrated by the same person(s), or frequent one-off incidents so that they become part of people's everyday lives." (Sin et al, 2009, p. 19).
- Findings from research into disabled people's experiences of hate crime in Scotland has shown that "for many disabled people hate crime is a feature of their day-to-day life. One in five respondents suffered an attack once a week or more often, with women (26% - 10 respondents) and under 44 years old (37% - 13 respondents) most vulnerable to frequent attacks. Many people felt that it was something that they had to live with on account of their disability." (Capability Scotland, 2004, p. 15).

The effects of continuous abuse can be devastating. Furthermore, people who experience such victimisation may not feel confident to report these crimes for fear of further reprisals, or in the case of people with learning difficulties, for fear of not being believed. Issues surrounding reporting are explored further in Section 3.

Chapter 2: Case Studies

Introduction

The following case studies portray real situations of disabled people who have experienced hate crime in Glasgow, that have come to the attention of GCSS. These examples serve to highlight some of the ways in which disabled people are affected by hate crimes in their everyday lives and circumstances, ways in which these actual situations were dealt with, and suggestions for possible ways to improve service response to disability hate crime. The names of individuals have been changed to protect identities. There are of course other issues that have not been highlighted here but that are important to keep in mind, such as disabled people with other cross-cutting 'minority' identities, (BME and/or LGBT disabled people, etc) and hate crime against disabled people that occurs within a variety of settings such as within the home (domestic abuse), residential care, and taking a variety of forms including sexual abuse, 'grooming', online harassment, etc.

Case Study – ‘John’

Description

‘John’ attends a club for people with learning difficulties, which is run from a local ‘drop-in’ flat. The club runs every night from 6pm – 9pm. John lives about 10 minutes walk away from the centre and staff always make sure that there is transport provided home for members of the club, or in John’s case, someone available to walk him home at night. However, John makes his own way to the centre for the start of the club. During this walk John is regularly verbally abused and harassed because of his disability. A senior support worker at the club noted that many people who attend experience some form of verbal abuse; however, John appears to be the one experiencing the most. The perpetrators are a group of young school-aged boys, who have been harassing John and others regularly for about a year. They appear to be known to the police. John has also had two air gun pellets fired through his window, and it is unknown whether the perpetrators of this incident are the same as those who have been harassing him. John is deaf and had taken out his hearing aid, and therefore did not notice the holes in his window until the next day.

Effects on Victim

The continuing abuse and harassment has impacted John and affected his feelings of confidence and safety, and as a result he tries to find ways to change his routine in order to avoid being targeted. He attends the drop in much less regularly and may only go once or twice a week rather than everyday. John also stays in his house much more than he would like to because he is upset by the hate crime he experiences on the street. However, he also does not feel very safe in his home as the incident with the air gun pellets has left him feeling shaken.

Service Involvement and Gaps

A senior support worker from the organisation that runs the drop-in centre that John attends approached a member of staff from GCSS regarding the increase in hate crime against people with learning difficulties using the service. As a result of the discussions, the relevant housing association was informed, and CCTV cameras were installed. However, there were some resource issues with regards to staffing of cameras and the presence of CCTV cameras had very little effect in deterring the perpetrators. Police were already aware of the group of young boys from incidents against other residents in the area. Subsequently, the GCSS Restorative Justice Team got involved and there was a process of ‘shuttle mediation’ with the Restorative Justice staff, John, the group of young boys who had been perpetrating the hate crimes against him, and their parents. As a result, the boys gained a greater awareness and understanding of the harm that their behaviour was causing, and they ceased to harass him. John was very happy with the service provided to him, and after some time was able to attend the drop-in centre without any further problems; however, although his situation and wellbeing improved, the unseen effects of his experiences of hate crime are likely to have a lingering impact upon his life and emotional health.

Key Issues and Recommendations

- Resources and training for disabled people and support staff should be in place to help address issues around personal and community safety in relation to hate crime. Support should be in place to help disabled people deal with the various short and long-term effects of hate crime.
- Many disabled people who are affected by hate crime feel that they need to change or limit their own activities, routine or behaviour in order to avoid the perpetrators of hate crime. More work needs to be done in order to challenge perpetrators of hate crime so that disabled people do not feel forced to abandon or limit their daily activities.
- In the above case, the perpetrators were young school-aged boys. The mediation process whereby they were made aware of the harm and distress caused proved effective in challenging and changing their behaviour. Future work around education and awareness raising targeted at schools and youth groups, as well as diversionary activities may prove beneficial in abating hate crime perpetrated by young people.

Case Study – ‘Sarah’

Description

‘Sarah’, a young woman with learning difficulties is 20 years old and lives with her family. She has been experiencing bullying and harassment whenever she visits her local shops. The perpetrators are a group of young males, with one young male being the main instigator of the abuse against Sarah. He is known by name to Sarah and her family. Sarah’s family have expressed the view that they don’t want any trouble brought to their home, and it is possible that they have experienced such things in the past. They advise Sarah to “toughen up and learn to deal with it (the abuse).” Sarah only experiences the harassment and bullying when she is on her own, and not when she is accompanied by anyone else. However, it is her parents who send her to the local shops, among other things, to buy alcohol.

Effects on Victim

Sarah is distressed by the hate crime she experiences, yet she is also concerned about experiencing negative consequences should she seek help. Her parents discourage her from involving anyone else in her situation. She discontinues contact with those seeking to provide help and support and it is suspected that she may even have moved out of her parental home in order to avoid these problems.

Service Involvement and Gaps

Through a support group that Sarah attends, the situation she is facing is brought to light, and help is offered to Sarah, and social work and the police are informed. However, Sarah’s parents do not want to get involved, and Sarah fails to attend meetings concerning the matter as she seems to be afraid of reprisals that she and her family may face as a result of seeking help.

Key Issues and Recommendations

- Sarah’s situation highlights some of the barriers to reporting and accessing support that are potentially more difficult to address. The climate of fear that many disabled people (and their families) who experience hate crime face needs to be dispelled through more visible and effective means of addressing the behaviour of hate crime perpetrators.

Case Study – ‘Andrew’

Description

‘Andrew’ lives in a flat in an area of Glasgow. The flats in Andrew’s immediate vicinity are housed mainly with people who have learning difficulties. There is also a flat where staff from a disability organisation can sleep over, as some of the residents receive various forms of support from the organisation. Andrew had been experiencing harassment by local youths from nearby flats for about a year before he approached a member of staff from a group for people with learning difficulties about the ongoing abuse. The perpetrators consisted of a group of 10 boys, with the ring leader being aged about 12 years old. The boys would regularly call Andrew offensive names in the street, mocking his disability, gather around his flat, shouting abuse up at his window; cause damage to his property by throwing things (such as eggs and stones) at his windows, harass him at home, including by pressing the buzzer to his flat on a regular basis, intimidate him when he was outside, and Andrew was also once physically assaulted in his street by being punched in the face. Andrew reported to the staff member that the abuse happens regularly, with something happening to him “every night”. Andrew’s support worker, David, also expressed concerns about the abuse Andrew was experiencing and mentioned that he too experiences harassment, and that his presence does not deter the perpetrators from harassing them both. However, it appeared that although support workers were aware of hate crime happening to Andrew and others in the area, they were not regularly reporting these things to the police.

Effects on Victim

As a result of the hate crimes being committed against him, Andrew had high levels of stress, and became very nervous and agitated whenever he looked out his window. He indicated to a staff member that things were somewhat more peaceful during school hours, but that he felt fearful of the summer holidays approaching when the young people would be at home. Andrew also felt because of the high levels of harassment that he should consider moving house – many of the people in his area had witnessed these hate crimes against Andrew, but had decided not to get involved, therefore Andrew was left feeling that if things were to change he would potentially have to leave the area.

Service Involvement and Gaps

Andrew reported his problems to his housing association, but little action was taken to help him. Andrew eventually approached a member of staff from the group he attends for people with learning difficulties. Initially after Andrew voiced his concerns about the harassment he was experiencing, staff members asked community police to visit Andrew. However, this did not result in much progress and the staff member whom Andrew had a relationship of trust with then proceeded to mediate between Andrew and other people involved in his case so that Andrew would not have to unnecessarily recount his experiences several times to people whom he did not know. Police were informed and they gave Andrew a telephone number to call so that the CCTV camera in his area could be turned to view his house, however, this was not always effective as the young people targeting Andrew could harass him and leave before being detected on camera. In subsequent meetings with Streetwatch, the CCTV operators, a group of perpetrators were identified. Andrew was referred to a GCSS service to help victims of crime, which had already started work with the perpetrators and had made some progress towards addressing their behaviours. A process of ‘shuttle mediation’ was then put in place between Andrew, the youths who had been harassing him (one of whom himself had a disability), and some of their parents. The outcome of this process resulted in genuine regret amongst the young people regarding the fear and harm that their behaviour had caused, apologies to the victim, and a change in their behaviour. The lack of opportunities for them in their area was an issue that some of the services involved proceeded to look into. Andrew felt reassured by the service provided to him and felt positive about the outcomes. As a result the stress and fear that he had been experiencing considerably abated.

Key Issues and Recommendations

- This example highlights the importance of providing awareness raising and training for support workers of disabled people, as well as disabled people themselves, so that they are fully informed and confident regarding the processes of reporting hate crimes to the police, 3rd party agencies, and accessing relevant avenues of advice and support.
- It is essential that disabled people should not have to feel fearful in their own homes and neighbourhoods, and community safety measures should be in place for addressing these concerns.
- Education, awareness raising and mediation work with perpetrators, can be important avenues for addressing and reducing hate crime against disabled people.

Case Study – ‘Elizabeth’

Description

‘Elizabeth’ is registered blind and also has learning difficulties. She likes to travel on her own as this gives her a sense of independence. She travels by bus to a ‘support group’/centre she regularly attends. She frequently experiences verbal abuse targeted at her because of her disabilities, by a large group of teenagers who use the bus to travel to school. Elizabeth is upset by the treatment she receives on a regular basis, but does not confide in anyone for a number of months. Eventually she shares her experiences with a member of staff at the group she attends, who encourages Elizabeth that she can avoid the problem by coming to the centre at a different time.

Effects on Victim

The hate crime she experiences causes Elizabeth psychological and emotional distress and she fears travelling on the bus because of the inevitability of the abuse that she will encounter.

Service Involvement, Reporting and Gaps

Neither Elizabeth nor the member of staff whom she confided in reported these incidents to the police. As is often the case, the ‘solution’ was for the disabled person, and not the perpetrators of disability hate crime, to change their behaviour and routine in order to avoid the problem and the distress caused.

Key Issues and Recommendations

- Although it is understandable that the staff member’s response to Elizabeth’s situation was to protect her by encouraging her to travel at a different time, it is often the case that people who are victims of hate crime have to change their own behaviour and lifestyle in order to maintain safety. However, greater focus needs to be on addressing root causes of hate crime and challenging perpetrators’ behaviour. It would be valuable to provide training for those who work with disabled people as to the best way to respond, and training relating to reporting procedures. In addition to this it is important to engage with service providers, such as in this case, transport bodies in order to better tackle hate crime at its source.

Chapter 3: Disability Hate Crime within a Societal Context

Language and Terminology

The term 'hate crime' is utilised in order to highlight the depth of hostility, and the targeted nature and motivation of crime towards certain marginalised groups in society, in particular, those who are targeted because of their disability, race, religion and/or sexual orientation or gender identity. However, with regards to considering disability hate crime, there is often an immediate obstacle in the minds of both the public and those who legislate against such crime. It is easier for people to think that disabled people in particular are targeted because of weakness or vulnerability rather than because of hatred and hostility towards them.

'Vulnerability' Vs 'Hostility'

For example, if crimes against disabled people are viewed as 'bullying', 'harassment' or the victimisation of vulnerable people, then they are less likely to be taken seriously and potentially may not be investigated as thoroughly as they should be.

In the case of Fiona Pilkington and Frankie Hardwick (Fiona killed herself and her disabled daughter Frankie, by setting their car and themselves on fire, after years of torment by youths in their neighbourhood), they had on several occasions reported incidents of crimes committed against them.

However, these were recorded on an individual basis as low-level anti-social behaviour, and as such the pattern of targeted violence and hostility against Fiona and Frankie was not seriously investigated in due time as being the result of disability hate crime.

The Impact of Language upon the Sentencing of Crimes

The above can have an effect on sentencing which may be less severe than when the motivation of hostility is taken into account.

Even when hate crime is recognised in specific cases, there is still a need for greater public awareness that disabled people in the UK suffer on an ongoing basis from hate crime, not only because of vulnerability, but because of hostility against them: "although we have disability hate crime legislation and a growing commitment to tackle it from the police and Government, there is still not widespread acceptance amongst the general population that disability hate crime exists." (Quarmby, 2008, p. 33).

Recent research into hate crime against disabled people in the UK found that the criminal justice system has failed to support disabled people to identify and report hate crimes, and failed to investigate, prosecute and sentence such crimes appropriately. Failings have also been highlighted on the part of the Government to gather the necessary data essential to understanding the impact and prevalence of disability hate crime, and in developing ways to coherently tackle and prevent it. Furthermore, it has been highlighted that "the language used by the police, judges and the media to describe disabled people and the crimes committed against them, in particular the terms 'vulnerable', 'bullying' and 'abuse', has resulted in crimes against disabled people being perceived differently and taken less seriously" (Quarmby, 2008, p. 60).

This is exemplified in the findings of Disability Now's Hate Crime Dossier which catalogues 51 separate cases of hate crimes against disabled people. Of these 51, most involved murder, manslaughter, extreme forms of violence and physical and/or verbal abuse (often ongoing, wherein the perpetrators were 'friends' of the victim), theft, damage to wheelchairs, tearing off someone's false leg, arson attacks, and several incidents of people being tipped out of their wheelchairs.

Despite the overt nature of hostility against disabled people, only two of these at the time of publication were treated as hate crimes. Most of the rest were not considered as disability hate crimes, but instead reference was made to the 'vulnerability' of the victim.

Casual Disablism

It is understood that disability hate crime is given opportunity to grow and thrive when there is an underlying and generally unquestioned discrimination against disabled people. Such discriminatory attitudes and practices may not be overtly hostile; they may just fail to take into account the needs of disabled people on an equal level as others in society, and thereby render disabled people invisible and voiceless on many levels. This has been termed as 'casual disablism'.

