



## **Researching the Effectiveness of the Third Party Reporting Centres established by Torfaen People First**

**Funded by The Welsh Government**



**Torfaen People First 2012**

**"I didn't tell any one about it as it would have stopped me doing the things that I  
wanted to do: I just put up with it"  
TPF Focus Group**

## Roll Call

The work of Torfaen People First in raising the awareness of Disability Hate Crime, the Talk About It Centres and this report are dedicated to the many people with learning disability who have suffered hate crimes often in silence and especially those who have lost their lives as a result of crimes perpetrated on them all because they had a disability.

Amongst whom we remember:

Kevin Francis Walsh  
Kevin Davies  
Christine Lakinski  
Laura Milne  
Barrie-John Horrell  
Rikki Judkins  
Brent Martin  
Sean Miles  
Keith Philpott  
Michael Gilbert  
Steven Hoskins  
Raymond Atherton  
Gemma Hayter  
Frankie Hardwick and her mother Fiona Pilkington  
David Askew

Our thanks are extended:

To all those members of People First Groups across Gwent who have given of their time and personal experience (often at great human and emotional cost) to further the research and learning in this area for their peers, professionals and to impact the area of policy and procedure in Gwent and Wales.

To Gwent Police, especially the Community Cohesion Team for working alongside Torfaen People First to raise awareness and tackle this issue.

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## EXECUTIVE SUMMARY

*'I didn't tell anyone about it as it would have stopped me doing the things that I wanted to do. I just put up with it.'*

The words of a member of Torfaen People First taken from one of the Focus Group discussions on Disability Hate Crime.

This report seeks to evaluate the Talk About It project established by Torfaen People First and first funded by the Home Office in 2009, with the initial Centres becoming operational in Torfaen in 2010.

Further funding in the following year allowed the scheme to roll out over the Gwent Police Force area, with 31 Talk About It (Third Party Reporting) Centres being operational at March 2012.

Interest from other agencies to become part of the scheme continues, however direct funding and resourcing has ceased.

Section One deals with the language that is employed when discussing Hate Incidents and Crime and the definitions that are commonly held. Attention is drawn to measures within the legal system under which Hate Incidents and Crimes are prosecuted.

It further describes the purpose of the research, to review the Pan Gwent Talk About It Centres established as part of the over all project. The framework for the research being based on a consideration of the current context for Disability Hate Incident and Crime, with particular reference to that as it relates to people with learning disability, in the UK and Wales national scenes, the local authority areas in Gwent and the activities of the Pan Gwent People First Groups. Additionally it describes the methodology used to capture the views and feelings in this emotionally fraught area.

Section Two details the findings of the research with Section 2.1 containing reviews of some of the wealth of literature on the general topic of crime, of Hate Crime, of Disability Hate Crime and in specific Hate Crime perpetrated against people with a learning disability. Key documents and reports over the past two years have been highlighted and cross-referenced. Presented on a UK wide, Welsh and Gwent basis, attention is drawn to common threads and recommendations.

Namely:

- a. Identification by all agencies that the incidents that occur are Hate Incident, Hate Crimes or Harassment.
- b. That agencies should work together and that there should be a sharing of information.
- c. A common approach to the identification of risk/vulnerability of people with a learning disability especially for people who do not have a formal diagnosis of disability.
- d. The use of the Safeguarding Procedures that identify a Human Rights based approach identifying people in vulnerable situations rather than vulnerable people.
- e. Improved training for front line staff and the opportunity for sharing learning.
- f. Improved Data Collection and Analysis to include Research into Perpetrator Motivation.
- g. The need for leadership and an identified lead professional.
- h. That there should be a programme of awareness raising involving people with a learning disability for their peers, school children and the general public.

Section 2.2 discusses Good Practice in the area in identifying and supporting victims of Disability Hate Crime, in the reporting and recording process, and in the area of restorative justice.

Section 2.3 examines the crucial role of the media in the reporting of Disability Hate Crime, highlighting high profile cases that have been headlined since 2006. How the general public's view is being shaped by the media and the affect that this is having both on their behaviour and that of people with learning disability, is discussed with special reference to the growing debate on the language that is being used in the reporting of the changes to the welfare reform and benefit system.

Section 2.4 outlines the statistics, as they are known for Hate Incidents and Crimes as they relate disabled people. The number of Hate Crimes convicted in UK in 2010/2011 was 579 a rise of 79.8 per cent. However this needs to be placed within the context of the overall rates of conviction of Hate Crimes for the same period: the Criminal Prosecution Service (CPS) had convicted 12,651 incidents of Hate crime. (Figures taken from the CPS website) Within Wales in 2007/8 of the 4578 prosecutions for Hate Crime only 21 were for Disability Hate Crimes ('How Fair is Wales' EHRC 2011).

This section also highlights the research from other organisation that seeks to provide data on the experiences of people with learning disability. Mencap's report 'Living In Fear' (1999) found that 90 per cent of people had been bullied (incidents that now would fall into the definition of Disability Hate Harassment, Incidents or Crime) on a regular basis. This translates to a figure of 73,969 for Wales and 12,992 for Gwent.

The manner in which Hate Crimes escalate often from small incidents, such as name calling, through threats, damage, physical assaults and even murder in some cases is discussed, as is the targeting of people with learning disability in what has become to be known as Hate Crime.

Section 2.5 describes the development and rationale for the Talk About It project that commenced in 2009. It centred on an inter relation of three areas of activity:

- Working with people with learning disability to raise their understanding and awareness of Disability Hate Crimes and Incidents;
- Raising awareness with professionals of the effects of Disability Hate Incidents and Crimes on the lives people with learning disability;
- The development of Talk About It (Third Party Reporting) Centres for the benefit of all people with learning disability.

Sub sections of this section describe in more detail the operation of the Talk About It Centres and the findings from the Focus groups conducted with people with learning disability. Analysis of the completed questionnaire from staff can be found in Section 2.6.

Section 2.7 pulls together the findings from both the above, the most important being:

- a. People with a learning disability have a clearer understanding that it is unacceptable for them to be the victims of Hate Harassment, Incident, or Crime however they will/may use different language to describe their experiences and in doing so they want to be listened to, taken seriously and dealt with honestly.
- b. The People First Groups in Gwent now have ownership of the Talk About It project and recognise the need for, and importance of, secure long term funding that will allow both them and the scheme to become widely publicised and used.
- c. The partnership working between the Talk About It Centres and Gwent Police has both strengthened the link in reporting and creating a better understanding of the needs of people with learning disability and the requirements of the police, however there is a need for on-going support, training and guidance to staff/professionals in the Talk About It Centres so that they feel reassured of their actions and responsibilities.

Section Three makes recommendations for the future development of the Talk About It scheme and the on going work of Torfaen People First on this issue, detailing as part of this the need to disseminate the findings of this report.

Section Four brings the report to a conclusion. It states that as people with learning disability themselves have championed the Talk About It project in their efforts to secure a more peaceful lifestyle free from the harassment of Disability Hate and its hurtful consequences, it is now incumbent upon all of

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us to work with and support them as they strive to build safer communities for themselves and all people with learning disability across Gwent, Wales and beyond.

*'There can be no more important human right than to live in safety and security. Its absence prevents us from living our lives to the full.  
And for some, its absence has led to the loss of life itself.  
For many disabled people in Britain safety and security is a right frequently denied'*

Trevor Philips, EHRC

## 1. INTRODUCTION

Current trends reflect a positive approach by people with learning disability to become more active in their everyday lifestyle and consequently they have developed the courage to take their rightful place alongside all people in their local community and beyond.

These major steps forward have come at much cost to people with learning disability in particular as they have had to endure Disability Hate Incidents and Crimes over many, many years.

In today’s society people with learning disability, and in particular younger people, are not prepared to live a life ‘hidden from view’. They seek to enjoy an everyday lifestyle that for most of us is the ‘norm’ but sadly for many people with learning disability they continue to be on the receiving end of much verbal and physical abuse just because of their disability.

### 1.1. DEFINITIONS AND LANGUAGE

In any consideration and exploration of the issues of Disability Hate Crimes and Incidents as they relate to people with learning disability it is necessary to fully understand the definitions and language that is used.

#### 1.1.1 DISABILITY HATE CRIME

There is no specific offence of disability hate crime, however there is a commonly agreed statement,

*‘A criminal offence which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on a person’s actual or perceived disability.’*

Agreed by the Home Office and Association of Chief Police Officers

#### 1.1.2 DISABILITY HATE INCIDENT

*‘Any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on actual or perceived disability.’*

Agreed by the Home Office and Association of Chief Police Officers

#### 1.1.3 DISABILITY HARASSMENT

Is classed as unwanted behaviour based on disability, impairment or additional need which violates an individual’s dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment. Such behaviour may include comments that are patronising or objectionable to the

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recipient or which creates an intimidating, hostile or offensive environment for people with disabilities. Disability harassment includes inappropriate reference to disability, unwelcome discussion of the impact of disability, refusal to work with and exclusion of people with disabilities from social events or meetings.

#### 1.1.4 HATE SPEECH

There is no universally accepted definition of the term “hate speech”, despite its frequent usage. According to the Council of Europe Committee of Ministers, hate speech covers all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance “Hate speech” can be concealed in statements that may seem to be rational or normal. It is pointed out in the Manual on Hate Speech issues by The Council of Europe that such forms of expression may have a greater and more damaging impact when disseminated through the media. Refer also to Section 2.3 on media reporting.

#### 1.1.5 ANTI-SOCIAL BEHAVIOUR

The definition of anti-social behaviour under the Crime and Disorder Act 1998 is *‘behaviour likely to cause alarm, harassment or distress to members of the public not of the same household as the perpetrator’*.

The statement from the Home Office that says *‘Anti-social behaviour is virtually any intimidating or threatening activity that scares you or damages your quality of life’* further strengthens this.

Most anti-social behaviour is non-criminal and low level offences, although there will be some Anti-social behaviour that is criminal, and this will often depend on the evidence, severity and frequency.

