

Communities, Equality and Local Government Committee

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Disability Wales/Anabledd Cymru

Disability Related Harassment

Introduction

Disability Wales (DW) is the national association of Disabled People's Organisations striving for the rights, equality and independence of all disabled people. DW's core role is to represent the views of its members to Government with the aim of informing and influencing policy.

Article 16 of the UN Convention on the Rights of Persons with Disabilities concerns freedom from exploitation, violence and abuse. In recent years DW has run successful campaigns on access to the High Street (Streets Ahead) and Independent Living which has contributed towards the creation of accessible built environments and the opportunity for disabled people to participate fully in the community. Yet if disabled people are fearful of stepping outside their front door or avoid certain places or limit their lifestyle then as well as being a breach of Article 16 Disability Hate Crime and Harassment undermines progress made elsewhere in securing the rights and equality of disabled people.

Consequently DW has prioritised work to raise awareness of and tackle Disability Hate Crime and in doing so forged partnerships with the Police Services in Wales and other voluntary sector agencies as well as contributing to a high profile for the issue in the media.

The Police

Over the last two years DW has been working in partnership with the Police Services in Wales to address Disability Hate Crime at a national and strategic level. At the launch of the national online Hate Crime Reporting Centre in 2009 it was acknowledged that there was arguably less understanding of and emphasis on hate crimes related to disability compared with race and homophobia. DW met with South Wales Police acting on behalf of the ACPO Equality and Diversity Forum to consider how this could be addressed. It was agreed to hold a national joint seminar bringing together representatives of all Police Services in Wales, Disability Organisations and other relevant agencies which for the first time would discuss Disability Hate Crime at a Wales level.

This initiative was then given added urgency when in September 2009 the Inquest into the deaths of Fiona Pilkington and Francecca Hardwick drew national attention to the existence of Disability Hate Crime and the failure on

the part of several agencies working with the family to recognise and respond to it.

The national joint seminars were held in February and June 2010 respectively, both of which were very well attended and from which a Report and Action Plan was produced. Key findings from the Seminars included the need to clarify what is meant by Disability Hate Crime and how to recognise it; accessibility of information on how to report DHC; Disability Equality Training for Police Officers and other relevant staff; support for victims; the need for joined up working between agencies including sharing information; and greater co-ordination between disability organisations concerning their own work on the subject.

In November DW co-organised a conference with South Wales Police at which more than 150 participants heard presentations from the Chief Constable Mr Peter Vaughan, the Assistant Chief Constable from Leicestershire Constabulary on lessons learned from the Pilkington Inquest, Welsh Government, the Home Office, Crown Prosecution Service, Equality and Human Rights Commission and Safer Wales.

It was regarded by many as an 'inspiring' and 'thought provoking' event with some recognising for the first time that their experiences or that of family or neighbours was in fact Disability Hate Crime. For Police Officers present it also helped break down barriers of understanding and paved the way to tackling the issue at a very local policing level.

DW gave a presentation to the ACPO Diversity and Equality Forum in April 2011 to report on the joint activities undertaken and discuss progress with the Action Plan. Particular achievements noted included the formation of the Disability Hate Crime Action Group, development of mini Hate Crime Reporting Centres and the incorporation of the Social Model of Disability into officer training. It was agreed to circulate an updated Action Plan to all participants who attended the National Seminars.

The Media

DW contributed extensively to the BBC Wales *Week In, Week Out* programme broadcast in January 2010 on Disability Hate Crime: *Why do you hate me?* It gathered case studies from individuals, one of which was featured on the programme and put the BBC in contact with Simon Green, Chairperson of a member organisation Bridgend Coalition of Disabled People who subsequently presented it.

Following the programme DW received a number of calls from viewers who had themselves experienced Disability Hate Crime which it passed on to relevant police services.

The programme was repeated later in the year on *Panorama* and DW has since commented on the issue in both broadcast and print media in Wales. While the Media has an important role to play in highlighting instances of Disability Hate Crime, DW is increasingly concerned that its reporting of

stories about disability benefits claimants could escalate hostility particularly through using terms like ‘scroungers’, ‘workshy’ and ‘layabouts’. In a time of cut backs in the Welfare State, those who continue to receive benefits and services could find themselves a target for harassment.

The Voluntary Sector

The Joint Seminars with the Police engaged with representatives of many national disability organisations in Wales as well as those with an interest in criminal justice issues such as Safer Wales and Victim Support. A number of organisations such as Scope and Mencap were working on their own initiatives as part of a UK wide approach whereas others like Learning Disability Wales were supporting member groups such as Torfaen People First who in partnership with Gwent Police produced a Training DVD on Disability Hate Crime.

At a meeting between DW and Safer Wales it was agreed to explore the potential for bringing together these organisations on a regular and structured basis to share information, work jointly on new initiatives, and act as a lobby group to ensure that tackling Disability Hate Crime remains high on the agenda of public bodies. This idea was well supported and the Disability Hate Crime Action Group was formed earlier in 2011. It meets quarterly and its first priority is to ensure that disability organisations themselves understand and recognise Disability Hate Crime and encourage disabled people to report it. A Facebook page has been set up to provide an online forum to share information. Representatives from the Police and EHRC also attend meetings ensuring effective communication and the sharing of intelligence.

The EHRC Inquiry into Disability Related Harassment

DW provided written evidence to the Inquiry and participated in Round Table meetings drawing on its work with the Police and other organisations together with its knowledge of DRH from individuals who contacted it with their experiences of Hate Crime.

The Inquiry findings echo DW’s view that Disability Hate Crime is little understood amongst disabled people themselves or the organisations that work with them and that there is indeed a ‘culture of disbelief’. DW supports the recommendations and particularly the levers for change identified in Wales. It recognises the potential of the new Equality Duties in taking a strategic approach to addressing the issue and the role of Multi Agency Risk Assessment Conferences which have proved so effective in tackling Domestic Abuse.

DW recognises the logic of linking measures concerning Disability Related Harassment to Welsh Government proposals regarding safeguarding as highlighted in *Sustainable Social Services: a Framework for Action*. It is concerned however that in taking a *safeguarding* approach the Welsh Government does not perpetuate notions that disabled people are inherently vulnerable and in need of protection. DW fears that this could result in

measures that limit independence while leaving hostile attitudes unchallenged and criminal behaviour unprosecuted.

DW believes that the DRH Inquiry Report will enable all concerned to build on and progress work with Disability Hate Crime undertaken in Wales over the last two years. As well as providing evidence of the scale of the problem the Report and its recommendations will enable organisations like DW to hold public bodies to account regarding their actions to address the systemic failures identified.

Further Information

Further information about DW's work on Disability Hate Crime including details of the Action Group can be found at: www.disabilitywales.org