Casual disablism has been said to permeate our society, with the widespread belief "that it is legitimate to treat disabled people differently and to routinely deny them access to the things that others take for granted" (Quarmby, 2008, p. 32).

This creates an environment where hate crime against disabled people can go unchallenged and unrecognised.

It is therefore necessary to consider the root causes of hate crime. It is also important to challenge perpetrators of hate crime, re-educate society, and address disablist attitudes and practices so that they are no longer seen as acceptable, or even 'the norm'.

Risk factors and Social Attitudes

Certain groups of disabled people may be more at risk than others to particular types of abuse.

For example, it was found that people with learning difficulties and those with mental health problems seemed to be more likely to experience prejudice that stemmed from false stereotypes and negative social attitudes relating to their condition. This included false allegations of sex offending and the belief that those with mental health issues and learning difficulties would not be safe around children.

With people with learning difficulties there was also a risk of exploitation and abuse at the hands of perpetrators who posed as 'friends' ('grooming' or 'mate crime').

On the other hand, it appeared that people with more obvious physical impairments suffered from hostility based upon abuse or the threat of abuse that may have been more likely to take the form of one-off attacks, damage to property, verbal abuse and harassment.

However, both physically disabled people and those with other disabilities such as learning difficulties may experience a wide range of abuse over varying periods of time, and it is not always possible to generalise people's experiences. Furthermore, it is important to remember that people may have more than one type of impairment and may have various 'layers' of identity, which may not be able to be addressed in isolation from each other. Sherry illustrates this point by highlighting the murder of James Byrd, a black disabled man, whose disability was not significantly considered because of the 'stronger' identity of race (Sherry, 2003, p.20).

Other 'cross-cutting identities' may also be at play, making it needful to be aware of and sensitive as to how someone's disability may be perceived and how disability identity interacts with other aspects of identity.

Chapter 4: Effects of Disability Hate Crime

Perpetrators of hate crime are thought to intentionally target specific groups of people, clearly expressing a message of hatred and hostility towards those whom they target, with the effects on the victim being clearly devastating. Perry highlights the fact that empirical findings relating to the emotional, psychological and behavioural impacts of hate crime point towards “a solid pattern of more severe impact on bias crime victims, as compared with non-bias victims” (2003, p.18).

Hate or bias-motivated crimes not only impact individuals, but also send symbolic messages of fear to communities or groups thereby reinforcing existing imbalances of power. “As Iganski reminds us, hate crimes are “message crimes” that emit a distinct warning to all members of the victim’s community: step out of line, cross invisible boundaries, and you too could be lying on the ground, beaten and bloodied.” (Perry, 2003, p. 18). In general, people who are targeted by perpetrators of hate crime are (real or perceived) members of already marginalised groups whether because of race, religion, LGBT status or disability. The marginalisation is “in a number of other ways, based upon prejudices evident in the wider community to which the offender presumably also subscribes.” (Dzelme, 2008, p.10).

Hate crime against disabled people could be said to have its roots in ‘casual disablism’. That is to say, when a society, in its collective subconscious, neglects or does not equally value certain groups and/or communities of people (based on shared characteristics such as race or disability), then the door opens to discrimination against members of such groups, which in its extreme form can result in targeted violence and hostility against them.

The effects of hate crimes have significant detrimental impact from individual to community level. Some of the main effects of hate crimes against disabled people are explored below:

Impact on Core Identity

It has been suggested that in general, victims of hate crimes suffer from deeper and more long lasting psychological effects than victims of crime who have not been targeted because of a specific aspect of their identity.

The following quotes, taken from a chapter in Barbara Perry’s “Hate and Bias Crime. A Reader”, written by Paul Iganski, are from victims of hate crimes themselves, and illustrate the impact that hate crimes can have upon one’s identity:

Individual 1:

“In many occasions victims are more damaged than equal crimes...why, because there is no way that someone can no longer be Black, and therefore protect themselves from the vulnerability that led to their prior attack. And generally hate crimes are for a characteristic that someone can’t change. If someone’s being robbed because they wear a lot of jewellery, then they have the ability to hide their jewellery or not, wear it in a particular area, and therefore feel less vulnerable to robbery. This is not true for people, at least in terms of how they internalize it I believe, the sense of being a victim of a hate crime.”

Individual 2:

“I think that one of the thoughts behind the hate crime legislation is that the attack or the crime inflicts unique psychological trauma on the victim...that’s going to inflict a unique trauma on me because if I were attacked for whatever reason that’s upsetting, that’s horrible. But now I know I was targeted and I was chosen for something about me that I can’t change, that is at the core of my being, that I wouldn’t want to change, that is unique to who I am.” (Iganski, 2003, p. 132).

When such crimes occur, not only are an individual's core identity or sense of self undermined, but their perception of risk with regards to the likelihood of future attacks, is heightened. Victims of crime in general suffer from a range of physical and psychological trauma, and there is no intention to undermine in any way the experiences of people who have been impacted by crimes that have not been motivated by targeted hostility. However, a victim of bias-motivated crime in most cases cannot change or conceal their identity, or may not want to. When one's identity is undermined through negative stereotypes and prejudices that result in crimes against them, there is a psychological conflict, both because in a sense that person has been 'de-valued' in comparison to others who do not share similar characteristics or who are generally considered to be 'normal' or in some sense 'superior'; but also because they cannot change their identity or avoid being targeted again.

There are clearly a range of problems with regards to this, however. For example, the way an individual internalises an incident may or may not be reflective of the actual motivation behind it, and in such a case issues around motivation and subjectivity become less clear. In addition to this, 'identity' is not necessarily neatly defined, as every individual has cross-cutting identities and may have multiple features that they feel may cause them to be targeted. That being said, when it is clear that there is a specific targeted hostility against a person's identity in some form, this can have a significant undermining impact upon that person's quality of life, as well as negatively impacting upon wider communities.

Impact on the Individual

General effects of hate crime

For the individual, research has found that hate crimes against disabled people can leave victims feeling fearful, embarrassed, humiliated and stressed by the attack. Additionally they may have feelings of anger, self-loathing, helplessness, worthlessness, isolation, loneliness, lack of self-confidence and as a result may change their behaviour, routine, or may stop disclosing any unseen disabilities, such as mental health problems or learning difficulties, for fear of further victimization, thereby significantly reducing their quality of life.

From the four case studies that came to the attention of GCSS (Chapter 2), those who experienced disability hate crime reported a range of psychological and emotional distress including feeling anxious, stressed, fearful, lacking in confidence, and feeling concerned about negative consequences should they seek help. All four felt compelled to alter their behaviour/routine in some way in order to avoid being targeted.

Aggravation of existing conditions

In addition to the range of effects produced by hate crimes against them, disabled individuals may also find that their existing conditions are aggravated. This may be particularly true for people who have mental health problems.

- "A study conducted for the Disability Rights Commission (DRC) reported that 97 per cent of respondents stated that harassment has had an impact on their mental health, which was incidentally described as the single most distressing consequence of their harassment (Hunter et al, 2007a: 60).
- Similar experiences were reported in primary research with just under half of the interviewees with mental health conditions reporting deterioration in their mental health following incidents. This is manifested, for instance, in repeated suicide attempts and nervous breakdowns." (Sin et al, 2009, p. 43).

Avoidance

Individuals may also feel that because of the stress and trauma of victimization (or fears that victimization will not stop) that the only way to escape is to significantly change their behaviour or routine. Research has found that “victims experience emotional distress well after their initial victimization, and may substantially alter their lifestyle.” (p. 120). Disabled people may also have low-levels of confidence in the criminal justice system and potential fears or reservations with regards to reporting hate crime and/or disclosing their disability (“generally, disabled people have been found to have lower levels of confidence in the criminal justice system compared with non-disabled people.” (Sin et al, 2009, p. 62)). These two factors may lead disabled people to seek solutions by themselves, which primarily involve avoidance techniques.

A report by Capability Scotland into Hate Crime Against Disabled People in Scotland found that

- Hate crimes have a major impact on disabled people, with around a third of respondents avoiding specific places and making changes to their usual routine. (DRC, 2004, p. 4).
- Additionally, about three-quarters of respondents made significant changes to their lives in order to avoid being frightened or attacked. (DRC, 2004, p. 4).
- 47% of respondents avoided going to certain places, 38% changed their routine, and one in four (25%) said they had to move home because of being targeted. (DRC, 2004, p.23).

Retaliation

In some cases, individual victims of hate crime encounter further difficulties if they try to protect themselves through retaliation. Findings show that “retaliatory behaviour has led to an escalation in the targeted violence and hostility experienced by a number of our disabled interviewees. Such behaviour has also led them to being treated as perpetrators by statutory agencies.” (Sin et al, 2009, p. 47).

Summary

The various issues involved can leave disabled people who experience hate crime feeling very helpless, powerless and trapped, especially when they feel that they won't get help even if they do try to report it.

Findings from the DRC Survey Report – Hate Crime Against Disabled People in Scotland, revealed that

- One in ten of those who had been frightened or attacked did not tell anyone about the incidents.
- The majority of respondents, almost 60% of those who had been frightened or attacked did not feel confident that they could get help to stop the incidents. (2004, p. 26).

Further to this, disabled people may feel that they themselves cannot do anything to stop the abuse against them for fear of further repercussions, leaving them feeling completely helpless. Supporting this, a report by Capability Scotland found that “respondents felt that they could not stop the attack because they felt the attackers were stronger/fitter/faster, or the attackers were in a big group and they felt scared.” (Capability Scotland, 2004, p. 24). Findings from this report also revealed that “respondents described feeling scared, embarrassed, humiliated and stressed by the attacks. Nearly half the respondents (45%) did not try to stop the attack, as they were frightened and concerned about the repercussions.” (2004, p. 4).

Overall findings from Hate Crime Against Disabled People in Scotland – A Survey Report revealed that

- Hate crimes have a considerable emotional impact upon disabled people's lives, with 70% of disabled people who have been frightened or attacked reporting feeling scared, and a high number of respondents (6%) saying that they felt embarrassed or humiliated. (p. 22).
- Feelings relating to being frightened/attacked included being: scared, embarrassed, humiliated, stressed, lacking self-confidence, feeling lonely or isolated, angry, helpless, demoralised, worthless and experiencing feelings of self-loathing. (p. 22).

The survey sample further revealed that

- Around three-quarters of respondents made significant changes to their lives to avoid being frightened or attacked.
- 47% now avoided going to certain places, and 38% have changed their routine.
- One in four (25%) said that they had to move from their home.
- Of a total of 73 respondents, 47% avoided going to the same places, 38% changed their usual routine, 25% moved houses/flats, 7% changed jobs, 22% took some other kind of action, 4% took no action, and 18% did not state what they did. (p. 22).

Disabled individuals may be affected in different ways depending on the type, duration and frequency of hate crimes against them, as well as on their particular disability. People with learning difficulties who have been betrayed and/or groomed by perpetrators who pose as 'friends', may experience additional levels of trauma. No matter what type of disability or targeted hostility, however, an individual's quality of life is negatively affected in any kind of hate crime. It is significant to note the findings relating to disabled people's lack of confidence in reporting and in the criminal justice system, and this is a key area that needs to be looked into in order to empower disabled individuals to seek the help that they need, and feel assured that they will be helped when they do so.

Imagined and Real Threats

Hate crime can affect a person's perception of risk and threat, and as a result people who have been affected by hate crimes, or even those who are closest to them, may have a heightened sense of fear, or vigilance, in order to try to pre-empt any future abuse. This can negatively impact many other areas of a disabled person's life. "The literature review identified illustrative accounts of the impact that targeted violence and hostility has on disabled people. Both the reality and the real or perceived threat of targeted violence and hostility impact upon the quality of life of disabled people. One study, for example, reported that nearly 60 per cent of disabled people felt that their disability heightened their risk of being a victim of crime and 'limited their life functioning' in consequence (Petersilia, 2005:5)." (Sin et al, 2009, p. 43).

Impact upon Community

This sense of fear can impact not only on individuals but also on whole communities. Because such crimes target the basic identity of a person, the fear of similar crimes reverberates more generally within the community of people who share those characteristics or identities. For example, with regards to hate crime more generally, “a firebombing attack on a member of the Turkish community in Berlin has much greater significance for that community, as well as the country as a whole, since it is an attack on the entire Turkish community in Germany. Hate crimes intensify the psychological and social exclusion of such communities and racial and ethnic groups from the larger society. There is also the problem that minority groups can feel forced to retaliate to protect themselves if no official action is taken. Overall, hate crimes represent an attack on democratic principles of tolerance and respect for the identity and opinion of others.” (Shaw, 2002, p.2).

Once again in some cases it can be difficult to discern whether someone with a protected characteristic within hate crime legislation, has been targeted specifically because of their actual or perceived identity with relation to a particular group or groups, or whether some other motivation has been involved. In any case, the effects upon individuals and communities can be significant with regards to the fear produced, sense of ‘alienation’ from the rest of society, as well as levels of distrust in, for example, the criminal justice system with regards to how such incidents are addressed.

In the case of Fiona Pilkington who killed herself and her disabled daughter, Francessca Hardwick after years of abuse by youths in their neighbourhood, the tragedy impacted not only the families involved, but also disabled people generally, as well as wider British society. Leicestershire Police were criticised over the handling of the case, as many of the crimes committed against Fiona and Francessca were treated as individual incidents of anti-social behaviour, and links or patterns of abuse were not identified, despite Fiona having made 33 calls to the police over 10 years. Whether the targeting of this family was primarily because of victimization and vulnerability, or because of specific hatred towards disabled people, or a complex combination of a variety of factors, there is an underlying message that not only are others like Fiona and Francessca at similar risk, but also that even when they do try consistently to get help, there is a possibility that the acute nature of their circumstances will not be recognised, and that they will be failed by those who have the power to intervene. It is important to recognise that not only do hate crimes send out messages to the community, but so too does the response (or lack of) to them, and as such, there needs to be a consideration as to what are the most robust and effective mechanisms of identification, intervention, reporting and prosecution.