It is important to note that nearly all Hate Crimes are first reported as Hate Incidents. However, some Hate Incidents may not constitute a criminal offence. For example, where there is no identifiable victim or perpetrator such as in the case of Graffiti.

It is important for both people with a learning disability and professionals supporting them to understand this distinction. The investigative criterion is to investigate all types of Hate Incidents that without detailed response could lead to a critical incident and a heightening of community tension. See later the discussion on Allport’s Scale of Escalation. Equally it is crucial that every incident is reviewed in the light of the person’s disability and it is considered whether this is a contributory factor.

With sufficient evidence that an offence is motivated by hostility based on a person’s disability (or perceived disability), a court has a duty to state this is an aggravating factor at the sentencing stage and increase the sentence for

any offence committed, as stated within Section 146 of the Criminal Justice Act 2003.

Some disabled people may be victims of crime that may not be related to their disability. For example, a young man may be attacked in the street and his mobile stolen as a result of opportunist muggers.

It is important for the investigation and prosecution of Disability Hate Crime to be aware that it is not a separate offence but is recognised under Section 146 of the Criminal Justice Act 2003, which imposes a duty on the courts to increase the sentence for any offence aggravated by hostility towards the victim based on their disability.

However the Ministry of Justice seeks to amend the Criminal Justice Act (2003), bringing sentences for murders motivated by hatred or hostility towards disabled or transgender victims into line with those aggravated by race, religion and sexual orientation which carry a tariff starting at 30 years. The changes are to be made within the Legal Aid, Sentencing and Punishment of Offenders Bill, which are currently progressing through Parliament.

Disability Now found that in the majority of cases that it reviewed that none of the cases were treated as motivated by disability hatred. As prosecutors did not call for disability hate to be mentioned as an aggravating factor the judges did not mention it during sentencing.

People with learning disability have the right to protection from Hate Crime and the legislation that addresses this exists:

- a. Section 4 of the Public Order Act (1986)
- b. Part 5A of the Disability Discrimination Act (1995)
- c. The Protection from Harassment Act (1997)
- d. The Human Right Act (1998)
- e. Section 146 of the Criminal Justice Act (2003)

## 1.2 PURPOSE OF THE RESEARCH

The purpose of the research, funded through the New Ideas Social Research Fund of the Welsh Government, was to review the Pan Gwent Talk About It project. The framework for the research was based on a consideration of the current context for Disability Hate Incidents and Crime, with particular reference to that as it relates to people with learning disability, nationally in the UK and Wales, the local authority areas in Gwent and the activities of the Pan Gwent People First Groups.

The Talk About It initiative shows a close fit with the priorities that the National Assembly for Wales set out in 'One Wales' to '*improve the quality of life for people in Wales especially those most vulnerable and disadvantaged*' and in

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doing so to create ‘a Wales where everyone achieves their full human potential and everyone can live free from poverty, discrimination, fear or abuse’ and ‘protects vulnerable individuals or groups from suffering harm or discrimination’.

The Welsh Assembly Government further stated at the time that they are ‘firmly committed to support and include those who are marginalised from society’ and they ‘want to see a fair system of youth and criminal justice’ and in seeking to meet these aims that they will ‘develop a strategy to reduce hate crime’. A commitment that they have upheld in their adoption of the recommendations of the Communities, Equality and Local Government (CELG) Committee review into Hate Harassment in 2012.

The research outcomes have been categorised into four main areas: introduction; findings; recommendations and conclusions with references and annexes to support the documentation.

Whilst the research embraces high profile cases from various national organisations and serious case reviews, its main aim is to review the development of the Talk About It project from the various stakeholder groups and to consider the conclusions with the purpose of making recommendations to the Welsh Government on the issues of Disability Hate Incidents and Crimes as it affects the everyday lifestyle of people with learning disability.

### 1.3 METHODOLOGY

As the Talk About It initiative and Centres are a new development in Gwent any information gathered is to be added to the growing body of knowledge and intelligence in this area. The research sought to record both ‘hard’ statistical information with reference to reporting and detection rates but also to capture the ‘soft’ information gained from people with learning disabilities.

The following activities were employed in meeting the above and then used in the formation of this report.

- A literature review of the current knowledge base on Learning Disability Hate Crime.
- Good practice through out the UK.
- To keep a media file on the incidents of Hate Crime.
- An analysis of the levels and types of Learning Disability Hate Crime reports in each of the Gwent Local Authority areas prior to the establishment of the Reporting Centres.
- To monitor the levels of reporting month be month across the five local authorities as the Reporting Centres are opened.
- Focus Groups in each Local Authority area to gather the views of people with a learning disability on the impact of Hate Crime on their lives.

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- Individual interviews with victims of Hate Crime to gather in-depth information on the impact of the Crime on their lives.
- To gather the views of the staff who are trained to operate within the Talk About It (Third Party Reporting) Centres.
- To produce all the information gathered with conclusions and recommendations for all parties involved for inclusion in their strategies to tackle this issue.
- To disseminate the findings through all relevant networks.
- To use the findings to develop this area of work further in Gwent and Wales.

## 2. FINDINGS

### 2.1 LITERATURE REVIEW

There is a wealth of literature on the general topic of crime, of Hate Crime, of Disability Hate Crime and in specific Hate Crime perpetrated against people with a learning disability. Therefore only a number of key documents and reports over the past two years have been reviewed here and cross-referenced. Presented on a UK wide, Welsh and Gwent basis each will be discussed in brief, with common threads and recommendations being highlighted in section 2.1.4.

#### 2.1.1 NATIONAL IMPACT

##### 2.1.1.1

Fiona Pilkington and her daughter Frankie Hardwick died in October 2007 when she set fire to their car. She was driven to take this action having endured over seven years of harassment at the hands of local youths. Their house had been the target for eggs and stones and they had been taunted, insulted and verbally abused. The police had been contacted on 32 separate occasions and the family were in contact with the local Social Services department.

Amongst the finding of an Independent Police Complaints Commission's (IPCC) Report on the case of Fiona Pilkington and Frankie Hardwick:

- a. The IPCC found that the police did not identify the abuse that was being experienced by the family as Hate Crime.
- b. That there was a lack of partnership working between agencies.
- c. That there was a lack of recognition of the vulnerability of the family.
- d. The Serious Case Review (SCR) further identifies problems in using the Safeguarding Adults procedures to tackle Disability Hate Crime. It concluded that, had the police made a referral to the social services, it would have been treated as a request for services, not a safeguarding issue, because *"no abuse had taken place in the family or professional support system."*

##### 2.1.1.2

David Askew died of a heart attack in the rear of his home in March 2010. He was a 64 year old man with learning disabilities who lived with his elderly mother and brother. He had been subjected to harassment by at least 26 different people over a period of over 12 years. Many of the incidents had been reported to public authorities, including the police. Following David's death one man, Kal Cottingham, was prosecuted for harassment and sentenced to 16 weeks in prison. The case was not prosecuted as a Disability Hate Crime.

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The findings of the IPCC's review were published in March 2011. In addition Tameside Council conducted a Serious Case Review (SCR). Many issues specific to the incidents that lead to David Askew's death were highlighted as well as those that may apply generally:

- a. Improved training for staff to be able to identify Hate Crime
- b. Improved data collection
- c. Improved sharing of information
- d. A lead professional to be identified and placed in charge where there is a multi agency approach
- e. Common risk identification and management process across agencies
- f. Shared learning

### 2.1.1.3

Gemma Hayter was 27 years old when her body was found in 2010 on a disused railway line in Rugby. She had been murdered and people she believed to be her friends committed the abuse that she suffered beforehand.

Gemma was known to a number of agencies during her life. Over a period of six years between leaving college and her murder, Gemma's lifestyle was chaotic, she was not attending college or working, and she was meeting with a community of young people for whom violence was considered a normal part of life, where drug and alcohol abuse was a significant factor.

The Serious Case Review stated that *'Gemma would have been vulnerable in situations where she came into contact with people who did not have her best interests at heart and her social circumstances made this inevitable'*.

Warwickshire Safeguarding Adults Partnership Board (WSAPB) commissioned a Serious Case Review to examine the way that services worked with Gemma and to make recommendations to better safeguard individuals in the future.

The independent chair, Kathy McAteer stated that: *'No single agency had a full picture of what was happening in Gemma's life: there were a number of missed opportunities for initiating safeguarding procedures, assessments or other interventions and for agencies to share information.'*

Amongst the detailed findings and recommendations of the SCR is the fact that there was a lack of support for adults who were at risk but who did not have a formal diagnosis of learning disability and who, as a result, did not have access to any form of specialist support service.

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It further raised the issue that the adult safeguarding threshold was one that did not take into account multiple incidents at a low level but rather relied on a single trigger.

#### **2.1.1.4 Don't Stand By (Mencap, 2010)**

The report suggests that there is a need for consistency and joined up working when considering the infrastructure for tackling Hate Crime. The need to understand the issues of under reporting and the barriers faced by people with learning disability are highlighted, as is the need to record Hate Incidents as well as Hate Crimes.

It reinforces the point that people with a learning disability will turn to people, staff and organisations with whom they already have a relationship of trust to report and seek support.

Mencap, in the report, makes a number of recommendations for the police:

- a. Every police service should review its Hate Crime policies and clarify its structures for dealing with Disability Hate Crime.
- b. There should be individuals with dedicated responsibility for dealing with Disability Hate Crime.
- c. Every police service should build partnerships with disabled people's organisations.
- d. Terms of reference and operating protocols should be put in place to ensure that partnership working functions effectively.
- e. Police services should ensure that every police officer not only is aware of relevant policies and procedures but also of how these can be implemented effectively in routine practice.
- f. Every police officer should be trained in understanding what Disability Hate Crime is, and the types of tools available to tackle it, the training provided by disabled people and people with a learning disability.
- g. All police services should also record Hate Incidents and Crimes systematically and consistently.
- h. Third-party reporting and the establishment of third party reporting centres should be encouraged.
- i. Police services should work in partnership to raise awareness of, and provide training relating to, hate crimes against people with a learning disability.
- j. Police services should work to raise awareness among people with a learning disability about their rights in relation to Hate Crimes.
- k. Police services should work closely with the Criminal Prosecution Service (CPS) and other relevant agencies to ensure that the outcomes in terms of conviction and prosecution rates are improved.



