

Communities, Equality and Local Government Committee

CELG(4)-03-11 : Paper 2

Evidence on disability related harassment for the Communities, Equality and Local Government Committee on 29 September 2011

Learning Disability Wales is the umbrella body for over 120 voluntary organisations in Wales active in supporting children and adults with learning disabilities and their family carers. Our members include organisations large and small who provide services, advocacy organisations, parent carer groups and generic organisations.

Our interest and work to date includes:

- Partnership project with Caerphilly Social Services and 3 other voluntary organisations to produce an **interactive DVD called Abuse: Tell Someone**. A DVD for people with learning disabilities to help them understand their rights and what abuse is and what to do if it happens. 3,000 copies given out to people with learning disabilities across Wales. Funded by Welsh Government.
- **Member of Welsh Government's Protection of Vulnerable Adults Project Board.**
- **Information Service** through a magazine and newsletter and e-news service that regularly covers articles, news, good practice, statistics, and events on disability related harassment. This service goes to 450 people in Wales including local authorities and voluntary sector organisations.
- **Member of EHRC Disability Harassment Inquiry UK Advisory Group** representing Welsh interests.
- **Presentation on raising awareness on disability hate crime for people with learning disabilities** to Tai Pawb (Equality in Housing) stressing need for housing providers to have policies and procedures around recognising and reporting hate crime
- **Partnership working:** Participation in joint seminars called 'Disability Consultation and Involvement Forums' organised by Disability Wales and the Police in 2010. This led to the formation of Disability Hate Crime Action Group Cymru. The group is monitoring and contributing to the implementation of an Action Plan that came out of the involvement forums.
- Production of **Easy Read Reporting Form** on behalf of Safer Wales

- Production of **Easy Read Wales Policy and Procedures for the protection of vulnerable adults from abuse** (in production)

1. Awareness Raising for people with learning disabilities

Research has shown that people with learning disabilities often accept disability hate crime as part of their everyday life or mistake it for 'anti social behaviour' or bullying and do not recognise it as a crime.

People with learning disabilities are often unaware of their rights. There are so many words to encompass disability hate crime. For people with learning disabilities they can be very confusing such as bullying, harassment, abuse, domestic abuse, robbery, theft, anti social behaviour etc.

People with learning disabilities often are victims of 'mate crime'. This is when someone poses as their friend and then exploits them.

People need more help in understanding what disability hate crime is and what to do about it.

What works?

1. **Torfaen People First** produced a DVD, workbook and easy read leaflet. This training package is called 'Talk about it' has enabled people to talk about their experiences and understand what disability hate crime is. The training also encouraged people to have the confidence to report it. Members received training on using the True Vision Hate Crime Reporting Pack (this is an easy read reporting form which is only being used in some Police authorities). Funded by the Home Office.
2. Crown Prosecution Service have produced a useful Easy Read guide 'Supporting Victims and Witnesses' Easy Read 2009.

Recommendation 1: The Committee encourages the 4 Police Authorities in Wales to fund the 'Talk About it' Training resource so that every People First or self advocacy group can use it in Wales to train people with learning disabilities, the Police and staff.

2. Awareness raising for public authorities

What works?

1. **The Talk About training pack** also includes training of local Police to raise awareness of how hate crimes can escalate from small incidents and turn into more serious crimes. The pack has been used to train support workers to consider how they can support victims.
2. **Learning Disability Wales**, in partnership with All Wales People First and All Wales Forum of Parents and Carers and Mencap Cymru are currently undertaking **learning disability awareness training for frontline staff in housing and leisure services and staff within the criminal justice system**. Funded by Welsh Government. Training is being delivered across each local authority area by people with learning disabilities and parents/carers. The aim of the training, as well as raising awareness of the rights and needs of people with learning disabilities and their families is to assist local authorities to improve practice by producing action plans under their responsibilities under the Equality Act.
3. **Bridgend People First**: People with learning disabilities designed hate crime materials which they used to raise awareness in schools. Also they did a question time session with a magistrate, South Wales Police and adult protection committee
4. **England**: Blackpool Advocacy supported a group of service users to participate in a project to tackle Hate Crime. The service users worked with a group of young people to make a DVD that is used in **local schools to raise awareness amongst non disabled young people** of the effects of apparently low level incidents. It is hoped that this will influence the attitudes of young people as they grow into adulthood and encounter people with different levels of ability in their daily lives.