Impediments to Reporting

It could be argued that there are two primary impediments to the reporting of hate crime against disabled people. These relate firstly to a possible lack of awareness of systems in place, and secondly to a lack-of confidence in such systems (“more generally, disabled people have been found to have lower levels of confidence in the criminal justice system compared with non-disabled people”) (Sin et al, 2009, p. 62).

However, underlying these is perhaps a more difficult issue to be addressed – the perceptions of disabled people themselves that such abuse is somehow an inevitable part of their lives (the ‘normalisation’ of abuse), and this perhaps is exacerbated by a sense of helplessness or the sense that any help they do seek will be futile.

Research conducted by Scope, Disability Now and UKDPC, into disabled people’s experiences of hate crime in the UK found that “people reported that they had to cope with bullying for so long that they saw it as a distressing, but inevitable part of everyday life for a person with a learning difficulty.” (Quarmby, 2008, p. 19).

With regards to reporting incidents to the police, Capability Scotland found from the respondents to their survey report that from 73 respondents,

- “Forty-one percent of those who have been frightened or attacked (30 respondents) reported the incident to the police.
- Rural respondents are more likely than those living in urban locations to report attacks to the police.
- Nearly one in five of those who reported the incident to the police said that the police did nothing as a result.
- Three quarters of those who reported the incident to the police (23 respondents) mainly said that whilst the police had taken details of the incident, they were generally unable to stop the attackers.
- A small number of survey respondents (5) found the police unhelpful.” (Capability Scotland, 2004, p. 27).

The report also found that “the statistics clearly show that the majority of respondents, nearly 60% of those who have been frightened or attacked, did not feel confident that they can get help to stop the incidents. Less than one in ten (7%) are ‘very confident’ that they can get help. Respondents living in rural areas are much less likely than average to be confident that they can get help.”

From a base of 73 disabled people who have been frightened or attacked, the survey found that with regards to their confidence in getting help to stop being frightened/attacked,

- 25% were not at all confident
- 34% were not very confident
- 15% had no opinion on this
- 18% were quite confident
- 7% were very confident, and
- 1% did not state a response.

Furthermore, “one in ten of those who have been frightened or attacked have not told anyone about the incident/s. Sixty percent have told a relative and 44% have told friends. Carers or key workers were the most likely professionals to have been told (37%).” (Capability Scotland, 2004, pp. 26-27).

In addition to tackling the attitudes that lead to disability hate crime, and addressing flaws in the system of dealing with hate crime, it is important also for practical measures to be taken to encourage those affected by hate crimes to feel confident to report what is happening to them, and that any reports they make will be taken seriously and investigated appropriately. As this chapter highlights, disability hate crime, and hate crime in general has far reaching consequences, and can effect individuals and communities far beyond the incident itself. The effects of hate crime can in turn impact upon victims’ feelings towards and perceptions of reporting. It is therefore important that hate crime reporting procedures and mechanisms are centred around victims’ core needs, taking into consideration various psychological and emotional barriers to coming forward. Having considered the impact of hate crimes upon individuals and communities, the following Section proceeds to explore the dynamics involved in ‘relationships’ between victims and perpetrators of disability hate crime.

PART 2

PERPETRATORS AND VICTIMS

Chapter 5: Relationships between Perpetrators and Victims of Disability Hate Crime

Relationships between the perpetrator(s) and victim(s) of disability hate crimes tend to differ depending on the type and frequency of hate crime. For example, when hate crime takes the form of a one-off physical attack and/or an isolated incident of verbal abuse it is more likely that the perpetrator(s) will be unknown to the victim. In contrast, in cases where there are frequent or long-standing incidents of hate crime it is more probable that there is some form of 'relationship' between the victim of hate crime and the perpetrator(s). Such a relationship may be as tenuous as someone who lives in the same neighbourhood as the disabled person but it could also be a closer relationship such as family, 'friends', 'carers', etc. More frequent abuse may also occur within specific contexts such as schools, residential settings, outside one's home or on a particular transport route where the perpetrator(s) and victim(s) may encounter each other regularly (as for example in 'Elizabeth's' Case Study in Chapter 2). Disability hate crime can also occur within the setting of online/internet abuse (or via other means of technology). "Three particular types of relationship are considered in the wider literature: close interpersonal relationships (for example, familial or friendship ties); relationships between disabled people and their carers or personal assistants; more distant relationships (for example, neighbours and others living nearby)." (Sin et al, 2009, p. 57). Excerpts from news reports have been used to illustrate some of the relationship dynamics in incidents of disability hate crime.

Strangers as perpetrators

Findings revealed that many who had obvious physical and/or sensory impairments were physically assaulted, robbed, had property damaged or were even murdered. In such cases it is more likely that the perpetrator is unknown, or not closely known to the victim, although disabled people who have obvious physical disabilities may also be harassed and abused by neighbours or even carers and family members. Further to this, it was found in one study into Disabled people's experiences of targeted violence and hostility, that "learning disabled respondents to our study reported that verbal abuse often related to their impairment and involved derogatory disablist language. Interviewees reported that perpetrators were overwhelmingly children and young people that were hanging around on the street or in their local neighbourhood such as by some shops, in a park or most commonly around where people lived." (Sin et al, 2009, p. 25).

A study carried out by the Disability Rights Commission, looking at Hate Crime Against Disabled People in Scotland (March, 2004), found from its sample of 158 questionnaires that were completed by disabled people and their carers, that with regards to relationships with perpetrators, "strangers, either individually or in groups, are more likely to be responsible for the attacks, but one in five disabled respondents have experienced an attack by a friend or colleague and the same proportion have been frightened or attacked by a teacher or carer. Under 16 year olds are most likely to be seen as responsible for attacks in urban areas, whereas in rural areas 16-44 year olds are viewed as the perpetrators." (DRC, 2004, p. 19).

Example

Victim (a teenager with Asperger's syndrome and special needs) was attacked by two perpetrators. His mother commented that "he needed nine stitches; he had a bad wound to his head. His head was covered in blood after the attack. He already lacks confidence and rarely goes out on his own, the attack really shook his confidence and left him traumatised. After the attack he wanted to move away from the area to live in the country. He wouldn't leave his bedroom after the attack and was off school all week."

('Yobs attack autistic boy'. Antisocial Britain. 23 August 2007).

Group dynamics between perpetrators

Further to this, it is necessary to consider the element of group dynamics with regards to the relationships between victims and perpetrators of disability hate crime. “Of the 12 deaths documented in the Disability Now dossier, nine of the 12 involved two or more perpetrators who condoned the actions of the others, or who proactively egged them on. Many of those involved in these group attacks were never charged with an offence despite being party to it...some disabled people and their families were preyed upon by ‘friends’ who robbed and attacked them. Others were targeted, on a systematic and regular basis, by youths who mocked and often assaulted them. In a significant number of cases, disabled people were falsely called paedophiles – and then subjected to the law of the lynch mob.” (Quarmby, 2008, p. 22).

Example 1

Brent Martin: “A teenager has been convicted of the murder of a disabled man who was kicked to death by a gang “for sport”. Brent Martin, 23, who had learning difficulties, died in hospital after being found in a pool of blood on Sunderland’s Town End Farm estate. The 17-year-old, who cannot be named, and two others beat their victim in a £5 bet over who could knock him out, Newcastle Crown Court heard. William Hughes, 21, and a youth, aged 16, had already admitted murder. The teenagers, who trained as boxers, repeatedly punched, kicked, stamped on and head-butted their victim. A post-mortem examination revealed Mr Martin died from a massive head injury and had suffered at least 18 separate blows to the head and neck. During his trial, the court heard that the 17-year-old defendant later told witnesses: “I am not going down for a muppet.”

(‘Boy convicted of ‘£5 bet’ murder’. BBC News. 22 January 2008).

Example 2

Raymond Atherton: “Killed by a group of teenagers who exploited his gentle nature and vulnerability. Despite daily visits from social services, Raymond Atherton suffered the most appalling campaign of physical abuse at the hands of “feral” teenagers. They shaved clumps of hair from his head as he slept and daubed makeup on his face. They beat him, urinated in his drinks, smoked cannabis in his flat, scrawled graffiti on his walls and poured bleach over him. On May 8 last year, the 40-year-old was viciously beaten by two of his tormentors and thrown into the river Mersey in Warrington, Cheshire, where he died. At the trial in April of his persecutors, Craig Dodd, 17, and Ryan Palin, 15, were jailed for life for manslaughter. Prosecutor Patrick Harrington said; “If one were to search for a single adjective to describe their behaviour, it would be feral. They were wild and untamed.” Mr Justice Hodge told the teenagers: “You both treated Mr Atherton as a punchbag. What you did was not opportunistic. It was premeditated, it was a savage attack: cruel, brutal and vicious, and on a very vulnerable man.” Yet although Atherton, who had a learning disability and a history of alcohol abuse, was in the care of social services, there is no suggestion that he was failed by the system. Atherton was proud of living independently in the community and did not want to move to supported accommodation. In addition, because of his vulnerability, whenever social workers noticed he had been beaten up, Atherton was unable to provide dates of incidents or the names of his abusers. He was unwilling either to report incidents or to seek medical help for his injuries.”

(‘He couldn’t say no’. The Guardian, 15 August 2007).

Children and teenagers as perpetrators

Although, “it is clear that people who frighten or attack disabled people are of all ages” (Capability Scotland, 2004, p. 20), the fact that many children and young people are perpetrators of disability hate crime is concerning (as highlighted in the above section, ‘strangers as perpetrators’). Furthermore, “if an adult with learning disabilities decided to “fight back” against a child that is bullying them, the child is likely to tell their parents. The adult disabled person may then be perceived as the bully.’ (Gillen, 2006)”. (Sin et al, 2009, p. 48). This highlights a pressing educational need for children, and indeed society more generally, to be informed about the true nature of disabilities and to have their prejudices challenged, and their thoughts towards disabled people shaped into more positive perceptions. (Further to this, bullying may also take place between children with disabilities, and this needs to be tackled wisely and with sensitivity. This may involve for example, anti-bullying initiatives, peer involvement and counselling in schools).

Example 1

“A wheelchair user was pushed into the middle of a busy road by two children as young as nine...they switched off the man’s electric wheelchair then pushed him into the middle of the road, before running off. The man, who suffers from cerebral palsy, had to be helped from the road by passers by, who then called the police”. (‘Wheelchair user pushed into road by two children’. STV News. 17 August 2010).

Example 2

“Two teenagers have been jailed for carrying out a “degrading” attack on a man with learning difficulties...a sheriff today branded their assault on the vulnerable 21-year-old “truly appalling” and “totally outwith the boundaries of civilised conduct”. The man was punched repeatedly, beaten with a metal pole and indecently assaulted with a vacuum cleaner before his jeans were set on fire. “That two young girls could have behaved in this way, by punching the vulnerable victim so many times, by Dannielle Sinclair hitting him with a metal pole or similar object, by then applying a Hoover to his eye and to his penis, and persisting in this conduct even in the face of cries of anguish from the victim, by Paige Sharp setting fire to the jeans of the victim, almost defies belief...that more serious injuries were not sustained by the vulnerable young victim is a matter of good fortune, because both accused paid no heed whatsoever to the consequences of their actions.” (‘Girls jailed for attack on vulnerable victim in Arbroath’. Scotsman. 8 July 2010).

Disabled people as perpetrators of crime/hate crime

Dynamics of relationships between victims and perpetrators can be further complicated by the perpetrator themselves having a disability. This by no means excuses hate crimes committed by people who have disabilities but it does dispel some of the myth that perpetrators of disability hate crimes are always non-disabled people, and highlights the need for interventions that are administered appropriately.

Example - Offenders with Learning Difficulties

Almost a quarter of prisoners under 18 years old have a learning disability or difficulty, with a 78% re-offence rate among those at risk. *(UK).

It has been highlighted, with particular reference to people with learning difficulties, that they may in some cases be both victims and perpetrators of crime, and as such may experience the criminal justice system as being confusing, complicated and unable to support their needs.

Mencap highlights that as perpetrators of crime, people with learning difficulties are “often directed into inappropriate sentences, into prisons that are unable to provide the health and social care support required.” Further to this, it is claimed that current probation systems and community sentences also lack the required support or reasonable adjustments that can increase both the speed and effectiveness of rehabilitation programmes. A greater understanding of working with offenders who have learning difficulties may help to reduce overall offending rates. **

‘Grooming’ relationships/Strategic abuse/ ‘Mate crime’

Findings tend to point towards there being a link between people with learning disabilities and/or mental health impairments who had suffered from hate crime, and some form of relationship of exploitation and abuse with the perpetrator.

- In Disability Now’s Hate Crime Dossier, there were 12 cases of disability hate crimes where the victim’s primary impairment was learning difficulties.
- Of these cases, 6 explicitly revealed that the perpetrators were either friends, neighbours or relatives.
- Two others were cases wherein the perpetrators either used the victim’s accommodation or kept the victim confined for some time, suggesting that the perpetrators were not complete strangers.
- A further example given in the Disability Hate Crime Dossier, listed under the section on Autism, revealed that in May 2006, “Sean Miles, a man with autism, was murdered and robbed by friends in the Thames Valley area.”

In some cases relationships between perpetrators of hate crime and disabled people may be linked to domestic abuse and issues relating to dependency and entrapment. The term ‘mate crime’ has been used to describe relationships between the perpetrator and victim, wherein the victim is led to believe that the abuser is a friend. ‘Mate crime’ can occur within various contexts, such as in the examples given below, but can also involve other settings such as abuse via technology.

* ICAN report (2007) cited in Legal Aid, Sentencing and Punishment of Offenders Bill. Memorandum submitted by Mencap (LA 43).