### 2.1.1.5 Scapegoat – Why Are We Failing Disabled People (Quarmby, 2011)

This book discusses the reality of life for disabled people in society. In it she reviews many of the individual cases that have occurred in recent years. She highlights the incidents of 'mate crime' where people with learning disability are targeted, groomed and exploited by so-called friends who then go on to assault them and, in some cases, murder them. She points out that often the incidents are not considered by social care agencies allowing them to escalate. She raises the issue of social isolation and how people, in seeking friendships, find 'false' friends.

She states on the cover of the book the fact that:

- a. *Nine out of ten people have never invited a disabled person into their home.*
- b. *Only two out of ten disabled people have non disabled friends.*
- c. *Eight out of ten children with learning disability are bullied at school.*
- d. *Nearly 50 per cent of disabled people have recently experienced or witnessed physical abuse.*
- e. *The number of Disability Hate Crimes reported has risen by 75% in one year alone.*

### 2.1.1.6 Hidden In Plain Sight (Equality and Human Rights Commission, 2011)

In 2011 the Equality and Human Rights Commission (EHRC) published 'How Fair is Wales' one of the challenges that emerged and they cited was the need to reduce the incidence of Disability Hate Crime. As a result they undertook their inquiry in 2011.

Sadly this shows that disability harassment is a daily experience for many disabled people and that a culture of disbelief exists around the issue. And that *'Disability related harassment is a profound social problem.'* However, they identify the fact that *'Without accurate data public authorities will not be able to understand disability harassment or prevent and respond to it effectively.'*

Like many other investigations the EHRC found that where Disability Hate Crime occurs could be summed up as 'anywhere', with public transport being a particular *'hot spot'*.

The main findings included:

- a. Incidents were dealt with in isolation.
- b. Low level incidents were not dealt with and then led to escalation.
- c. The focus was on the victims behaviour and vulnerability not that of the perpetrator.

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- d. Agencies did not work together.
- e. That there were barriers to reporting.
- f. That there was a lack of shared learning.

Whilst the main report of the UK wide inquiry identified seven areas for improvement namely:

- a. Real ownership of the issue of Disability Hate Crime, with leaders in agencies recognising the issue as a core objective.
- b. Definitive data should be available to include the scale, severity and nature of the incident.
- c. The Criminal Justice System should be more accessible, clear and responsive to victims and disabled people and seek to provide effective support.
- d. The motivation and circumstances of perpetrators need to be better understood.
- e. A need for an increase in awareness of the issue by the wider community with an improved positive attitude towards disabled people.
- f. Training is essential for frontline staff
- g. That the whole area is one that requires evaluation of good practice and dissemination.

In Wales four key areas based on the principality evidence were identified:

- a. Leadership and partnerships, the sharing of effective practice and the piloting of Multi-Agency Risk Assessment Conferences (MARACs).
- b. That the new Equality duties should be used to address this area.
- c. When considering the area of Safeguarding that a human rights based approach should be adopted by the Welsh Government.
- d. That to encourage an increase in reporting that a positive and effective support mechanisms are put in place.

#### **2.1.1.7 Commons Debate on Disability Hate Crime November 2011, Hansard**

A verbatim record of the debate that took place in the House of Commons in November of 2011. As many of the areas that relate to criminal justice and the community are not devolved to the Welsh Government then this debate holds significance within the context for Wales.

In closing the debate, Maria Miller (Parliamentary Under-Secretary for Work and Pensions) acknowledged that the 1500 recorded Hate Crimes were only *'the tip of the iceberg'* saying that *'Hate Crime is a particularly disgusting and disgraceful abuse of disabled people, which has no place in civilised society.'*

Sentiments that were evident from all those members of Parliament who took part in a debate that raised and covered many of the well known and documented issues. The importance, however, of the Members of Parliament

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deliberation, is that it reinforces the findings and recommendations of the various recent reports and places the issues of Hate Crime and the associated concerns, at the centre of those in power in society.

Maria Miller assured all gathered that *'there has been no pause in the work of the Government to tackle disability hate crime while the action plan is being considered.'*

#### **2.1.1.8 Under Investigation, The Trailblazers' Hate Crime Report 2012**

Trailblazer is the young arm of the Muscular Dystrophy Campaign, its report, 'Under Investigation', discusses Disability Hate Crime and its impact on the lives of young disabled people.

The survey conducted as a basis for this report found that:

- a. Eight out of ten young disabled people say they have been harassed, humiliated or embarrassed by a person's attitude
- b. 50 per cent of young disabled say they have been intimidated
- c. Two out of three young disabled people who completed this survey have been taunted or verbally abused
- d. 62 per cent of young disabled people who completed the survey say they have been or may have been the victim of disability Hate Crime
- e. Four out of ten young disabled people who completed the survey and have been harassed or abused, or are currently being harassed or abused, have reported the incident to a person in authority
- f. Eight out of ten young disabled people think that the police do not take disability Hate Crime seriously enough
- g. 79 per cent of young disabled people think some disabled people may be dissuaded from reporting Hate Crimes because of the police's negative perceptions surrounding Hate Crime and disability
- h. Only 40 per cent of young disabled people who completed the survey are aware that harsher penalties are given for crimes motivated or aggravated by a victim's disability.

The key recommendations of the report:

- a. To support the amendment tabled by Paul Maynard MP and Kate Green MP to the proposed Legal Aid, Sentencing and Punishment of Offenders Bill, which will result in the same sentencing starting point for murders motivated by hatred or hostility towards disabled or transgender victims as for those aggravated by race, religion and sexual orientation
- b. To ensure the police and prosecutions services always identify and log whether the victim of a crime considers themselves disabled and whether their disability was a motivating factor in the crime

- c. To promote and develop a helpline for people to call and report incidents of Disability Hate Crime
- d. To organise a national awareness campaign, in consultation with disability rights groups, that helps define Disability Hate Crime and represents disabled people in a non-patronising and representative way
- e. To ensure the police inform disabled people that they should be reporting relevant incidents of bullying, harassment or humiliation specifically as disability-motivated incidents
- f. To consult groups and set up and publicise a victim support programme for disabled people who have been bullied or harassed in disability-motivated Hate Crimes
- g. To improve awareness of the issues that affect young disabled people by running disability awareness training for police, and other relevant authorities, led by groups of young disabled people
- h. To consider Short Message Service (SMS) and email reporting options so disabled people feel they can safely report incidents of Disability Hate Crime
- i. To increase the number of regional police forces to develop initiatives
- j. To ensure that more organisations, including the police, collaborate with groups to visit schools to raise awareness and educate children at an early age about disability harassment and Hate Crimes
- k. To raise awareness through the media of successful prosecutions to restore the public's confidence in the system.

#### **2.1.1.9 Challenge It, Report It, Stop It. The Government's Plan to Tackle Hate Crime, March 2012**

This Plan is the direct response to the on-going debate on Hate Crime and referred to in the Commons Debate of November 2011 reported above. It sets out the challenges faced in tackling Hate Crime across the five diversity strands (disability, gender-identity, race, religion or faith and sexual orientation) and acknowledges that there is a need to bring together the range of activity across Government Departments working with national, local and voluntary agencies as well as the Independent Advisory Group on Hate Crime.

There is a commitment to improve the recording of Hate Crime and for information to be centrally collected and to become part of the national Crime Statistics.

In developing the Plan recognition has been given to the devolved nature of some of the areas, namely Health and Social Care, Education, Local Government and the interface with Voluntary and Third Sector organisations. The UK Government recognise the requirement to work with Welsh Government on the non-devolved elements of the Plan.

It sets out three main objectives, based within a human rights framework:

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- To prevent Hate Crime happening by **challenging** the attitudes and behaviours that underpins it, and early intervention to prevent it escalating.
- To increase **reporting** and victims' access to support by building victims confidence to come forward and seek justice and supporting national and local partnerships provide support.
- To improve the operational response to Hate Crime by better identifying and managing cases and dealing affectively with offenders.

Within the Plan each of the broad objectives is then further broken down with detailed Actions for the coming year, against which the relevant Government Department is allocated.

## 2.1.2 WELSH IMPACT

### 2.1.2.1 Review of In Safe Hands 2010

The review of the guidance on the Protection of Vulnerable Adults in Wales was jointly undertaken by the Welsh Institute for Health and Social Care and the University of Glamorgan.

- It clearly states that it found that people do not like being labelled as vulnerable, rather that there are situations that make people vulnerable and that vulnerability fluctuates over time as situations change.
- The result of the Focus Groups conducted for people with learning disabilities mirror the findings of the people's experience of Hate Incidents/Crime. They are often subtle (being left out of activities), experiences of being bullied, and when they report the incidents, they are not believed.
- It was felt that until there was a system that supported the prosecution of those who abuse that people would not feel confident in policies and would not feel that they were being valued as equal members of society.
- There were 16 recommendations in total relating to the future direction in this area.
- Recommendation Two includes a statutory framework for inter agency working, including specific duties to investigate, to co-operate and to share information.
- Recommendation Four in addressing Policy and Procedure promotes 'an integrated approach based on clear roles and responsibilities for safeguarding.'
- Recommendation Five discusses the categories of abuse and recommends that the abuse by strangers should fall within the Safeguarding policy and procedures. Hate Crime should be recognised as aggravating other offences.
- Recommendation Six sees the establishment of Safeguarding Adults Boards that would promote interagency working, training and data collection.

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- i. Recommendation Eight recommends that the CPS should adopt a culture that supports a 'positive prosecution policy' in cases of alleged abuse.
- j. Recommendation 13 suggests that there should be a national publicity campaign aimed at raising awareness to cover: -what is abuse, individuals should not tolerate abuse of themselves or others, and whom they should contact.
- k. Recommendation 14 reminded staff working with vulnerable adults that they have a duty to report abuse.