This work supports EHRC Disability Harassment Inquiry:

recommendation number 3. 'the criminal justice system is more accessible and responsive to victims and disabled people and provides effective support to them'

recommendation 6 'all frontline staff who may be required to recognise and respond to issues of disability related harassment have received proper training.

Wales summary recommendation 2: the new equality duties should be used to prioritise tackling disability harassment.

Recommendation 2: Committee to encourage public authorities to fund learning disability awareness training for their staff. Learning Disability Wales to co-ordinate the training using the successful model above by sub-contracting the delivery to

local groups of people with learning disabilities and parents/carers. This training could include other sectors such as health and transport.

Recommendation 3: Similar DVD resource made by Blackpool Advocacy to be commissioned to raise awareness of hate crimes in mainstream schools targeted at non disabled children to be produced and made available across Wales.

Recommendation 4: Develop a media campaign across transport operators to include posters on public transport with ability to phone or text to report a disability hate crime.

3. Reporting

There are barriers to reporting and recording harassment across all sectors.

For people with learning disabilities they are not sure it is a crime at all, they don't know who to tell, they may think the Police won't treat it seriously, reporting forms use difficult words and language. Also they fear if they go to the Police the criminals will target them even more.

What works?

1. The Torfaen People First **Talk About it** Project resulted in setting up of **3rd party reporting centres** in places where people went in their daily lives such as the day centre or leisure club. This resulted in a dramatic rise in reporting levels.
2. **Learning Disability Wales** produced an **Easy Read Reporting Form for the 3rd Party reporting centre 'Safer Wales'**. The form 'Tell Us' is for people with learning disabilities and is written in an easy to read and understand language with photosymbols.
3. **Easy Read form for tenants** of First Choice Housing Association 'Hate Crime Policy and Procedure'.
4. Mencap Cymru and Safer Wales: Use of **Freephone learning disability helpline** to report disability hate crime. Link to this on some Police authority websites.

Recommendation 5: Committee to encourage all Police Authorities to have a consistent approach to reporting for people with learning disabilities using the Easy Read reporting form '*True Vision Hate Crime Reporting Pack*' (used in some Police authorities in Wales and widely in England). This is available under http://www.report-it.org.uk/files/disability_hate_crime_book_low.pdf.

Recommendation 6: Committee to encourage Police Authorities to produce '*True Vision Hate Crime Easy Read Reporting Pack*' in Welsh.

Recommendation 7: Committee to recommend that more 3rd party reporting centres to be set up where people with learning disabilities go in their daily lives, based on the successful model of the 'Talk About it' Project.

Introduction of legislation in Wales around safeguarding

We support the EHRC Inquiry Wales recommendation 'a human rights based approach to safeguarding should be introduced by Welsh Government'.

Learning Disability Wales are a member of the Vulnerable Adults Protection Board. The Board undertook a independent review of 'In Safe Hands'.

We are encouraged to read in 'Sustainable Social Services for Wales, A Framework for Action, February 2011 that Welsh Government has taken on board the Board's recommendations for a revision and update of 'In Safe Hands' guidance, the establishment of a National Safeguarding Board for Adults and Children and plans to consult on proposed legislation to ensure social services lead co-ordinating role is put on a firmer statutory basis.

We support the evidence found by the EHRC Inquiry that the focus on help and protection within the adult safeguarding system can be at the expense of justice and redress. Language needs to be change in order to change attitudes. For example agencies may refer to 'abuse' rather than 'physical assault'. Calling a crime a crime is an important part of getting it right.

Recommendation 8: Committee supports the legislation around safeguarding of vulnerable adults and recommends that it strikes a balance between a robust adult safeguarding process and ensuring justice takes place.