**Session 2010-12 Legal Aid, Sentencing and Punishment of Offenders Bill. Memorandum submitted by Mencap (LA 43)

<http://www.publications.parliament.uk/pa/cm201011/cmpublic/legalaid/memo/la43.htm>

Example 1

Laura Milne: “A man who murdered a teenage girl and tried to hack her body to pieces before hiding it in a cupboard was today jailed for 18 years. Homeless Stuart Jack, 22, subjected vulnerable 19-year-old Laura Milne to a savage knife attack and killed her at an Aberdeen flat on December 12 last year. His accomplices, Debbie Buchan, 19, and Leigh Mackinnon, 18, were sentenced to nine years and nine years four months respectively at the High Court in Edinburgh. Judge Lord Woolman said the victim was subjected to a ferocious, sustained attack. He said Miss Milne’s injuries included fractures to her jaw and added: “Jack took up a knife and slashed her throat. A post-mortem showed that was the cause of Laura’s death.” Miss Milne, who had learning difficulties, was killed at a flat on Union Street in the city centre. After the death, Jack cut off one of the victim’s ears and tried to hack off her head, legs and breast. Just two days later, Jack was filmed gloating over the violent death and boasting how he enjoyed slitting her throat....”It is not clear what triggered the awful chain of events which led to her murder,” Lord Woolman said...At the time of her death, Miss Milne was living at Stopover, a residential care home for young homeless people in Aberdeen. She thought her attackers were her friends, but they turned on her in Buchan’s flat just days before Christmas.”

(‘Laura Milne murder: Killer who hid body in cupboard is jailed for 18 years’. News Scotsman. 31 July 2008).

Example 2

Steven Hoskins: “Steven Hoskin had strong feelings about his killers. They had abused, exploited and humiliated him over a year, taking his money, treating him as their slave and making him wear his own dog’s collar and lead. Eventually, having forced him to swallow 70 painkillers, they took him to the top of a railway viaduct and made him hang from the railings as one member of the gang, a girl aged 16, stamped on his hands until he fell 30 meters to his death. Yet these were the people the 38-year-old, who had severe learning disabilities, had boasted excitedly of counting as friends. “He thought they were the cat’s whiskers,” says Morley Richards, who had known Hoskin before he met the group. “He would say, “They’re my mates, I’ve got my own mates now.” Hoskin’s case is extreme, but the phenomenon of learning disabled people being groomed by those who pretend to be their friend before being exploited by them financially, physically or sexually – “mate crime”, as it is sometimes known – is far from rare, experts say, and appears to be on the increase.” (‘Mate crime’ fears for people with learning difficulties’. The Guardian. 14 September 2010).

The literature (Sin et al, 2009, pp. 36-37) revealed that in some cases of disability hate crime, perpetrators strategically targeted their victims, posing as friends in order to gain the trust of the disabled person so that they could go on to exploit them. This was true particularly in instances where the disabled person had learning difficulties, so that they could not recognise the ‘grooming’ and exploitation that was taking place. This type of relationship could involve short term befriending and one off-incidents, or more commonly, longer term abuse where the person with learning difficulties thought that the perpetrators of hate crime were in fact close friends.

The tragic murders of Laura Milne and Raymond Atherton that are noted previously are just two cases that highlight this type of intentional grooming in order to exploit, abuse and target disabled people through false friendships. People with learning difficulties often desire a sense of inclusion and friendship that is otherwise difficult for them to have and those who perpetrate this type of disability hate crime can easily manipulate and gain the trust of the disabled person, which, as revealed in these examples can have tragic consequences.

In addition to this, perpetrators of disability hate crime who groom their victims may target people specifically for the purpose of exploiting them sexually (as with the case of William Melvin, a 50 year old man (claiming to have learning difficulties) from Edinburgh who raped a woman of 36 with learning difficulties and mobility problems).

A study looking into sexual abuse against adults with learning difficulties revealed that there are

- “Clear patterns of abuse of people with a learning disability. Most of those abused have moderate to severe learning disabilities and have additional physical disabilities.
- Abusers are predominantly male and are generally known to the victim. Of particular concern are the cases in which the abuser is a person in a position of trust, power or authority who takes advantage of that position in order to abuse”.
- It was also shown that in some cases perpetrators actively sought out situations in order to gain access to people with learning difficulties wherein they could exploit their vulnerability, such as through employment or volunteering in services where they can directly have access to people with learning difficulties. (Mencap, 2001, p.5).

(The ‘hate’ motivation of such acts, as with cases of robbery of disabled people, may be complicated somewhat by opportunistic agendas for targeting people who may not be able to retaliate or defend themselves. However, the effects upon disabled individuals is no less significant when ‘vulnerability’ is exploited as when they are targeted specifically because of malice).

The desire for friendship/relationships on the part of the person with learning difficulties is then exploited as “sexual abusers who target people with a learning disability often rely on their ability to gain their trust. They may persuade them to engage in sexual activity with small gifts or promises of help or friendship.

Abusers may use their position of power to coerce or deceive a person into participating in sexual activity. Threats that would probably be ignored by others can assume greater significance for a person with a learning disability such as “I will tell your parents if you don’t do as I say,” or “I will tell your mother that we have done bad things,”. There have been occasions where sex offenders have identified and “groomed” a person with a learning disability inappropriately inducing them to have sex. This has included introducing a person to pornography, and teaching them about sexual acts with the intention of engaging in abuse.” (Mencap, 2001, p. 13).

Further Examples of Hate Crime against Disabled People:

The following excerpts from newspaper articles provide further specific examples and highlight some of the many ways in which disabled people are targeted. They consist of those incidents that make the headlines, primarily those which are most severe; however, it is important to remember that many disabled people face a constant stream of so-called ‘low-level’ abuse on a continual basis, which can have devastating effects on their lives, much of which may remain unreported.

Phyllis Millar: “An Edinburgh pensioner who admitted attempting to murder his wheelchair-bound wife has been jailed for four-and-a-half years. John Millar, 67, claimed he was trying to end her suffering when he attacked Phyllis Millar, 65, at their home in Ravelston on 28 June 2009. Mrs Millar, who has multiple sclerosis, denied claims by her husband that she said she wanted to die.”

(‘Edinburgh man jailed for murder bid of wife with MS’. BBC News. 14 July 2010).

Anthony Booth: “A Paralympian whose false legs were stolen days before his sister’s wedding has appealed to thieves to return them so he can walk her down the aisle. Anthony Booth, 33, has been practising for four months to walk without sticks to give away his sister Angela at her wedding on Saturday. His artificial legs and wheelchair were in his car, which was stolen from outside his Manchester home on 12 June.”

(‘Manchester bride’s Paralympian brother has legs stolen.’ BBC News. 25 June 2010).

Fiona Pilkington and Francessca Hardwick: “A problem family who abused a mother and her disabled daughter who were later found dead in a burning car remain a persistent nuisance on the street where they lived, an inquest heard today. Fiona Pilkington, 38, was in such despair at seeing her children being abused by the family that she set light to her car in a layby near her home in Barwell, Leicestershire, on 23 October 2007, while she and her 18-year-old daughter, Francessca Hardwick, known as Frankie, sat inside, the inquest heard. An inquest at Loughborough town hall heard that Pilkington, her daughter and her son Antony, now 19, had suffered years of abuse at the hands of a gang of youths. The 16-strong gang would often pelt their house with flour, eggs and stones, and Antony was attacked with an iron bar and locked in a shed at knifepoint. Letters and meetings with parents ended problems with four families, but one family remained a menace and were still living on the Pilkingtons’ street, Bardon Road, despite court efforts to evict them, the inquest heard.

(‘Bullying family still a menace in Leicestershire, inquest told’. The Guardian. 22 September 2009).

Unnamed 31 year old woman: “A 31-year-old woman was sexually assaulted by a man after going into a public toilet in Southampton. The woman, who uses crutches to walk, was attacked as she used the disabled toilet at the back of Burger King in Castle Way last Thursday evening.”

(‘Sex assault on woman in public toilet by Southampton takeaway’. BBC News. 24 March 2010).

Rikki Judkins: “A man and a teenager have been jailed for life for killing a 50-year-old man in an attack which culminated with a rock being dropped on his head. Rikki Judkins, 50, from Coventry, was visiting Lancaster when he was attacked by Simon Unsworth, 20, and Arron Singh.” (Rikki Judkins had learning difficulties and psychological problems).

(‘Pair jailed for ‘brutal’ killing’. BBC News. 16 February 2007).

Shaowei He: “A woman who abused and beat her lover’s “slave” wife to death and the husband who let it happen have both lost appeals against their sentences...Liu was jailed for nine years in May after admitting the manslaughter of Shaowei He, 25, in Rotherham in March...Liu began assaulting Shaowei, who was of low intelligence and suffering from depression, when Liu became pregnant in February this year.”

(‘Killers lose ‘slave’ death appeal. BBC News. 17 November 2006).

Garry Pearson: A wheelchair bound man viciously beaten by muggers at the weekend later tried to kill himself fearing police didn’t believe his story. Tetraplegic Garry Pearson, 44, from Oxfangs in Edinburgh, said the trauma was made all the worse when he was asked by detectives if he had made up the assault as part of their ongoing inquiry into the attack. Now recovering at home after his suicide bid, he said he is now too terrified to open his door, adding, “It’s been a terrible ordeal.” Garry who was left disabled after a brain haemorrhage four years ago uses an electric wheelchair to get around and was set-upon by two men just yards from his home on Saturday morning. After blocking the man’s way on Oxfangs Drive they repeatedly punched the helpless man before robbing him. They hurled abuse at him over his disability, beat him about the head before robbing him of his mobile phone – his lifeline to the outside world – and wallet. Their shaken victim was left with cuts, bruising and swelling to his face and was taken to Edinburgh Royal Infirmary for treatment...Garry said he tried to take his life after police later questioned whether the attack had happened. Shattered Garry – who was a gardener before he was left paralysed by his brain haemorrhage and lives alone after wife Marion died from cancer – admitted: “It has pushed me to the edge. It happened just up the road from my home, they stole a phone and my wallet with around £70 in it. They were blocking my way and I said ‘excuse me, can I get through?’ they said shut up you f***** cripple. I tried to push one away and got whacked on the side of my face. It has been a terrible ordeal. I am frightened to go out of my front door.” (‘Wheelchair man tried to kill himself over attack trauma’. Deadline Scotland. 10 June 2010).

The above examples and those shown previously, highlight the harrowing nature of disability hate crimes and reveal a small insight into the often ongoing trauma of victims of such hostility and crime.

It is interesting to note that in the cases of Laura Milne, Raymond Atherton and Shaowei He, there was a clear form of 'relationship', however tenuous, between the victim and the perpetrators.

- Laura Milne, a young woman with a learning difficulty had believed that her attackers were her 'friends'.
- Raymond Atherton, also having a learning difficulty, was murdered and exploited by a group of teenagers who had at various times, taken advantage of Mr Atherton and used his flat for their own pursuits.
- Shaowei He was abused on an ongoing basis by her husband's mistress, while her husband let this happen. Shaowei, who later died at the hands of her abusers was said to have been "of low intelligence and suffering from depression."

People with Learning Difficulties and 'Relationships' with Perpetrators

The need for relationship and friendship on the part of people with learning difficulties can often be exploited and abused by perpetrators of hate crime, with disturbing consequences, as the above examples highlight. Furthermore, complexities within such relationships may mean that at times people with learning difficulties may also be perpetrators of hate crime.

As also noted above, many victims of hate crime are attacked and abused by perpetrators who are unknown to them, but who are also driven by hostility towards the disabled person and/or their disability.

With regards to relationships, "research also indicates that a segregated education system can result in people with learning disabilities having few 'real' friends, which in turn may further contribute to patterns of exclusion, isolation and being marked out as 'different' from the mainstream in their communities." (Home Office, 2008, p. 3). It is therefore important for local partnerships to address the underlying causes of hate crime, as well as hate crime itself.

In Scotland, it was found that there was a greater prevalence of hate crime against people with learning difficulties than those with other forms of disability.

A survey report published by the DRC and Capability Scotland on hate crimes in Scotland found "a greater predominance of attacks against people with mental health conditions, learning disabilities and visual impairments (DRC and Capability Scotland, 2004)." Furthermore, The UK Disabled People Council (UKDPC) "identifies specifically people with mental health conditions and learning disabilities as victims of crime, with reported rates of 75 per cent and 66 per cent respectively (UKDPC, 2007: 2). These rates are higher than for disabled people in general." (Sin et al, 2009, p. 19).

One study found that not only was there a perceived 'inequality of value' where a disabled person is seen and therefore treated as being of less value than a non-disabled person but also stigmatisation of mental health conditions and a lack of awareness of the true nature of such conditions is often expressed through negative attitudes, hostility and violence. Further to this, such views can be encouraged and perpetuated through the media, whereby disability and/or mental health conditions are linked to negative stereotypes and therefore perceived threat which further encourages hostility. "Previous literature finds that the lack of public education and sensationalist media stories portraying negative images of disabled people can encourage discriminatory attitudes towards them (Ward, 1997). For example, there is a common association of mental ill health with crime or criminal tendency. Media coverage of mental health conditions focuses disproportionately on the dangers to public order from people with severe mental health conditions. People with mental illness, particularly schizophrenia, are therefore viewed as dangerous and unpredictable (Crisp et al, 2000). (Sin et al, 2009, p. 33).

However, not only are people with learning difficulties targeted because of false and negative stereotypes towards them, but also because of the ease with which unequal power relationships can be used to exploit, abuse and oppress them. Research, particularly into the sexual abuse of adults with learning difficulties, has found that factors such as low self-esteem, lack of power within relationships, dependency on care staff and care services over long periods of time, being too afraid to challenge potentially abusive situations, fear of challenging authority figures, and fear that the perpetrator will become angry or that they will get into trouble if they refuse to allow the abuse and feelings of powerlessness, can all contribute towards the abuse and exploitation of people with learning difficulties within the complex context of relationships of dependency and/or trust (Mencap, 2009, p. 4).

“These factors taken together can make people with a learning disability targets of abusers. The risks of disclosure are low and the risks of prosecution even lower...there is considerable evidence that people with a learning disability are at much greater risk of sexual abuse and exploitation than the general population. Research shows that the incidence of abuse among people with disabilities is as much as four times higher than it is among the non-disabled population. People with a learning disability are at the highest risk of abuse.” (Mencap, 2001, pp. 4-5).

Further to this, depending on the severity of the learning difficulty and the complexity of dynamics, manipulation and abuse of power within the ‘relationship’ with the perpetrator/s, the victim may be unable to recognise that abuse has taken place. Even if it is recognised, the victim may be too fearful to report abuse, they may have communication difficulties or may feel that they would not be believed even if they tried to express what happened to them. “Some people have feelings of guilt or shame that prevent them reporting abuse. Others feel that there is nobody to whom they can complain (especially if the perpetrator is a figure of authority).” (Mencap, 2001, p. 5).