### **2.1.2.2 Adult Protection and Safeguarding in Wales 2010**

The reports by the Health Care Inspectorate in Wales and the Care and Social Services Inspectorate in Wales consider the key and common issues across Health and Social Care. Among the key issues the reports raise the point that there is no common understanding of definitions and there is no common threshold for action. They make the point that leadership and partnership working are central to the effective adult protection and safeguarding.

### **2.1.2.3 Safeguarding and Protecting Vulnerable Adults In Wales 2010**

The main findings of this review undertaken by the Welsh National Health Service include:

- a. It is recommended that training should be mandatory for all staff, with the need for information sharing across and between organisations to be covered.
- b. It is recommended that NHS organisations should show commitment and support to Regional Adult Protection Forums and Area Adult Protection Committees.
- c. It is recommended that all NHS organisations must ensure that those who are vulnerable are given a voice by putting mechanisms in place to support them raise their concerns.
- d. A key recommendation is that service users and their families should be involved in adult protection processes and are kept fully informed.

### **2.1.2.4 Social Services (Wales) Bill 2012**

Currently out for consultation, the proposed Social Services (Wales) Bill seeks to provide the legislation required to take forward the change programme outlined in the Welsh Government's white paper, 'Sustainable Social Services for Wales: A Framework for Action'.

It will provide a legislative framework for social services in Wales in the following areas:

- a. Maintaining and enhancing the wellbeing of people in need;
- b. Giving citizens a stronger voice and real control;

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- c. Ensuring a strong national direction and local accountability for delivery;
- d. Safeguarding and protection;
- e. Regulation and inspection; and
- f. Adoption and transitions for disabled children and young people.

It will provide new duties to investigate, co-operate and share information in the field of adult protection.

In Wales, when the Bill becomes an Act, it will support and underpin many of the recommendations present in One Wales and other documents.

#### **2.1.2.5 Communities, Equality and Local Government Committee 2012**

This National Assembly committee undertook an enquiry into disability harassment following the publication of the EHRC report 'Hidden In Plain Sight'. In taking evidence Torfaen People First's project Talk About It was cited by many of the presenters as a model of good practice, a fact that is reflected in the final report of the committee. The report of the enquiry makes ten recommendations the Welsh Assembly should commit to, including a framework for tackling disability-related harassment.

The recommendations accepted at a Plenary session on 22 February 2012 are:

- a. The development of a disability related harassment framework
- b. Encourage partnership work at organisational and Ministerial level
- c. Training to be provided to front line staff in public authorities
- d. Piloting the use of Multi Agency Risk Assessment Conferences (MARAC)
- e. Monitoring how many public authorities establish disability related Harassment as an equality objective under specific equality duties.
- f. Under the specific equality duties the Social Service Bill to include a discussion on the inclusion of human rights within safeguarding measures
- g. Framework to standardise and co-ordinate third party reporting centres
- h. The use of existing resources to raise the awareness of disability related harassment amongst disabled people
- i. Guidance to be issued on data sharing to ensure patterns of low level harassment are recognised before they escalate.
- j. That Welsh Government should help change cultural attitudes towards disabled people.



### **2.1.2.6 Wales As It Stands – What are the Inequalities We want to Tackle? (Welsh Government 2012)**

In developing the Strategic Equality Plan the Welsh Government published on its website a list of inequalities it wished to tackle, inequalities that may well be a result of a person’s age, ethnicity, gender or faith/belief (including non belief), sexual orientation, or being a disabled or transgender person. In its consideration of the information on the issue of Disability Hate Crime it concludes that the statistics for recorded Hate Crimes in Wales for 2009/2010 (ACPO figures) of 3594 are *‘unlikely to reflect the true extent of crime owing to the under reporting by victims.’*

It acknowledges that there is a significant and rising incidence of Hate Crime against disabled people, with disabled people more likely to worry about violent crime and to feel unsafe after dark than people who are not disabled. A finding supported by the EHRC report ‘How Fair is Wales’ (2011) that found that 16 per cent of disabled compared to 12 per cent of the general population, were more worried, and similarly 47 per cent of disabled people compared to 28 per cent felt unsafe out after dark.

This report also highlights that being bullied in school is a major risk factor for pupils disengaging from school, with 44 per cent of year 6 and 7 and 25 per cent of year 10 reports having been bullied in the last school year (Bullying in Schools Welsh Government research 2010). With the increased emphasis on children with learning disability attending mainstream schools this is a worrying statistic and linking it with the data on the literacy levels is disturbing.

The prison population of Wales was considered with disabled prisoners reporting a higher level of victimisation than other prisoners both from staff and other prisoners.

It is believed that between 20 per cent and 30 per cent of prisoners have learning disabilities and 50 per cent have literacy problems.

In reviewing Independent Living the report highlights that many services that are designed to support disabled people are in fact fragmented and encourage dependence rather than independence. It suggests that disabled people are vulnerable to abuse from those on whom they rely for support and assistance.

## **2.1.3 GWENT IMPACT**

### **2.1.3.1 Gwent Police Force’s Draft Equality Plan (2012)**

This plan contains several strategic objectives for the next four years including, as a key area, action to be taken on Hate Crime. The document states *‘To ensure that victims of all types of hate incidents and crimes receive an appropriate response from Gwent Police that identifies vulnerability at an early*

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*stage, best supports them, and increases the chances of a successful prosecution.’*

It will do this through the delivery of the Gwent Police’s Hate Crime Action Plan that in detail lays out the following actions:

- a. To establish an appropriate risk assessment and Multi Agency Risk Assessment Conference (MARAC) system which is consistent across Local Policing Units (LPUs).
- b. To regularly review Hate Crime victim satisfaction levels and seek to improve this where necessary.
- c. To regularly review Hate Crime prosecution data and publicise successful cases wherever possible.
- d. To engage with communities where evidence suggests that a lack of trust or under reporting exists (for example, Lesbian, Gay, Bisexual and Transgender communities and disabled people).
- e. To raise officers and staff awareness around the recognition of hate incidents, successful investigation and the provision of effective/ appropriate victim support.

### **2.1.3.2 Victim Support Response to Police and Crime Commissioners (PCC) Appointments**

The project was commissioned by the Commissioner for Victims and Witness, Louise Casey, and funded by the Home Office until May 2012. It focussed on key groups of victims, one of which was victims of Hate Crime. The aim of the project was *‘To ensure that the incoming police and crime commissioners treat victims’ issues as a priority’*.

The proposed actions in the draft report for Gwent are:

- a. The PCC should improve the flow of appropriate information between all agencies to provide a joined-up service for victims of crime and Anti-Social Behaviour (ASB) in Gwent.
- b. The PCC to promote a public awareness campaign for victims’ services in Gwent, and to develop a network of victims’ services organisations to identify service needs and consult with victims.
- c. The PCC should implement a needs-based approach in both police response to all crime and ASB and the commissioning of victims’ services in Gwent.
- d. The PCC should ensure that the minimum standards of communication between Gwent police, service providers and victims are designed to meet victims’ needs.
- e. The PCC should encourage affective partnership working through consortium bidding to ensure specialised services are maintained for victims.

The final document will be launched in Gwent on May 21<sup>st</sup> 2012.

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#### **2.1.4. COMMON THEMES AND RECOMMENDATIONS**

Through out the literature, Special Case Reviews, Independent Police Complaints Commission reports and the campaigns from organisations representing people with Disabilities there emerge a number of key themes and recommendations. They have been highlighted here, with reference made to the documents in which they appear.

No inference of priority should be placed on the order in which they appear.

##### **2.1.4.1 Identification by all agencies that the incidents that occur are Hate Incident, Hate Crimes or Harassment.**

- a. IPCC - Pilkington report
- b. Review of In Safe Hands
- c. SCR – Gemma Hayter
- d. Don't Stand By – Mencap
- e. Communities, Equality and Local Government (CELG) Committee
- f. Gwent Police Equality Plan
- g. Victim Support
- h. Challenge It, Report It, Stop It.

##### **2.1.4.2 That agencies should work together and that there should be a sharing of information.**

- a. IPCC – Pilkington report
- b. IPCC/SCR – David Askew
- c. SCR – Gemma Hayter
- d. Review of In Safe Hands
- e. Reports of Adult Protection and Safeguarding
- f. Safeguarding and Protecting Vulnerable Adults in Wales
- g. Don't Stand By – Mencap
- h. Hidden in Plain Sight
- i. Social Service (2012) Bill
- j. Communities, Equality and Local Government (CELG) Committee
- k. Gwent Police Equality Plan
- l. Victim Support
- m. Challenge It, Report It, Stop It.

##### **2.1.4.3 A common approach to the identification of risk/vulnerability of people with a learning disability especially for people who do not have a formal diagnosis of disability.**

- a. IPCC – Pilkington report
- b. IPCC/SCR – David Askew
- c. SCR – Gemma Hayter

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#### **2.1.4.4 The use of the Safeguarding Procedures that identify a Human Rights based approach identifying people in vulnerable situations rather than vulnerable people.**

- a. IPCC – Pilkington report
- b. SCR – Gemma Hayter
- c. Review of In Safe Hands
- d. Adult Protection and Safeguarding
- e. Hidden In Plain Sight
- f. Social Service (21012) Bill
- g. Communities, Equality and Local Government (CELG) Committee
- h. Gwent Police Equality Plan
- i. Challenge It, Report It, Stop It.

#### **2.1.4.5 Improved training for front line staff and the opportunity for sharing learning.**

- a. IPCC/SCR – David Askew
- b. Safeguarding and Protecting Vulnerable Adults in Wales
- c. Don't Stand By-Mencap
- d. Hidden In Plain Sight
- e. Gwent Police Equality Plan
- f. Challenge It, Report It, Stop It

#### **2.1.4.6 Improved Data Collection and Analysis to include Research into Perpetrator Motivation**

- a. IPCC/SCR – David Askew
- b. Don't Stand By – Mencap
- c. Hidden In Plain Sight
- d. Communities, Equality and Local Government (CELG) Committee
- e. Under Investigation – Trailblazer
- f. Gwent Police Equality Plan
- g. Challenge It, Report It, Stop It.

