

Disability Rights UK



Let's Stop Disability Hate Crime

A guide for non disabled people

In association with:



Disability Rights UK

Disability Rights UK – formed through a merger of Radar (The Royal Association for Disability Rights), Disability Alliance and National Centre for Independent Living on 1 January 2012. Our vision is a society where all disabled people can participate equally as full citizens. We aim to be the largest national pan-disability organisation led by disabled people.

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A guide for non-disabled people

“I'm 66 and have suffered verbal and physical abuse for as long as I can remember. I learnt in my teens that ignoring these people and 'walking' away is the only way to cope with them. I have little confidence or trust in anyone apart from my very closest family members.”

Introduction

“Most people don’t know about disability hate crimes, who they can contact or what can be done about it. It is just not seen as a problem or taken seriously.”

Hopefully, only a few people will be the victim of crime during their life. If a disabled person you know is the victim of a crime it is essential that it is reported. It is also important to consider whether the crime was a disability hate crime.

Recognising that a crime is a disability hate crime can be difficult:

- What does hate mean?
- Was what happened hate?

Connecting hate with why a crime took place can be complicated. Being bullied, harassed, abused, shouted at, taken advantage of, or picked on may not be considered by a disabled victim, or a witness, as hate. However, the law might view them as hate crime.

It is important that all friends, families and people who work with, and for, disabled people are aware of what a disability hate crime is. This guidance sets out to highlight the key issues about disability hate crime and how to report it.

The guidance focuses on the Police and Crown Prosecution Services agreed definition of hate crime to give people a better understanding of how the law works.

Crime and disability hate crime

Put simply, a crime is an act which breaks the law of the land.

Any crime has the potential of being a disability hate crime.

These might include:

- Offensive language which may include name calling, and insults;
- Abusive verbal or written comments which are intended to threaten or intimidate (they will also include the use of e-mail, social networks, mobile phones);
- Physical assault;
- Domestic violence;
- Financial exploitation;
- Damage to property;
- Sexual abuse and assault; and
- Threats and intimidation.

A crime becomes a disability hate crime when it is motivated by hostility, or prejudice, because the victim is a disabled person, or is perceived as a disabled person.

Not all crimes that target disabled people are disability hate crimes. Sometimes it can be quite difficult to tell. For example, if a person mugs a disabled person. They may have attacked the disabled person because they are prejudiced against disabled

people: in which case, it would be a disability hate crime. However, if they have mugged several people and not only disabled people: then it might not be a disability hate crime.

Deciding whether a crime is, or is not, a disability hate crime can be difficult. However, if the victim believes that the crime was motivated by prejudice or hostility. It should always be reported as a disability hate crime.

It is also worth noting, that anybody who has been the witness of a disability hate crime can report it to the police.

Disability hate incident

If someone does something that is not a crime but is perceived to be motivated by hostility or prejudice because the victim is a disabled person, or perceived as a disabled person then it will be a disability hate incident.

It is equally important that hate incidents are reported as there is evidence that hate incidents can lead to more serious disability hate crimes. If something is done about hate incidents they may not turn into disability hate crime.

Who commits disability hate crimes?

Anyone can commit a disability hate crime. In most cases the disabled person will not know them directly. Research found that 56%¹ of disabled people had felt that a stranger had acted in a

¹ Scope attitudes survey 2010

hostile, aggressive or violent way because they were disabled.

They can be young people who yell abuse when a disabled person walks by; a carer who takes advantage of a disabled person by taking their money; a student who bullies another disabled student; to a retired person who harasses a disabled neighbour because they don't want them to make their home accessible.

Age is not a barrier to committing a disability hate crime. 24% of defendants of disability hate crime were aged between 18 and 24² and 51% of defendants were aged between 25 – 59³.

There are also some people who might make friends with a disabled person so that they can take advantage of them. They use their friendship to cover the fact that they are committing crimes at the disabled person's expense.

There are examples of supposed friends stealing people's money and or possessions; there have also been cases where disabled people have been severely attacked by the people who are supposed to be their friends.

To report or not to report

It is important that all crimes are reported to the police; whether it is a disability hate crime, or not. The main reason would be to ensure that the person who committed the crime is caught and brought to justice.

² CPS Hate Crimes and crimes against older people report 2009-2010

³ ibid

“Doesn’t seem much point, no one is going to do anything about it and it will only make things worse if I do.”

If crime and especially disability hate crime is reported your local police force will have a better picture of crime in your area. This could mean that further crimes, and disability hate crimes, are prevented because the police have a better understanding of the amount of crime there is and they can use that information to better tackle it.

Disability hate crime should always be reported to the police.

Reporting a disability hate crime

Anyone can report a hate crime – whether they are the victim, someone who witnessed a disability hate crime, or someone a victim has told about a crime or incident.

If someone’s life is in danger, or a serious crime is taking place, you should always call the police using the emergency number (999).

In all other cases you should contact your local police force on their contact number (these can normally be found on their website, the True Vision site, the DirectGov website, or in the local telephone directory).

www.direct.gov.uk/en/Diol1/DoltOnline/DG_4017475

www.report-it.org.uk/contact_us1

If the victim does not want to talk to the police, there are organisations who might be able to support them, for example, a local Disabled Persons' Organisation, a disability hate crime third party reporting site, the local Citizens Advice Bureau, local voluntary service or Victim Support.

www.citizensadvice.org.uk

www.victimsupport.org.uk

The disability hate crime can also be reported online through the 'True Vision' hate crime reporting site.

www.report-it.org.uk/your_police_force

When reporting a crime, that might be a disability hate crime, it is essential to say tell the police that you think it is a disability hate crime.

Where can I get more information?

Disability Rights UK's Let's Stop Disability Hate Crime

Disability Rights UK has been working to tackle disability hate crime by empowering disabled people, and their organisations to report disability hate crime.

Disability Rights UK has also prepared guidance for disabled people on disability hate crime. This includes detailed information on:

- What is a crime and what is a disability hate crime;
- Reporting a disability hate crime;
- What happens after I report a disability hate crime;
- Achieving best evidence;
- What does the Crown Prosecution Service do once they have been passed the case;
- What can I do if I am not happy with the service I receive;
and
- Where can I get more information?

If you would like to know more about disability hate crime, this can be found at:

<http://www.radar.org.uk/people-living-with-health-conditions-disability/disability-hate-crime/>

Disability Rights UK has also prepared guidance to empower disabled people's organisations to set up third party reporting centres.

<http://www.radar.org.uk/people-living-with-health-conditions-disability/disability-hate-crime/>

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