Chapter 6: Perceptions of Perpetrators' Motivations – Survey Findings

In order to gather views from relevant organisations in Glasgow regarding disability hate crime and perceptions of what motivates perpetrators, a questionnaire was created and sent to various organisations (both those with a specific disability remit, and other organisations). The questionnaire is included at the end of this report. There were 25 responses to the questionnaire.

Key findings and responses are highlighted below:

What do you think are the main motivating factors for perpetrators of disability hate crime and why?

"Insecurity, the wish to appear powerful and the perceived low risk of retaliation"

"Lack of understanding of what it means to be disabled. Fear of becoming disabled. This ignorance comes from lack of education from an early age and misrepresentation in popular culture"

"Ignorance, parental influences, bravado, part of a gang showing off"

"I am a wheelchair user myself and just being in certain people's way is enough to be sworn at and pushed to the side"

"Powerlessness and low status in relation to wider society. A feeling that there will be few if any community or legal sanctions on perpetrators. Boredom and thrill seeking"

"Ignorance"

"Lack of respect and disregard for others. Their social environment, the way they live and the effects of the company they keep"

"Ignorance and lack of conscience"

"Lack of information/education, i.e. not understanding enough about race/disability/sexuality to realise that we are all equal and all deserve respect"

"Fear, low self-esteem; fear may be due to lack of knowledge and fuelled by media representation of specific groups"

"I think it's probably lack of understanding and ignorance towards a person who is not like "them" (in the perpetrator's eyes)"

"Lack of education and understanding as they make easy targets"

"Fear of difference. Missing skills and knowledge on how to relate and behave towards a disabled person. Experience of hurt, bullying from other people and anger from the past"

"Ignorance because of lack of education or recognition of other people's differences"

"Lack of information and stereotyping"

"In my work if disability hate crimes happen it's by the young people and motivated by their friends. I think this is because they are trying to fit in to their group and also sometimes might be unaware of what they are actually doing"

"I am answering this as my son has a disability. I think the motivation is often fear of the unknown. If someone is not used to dealing with people with disabilities then they could be frightened and cover this up by being aggressive and violent"

"Lack of understanding and misconceptions e.g. fearing those with mental health issues are a risk in their communities or are sexually driven criminals"

"Ignorance, past experiences of abuser, bullying, person who is basically evil, following others, seeking to be 'one of the boys'"

"Ignorance, because people are different from others"

“Mob mentality as people are led like sheep to single out and pick on people who are different from the norm and who are perceived not able to hit back. These bullies are driven by not just fear but by a lack of understanding of disability. Some of these nutters are opportunists who prey on disabled people because they are deemed to be easy targets. These ***** have low self images and it makes them feel better to put themselves above others and exert some authority over disabled people.”

The above quotes highlight that many respondents believe that perpetrators of hate crime often operate as a result of ignorance, lack of respect, stereotyped attitudes towards disabled people and because they may feel they can get away with their actions. This all points towards the need for education and awareness raising and a clear message to perpetrators that such behaviour will not be tolerated. Further to this, some of the comments suggest that the perpetrators themselves may have a variety of issues that they need help to deal with in more proactive ways.

Do you think perpetrators’ behaviour and/or motivations are linked to any other particular issues (for example, other offending behaviour?) Please give details.

“People that commit disability hate crimes are clearly not well adjusted moral people. I think that their behaviour towards people with a disability can almost always be seen as one lamentable aspect in amongst many undesirable traits”

“I think perpetrators might target disabled people because they see them as weak. It’s a bullying mentality”

“A lot of it is just impatience and rushing to get where they are going” (wheelchair user)

“Prevalence of discriminatory language and attitudes in media, community and wider society. Alcohol and drug factors”

“Yes, linked to offending behaviour, the gang culture and motivation through the mind set of the gang”

“I think people draw on stereotypes and may perpetrate hate crimes when influenced by alcohol”

“I don’t think this always may be the case. They could just grow up in a situation where there is no education to be understanding of others no matter their disability, race, gender, etc”

“I feel that it is to do with one’s upbringing and misunderstanding of differences”

“I don’t know, I would guess it would not be different from perpetrators of hate crime in general”

“To be honest I think it isn’t in the sense motivated by other issues, I think it is just as a general issues as any other form of hate crime”

“I do not think that it is only people who have other offending behaviour. I think often people will tell jokes about disability that they see as having fun but can be very hurtful. I also think that a fairly large percentage of the population would not believe that they are perpetrators of disability hate crimes even though they may be” (mother of a son with severe/complex learning difficulties)

“Yes. There may be a mental motivation because of dysfunctional background or because they take pleasure in [hurting others]”

“Yes, they are opportunists who included disabled among their victims when it comes to robbery etc, and people’s vulnerability acts as a catalyst for the violent ***** who enjoys inflicting violence.”

These comments also highlight the need to address wider societal attitudes (including those perpetuated via the media) towards disabled people and to challenge bullying behaviour. The above also reveals the perception that perpetrators of hate crime may not be aware that their behaviour is unacceptable or that they are even committing a hate crime, and may view their offensive language and/or behaviour as a ‘joke’; however, it needs to be made clear that such behaviour is considered as hate crime, and that it will not be accepted.

Factors were also mentioned relating more specifically to perpetrators’ characteristics and backgrounds such as potential offending behaviour in other areas, drug and alcohol abuse, gang involvement, ignorance, and social background/problems in their own lives.

Have you or any of your service users experienced disability related hate crime?

14 respondents answered yes, 9 answered no, and 2 did not answer this question.

Of those who answered 'yes' to this question, 7 provided examples to which they gave consent to be used in this report:

Experiences of disability related hate crime from stakeholder consultation:

1. In one incident, the disabled person who has arthritis of the spine and uses a walking stick was confronted by two strangers in their early to mid-twenties who attempted to attack and rob the disabled person in order to steal their wallet. However, "they did not succeed as I beat them off with my walking stick".
2. A service user of an organisation (that supports people with mental health issues, learning difficulties, addictions, those who are offenders and asylum seekers) who has learning difficulties and is registered blind but who travels independently, suffered from ongoing abuse for a period of months. The perpetrators consisted of a large group of teenage school children who verbally abused the victim for a long period of time until they confided in a member of staff and now travels at a different time.
3. Another respondent provided an example of recurring name calling of certain young people with learning difficulties who attended ASL schools. The perpetrators were other young people in the community.
4. One respondent stated that "my son is 18 but has a much younger mental age and plays with younger boys who have begun to take the mickey by getting him to do things that are not appropriate and he doesn't understand that they are not being friendly to him." The teenager who has severe and complex learning difficulties has suffered from ongoing abuse since the summer, by 3 to 4 perpetrators of around 10-11 years of age, whom he perceived to be friends.
5. A client of one of the organisations was thrown out of his local pub as it was rumoured that he was a paedophile. There were numerous perpetrators who targeted him because of this rumour. The client has schizophrenia. The perpetrators were neighbours and members of the local community, and the respondent claimed that the ramifications of this abuse for the client have lasted more than 7 years.
6. Another respondent to the questionnaire reported a life-time of disability hate crime towards either themselves or one of their service users (not specified) on account of their deafness. The type of abuse involved bullying, fighting, verbal abuse and physical abuse by numerous perpetrators. The disabled person suffered through their school days and also experienced such abuse from their work colleagues – people who were known to them but whom they did not consider to be 'friends'. They stated that they perceived the perpetrators' motivations as being "to gain personal pleasure".
7. A respondent from an organisation that provides employment and learning services to disabled people and people with health issues, provided an example of a service user who experienced several separate incidents of disability hate crime and was "Violently assaulted, verbally abused, robbed at knife point and had money stolen from their home/accounts and had property vandalised." This person had multiple disabilities which included visual impairment, mobility problems (wheelchair user) and a learning impairment. With regards to the number of perpetrators, in the case of robbery/theft there was one perpetrator, and "four plus when physical and verbal abuse was being dished out". The respondent mentioned that with regards to the relationship with the perpetrators, the "robber from home and bank was either a friend or care worker and other incidents were carried out by strangers (usually aged 16-24)...mainly young males." The respondent perceived the main motivations of the perpetrators to be "fun and greed".

There were many other examples of disability hate crimes provided by respondents to the questionnaire, however, permission was not given to use these other examples in the report.

The above examples from and around Glasgow highlight the often recurring nature of hate crimes and the constant suffering of some disabled people who are victims of such crimes. As also highlighted through findings from the literature review and the case study of hate crimes in Scotland, a misunderstanding of mental health issues was linked to sex offending and the abuse of children. Such false beliefs resulted in a person with schizophrenia being labelled as a paedophile and ostracised by their community as a result. This highlights the need to challenge negative stereotypes relating to disability, and in particular, mental health, and to provide education and general awareness raising in order to counter the discrimination that often occurs as a result of false ideas relating to 'difference'. The fourth example also aligns with previous findings relating to the abuse that people with learning difficulties can face from perpetrators whom they mistakenly perceive to be their 'friends'.

Do you have any other comments?

Additional comments made by survey respondents included the following:

"Usually people are very kind and open doors and come to our assistance if we are in trouble like in the snow it was hard for my carer to get my wheelchair up the ramp into my car"

"It is important that the issue is kept on the agenda and the public are aware"

"I think that some people with disabilities would not see themselves as victims of hate crime but would think someone was having a laugh and this was ok" (mother of disabled son with severe learning difficulties).

PART 3

STAKEHOLDER CONSULTATION & RECOMMENDATIONS

Chapter 7: Consultation with Disability-related Organisations.

Methodology

In order to gain specific insight into how to address gaps and improve services for victims of disability hate crime, consultation was sought with various disability-related organisations.

- A list of around 100 potential organisations to consult with in Glasgow was compiled using an online database (GCVS Infobase).
- The remit was subsequently widened to a national level through contact with Anne Novis, Stephen Brookes and Katharine Quarmby (lead campaigners and academics in the UK against disability hate crime), who circulated the questionnaire designed for this consultation amongst their networks.
- Unfortunately the response rate, both to invitations to meet and discuss issues pertaining to disability hate crime, and to completion of an online and email questionnaire, was relatively low, with there being a total of 11 responding organisations.

Means of Consultation:

Consultation was sought via a combination of face-to-face meetings, email and telephone communication and/or completion of an online questionnaire.

One of the Glasgow-based organisations, People First, held a consultation/focus-group with their service users in answering the questionnaire, and fed back the responses.

Participating Organisations:

The organisations that participated in the consultation are listed below:

- Action on Hearing Loss Scotland – Scotland
- Common Knowledge - Glasgow
- Disability Hate Crime Network – West Sussex (regional and national work)
- Disability Information Greater Glasgow (DIGG) - Glasgow
- Glasgow Association for Mental Health (GAMH) – Glasgow
- Ishara Project – based at Deaf Connections, Gorbals – Glasgow
- People First – Glasgow
- United Kingdom Disabled People’s Council (UKDPC) – UK
- Vision Sense – Tyne and Wear
- Voices of Experience (VoX) – Glasgow branch
- Wise Women – Glasgow

Several key issues emerged from the consultation. These are explored below:

Reporting

It has been said that “one of the fundamental problems associated with disability hate crime is that most of these crimes are not reported at all. Reasons for the failure to report a hate crime may include the victim’s shame, fear of retaliation, or fear of not being believed. There is therefore an urgent need to provide more support for disabled victims of hate crimes, and to encourage more people to recognize that some of their experiences of ‘abuse’ are actually ‘hate crimes’. Also, there is a need to remove bureaucratic inefficiencies which impede the hate crime reporting process”. (Mark Sherry, p. 119).

With regards to levels of awareness of reporting procedures among both services and service users,

- Responses ranged from ‘Very Good’, to ‘Below Average’ and ‘Poor’.
- In some cases, awareness and understanding as a service was ‘Good’, whereas amongst service users it was ‘Below Average’ and ‘Poor’.
- In the one case where awareness amongst both services and service users was ‘Very Good’, the responding organisation was a ‘user-led organisation of disabled people...delivering training, policy research and advocacy services across the UK....using (a) third party reporting system and supporting victims through advocacy and case work.’
- Awareness on the part of the organisation was always either better than or the same as awareness of service users.
- For organisations that do not deal specifically with third-party reporting it appears that there is a need for greater awareness and understanding as to what hate crime is and what the various avenues are to reporting such crimes.

One organisation commented that,

“We would say that most people have not heard of third party reporting. Some have, and know a lot about it, but not most people. Most of us know about calling the police, and know the 999 number. But most members do not know more than that. Some members are quite aware of other things they can do to protect themselves, such as carrying a personal alarm, etc.”

The actual responses are highlighted in the table below:

| | Awareness of Organisation of Reporting Mechanisms | Awareness of Service Users of Reporting Mechanisms |
|------------|--|---|
| 1. | Very Good | Very Good |
| 2. | Very Good | Below Average |
| 3. | Very Good | Below Average |
| 4. | Good | Average |
| 5. | Good | Below Average |
| 6. | Good | Poor |
| 7. | Good | Poor |
| 8. | Average | Poor |
| 9. | Below Average | Below Average |
| 10. | Below Average | Poor |
| 11. | Poor | Poor |

Some of the main barriers to reporting that were discussed included

- A lack of awareness and understanding of hate crime and reporting procedures,
- Various fears regarding reporting, and
- Underlying attitudes relating to the perceived futility of reporting in the first place.

The following quotes highlight the various responses given regarding the main barriers to reporting disability hate crime, including both multiple-choice responses from the questionnaire and additional suggestions that were given by the respondents.

From the multiple-choice responses,

- 64% said lack of awareness/understanding of reporting procedures was a barrier to reporting;
- 45% said services were not sufficiently accessible;
- 100% reported that fear was a problem, and
- 73% said concerns around confidentiality were a barrier to reporting disability hate crime.

Respondents also stated that:

“Services are not sufficiently accessible, fear (of authority, of not being believed, of repercussions), concerns about confidentiality, ‘being referred to social services and losing care of children, family or housing if they report, especially given No Secrets policy’.”