#### **2.1.4.7 The need for leadership and an identified lead professional**

- a. IPCC/SCR – David Askew
- b. Review of In Safe Hands
- c. Adult Protection and safeguarding
- d. Don't Stand By – Mencap
- e. Hidden In Plain Sight

#### **2.1.4.8 That there should be a programme of awareness raising involving people with a learning disability for their peers, school children and the general public.**

- a. Review of In Safe Hands
- b. Don't Stand By-Mencap
- c. Hidden In Plain Sight
- d. Communities, Equality and Local Government (CELG) Committee
- e. Under Investigation – Trailblazer
- f. Gwent Police Equality Plan
- g. Victim Support
- h. Challenge It, Report It, Stop It.

#### **2.1.5 COMMENTS**

Please note the following comments pertaining to the above recommendations.

##### **Sharing Information:**

It should be noted that the Crime and Disorder Act (1998) establishes a clear framework for information sharing. Section 115 of the Act contains an explicit power for people to disclose information to a number of different agencies.

##### **Safeguarding:**

Jenny Anderton, lead on Hate Crime for the Valuing People Support Team in England comments that *'victims of Hate Crime are usually directed towards the safeguarding boards in local authorities who are the people who deal with adult protection.'* Many working in this field believe that when abuse of vulnerable adults is seen as an issue for social care agencies rather than the police it leads to decriminalisation and socialisation of crime. Katherine Quarmby in many of her writings suggests that both the police and the CPS place too much emphasis on a person's vulnerability and this often leads them to fail to look for the evidence of Hate Crime having occurred.

##### **Recording Incidents and Crime:**

The Coalition Government has committed to *'promote better recording of hate crimes against disabled, homosexual and transgender people, which are frequently not centrally recorded'*. Restated within the Challenge It, Report It, Stop It Action Plan.

## 2.2 GOOD PRACTICE

The issue of Hate Related Incidents and Hate Crime has risen in profile since the very public case of Fiona Pilkington and her daughter Frankie Hardwick in 2007. Just as the case of Stephen Lawrence raised the profile of racially motivated crime with the Macpherson Report in 1999, it has been suggested that what has become known as 'The Pilkington Report' will do the same for Disability related Hate Incidents and Crimes. The Macpherson Report marked a shift towards one that took the victim's perception of the incident into account, with it being theirs, or a witness's, perception which defines an incident as being motivated by prejudice or hate.

This being the case there is an increase in the number of organisations promoting the issues and a number of initiatives of note, both in Wales and England. Amongst which are:

### 2.2.1 Third Party Reporting Centres

The recommendations made by the report of the Inquiry into the racist murder of Stephen Lawrence have had a fundamental impact on the policing of 'race hate crime' in the United Kingdom, leading to many changes and initiatives.

In the case of racist incidents the Inquiry recommended that: *'...all possible steps should be taken by police services at local level in consultation with local government and other agencies and local communities to encourage the reporting of racist incidents and crimes. This should include a) the ability to report at locations other than police stations and b) the ability to report 24 hours a day.'*

And so the concept of third party reporting was conceived which has since been extended to include crimes in which persons are victimised on account of their religion, sexual orientation, or disability. It is realised that some victims are less inclined to report incidents to the police than to another agency - possibly because of a lack of trust and confidence in the police, the fear of reprisals from perpetrators if the police get involved, a feeling that the incident is not serious enough for police action, or simply because police stations are not nice places to go to.

Dr Chih Hoong Sin of The Office of Public Management Writes *'that third party reporting centres ...play an important role... and can help address some of the resistance towards reporting to the police and can be more accessible.'*

But he draws attention to the fact that to be more effective they must work with a range of other agencies to raise awareness and to create a seamless referral and signposting pathways.

### 2.2.2 True Vision

True Vision is the web site owned by the Association of Chief Police Office (ACPO) dedicated to dealing with the issues that surround all the categories of Hate Crime. Within the field of Disability Hate Crime and specifically learning disability motivated Hate Crime the site ensures that all relevant material is accessible. The Report It form is produced in an Easy Read format and is the form that is used in the Talk About It third party centres.

### 2.2.3 Safer Wales

Report Safer Wales is a scheme developed in partnership with the police forces of Wales. It enables victims, witnesses or other parties to report all Hate Incidents and Hate Crimes in confidence.

Operating across all the quality strands the scheme seeks to address the issue of under reporting of Hate Incidents and Hate Crimes to the police. Reports can be made on line or by post by means of the Report Hate Safer Wales leaflet.

### 2.2.4 Stand By Me – Mencap Campaign

Launched in 2011 the Stand By Me campaign is being run over 3 years to promote the issues faced by people with learning disability. Police forces are asked to sign up to ten recommendations to tackle this area. Based on the finding of the report Don't Stand By (Mencap 2010) Mencap suggests that Disability Hate Crime is the *'poor relative of racist crime'*.

In Wales Mencap Cymru is running a parallel campaign entitled ARC, standing for A=Awareness R=Reporting and C=Convictions.

### 2.2.5 VALREC

The Valleys Regional Equality Council (VALREC) is an organisation that works in the area of Equality, Diversity and Human rights. It does this by raising awareness and good practice on quality, diversity and human rights, by promoting equality of opportunity. It seeks to promote good relations among the different communities and with the wider society. In its work seeking to eliminate unlawful discrimination and harassment, the organisation provides help and support to victims of harassment, violence and other Hate Crimes

### 2.2.6 The Wales Housing Management Standards for Tackling Anti-Social Behaviour

Issued by the Welsh Government this provides a set of voluntary standards for social landlords in Wales, adopting them demonstrates a commitment to tackling anti-social behaviour in the community. They emphasis the role of

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prevention and enforcement and promote the rights and responsibilities of the housing agencies for safe and sustainable local communities.

### **2.2.7 All Wales Hate Crime Research Project**

This project is being led by Race Equality First in partnership with Cardiff and the Vale of Glamorgan Equality and Human Rights Network and Cardiff University and has been funded by the Big Lottery Fund.

The research is focussed on Hate Crime and Hate related Incidents across seven equality strands –age, disability, gender, religion and belief, sexual orientation and transgender. The main aims are to investigate the prevalence, nature and impact of Hate Crime and Hate related Incidents, improve support for victims and to help enhance the way that the criminal justice system and other organisation deal with such incidents.

### **2.2.8 Disability Hate Crime Action Group**

This group is an informal partnership of organisations that wish to make a difference in respect of Disability Hate Crime and impairment related harassment in Wales. The group seeks to raise the awareness of the issue with disabled people themselves and the general public and through this increase reporting and convictions of Disability Hate Crime. They recognise the importance of information sharing on initiatives to avoid duplication of effort and to best serve the needs of victims of attacks.

It is this group that the Welsh Government will look to support them in the development of a disability related harassment framework.

### **2.2.9 Police All Wales Diversity Group**

Representatives from the four police forces in Wales come together regularly to discuss common issues and approach of which Disability Hate Crime is a part. Chaired by the Deputy Chief Constable of Dyfed-Powys Police.

### **2.2.10 Restorative Justice**

Greater Manchester Police Authority is promoting the use of Restorative Justice seeking to bring those harmed by crime or conflict, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the hurt and finding a positive way forward.

In communities this can be seen to resolve the conflict before it turns into a crime and helps build community ownership of the solutions.

Research conducted for The Home Office by EHRC has found that Restorative Justice reduces the frequency of re-offending with 80 per cent of

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offenders reporting that they felt that it would lead to a lessening in the likelihood of them re-offending.

Tony Singh says of Restorative Justice and Hate Crime that *'The thing is, more often than not, Hate Crime is caused by ignorance – especially with young people, who may not realise the full scope and damage they cause.'* So a programme that links Disability Awareness and the use of the Restorative Justice principles within schools and communities is supported.

### 2.2.11 Working with Offenders of Hate Crime

Though all the examples found were of initially working with offenders of racially motivated Hate Crime it is suggested that the underlying principles and programmes could easily be translated in to working with offenders of Disability Hate Crimes.

**The Diversity Awareness and Prejudice Pack (DAPP)**, was originally developed in 2001 in London with a focus on racially motivated offenders, and has been adapted to meet the demands of the Criminal Justice Act 2003 by extending its scope to cover religiously aggravated, disability-related and homophobic crime. It is delivered on a one-to-one basis and consists of seven modules:

- a. Socialisation processes
- b. Personal identity, attitudes and beliefs
- c. Thinking skills to avoid offending
- d. How prejudicial attitudes contribute to offending
- e. Victim empathy
- f. Targeted violence
- g. Strategies to avoid relapse and manage prejudices more constructively

The programme can also be adapted to provide briefer interventions, for risk assessment and management

**'Promoting Human Dignity'**, has run since April 2008 in Merseyside and is a development of a programme established in 2000, 'Against Human Dignity'. It is aimed at racially aggravated offenders and delivered mainly as a group work programme, with one-to-one provision for offenders for who group work is impractical. It consists of 14 weekly two-hour sessions, and the syllabus includes:

- a. Factual material about 'race' issues
- b. Differences between knowing and believing
- c. Labelling and discrimination
- d. The relationships between emotions, thought and behaviour
- e. Alternative ways of thinking
- f. How life experiences shape feelings, beliefs and behaviour
- g. The impact of racially motivated offending on victims

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#### h. Relapse prevention

An evaluation in 2008-09 found that participants generally reported that the programme had been helpful in getting them to reflect on the consequences of their behaviour and in managing anger and other emotions associated with offending.

