Written evidence submitted by Disability Rights UK

Introduction

Disability Rights UK is an independent group of UK disabled people and organisations, and a range of interested and statutory bodies challenging UK disability hate crime issues by sharing information and good practice. We are pressing for consistency within the judicial system.

We are not an advocacy or active support/reporting group, and we cannot do other than signpost in cases where help is needed. We stand by the principle of trying to campaign for, and try to achieve justice for disabled victims of hostility and hate crime.

We press for appropriate sentencing and the use of available sentence enhancing procedures, including s146 of the Criminal Justice Act of 2003. But equally we respect the premise of law and do not attempt to prejudice the due process of ongoing cases by prejudging judicial decisions.

Our links are well established, and we have the respect of partners in the criminal justice system as well as politicians and practitioners involved in justice.

We support and promote the use of third party reporting which allows disabled people to become involved in the process of their own destiny.

Disability hate crime reporting

There has been a significant increase in reports of disability hate crime say many media outlets. It is a seemingly simple, but actually complex statement, for those outlets, after stating the headline, fail to investigate and recognise the many reasons for this increase.

A regularly quoted reason (on the basis of our helplines and Disability Hate Crime networks) is the burgeoning culture of knocking disability benefits claimants, where all disabled people are wrongly assumed to be recipients of state support, and there has to be some sympathy to this argument, given some often unhelpful official stories and statements relating to welfare reform.

The EHRC recently published their Manifesto for Change following the launch of the Hidden in Plain sight report on disability related hostility last year. The new publication notes that the number of disability hate
crimes recorded by police forces in England and Wales for the year ended December 2015 was 1,077.

While seeing this as an increase of 24.1 per cent of recorded cases up on the previous year, it is critically important to contrast these figures with the Crime Survey for England and Wales as they suggest the number of people experiencing a disability hate crime in the year to the Spring of 2015 was 65,000.

This means that a possible paltry 3 per cent of hate crimes experienced by disabled people end up being included in the official figures, so a massive proportion of disabled people are either unable or unwilling to report the hate crimes committed against them. Day after day, people are being targeted because of their disability, and yet are not reporting them.

Non reported disability hate crime

The figures demonstrate that we need to look in depth at the true scale of this issue, as it could suggest that the underlying incidence of the problem has got worse, and that the recording has become patchy in some areas.

The Disability Hate Crime Survey of 2015 revealed many who have been victims of disability hate crime have not reported for several quoted reasons.

- It was anti-social behaviour, and you get used to it.
- It will get worse if I say anything.
- I’m disabled and I won’t be believed.
- I have no confidence that the police and CPS would push for court action.

And, most importantly

- I don’t know where to go or have anyone to speak to.

In fact, in the three years of high intensity action by ACPO, the CPS, Home Office, Cross Party parliamentarians, and the Hate Crime Network, the various centres and areas of ‘best practice’ have been able to share and emphasise work in support of disabled people.

We have made clear that hate crimes and their perpetrators can and should be challenged, and we are pleased that many organisations are
joining forces and are offering to share help and support, many of which help making a complaint to the police and or any agency such as housing associations where appropriate.

**Recommendation 1**

One significant improvement in confidence building when reporting hate crime is the use of third party reporting centres. The very best of these are run by disabled people’s organisations and in particular better yet if reports are given to disabled people.

A new Third Party Reporting toolkit was created by the DRUK/ODI and DHCN, which is based on proven success from Blackpool where the establishment of such a centre saw a rise of 280% in reported incidents. The significant advantage to the statutory authorities and the disabled people themselves was the centre and the subsequent sharing of intelligence led to more of these incidents being dealt with outside of the judicial system and prior to going to court.

**Recommendation 2**

There is one key word – Cooperation. The essential joined up thinking within the law depends on a consistent approach and all too often this is missing simply because, as was reported by Her Majesty’s Inspectorate of Constabulary it shows that because of lack of sufficient and correct training involving disabled people police officers do not understand the implications and impact of disability hate crime.

Our model of working with CPS, Police and politicians does create the better more level playing field and again if we had more resourcing we could cover more ground.

In conclusion, we need to see disabled people, police, CPS and the judiciary working together and by this we will see DHC reduce.

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