“Accessibility of reporting is the first issue, more often than not police reporting systems are not accessible to blind, deaf, those with speech impairments, police stations often not accessible for wheelchair users either...many disabled people just do not realise they can report such abuse to police.”

“Lack of awareness/understanding of reporting procedures, fear (of authority, of not being believed, of repercussions), concerns about confidentiality, ‘not identifying oneself as disabled. Being used to abuse and viewing it as part of normal life’.”

“Lack of awareness/understanding of reporting procedures, fear (of authority, of not being believed, of repercussions), concerns about confidentiality, ‘fear of reprisals, lack of awareness of the definitions of hate crime and that they apply to people with mental health problems’.”

Another issue that was mentioned related to the perceived futility of reporting on the part of many victims of disability hate crime who may feel that “There’s nothing you can do anyway so why bother?”

Furthermore, it was said that there are “deep seated community attitudes about reporting problems – you ‘just put up with things’, ‘don’t make a fuss or complain about your neighbours’. There is a stigma around complaining about other people and realistic fears of repercussions if they report and/or are found out...For many people with mental health issues there is a great deal of fear...even in their everyday lives; fear of leaving the house, fear of repercussions, fear of authority. Therefore it is a massive hurdle to report; there are many barriers and a lot of fear, including fear of official presence”.

“Fear (of authority, of not being believed, of repercussions), concerns about confidentiality”.

“Services are not sufficiently accessible, fear (of authority, of not being believed, of repercussions), concerns about confidentiality, accept it as part of daily life e.g. name calling etc”.

“Lack of awareness, understanding of reporting procedures, services are not sufficiently accessible, fear (of authority, of not being believed, of repercussions), concerns about confidentiality, services’ lack of understanding of disabled people’s needs, being made to feel “a burden” or “demanding” if you have multiple access needs, stereotyping”.

“Lack of awareness, understanding of reporting procedures, fear (of authority, of not being believed, of repercussions), concerns about confidentiality”.

Anne Novis of UKDPC highlighted some of the challenges involved in addressing such barriers:

“Most importantly believe any disabled people when they share such reports as so often we have not been believed by anyone and therefore failed, it’s better to believe than ignore and not respond until a case leads to physical harm or death”.

Third-Party Reporting System

The question was asked as to whether it would be better to have many general third party reporting centres across the city, or fewer more specialised centres, or a different system of reporting disability hate crimes. There was a range of responses to this question.

Of the 11 responses,

- 36.3% preferred a different system of reporting (specific suggestions as to what this may entail are given below),
- 27.3% did not specify an answer,
- 27.3% preferred many general centres, and
- 9.1% fewer more specialised centres.

It was emphasised that “third party reporting is a must as most disabled people would rather speak to another such person or organisation than the police; enable these organisations to take reports and you will see an increase”.

Another organisation also suggested that it is better to have many general centres: “General centres, which have disability equality training and disabled staff/volunteers in them. Also, a contractual obligation for centres (including rape crisis and community centres) to have regard for disablist hate crime under the equality act”.

Different System – “A range of approaches for reporting so that people can access the most comfortable one for them. Third Party Support (not reporting) centres, so that one can get support first, and with this support make an informed choice of whether or not to report”.

“Different system. A mix of both would be best as they each have their positives”.

“Fewer more specialised centres”.

“Different system. Start at school, teach not to accept the current situation”.

“Different system – a tweak more than a change! We like the idea of lots of general centres but maybe when listing a hate crime centre it would be useful to state if they hold specialised knowledge as it is not always immediately obvious....this may encourage people to report if they feel the centre may have a better understanding of the issues they are dealing with.”

“Many general centres”.

It was mentioned that although it is important for staff to be trained with regards to hate crime and reporting procedures, it is also very important for people with learning difficulties to know for themselves what hate crime is, how to identify when it is happening to them, and what to do/how to report this, and where to go for help. This needs to be taught in ways that are accessible and helpful for them.

One organisation mentioned that,

“We think it is a good idea to have more of them. But it is important that people with learning difficulties know about them and what they’re for, and how to use them. It is also important that we are allowed to use people that we trust. People that we already know and feel comfortable telling things about ourselves.”

It was also suggested that the third party reporting centres and the reporting form itself need to be more accessible, in particular for people with learning difficulties, for example having pictures/a visual prompt to aid understanding. It is also necessary that disabled people’s needs for various alternative formats and means of reporting are taken into account and are sufficiently accessible.

Training and Connections

Respondents highlighted the importance of training specifically in relation to the police. In order to encourage disabled people to report hate crime it is important that police officers themselves have good connections with relevant organisations and within the community, as well as being well informed as to the variety of issues relevant to disabled people. Research into crime and abuse against people with learning difficulties has also highlighted the importance of community police connections in terms of deterring perpetrators. "Simple measures can often be effective and reassuring. Individuals being able to quote the names of police officers, or carrying cards with the name and photo of the Community Police Officer which can be shown to abusers, can be useful. One woman recalls, 'These boys came up to me and started pulling my hair and shouting at me. I said, I'll tell my friend Dave Jones about you. He's a policeman. He'll soon sort you out. They went away then'. The occasional appearance of uniformed officers in the vicinity of day centres and residential homes, can remind potential offenders that their actions may not go unreported. Another woman explains, 'I had a lot of trouble with school kids. We told the police and next day, when I was waiting at a bus stop, this police car pulled up and the officer said to me, "Hello. Are these the kids that are bothering you? Don't worry, I've had a good look at them." There's been no more trouble.' People with learning disabilities experience much victimization on buses. In London, the police are now given bus passes by the operators, with the effect that they now have a high level of free policing of their busses." (Invisible Victims, crime and abuse against people with learning difficulties. Christopher Williams, 1995, page 44).

With regards to communication with the police, respondents said:

"Ensuring police officers take any reports seriously is also important, so many dismiss us or say it's something we should get used to, so awareness raising and training is important...police having connections with local disability organisations, day centres and homes can enable reporting too".

"Deaf and hard of hearing people are even less likely to report crimes against them because some find it difficult to access police services. For example, police stations may struggle to find interpreters at short notice when deaf people who use BSL as a first language want to report a crime. As a young deaf man who tried to report a crime at his local police station recalls: "I had to wait for an interpreter at the police station from 4.30pm to 10pm and in the end, I was tired." Also, police officers may not be trained in deaf awareness and therefore may not be aware of how to communicate with deaf and hard of hearing people. Good practice would include police officers facing someone reporting a crime who relies on lip reading, speaking clearly but not too loudly or slowly, and using plain English".

"Some of our members have had bad experiences of dealing with the police in the past. They felt they were not listened to, and not taken seriously. This puts them off going to the police again. Many people with learning difficulties do not feel they have a right to complain. All their lives they have had no power and have always been pushed around by everyone. So when bad things keep happening to them, it doesn't matter how bad it is, they just accept it. They think that's the way it's meant to be for them. A lot of our members also say they're scared of making things worse if they go to someone for help – especially the police. We do want to say though that things are a lot better than they used to be. Members who have dealt with the police more recently, tell us that they were very helpful and understanding."

Publicity and Communication

“The emergence of anti-hate advocacy groups, and particularly the spreading of their message through the Internet, represents an important development in the fight against hate and bigotry...One increasingly popular approach to combating hatred has come in the form of persuasive public awareness campaigns and mass media publicity, both by independent organisations and advocacy groups, and by government and law enforcement agencies. In a society where we are constantly and inescapably bombarded by advertising messages at every turn, such an approach has become popular presumably because of its ability to inform and ‘educate’ a large audience with relative ease.” (Nathan Hall, Hate Crime p. 229-230).

With regards to communication and publicity, a key issue that arose in various responses related to the terminology used with reference both to ‘disabled people’ and ‘hate crime’. Where organisations or individuals do not perceive themselves to come under the definition of ‘disabled’ or do not consider the abuse they experience to be ‘hate crime’, even if technically speaking, they are experiencing disability hate crime, then it is not likely that they will utilise the relevant avenues of support. Lack of awareness of what hate crime is was cited as a particular problem, and it was suggested that there should be clarification of terminology, education, advertising and awareness raising across all forms of media in accessible formats, as well as greater communication by means of sign-posting through different organisations and online links such as through ‘Facebook’ and other networking sites that disability groups may already be utilising. Some specific responses are highlighted below:

“Please try using dignified terminology which disabled people choose for themselves, like disabled and Deaf people. Please adopt the social model and avoid using random impairment labels – don’t you want to include people with sensory impairments or brain injury in your services, for example? The language you choose sends important messages to people about how we will be treated if we engage with a service. Make information accessible (using radio instead of print, for example) and have outreach staffed by disabled people and user-led advocacy groups themselves. Ensure any publicity does not induce fear or stereotype young people (who are not the main perpetrators). Ensure disabled people who live in residential settings have the chance to choose their PAs and that advocates and inspectors gain regular access to sessions where people can disclose targeted violence or abuse by staff (this is often hate crime). Embed safety and security into every disabled person’s support plan for independent living, to ensure it is not only a service which responds when there is a crisis, but is also preventative”.

“Drip-drip advertising and awareness campaigns across all media. Have soap operas on TV, etc, cover examples of DHC in story lines”.

“Disability in our view can generally lead people to think about the seen disabilities such as physical and many people with mental health problems do not consider themselves to be disabled so there is a need to explain it a bit better to include learning and mental health issues specifically along with physical”.

“TV ads, etc showing ‘ordinary’ everyday stuff, let the public know it is not acceptable or a bit of a laugh to name call etc”.

“Advertising what DHC is, describing how it’s about hostility due to a person’s disability or impairment is important as so many disabled people just do not realise they can report such abuse to police. Get active on websites that promote reporting for disabled people, True Vision, Stop Hate UK, Voice UK, Capability Scotland, Facebook sites too”.

“Training to support people to report. Communication. More information, more openness, better communication.

“People who are deaf or hard of hearing prefer using online sources of information and SMS. The information should also be in plain English for people whose first language is not English....all awareness-raising publications used by the criminal justice system are published in a BSL version of DVD as well as online. Publications should be written in plain English for deaf people whose first language is BSL and for whom access to written English may be challenging”.

“Contacting existing services and networks for distribution and working in partnership to set up information days and events in local communities, or with specific target groups. Publicity stating who the information is for tends to attract more attention from specific groups of people, i.e. “Information for Deaf People” etc, plain English, easy access leaflets and flier distribution in community and public services including health facilities, libraries, shopping centres, bingo halls, anywhere the public goes basically, adapt materials to British Sign Language, speech and Braille distributing to websites.”

“Engage with key public agency workers, e.g. NHS, Social Workers, and give information to them to distribute. Work with community groups/voluntary organisations that work with disabled communities and separately with individual types of disability, e.g. deafness, blindness, mental health, learning difficulties, physically impaired, etc.”

Multi-Agency Work

The following quotes from respondents highlight the importance of multi-agency working, and that disability hate crimes do not occur within a vacuum, and a variety of services need to be involved in order for disabled people who have experienced hate crime to be able to receive the help they need.

“There should be a forum – bringing together coherently into one group where people can tell their friends, filtering out to other groups and the wider community – a chance to speak to the police, and opportunities for learning and discussion that provides different forms of accessible learning. A means to know what hate crime is, how it is defined, to have further information and information sharing, sign-posting, finding out what they would do if they experience disability hate crime”.

“All agencies not just disability ones should be preventing harassment of disabled people, housing, social services, etc work together, form a multi-agency hate crime group which includes representatives of disabled people’s communities or organisations”.

“Work closely with housing associations. There are re-housing issues – if someone with mental health issues who is experiencing problems where they live and are re-housed; they can face other difficulties for example in coming into a small close-knit community – hostility towards people who are ‘not from this area’ can be difficult.”

Not only should disabled people have an avenue for expressing their needs and concerns and receiving relevant support, but it has also been recommended that disabled people, and in particular those who have experienced hate crime, should have a central role in developing services. Key organisations including the police, housing providers, social work, disability groups and relevant others need to develop a more holistic approach of addressing disability hate crime. Further to this, the need for specialist approaches should be taken into account as ‘disability’ involves a wide variety of experiences and there is necessarily a range of issues and a spectrum of needs to be taken into consideration.

Societal Contexts

The importance of considering 'hate crime' within a wider context emerged from various responses. Research has shown that "some of the factors which contribute to the cultural devaluation of disabled people, raising the risk of criminal victimization, include: negative stereotypes and prejudice about disability; the marginalization, disempowerment and poverty levels experienced by disabled people; and prejudicial perceptions about the lack of credibility of disabled victims. It is not coincidental that disability hate crimes occur against a backdrop of social exclusion and marginalization. Hate crimes are sometimes described as crimes about power – they are one link in a long chain used to sustain inequality and power imbalances, directed mostly towards marginalized and stigmatized groups (Perry, 2001). In this context, it is important to identify the social, cultural, economic, physical and psychological factors which contribute to a climate in which disabled people become the victims of hate crimes." (Sherry, p. 117).

Respondents noted that,

"People with learning difficulties tend to live in low-cost housing, such as Govan and Castlemilk; areas with drug and alcohol issues, anti-social behaviour, are generally the types of places where people with learning difficulties are housed."

Therefore, hate crime occurring within such contexts may be one of many issues impacting upon a disabled person's life (and hate crime may not be the principal concern or difficulty in such contexts), and there may be multiple forms of prejudice and abuse against different aspects of their identity. In such areas, it was remarked, there may be heightened levels of fear around voicing one's experiences of abuse, particularly with regards to retaliation, repercussions and negative consequences within an unsettled environment.

Other issues noted, related in one instance to "work done around the East End (of Glasgow)...where people are particularly vulnerable. There are many issues including mental health and social issues, poverty, poor housing, lack of opportunities, drug and alcohol use in particularly deprived and vulnerable areas."

Some sympathy was also expressed with regards to perpetrators of hate crime, within such contexts, especially in cases where they are young people who may be facing a variety of serious issues themselves, and who also may be facing victimisation and abuse. It was highlighted that there should be interventions in place, and more opportunities, awareness raising and where appropriate, mediation with perpetrators.