#### **2.1.12 Rehabilitation of Targeted/Hate Crime Offenders. A research project commissioned by the Equality and Human Rights Commission (Scotland)**

Having reviewed this area and considered the various schemes in operation both in the United Kingdom and abroad, and in the context of the 2010 Equality Act, a number of key recommendations are made:

- a. A national policy on work with Hate Crime offenders should be developed in each of the jurisdictions of the UK.
- b. A substantial body of research should be commissioned to improve knowledge about Hate Crime offenders.
- c. Work should be commissioned on how programmes for racially motivated offenders might be adapted for work with perpetrators of other types of Hate Crime.
- d. To improve their prospects of long-term survival, programmes should be developed and supported through public funds.
- e. Programmes need a clear theoretical basis, and should not be dependent on the enthusiasm of individuals.
- f. Programme development both in the community and in custody should be based on examples of good practice, which therefore needs to be documented and disseminated.
- g. Work is needed to find ways of meeting the special challenges posed by violent offenders.
- h. Existing programmes should be systematically evaluated, and evaluation should be built into the development of new programmes.
- i. Post-programme follow-up of participants should be routinely undertaken as an element of good practice.
- j. Evaluation should focus on the relative advantages and disadvantages of programmes with a predominantly therapeutic and predominantly educational approach.

#### **2.1.13 Pegasus**

A scheme running in the Dyfed-Powys police area, this is aimed at providing a service to people who find it difficult to speak either by telephone or in person. By filling in an application form an individual can choose a password that is then kept on record by the police. When the person makes contact with the police they either say 'Pegasus' or show the identification key fob and disclose their password. The officer dealing with the contact can then access the



individual's records in which they have indicated their preferred means of communication and who to contact in an emergency.

## 2.3 MEDIA REPORTING:

The effects of media reporting should not be underestimated in this area; on the people with learning disability and their perception of themselves, the impact of the way that Hate Crimes are reported, the perception of the general public of people with a learning disability. The impact on people with learning disability was recognised by the EHRC in their report 'Meeting the Challenge, Leading the Change' Wales priorities 2011/2012 *'Disabled people restructure their lives to minimise the real and perceived risks – even if they haven't experienced targeted violence personally.'*

'A Life Like Any Other' a report of the Joint Committee on Human Rights (2008) states *'that part of the problem is that people **do not** see adults with learning disabilities as people with equal rights to protection by the law'*.

The Equality and Local Government committee of The National Assembly for Wales in it's report on 'Disability Related Harassment in Wales' clearly sees that changing cultural attitudes as central to addressing the issue and that the media has a central role. See Recommendation Ten.

That people with learning disabilities should be able to take their rightful role in society as full citizens is central to policy and service provision, with the Minister for Finance and the Leader of the House Jane Hutt stating: *'We all have a duty to ensure that disabled people are able to live a life without fear.'*

The Welsh Assembly Government 'Policy and Practice for Adults with a Learning Disability' issued in 2007 supports and underpins this statement, as does the Welsh Assembly's document One Wales.

Unfortunately the backlash of often sensationalised media reporting, of the horrendous incidents that have occurred, for example, the reports of Fiona Pilkington and Frankie Hardwick, is one that reverts to protectionism for people who are seen as vulnerable. A poll in 2010 by Turning Point (Quarmby Page 219) found that nearly a quarter of the general public that they polled believed that people with a learning disability should live in institutions, one in ten suggesting that this should be out of town in a secure hospital.

'Hidden In Plain Sight' (EHRC 2011) recommends that taking a rights based approach to Safeguarding seeing people **not** as 'vulnerable people' but rather 'people in vulnerable situations'. It is this change in thinking that, along with the other measures, will lead to a change in perceptions.

### 2.3.1 High Profile Reports

Listed in brief below are just some of the individual cases that featured in the media in recent years, sadly, these reports, and the incidents to which they relate, underline that the failure by individuals and society to challenge subtle acts creates an environment in which hatred and discrimination can flourish. Allport's Scale, (Allport 1954) which is a measure of the manifestation of prejudice in society, demonstrates and describes how incidents escalate from antilocution (speaking against) through avoidance (isolation), discrimination, physical attacks to eventual extermination. An example of how Allport's findings and the media inter relate and the ensuing damage can be seen in the recent high profile comments by the 'comedian' Ricky Gervais over the continued use of the term 'mong'. Arguments were made in this debate about free speech but it should be noted that Hate Speech is not Free Speech. *'Hate Crime always begins with hate speech' 'It's not the language people use, it's how they respond to being asked not to use it. That's the real test of someone's humanity.'* (Clark 2012)

Another potential impact of media reporting is the way that people with disability are portrayed with the Welfare Reform Bill coming into force. Cuts Watch Cymru warn that people who they identify as vulnerable may be pushed out into situations that neither they nor the society are ready for and that the cuts will increase the pressures that individuals experience. Within the media and government people with disability are often referred to as 'benefit scroungers' and 'fraudsters', with individual anomalies being cited as the norm.

This is highlighted by the case of David McGregor who pleaded guilty to harassment, criminal damage and attempted criminal damage, accusing his neighbour Peter Greener of being a 'benefit scrounger'. The CPS drew the disability Hate Crime issues in the case to the court and his sentence was increased.

Wales Online 2009 ([www.walesonline.co.uk/news/wales-news/2009/04/26/](http://www.walesonline.co.uk/news/wales-news/2009/04/26/)) reported that *'Hate crime rises in Wales as economic hardship bites.'* Alan Wheatley in a statement on behalf of the Green Party October 2008) *'evidence suggests to me that many reports of 'benefit fraud' to DWP hotlines are in fact incidences of hate crime. I actually regard the DWP 'targeting benefit fraud' media campaigns as incitement to hate crime...regard rising hate crime levels as a reaction to increasing social tensions in a world of diminishing resources'.*

Kaliya Franklin states that *'Disabled people are afraid, not just of the impact of the cuts, but that we are becoming targets for the wider community as a direct result of the demonization of benefit recipients coming from the government and media.'*

“I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”  
TPF Focus Group

A recent study by the Glasgow Media Group, as quoted in the Commons debate of 23<sup>rd</sup> November 2011 *‘analyse how media reporting of disability in the context of Government spending cuts reveals a major shift in how disabled people are portrayed and the negative impact that this is having, both on public attitudes and on disabled people themselves.’*

In a recent (23 November 2011) Commons Debate on Disability Hate Crime, Anne McGuire, Labour’s shadow disabled people’s minister called on Maria Miller, the Parliamentary Under-Secretary of State for Work and Pensions to *‘challenge some of the more outrageous and outlandish comments’* being made by some of the senior ministers. This was further reinforced by Sheila Gilmore MP in the Commons on 23 February when she cited a recent report from the Works and Pensions Select Committee *‘on the transition from disability living allowance to personal independence payment has made it clear yet again that some statements made by the Department have themselves encouraged a negative view of people with disabilities.’*

#### **2.3.1.1 2006 Steven Hoskins**

Steven Hoskins was forced to eat too many paracetamol tablets and then was forced to fall off a bridge to his death. Steven had been bullied and abused for months by the people who caused his death. Because of his learning disability Steven did not understand that these people were not his friends, but hurting him.

#### **2.3.1.2 2006 Raymond Atherton**

Raymond Atherton was a 40 year old man with learning disabilities who lived independently in his own flat. Youths used it for drinking and drug taking, they spent months terrorising him. Despite moving, they followed him and the abuse continued. Raymond was finally assaulted and thrown into the river and drowned. Social Services felt powerless to intervene because Mr Atherton, intimidated as he was, refused to ask for help.

#### **2.3.1.3 2006 Barrie-John Horrell**

Barrie-John Horrell was kidnapped and abducted by so called friends who ‘leached off’ him. With a pillow case over his head, he was driven to a remote area, strangled, beaten and set on fire

#### **2.3.1.4 2006 Kevin Davies**

Kevin Davies was 26years old when he was tortured, kept in a shed, and had his benefits stolen. He was just 7 stone when he died after weeks of imprisonment and torture. Two of his attackers were well known to him.

### **2.3.1.5 2007 Fiona Pilkington and Frankie Hardwick**

See above Page 12

### **2.3.1.6 2007 Christine Lakinski**

Christine Lakinski collapsed in the door way of her home, a crowd gathered to watch and at this time her neighbour urinated over her, covered her with shaving foam as she lay dying. He encouraged his friend to film the event.

### **2.3.1.7 2010 David Askew**

See above Page 12

### **2.3.1.8 2010 Gemma Hayter**

See above Page 13

### **2.3.1.9 2011 Winterbourne View**

A BBC Panorama programme aired on 31 May 2011 disclosed the abuse by staff of people with a learning disability who were patients living at Winterbourne View, an independent hospital run by Castlebeck Care (Teesdale) Ltd.

### **2.3.1.10 2012 ZH**

A young man just 16 years old had his human rights breached, was subject to disability discrimination and false imprisonment by the Metropolitan Police. He was placed in hand cuffs and leg restraints, placed wet and distressed into the back of a police van after jumping into a swimming pool. The High Court judge Sir Robert Nelson says that *'The case highlights the need for there to be an awareness of the disability of autism within the public services'*

### **2.3.1.11 2012 Nicky Reilly**

Nicky Reilly is a young man, 22 years of age, who has been jailed for life and must serve a minimum of 18 years as a result of being found guilty of attempted murder and preparing an act of terrorism. It has been suggested that the young man had been preyed on, radicalised and taken advantage of being susceptible because of his learning disabilities.

### **2.3.1.12 2012 Tanni Grey**

Tanni Grey, Lady Grey-Thompson received abusive comments posted on line as a result of the report of her plight when she was stranded on a train after midnight. *'A couple of hundred people said some fairly unpleasant things about me along the lines of 'what gives her the right to speak, she should be*

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 36  
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*at home, she shouldn't be out at midnight, she should be better organised', and what right did I think I had to travel on public transport.' 'The more offensive ones were generic, like maybe there should be a cattle truck at the back of the train for wheelchair users so they can all sit together.'*

## **2.4 ANALYSIS OF THE LEVEL AND TYPE OF DISABILITY HATE CRIMES**

Accurate statistics relating to the number of people with learning disabilities within the population are not obtainable, and therefore estimates of prevalence are widely used. From the work of Emerson and Hatton of the Institute for Health Research, this is usually accepted as between 2 per cent and 2.5 per cent. So extrapolating from figures on the Welsh Government's own website Daffodil, figures for the general population for Wales in 2011 recorded at 3,024,220, the estimated number of people with a learning disability in Wales at 2011 would be 60,484 and in the Gwent (Aneurin Health Board) area 11,271. The actual figures recorded are, for Wales baseline figure for people with learning disabilities over 18– 56,294, moderate and severe learning disabilities – 37,463. Whilst the reported figure for Aneurin Bevan area shows a baseline figure of 10,322 and the figure for moderate and severe learning disabilities as 7,244. The EHRC in their report 'How Fair is Wales' (2011) note that Wales has a higher proportion of working aged disabled people than Britain as a whole.