Within such social contexts, hate crime was identified as impacting upon the everyday existence of disabled people, touching the school system, colleges, public transport, etc. It was noted that many service users who are victims of such abuse may utilise 'avoidance techniques' in order to minimise the harmful effects upon their day-to-day lives, but in the process diminishing their quality of life.

Victims' Experiences

A common theme that emerged from responses regarding victims' experiences of disability hate crime was that the impact of fear and distress caused by hate crime contributes to avoidance and self-limitation. There is also a fear of reporting due to expectancy of retaliation, deep seated community attitudes that stigmatise seeking help and/or reporting crime, often accompanied by a lack of knowledge or sense of helplessness that anything can be done, and that abuse should just be tolerated.

"There are the everyday incidents, rudeness, name-calling and being sworn at that are taken as part of life and just accepted. There is one death...and one assault; the latter was never reported to the police for fear of personal come backs. There are several cases of workplace, and social bullying, again unreported because of the same reasons".

"We do hear anecdotally and informally from our members about many instances of stigma against them due to their mental health problems many of which can be name-calling, verbal abuse and intimidation". (There was a lack of awareness that these can be reported to the police).

"So far we have had no reports from our service users but they are aware of reporting it".

"We have all had bad experiences at times. Anyone who has gone to a day centre on a centre bus has had insults shouted at them. Many people have had stones thrown at the buses. It is mostly young people that do this. They use words like spazzies, spastics, handicapped. On public buses, we are often stared at and hear people making comments about us. Young people often shout abuse at us and threaten us. Other members have told us about having things thrown at their windows, and people shouting bad things through their letter box. One man told us that he was recently attacked in the street on his way home. Being a victim of hate crime makes us feel angry and very upset. We feel that things get worse when the economy is bad. In hard times, people have more resentment towards us, and are quicker to look for someone to take it out on."

"People with learning difficulties experience a wide range of abuse. They also have problems with accessing services and seeking help... They may experience cyber-bullying such as on social-networking sites. They may put themselves at risk, compromising their confidentiality, by giving out information to so-called friends. This can lead to various forms of abuse and what could be called 'mate crime'."

"People with mental health issues who experience verbal abuse/hate crime often limit their routine and lifestyle. They may stay indoors because of fear of being targeted, or change their routine or develop 'avoidance techniques'."

An example of such avoidance was given regarding a man with mental health problems who, due to an intense fear would regularly climb out of his back window to leave his house rather than use his front door because of wanting to avoid perpetrators who abused him in the street.

"Perpetrators – many are young people, teenagers and school children who have their own set of social problems and issues growing up in vulnerable communities...many 'victims' have a deep seated fear of young people, they fear school holidays and stay indoors".

Action on Hearing Loss Scotland provided some detailed illustrations and case studies outlined below:

“Deaf and hard of hearing people are also more likely to be victims of hate crime. An RNID survey of our members found that 14% of respondents in Scotland said that they had been a victim of physical or verbal assault because of their deafness or hearing loss. Deaf and hard of hearing people are victims of a wide range of crimes from name calling through having tyres slashed to grievous bodily harm. In this context, disability-related crime creates an environment where deaf and hard of hearing people and their relatives and friends feel unsafe and unable to enjoy life to the full. Living in a climate where abusive behaviour occurs instils a fear in disabled people which may prevent them from leaving their home, particularly in the evening. Only 34% of the respondents to RNID’s Annual Membership Survey who live in Scotland said that they felt safe when walking around their neighbourhood during the night. The case studies below illustrate that deaf and hard of hearing people are the target of hate crime.

The following two case studies were provided by Action on Hearing Loss as examples of disability hate crime. However, it is not entirely clear whether these were motivated by targeted hostility against disabled people, or more so because of opportunism.

Case Study 1: A deaf young man became homeless and was housed in a hostel. He was placed in a ground floor room in a hostel (which made it easier to break into) where he shared facilities with other people. Because people knew that he could not hear them, the man experienced a string of robberies when he was asleep.

Case Study 2: A deafblind woman who uses a mobility cane to get around has had to stop her daily walks in the park after a group of young people repeatedly attacked her, taking away her mobility cane. Without her mobility cane the woman cannot move around safely and her impairment makes it very difficult for her to ask for help.

Victims of hate crime can include people associated with deaf and hard of hearing people. Hearing people such as carers, friends and family who are associated with the deaf person, for example because they use sign language, can become victims too. In 2006, the BBC’s See Hear programme showed a deaf family in Bristol who were victims of a series of crimes related to their deafness. There is anecdotal evidence that hearing members of families with a deaf person may fall victims to crimes because their relative is deaf. These people, especially where it concerns children, need protection too”.

Intervention and education work/awareness raising and Disabled People Leading

Some of the responding organisations have been involved in various education and awareness raising programmes, and the benefit of peer advocacy and training was highlighted. For example, one project (Common Knowledge) involved road-shows in educational establishments where disabled people who had experienced hate crime spoke about their experiences and delivered training. The positive aspects of such an approach, which increased credibility with other people experiencing disability hate crime, was stressed. Training and workshops around identifying hate crime, knowing what a 'friend' is and when, particularly people with learning difficulties might be experiencing 'grooming', bullying or 'mate crime' were said to be beneficial. Not only was the importance highlighted of involving disabled people who may have experienced hate crime in the process of delivering training, workshops, etc, but it was also mentioned that they should be involved from the outset in developing such programmes from beginning to end.

A common branch of work involved tackling stigma including (but not exclusive to) work done in schools to educate young people in order to reduce stigma and stereotypes around mental health and learning difficulties.

"We do work in schools to educate young people to reduce stigma around mental health. Stigma involves fear and misunderstanding by perpetrators having negative stereotypes around mental health."

Another organisation highlighted the benefits of campaign and educational work.

"We have self-advocacy groups all over Glasgow that meet regularly. At these groups, members get the chance to talk about what's happened to them, and how they feel. We share experiences, and support each other to deal with problems. We campaign on issues that are important to people with learning difficulties. In the past, we've gone into schools and done presentations. This is to show the kids how it makes people feel when they shout names at people, etc. And it shows them that disabled people are just like them when they get to know us. We also campaign for an end to special needs schools. We think anything that marks us out as different just makes things worse. If all kids went to the same school and mixed in together, there wouldn't be as much of this kind of crime."

An example was given wherein neighbours were complaining about someone with mental health problems. They had a lack of understanding of the situation, but following a process of mediation, an amicable resolution was reached.

Other initiatives specifically addressed stigma surrounding mental health, providing education and support to those who had been affected by such stigma as well as providing awareness raising and training on an organisational level. However, due to a lack of understanding of hate crime, and problems with the terminology relating to 'disability' and 'hate crime', abuse relating to stigma was being treated as a separate issue and therefore avenues for reporting hate crime were not explored. This highlights a need for training and awareness raising on an organisational as well as an individual level.

Programmes also involved elements of external input whereby processes for regular consultation were in place with regards to how to improve services and plan for future service delivery.

Support for Services

The question was asked as to 'What kind of support would help your service to respond better to hate crime against disabled people?'

Responses included the desire for specialist training and resources, education and awareness raising, and listening to the views of disabled people:

"Specialist training on hate crime issues. Mental health specific publicity material to inform people that they have a right under the hate crime law to report hate crime targeting them due to their mental health problems".

"Staff training. Forums/awareness-raising with mental health. Training to support people to report".

"Additional resources".

"Additional resources, more information in British Sign Language, preferably online".

"In terms of campaigning, we just want to be listened to. In the past we have approached schools in areas where members have told us they are having problems with harassment, etc. The schools have refused to let us in to talk to the kids. That has been very frustrating. Because we think these problems are best dealt with by everyone working together. If the council and police could do more to make schools take this problem seriously, and to involve us in tackling it, that would help. But the problem is bigger than this. Basically, the attitudes of people at every level of society need to change. A lot of professionals are just as bad as kids on the street. Just because they don't physically attack us doesn't mean they don't think about us in the same way. People feel it is ok to treat us the way they do because when they look at us, they don't see someone who is equal to them. They see us as less than them. Local authorities can start supporting us by stopping putting us in services that mark us as different from everybody else: special needs schools; day centres; long-stay hospitals; etc."

Barriers to Services

Questions were asked regarding barriers caused both by action and omission. Respondents provided some suggestions for improvement.

A problem was identified regarding “paying for residential, segregated institutions where most attacks on disabled people happen”.

One respondent wrote that, “Using disability as a holistic term for physical and mental disability is unhelpful for our members”.

“Very few services are or can be fully barrier free so yes it is likely, but I’m unaware of what they are. Many women we work with do not have access to the internet; information being produced by many services is online and considerations need to be given to the use of jargon, language and literacy needs or (ensuring service users) are able to access information online unassisted highlighting confidentiality issues”.

With regards to what we can do better/what we need to do, respondents suggested that

“Some local authorities are not ensuring disabled people’s user-led organisations are resourced to provide advocacy for the victims and Survivors.”

It was also suggested that we should be “talking to mental health service users on how best to help them come forward to report a hate crime”.

“Need accessible communication equipment i.e. Minicomms, SMS etc for Deaf People”.

“How many from the police workforce are disabled? There needs to be more presence internally”.

“Not providing much information in British Sign Language for Deaf People. Lack of engagement across broader deaf community”.

“As we say, things are a lot better than they used to be. However, our members have told us that the police were very helpful once they told them they had learning difficulties. But some members do not like to say to people they don’t know that they are disabled. So it is important for police to be trained to be aware when someone might have a learning difficulty, and to not just get impatient with them. It is always useful for police to visit organisations and services that support people with learning difficulties. The more chances we get to meet and talk to the police, the more confident we will feel about reporting things that happen to us.”

Support for Victims

What would you like to see us doing to better support people who are experiencing disability hate crime?

“Resource user-led advocacy services staffed by disabled people”.

Provide “more clarity on what might happen when they report a crime”.

“Employ disabled people to support/help/enable them to report”.

“Referring people to services who can provide ongoing support during and after reporting”.

“Support their access needs but treat them like any other victim of a crime. They don’t need to be patronised after being discriminated against. ”

With regards to reaching service users, one organisation commented that

“We feel this is something we could help with ourselves. We would be able to pass on information to people through the groups that we have meeting all over the city. Research on self-directed support shows us that people with difficulties have more trust in user-led organisations than traditional services. When the Adult Support and Protection Act came in, we were asked by some local authorities to provide training for people with learning difficulties. This helped to raise people’s awareness and inform them of what to do. Maybe we, or other user-led organisations, could do the same for third party reporting, etc. Also it is important for social workers to be passing information to individuals and organisations who work with people with learning difficulties.

What can be done better to address perpetrators of hate crime?

“Ensure that people are prosecuted and that the media reports on this”.

“Help them see the other person’s perspective”.

“Monitor and evaluate how current legislation is being implemented in Glasgow and its effectiveness. Monitor and evaluate sentencing of DHC perpetrators feeding back to appropriate agencies to improve policy and practice, get into schools and work with young people before discriminatory attitudes develop”.

“Impose tougher punishment in terms of fines and sentences”.

As mentioned previously, disabled people may face a variety of issues relating to other aspects of their identity and which may also play a part in the hate crime they experience. It is worth keeping this in mind when planning service delivery, however it was not within the scope of this report to explore such issues in any depth. The chapter that follows draws upon findings taken from the above consultations with organisations, as well as from a review of the relevant literature, to produce a list of key recommendations for future action.

Chapter 8: Key Findings and Recommendations

Key Findings

Several key findings emerged from the literature review, case studies, the survey into perceptions of perpetrators' motivations and from the consultations with disability organisations. The main findings are detailed in the sections that follow:

Frequency and nature of disability hate crimes

- Disability hate crimes occur on a frequent basis and can take a variety of forms ranging from verbal abuse to murder. Literature on disability hate crime suggests that disabled people are often the subject of persistent attacks and that "the incidence of abuse of people with disabilities may be as much as four times higher than it is with the non-disabled population" (Mencap, 2001, p.1). However, most disability hate crime goes unreported.

Negative social attitudes and stereotypes

- It was found that negative social attitudes towards disabled people, false stereotypes, 'casual disablism', hostility and ignorance all contribute to disability hate crime.

Victims' experiences of disability hate crime

- Victims of disability hate crime and hate crime in general may experience a greater level of trauma than victims of non-bias crimes, including a fear that they will be targeted again because of their identity. As hate crimes target identities and social groups, the impact upon communities of people who share the same 'protected characteristic' can also be severe.
- Disabled people who experience hate crime may often feel fearful in their own homes, communities and using public transport. A common reaction to the fear of recurring abuse is to employ avoidance techniques and self-limiting behaviour, including changing normal everyday routines (and in some instances, moving from their place of residence).
- There can be a variety of relationships between perpetrators and victims of disability hate crime, ranging from strangers to family members, 'friends' and acquaintances, and a variety of types of hate crime including one-off incidents and longer-term abuse or 'mate crime' (which can also include abuse via technology).
- In some cases, especially regarding 'mate crime' and 'grooming' of people with learning difficulties, it is not always initially clear to the victim that they are being abused. The need for training for staff and victims on all aspects of hate crime was highlighted, including more in-depth support by specialists when required.
- More work needs to be done regarding disability hate crime that occurs within the context of housing, public transport and public services, and education.

Reporting

Impediments to reporting disability hate crimes were found to include the following:

- Lack of awareness of reporting systems amongst both victims and staff/organisations.
- Confusion regarding terminology around 'disability' and 'hate crime'.
- Lack of awareness of current legislation.
- Lack of confidence in reporting systems and in the criminal justice system.
- Victims' concerns about confidentiality, fear and mistrust of authority, a sense of futility that reporting won't make any difference and that there won't be any follow-up, and the perception that disability hate crime is something that is inevitable and to be endured.
- Stigma around complaining.
- Services and publicity materials are not always accessible.

Engagement with Police

- The importance of community police connections and presence was highlighted, both in terms of building trust and links with disabled people and groups, and with regards to deterring perpetrators of disability hate crime.
- The issue was raised regarding the need for awareness raising and training for police on specific issues relating to disability.
- Some issues regarding communication and accessibility were highlighted, such as difficulties making initial contact with the police, the need for BSL interpreters and more accessible publicity material and the need for other forms of specialist services in some cases.

Publicity and communication

- Concerns were raised regarding accessibility of publicity materials, and lack of clarity around terminology.
- The benefit of utilising online networks was highlighted, as well as being aware that a variety of means of communication need to be in place in order to ensure accessibility.

Multi-agency work

- The importance of multi-agency work (both in terms of service response and forums for disabled people) in responding to disability hate crime was highlighted.
- Key organisations including the police, housing providers, social work, disability groups and relevant others need to develop a more holistic approach to addressing disability hate crime. The need for specialist approaches should also be taken into account.

Disabled people leading

- The importance was highlighted not only of support services for disabled people who have been affected by hate crime, but also of peer support, and disabled people who have experienced hate crime having a central role in developing services.

Training and support

- Several training needs were identified including for victims of disability hate crime (for example, in identifying hate crime and knowing how to seek help), and for police, staff and service providers, and 'sign-posting' agencies.
- It was found that support for disabled people needs to be in place throughout the process of identifying hate crime, making relevant referrals, reporting to the police and/or third party reporting centres, including the provision of longer-term and specialist support, and assurance that there will be confidentiality and 'follow-up' to the reporting.

Perpetrators

- There is a need for education, awareness raising, intervention and diversionary activities, and mediation processes for perpetrators of disability hate crime. The wider social context within which disability hate crime occurs also needs to be taken into consideration. Legislation regarding hate crime needs to be made more widely known. It is also important that the behaviour of perpetrators is addressed and dealt with effectively, in order that victims of hate crime are not forced to employ avoidance techniques in order to survive.

Recommendations

Training, Education and Awareness Raising

- Awareness raising and training around disability hate crime should be considered a priority. It should be noted at the outset that problems exist around the terminology relating to both 'disability' and to 'hate crime' (for example people with mental health problems and/or those who experience bias-motivated incidents that are not 'crimes' may not report), so that training and awareness raising can be targeted appropriately.
- Not only should staff within relevant organisations receive training, but disabled people themselves should be empowered to be able to understand, identify and report hate crimes that happen to them. This requires taking into account specific learning and accessibility needs, and an awareness of a variety of disability hate crime, including for example, 'grooming' of people with learning difficulties. A holistic multi-agency approach may be beneficial in this regard.
- Resources and training for disabled people and support staff should be in place to address issues around personal and community safety in relation to hate crime. Additionally, support should be in place to help disabled people deal with the various short and longer-term effects of hate crime.
- Measures should be in place to address any lack of awareness on the part of carers and support staff of disabled people in relation to hate crime.
- Police dealing with disability hate crime should also be adequately informed of various issues relating to disability, and specialist training should be in place as required.
- Work in educational establishments and community groups to address stereotypes and attitudes towards disabled people should be continued. It also would be beneficial to incorporate awareness raising of the effects of disability hate crime, including hearing from those who have experienced DHC.
- Online resources can be better utilised in order to increase awareness of disability hate crime, through links with relevant parties.

Accessibility of Services

- It is essential that services should be fully accessible for disabled people. This may include, for example, adaptations to premises, accessible communication equipment such as Minicomms, SMS / text-phones, publicity materials being made available in a variety of formats, specialist training for staff, etc.

Reporting

- Police, Third Party Reporting Centres, and other relevant parties need to increase levels of awareness of reporting procedures for disability hate crime. As far as is possible, mechanisms of reporting should be tailored to meet the needs of victims with a range of disabilities. Sign-posting should be in place across a variety of services, to increase awareness of disability hate crime.
- Police should continue to forge links within the community and disabled people's groups and organisations.
- A deeper work needs to be done to begin to address some of the prevailing attitudes relating to disabled people's experiences of hate crime, including the perception that DHC is inevitable and to be endured, and also in order to minimise fear and distrust of police and/or fear of repercussions that may ensue from perpetrators as a result of reporting.
- It was suggested that when listing hate crime third party reporting centres, to state whether they hold specialist knowledge of particular equality strands.
- Peer support during the reporting procedure may be beneficial.

Joint working

- A comprehensive approach to challenging disability hate crime should be developed across various sectors including the police, community safety organisations, housing providers, public transport authorities, voluntary sector organisations, service providers for disabled people, advocacy and campaign groups, etc.

Perpetrators

- The case studies revealed the benefits of offender management, and mediation with perpetrators of hate crime. This could also include early intervention and diversionary activities for certain groups. This is important in order to counteract the common response of victims of hate crime feeling forced to move and/or change or limit their daily routines and behaviour.
- Educational work in schools to challenge stereotypes and raise awareness of the harm and distress caused by disability hate crime.
- It is essential that disabled people should not have to feel fearful in their own homes and neighbourhoods, and community safety measures should be in place for addressing these concerns.

Disabled People Leading

- Disabled people should have a key role in the consultation process regarding improving and planning for future service delivery, and also in terms of providing advocacy and peer support for victims of disability hate crime.

Monitoring and Evaluation

- There is a significant lack of reporting of disability hate crime in Glasgow, which impacts upon the ability to record and produce an accurate picture of hate crime against disabled people in the city. This in turn affects the advocacy and support that disabled people affected by such crime are able to receive. Alternative approaches of addressing this issue should be explored.

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Appendix – 1

Questionnaire – Disability Hate Crime – Perpetrators' Motivations

Disability Hate Crime

This short questionnaire, which should only take a few minutes to complete, is part of a wider research project that aims to find out more about the motivations and behaviour of perpetrators of hate crime against disabled people. One of the key aims of this research is to produce recommendations so that we (Glasgow Community & Safety Services and our Partners) can better assist disabled people who experience hate crime, and where possible work towards earlier interventions by looking at the behaviour and motivations of perpetrators. This research will inform the work of our Hate Crime Policy Officer. Any input you provide will be valuable in shaping the outcomes of this research.

We value the experiences and opinions of disabled people who have experienced hate crimes, and such experiences have been included anecdotally throughout the report, from findings taken from newspaper reports, and other relevant sources. However, due to ethical considerations and time and other constraints, this questionnaire is aimed specifically at organisations that either work with or may come in contact with disabled people. (Please feel free to fill in this questionnaire even if you are not sure if this applies to your organisation).

Any information you provide that is used in this report will be presented anonymously, unless you specify that you are agreeable for your organisation and/or yourself being quoted. You do not have to answer all questions if you do not wish to, however, your input will be very valuable to us.

I would like to take the opportunity to THANK YOU for your help in completing this questionnaire.

Note: 'HATE CRIMES' are crimes or incidents motivated by malice or ill-will towards specific people because of their race, religion, sexual orientation, transgender identity or disability or because they are perceived to be a member of one or more of these groups. Attacks can be verbal, written or physical, but are always driven by an attacker's prejudice. Whatever form they take, their effects are particularly distressing for victims.

'DISABILITY' can broadly be defined as any physical or mental impairment, including learning difficulties and with regards to disability hate crime, includes presumed disability as well as actual disability.

1. Please can you provide the following information?

Date

Name of Organisation

Location

Main Areas of Work of Organisation

Your Job Title

Description of Your Role

Main Service Users

2. What do you think are the main motivating factors for perpetrators of disability hate crime, and why?

3. Do you think perpetrators' behaviour and/or motivations are linked to any other particular issues (for example, other offending behaviour?)

4. Have you or any of your service users experienced disability related hate crime?

Yes/No

5. If 'yes', can you provide any of the following information on a particular incident/incidents?

The type/types of incidents/what happened

How long did this last?

Nature of the disability

How many perpetrators were there?

The relationship with the perpetrator/s (stranger, friend, etc)

Any other details relevant to the perpetrator/s

What was perceived to be the perpetrator/s' motivations?

Any other details

Can we use this example as a case study in our report?

6. Do you have any suggestions and/or recommendations regarding how relevant agencies in Glasgow can help to address issues around perpetrators of disability hate crime in relation to the following issues?

Prevention

Intervention

Helping disabled people who have suffered from Hate Crimes

Reporting a Hate Crime

Joint Working

Any Other Issues

7. Do you have any other comments?

8. Consent: Please indicate your consent with regards to the use of the information in this questionnaire in our research report:

(a) I would prefer for my organisation and myself not to be identified (information to be presented anonymously)

(b) I am happy for my organisation to be identified in the report, but not myself

(c) I am happy for my organisation and myself to be identified in the report.

9. Is there anything else you would like to specify with regards to the use of this information/consent?

Many thanks for taking the time to complete these questions. The information you have provided is valuable to shaping services and interventions for people who have been affected by disability hate crime in Glasgow.

Appendix – 2

Questionnaire – Disability Hate Crime – Consultation with Organisations

ABOUT GLASGOW COMMUNITY AND SAFETY SERVICES (GCSS)

We are an organisation that aims to prevent crime, tackle antisocial behaviour and promote community safety in the city of Glasgow. We bring together around 500 staff from Glasgow's City Council, Strathclyde Police, Strathclyde Fire and Rescue and Glasgow's Community Safety Partnership. By working in genuine partnership on a range of issues we aim to make a real difference to communities across Glasgow. We work closely with Strathclyde Police and other partner agencies to tackle Hate Crime in Glasgow.

WHAT IS HATE CRIME?

Hate Crime is crime committed against a person or property that is motivated by 'malice or ill-will towards an identifiable social group'. Disability hate crime targeted at people with physical disabilities, learning difficulties, and/or mental health issues can take a number of forms, including, but not limited to physical assault, damage to property, intimidating or threatening behaviour, verbal or written abuse or threats, offensive 'jokes', emotional and psychological abuse, bullying, murder. It is the motivation of the perpetrator rather than the identity of the victim that is the defining characteristic of hate crime.

HATE CRIME IN GLASGOW

Based in Glasgow and covering the City of Glasgow area, this project was developed as a coordinated response to the problem of under-reporting of (initially racist) hate crime incidents in the city, through the creation of a centralised policy officer post and centralised database. Under-reporting of hate crime has been identified as a serious issue by Strathclyde Police and Glasgow City Council. The collation of accurate information is essential to the delivery of appropriate responses to these issues and to ensure that support is provided to victims. This project challenges hate crime in Glasgow through a partnership approach that creates 'Third Party' reporting centres and builds the capacity of staff within these centres by:

- Training them in hate crime legislation
- Enabling them to recognise hate crime
- Ensuring that they have full understanding of the appropriate measures and services available to victims
- And building their understanding of how to report hate crime through the Third Party reporting process.

The project, launched in 2007, is on-going and a network of third party centres has been established across the city, involving public bodies such as the NHS, Education and Social Work Services and voluntary sector organisations.

ABOUT THE RESEARCH / HOW YOU CAN HELP

Currently, the majority of information we receive in relation to hate crime relates to racist, and some homophobic, incidents. Although research and experience reveals that hate crime against people with physical disabilities, learning difficulties and mental health issues is an increasing problem, very few people are coming forward to report this to us. We hope that through a review of current research into 'disability hate crime', case studies of victims' experiences, and input from service providers we (GCSS and our partner agencies) can better understand the issues with the aim of providing a better service for people experiencing this type of hate crime. Your views are very important to us and will help us to improve our services for disabled people.

1. Can you tell us about your organisation and how you would respond to service users' experiences of disability hate crime? (Please if possible include the Name and Location of your organisation).
2. What kind of support would help your service to respond better to hate crime against disabled people?

Specialist training on hate crime issues

Additional resources

Other (please specify)

3. Can you tell us generally about the experiences of your service users with regards to hate crime (e.g. frequency, type of incidents, perpetrators, differences between types of hate crime against people with physical disabilities and/or learning difficulties, etc)? Do you have any specific case studies/examples that we can highlight?
4. How would you describe the level of awareness and understanding of reporting mechanisms for hate crime (a) as a service, (b) among your service users?

As a Service

Among Service Users

5. What are the main barriers for people coming forward to report disability hate crime to the Police (directly or online) and/or to Third Party reporting centres? Please tick all that apply.

What are the main barriers for people coming forward to report disability hate crime to the Police (directly or online) and/or to Third Party reporting centres? Please tick all that apply. Lack of awareness/understanding of reporting procedures

Services are not sufficiently accessible

Fear - of authority/of not being believed/of repercussions

Concerns about confidentiality

Other (please specify)

6. Is there anything that we
- (a). are doing to contribute to such barriers?
 - (b). are omitting to do which also contributes to such barriers?
7. Do you think that it is better to have many Third Party reporting centres across the City, or fewer more specialised centres, or do you think there should be a different system in place? Please explain.

Many general centres

Fewer more specialised centres

Different system

Please explain

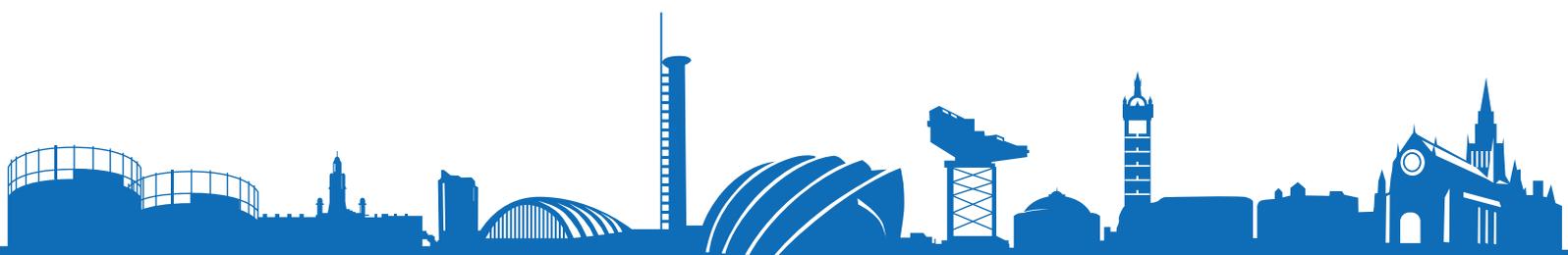
8. With regards to publicity how can we best reach people with physical disabilities, learning difficulties and/or mental health issues that are experiencing hate crime?

9. What would you like to see us doing to

(a). better support people who are experiencing disability hate crime?

(b). address perpetrators of disability hate crime?

10. Do you have any other comments or suggestions? Thank You.



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