How many of these people have experienced any form of Hate Harassment, Incident or Crime is undefined. The EHRC suggested that disabled people in Wales are four times more likely to experience harassment than non-disabled citizens. EHRC in 'Hidden in Plain Sight' (2011) quotes British Crime Survey figures that indicate 19 per cent of disabled adults are crime victims, this equates to 100,000 adults in Wales. Not all these people will be victims of Hate Crime but the report points out that not all Hate Crime is reported, and that disability related incidence do not involve criminal behaviour. Therefore they suggest that the true numbers may well be higher.

However, Mencap's report 'Living In Fear' (1999) found that 90 per cent of people had been bullied (incidents that now would fall into the definition of Disability Harassment, Incidents or Crime) on a regular basis. This translates to a figure of 54,435 for Wales and 10,143 for Gwent. Higgins (2006) surveyed people with learning disability living in Scotland and found that 20 per cent reported that they had experienced attacks at least once a week.

Recording of reports against the five monitored strands (disability, gender-identity, race, religion/faith and sexual orientation) began in 2008 with the first figures published by Association of Chief Police Officers (ACPO) in 2010.

The number of Hate Crimes convicted in UK in 2010/2011 was 579 a rise of 79.8 per cent. However this needs to be placed within the context of the overall rates of conviction of Hate Crimes for the same period: the CPS had

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 37  
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convicted 12,651 incidents of Hate Crime. (Figures taken from the CPS website) Within Wales in 2007/8 of the 4,578 prosecutions for Hate Crime only 21 were for Disability Hate Crimes ('How Fair is Wales' EHRC 2011).

Please see Appendix Two for a breakdown of the statistics for Hate Crimes Nationally (England, Wales and Northern Ireland), for Wales and within Gwent showing both Hate Incidents and Crimes.

Home Office research (2006) has shown that police only identify half of all vulnerable victims and intimidated witnesses. See the above recommendations from Victim Support.

Both anecdotally, and in the literature, on the issue of Hate Crime there is the problem that different groups of people use different words to describe violence and Hate Crime and Incidents. People with learning disability often use the word 'bullying' to describe behaviour that statutory services may describe as 'abuse' whilst the police may categorise as 'assault' or 'Hate Incident/Crime' This leads to a confusion between agencies of anti-bully polices, Protection of Vulnerable Adults Policies and general Hate Crime Policies. There needs to be shared definitions and use of clear jargon free language.

Hate Crime often starts with small incidents, such as name-calling, but often escalates through threats, damage, physical assaults and even murder as in the case of Steven Hoskins and Raymond Atherton. See Scope's report 'Getting Away with Murder' (2008) and consider Allport's Scale of Escalation.

The targeting of people with learning disability, as is evident from cases like Gemma Hayter, is an issue that is of growing concern. So-called Mate Crime is often not recognised for what it is by individuals themselves, who often social isolated, are susceptible to overtures of friendship. Paul Maynard MP, described the situation in the Commons debate saying *'that a so-called friend who relieves some one of a £10 note. That might not seem a particularly large crime, certainly not in financial value, but if a so-called friend of some one with a learning disability abuses their trust, that is a far greater crime, in human value, than if they were stealing £1 million. It is not a financial crime; it is an attack on the person's humanity and identity.'*

A worrying emerging issue is the number of incidents of cyber bullying, harassment and stalking which are being highlighted as more people use mobile phones, text messaging, e mailing, and social media sites such as Facebook. In the findings of the British Crime Survey of 2010/2011 78 per cent of adults used the Internet in the previous year, with 98 per cent of 16-24 year olds being the biggest users.



## **2.5 THE CONCEPT OF THE TALK ABOUT IT PROJECT:**

Members within Torfaen People First talked about things that happened to them in their every day life, at home, in their day activities and in the community, at that time they thought these 'bad' things were the norm and that it was necessary to put up with it.

The idea of Talk About It project began as a result of trainee police officers, who were on placement with Torfaen People First, and members talking. It was then that member's fears of being safe in their community became evident.

The design of the Talk About It project centred on an inter relation of three areas of activity:

- Working with people with learning disability to raise their understanding and awareness of Disability Hate Crimes and Incidents;
- Raising awareness with professionals of the effects of Disability Hate Crimes/Incidents on the lives people with learning disability;
- The development of Talk About It Centres (Third Party Reporting) for the benefit of all people with learning disability.

The initiative was developed by Torfaen People First in partnership with Gwent Police supported by funding for the project from the Home Office (2009/2010). The partnership led to further funding from the Home Office to promote the outcomes and develop Talk About It Centres across Gwent (2010/2011).

### **2.5.1 TALK ABOUT IT CENTRES (Third Party Reporting Centres)**

The term Talk About It Centre is used to describe the concept of a 'virtual centre', which are located in places that people with a learning disability use as a matter of course in their day-to-day life. Not a purpose built building but rather a quiet corner in a venue that they use where they can gain support and guidance from staff that they know.

This approach was adopted as it gives a greater sense of security as people can initially report a Disability Hate Crime or Incident to someone they know and trust. This action reduces the stress on the person with learning disability by not having to 'gather the courage' to enter a police station and make a report. To review the procedure that was developed to ensure the timely and correct handling of the Report It Form see Appendix Three.

Whilst Talk About It Centres enable people with learning disability the opportunity to 'tell someone they know and trust' there are responsibilities on the 'staff member/group leader' relating to regulations for the operation of Third Party Reporting Centres. This specific guidance forms part of the



Introductory Training session to professionals of prospective Talk About It Centres and is delivered by Gwent Police.

It should be noted that there is a variety of organisations that have decided they wish to support people with learning disability in their quest to do something about Disability Hate Incidents and Crimes. Many of the Talk About It Centres are based within organisations that people with learning disability use regularly – possibly on a daily basis – such as Day Opportunities - Outreach Centres; Community Education establishments; Reach Supported Living. However other organisations such as Blaenau Library, Info Shop in Ebbw Vale, and SEWREC in Newport have established Talk About It Centres in order to embrace the wider needs of their local communities. The Office for National Statistics and NHS Health and Social Care found that in 2004 only 20 per cent of people with learning disabilities were known to services, thus 80 per cent of people would be using community facilities. See Appendix Four for a list of the Centres at March 2012.

In October 2010 a Pan Gwent conference was held to build on the work of Torfaen People First to enable people with learning disabilities across Gwent to be able to identify and deal with issues relevant to Hate Crime. People with learning disability together with professionals and representatives from Gwent Police attended. The programme for the event included an interactive drama by Sunny Arts Theatre Company, highlighting the various forms of abuse within the framework of Disability Hate Crime. This style of presentation enabled people with learning disability to understand the issues and they decided they wanted to do something about it.

One outcome of the day was that People First members across Gwent decided to become active in the establishment of the Talk About It Centres in their area and to have ownership of the Hate Crime development in their county. See Appendix Five for Development Plan of Talk About It Centres across Gwent.

For the Talk About It project to develop across Gwent it was necessary to establish contact with members of each of the People First Groups - Blaenau Gwent; Caerphilly; Monmouthshire (Abergavenny and Caldicot Groups); Newport. The initial step was for members to discuss the whole area of Disability Hate Incidents and Crimes to establish a shared understanding in order that they would be clear in their ownership of the project in their area and in the delivery of the Talk About It Centres Introductory Training session.

Training programmes were designed to meet the joint objectives:

- Understanding of Disability Hate Incidents/Crime by people with learning disability;
- Role and Responsibilities of Talk About It Centres

Members, drawn from the training team of the local People First Groups, delivered the power point presentations and led the inter-active discussion groups during the training on the operation of the Talk About It Centres, in partnership with Gwent Police Community Cohesion Team, to the professionals staffing the Centres. It is this event where professionals from a variety of organisations linked in the field of learning disability (including such establishments as South East Wales Regional Equality Council [SEWREC]; Info Shops; Victim Support) attended with a view to setting up a Talk About It Centre.

It is only at the end of these events do organisation 'sign up' to become a recognised Talk About It Centre (Third Party Reporting) and receive a comprehensive resource pack which provides a step by step guide for professionals to understand disability Hate Crimes and Incidents. It gives clear guidance on supporting a person with learning disability; setting the scene if the person wants to REPORT IT; follow on action and support resources available. True Vision reporting packs are used in the Centres as a direct result of feedback from people with learning disability which indicates that the forms are easy to understanding with large print and graphics to assist in recording the detail of the disability Hate Incident or Crime they have experienced.

The Centres are then added to the database of Talk About It Centres and are then in receipt of regular Updates in order that they are kept informed, networked and reminded of the importance of the issues of Hate Harassment, Incidents and Crimes.

## **2.5.2 WORKING WITH PEOPLE WITH A LEARNING DISABILITY FOCUS GROUP EVIDENCE**

Eight focus groups, and a Pan Gwent conference, were conducted with people with a learning disability over the past year, with semi formal discussions being recorded. They were run to gather evidence on the understanding of Disability Hate Crimes/Incidents by people with a learning disability, to discuss the activities and support in their local Talk About It centre, and to share the good things and difficulties about reporting. See Appendix Six for the format used.

As The All Wales Hate Crime Research Project is also seeking to interview victims of Hate Crime, both organisations concluded that to interview individuals twice was unethical and could cause undue distress. Therefore it was decided to conduct informal interviews as part of this research within the context of the Focus groups and to work in partnership at a wider All Wales level at a later date for greatest impact.

### **2.5.2.1 Understanding of Hate Crimes**

“I didn’t tell any one about it as it would have stopped me doing the things that I  
wanted to do: I just put up with it” 41  
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It is crucial to understand and to consider how people with learning disability interpret Disability Hate Crimes and Disability Hate Incidents. When asked people with learning disability often stated they did not know that different types of bullying and harassment are within the framework of Disability Hate Crimes and Incidents.

Responses such as:

*“I just thought it was normal.”*

*“I just put up with it.”*

*“I didn’t know I could do anything about it.”*

This comments mirror the findings of other organisation and research. Bobby Ancil, Project manager of the Muscular Dystrophy Campaign Trailblazers talking about their recent report ‘Under Investigation’ (2012) states:

*‘Many of those who tell us about incidents of unprovoked abuse and threatening behaviour have no idea that they have been victims of a ‘hate crime in the eyes of the law. People feel that attacks have to be sustained and physical for the police to take them seriously, and that sadly, day to day intimidation and verbal abuse must just be tolerated.’*

People used a range of language to describe the behaviour that they described as Hate incidents/crimes from bullying, being called names through to being mugged and torture.

Subtler types of incidents were described such as people ignoring you, or being followed, and with Government policy promoting independence and more people active in their community this is a worrying finding.

In general there was not a clear distinction in people’s minds between an incident and a crime – but rather a recognition of how being on the receiving end makes you feel: *“Constantly being hassled – makes you upset, it makes you angry and wears you out.”*

### **2.5.2.2 Where it happens**

Members who took part in the focus groups reported that they had experienced Hate Incidents in a variety of settings, school, community education centres, in the street, in their own home, on public transport. ‘Living In Fear’ (Mencap 1999) report support these comments detailing their findings that 73 per cent of people are bullied in public places, 25 per cent of them on the public transport, whilst 30 per cent are bullied in day centres and a further 26 per cent in their home setting. A Department of Health survey in 2005 found that 47 per cent of people with learning disability said that they did not feel safe in their own home, their local area or when using public transport. See also the findings of the EHRC ‘Hidden In Plain Sight’ which provides an

indication from their evidence about the possible situations that people experienced Hate Crime.

These figures highlight the need to not only focus activity on changing public awareness but also to work with front line staff within transport services. There is a need for attitudinal work to be focussed on staff within services, both statutory, private and third sector to ensure that they have sound person centred values, understand the issues surrounding Disability Hate Crime, their agency’s policy and procedures and are skilled in supporting individuals initial report and through the ensuing process.

### **2.5.2.3 How it made people feel**

Disability Hate Crime is a direct attack on a person’s identity and an infringement of an individual’s human rights. Human rights are as, Superintendent Paul Giannasi quite rightly states *‘not an act of charity’*.

It is well known that people change their natural and preferred patterns of their day-to-day life often encouraged to do so by agencies. David Askew’s family were encouraged to move by the housing association that provided their accommodation and the council sought to encourage David to take up alternative activities rather than tackle the issue of the perpetrators.

People restructure their lives and so often a loss of independence results. A young lady at a recent Focus group told how she stopped travelling on the bus to College because of the behaviour of youths towards her, another organises her day to avoid school children starting and finishing at the local comprehensive.

People reported a wide range of emotions that were a direct result of being the target of Hate Incidents from being scared and angry, through to wondering *‘why me’* with accompanying feeling of guilt and self blame, *‘What’s wrong with me?’*

People talked about *‘bottling things up’*, *‘keeping things to themselves’*, and how that led to feelings of depression and in extreme cases thoughts of suicide. People talked about being so scared that it lead one to do ‘silly things’.

People felt isolated and not part of their community, some times moving to find a safer area. People talked about stopping going out and avoiding going to the places that they enjoyed. However they felt that if they stayed home there were times that then their home became the target.

If people took no action then they were left with feelings of regret that they had taken no action, and reinforced feelings of powerlessness and lack of confidence

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it” 43  
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#### 2.5.2.4 Experience of Reporting

Those who had reported felt a sense of achievement of having done so, and satisfaction with the process that followed. In a recent crime incident a young black person with learning disability felt confident enough to go to the police station to report being attacked in the street and robbed. He spoke about being interviewed by police using video recording equipment and how scared he was when he sat behind a screen and asked to identify his attacker. Nevertheless it was through his activities in the Talk About It project that he felt able to take this action.

#### 2.5.2.5 Problems in Reporting

People felt that there were times when they were not believed and people that they told thought that they were making the incidents up. *'We want to be listened to and taken seriously.'*

Members drew attention to that fact that they need help and support to talk about, and report incidents. A leading charity SeeAbility state that people with learning disability are ten times more likely to have sight problems than the general population (that is, ten per cent of the population), with 60 per cent needing to wear glasses.

There were times that people with learning disability felt that there were difficulties in communication and there was a need for a better understanding of all parties and a need to use easy language and not jargon. It is worth noting the findings of the EHRC in their report 'How Fair is Wales' that 48 per cent (21 per cent in the rest of the population) of people with learning disability are lacking in literacy and numeracy skills.

#### 2.5.2.6 Why they don't report

*"I don't want to make an issue out of it because I may not be able to do the things I want to do."* A comment by one of the members of a focus group that was echoed by many others. There is a reluctance to 'make an issue' out of the situation as people felt that it would lead to a curtailment in their independence. *"Sometimes I didn't tell Mum because I wanted to stay in the school – so I lied about it," "Nothing – if we tell people it can make it worse."* Fear of reprisal, of making the situation worse, was a common theme for some of the members.

There are many well-documented reasons why people with learning disability do not report Hate harassment, Incidents or Crime. People that we spoke to cited, amongst other reasons;

Not being aware that the incidents that they are experiencing were Hate Harassment, incidents or crime and can be reported.

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 44  
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- They were unaware in the past, of the process by which they could report incidents and are apprehensive about contacting the police.
- The reporting process in the past has not been accessible.
- Individuals are advised to ignore incidents.
- Individuals tell that they have reported incidents before and that they have had a bad experience or they know some one who has.

Consider the statistics provided by ‘Living In Fear’ and ‘Hidden In Plain Sight’ – people are experiencing Hate Harassment, Incidents and Crime in services, services that might provide them with their only opportunity to engage with their peers, to report incidents may result in those services being reduced or removed. The service itself may organise itself in such a way that ensures that the individuals cannot report the incidents, as with the incidents that occurred at Winterbourne View, the privately run hospital for people with learning disabilities in England.

‘Living in Fear’ (Mencap 1999) and ‘Hidden in Plain Sight’ (EHRC 2011) also found that incidents happened within home settings – the ability to report incidents perpetrated by ones own family is not easy.

#### **2.5.2.7 What happens if they report**

The process of reporting Disability Hate Incidents and Crimes is done in the Talk About It Centres and then notification is emailed to the Gwent Police Community Cohesion Team. There is an option to report to the police on either an ‘information only’ or an ‘action required’ basis. Some people with learning disability feel more reassured if the police know about the incidents but are not ‘seen’ to visit them in their homes because of fear of reprisals in the form of further abuse and/or damage to property.

On the other hand, police believe that greater knowledge of incidents supports them in their efforts to build safer communities.

A point to note is that in situations of Disability Hate Crime when the person is in imminent danger then Talk About It Centre staff must take immediate action either through the Protection of Vulnerable Adults (POVA) procedure or by directly calling the police for an urgent response.

#### **2.5.2.8 Who can help**

When people were asked to think about who would be able to help they identified the need to report the incident and make use of the Report It form. A common finding of the Focus groups was that there was an increased awareness and understanding of the system and process of reporting and of the Talk About It Centres. Members identified the need for good publicity material to be available for more people to be aware of the existence of the Talk About It Centres.

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it” 45  
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Essential, and often raised, was that people wanted reassurance that their information was confidential and only shared on a need to know basis.

One Focus group clearly felt that this was an issue that need to be addressed on a wider basis and called for the National Assembly to appoint a Commissioner/Champion for Learning Disabilities to take forward all issues for people with learning disability, to include Disability Hate Crime. They drew the likeness to the Commissioner for Older People and felt that their needs were similar in priority.

### **2.5.2.9 What Motivates People To Perpetrate Hate Incidents and Hate Crime**

This is an area that is sadly lacking in any in depth research, however the Welsh Government has commissioned a study into the issues of Hate Crime and Perpetrators and their motives.

In March 2010 the Director of Public Prosecution stated publicly that *"such crimes are based on ignorance, prejudice, discrimination and hate and they have no place in an open and democratic society"*. 'Hidden In Plain Sight' (EHRC 2011) suggests that members of the general public lack knowledge and are ignorant about the needs of people with disability, thus leading them to feel uncomfortable and embarrassed and ultimately viewing people with disabilities *'as fair game'*. The report highlights the need for further research in this area. People with learning disabilities, themselves, felt that the people committing the crime some times didn't see their actions as a problem and did not understand and appreciate the impact that they may have. See comments on Restorative Justice.

When focus group members were asked why they thought people targeted them there was a feeling that it was people wanted to show off, and that they were being *'big headed'* and that it made them proud of themselves and bolstered their own self image and made them feel *'in control'*. A perceived element of *'dare'* by the perpetrators appeared to be evident and people felt that as people with disability that they were an easy target.

People with disability themselves consider that there may be an element of envy and jealousy of perceived social advantages, such as specialised computer equipment, communication and media tools, housing adaptations, special vehicles and the access to welfare benefits. Refer to Section 2.3 on the media portrayal of Disability Hate Crimes, victims and perpetrators and people with disabilities.

Higgins (2006 quoted in Mencap 'Don't Stand By') found that perpetrators of Hate Crimes and Incidents against people with learning disability do not fit the usual profiles of males between 16-24 but rather nearly quarter of attacks were carried out by those aged 45-64, whilst the majority of perpetrators were aged between 16-44. It must also be recognised that people with learning

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 46  
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disability themselves may be the perpetrators of hate harassment against their peers.

Hate Crime or harassment can start at an early age and data from Report Hate – Safer Wales indicates that 64 per cent of incidents (which indicated an age of the perpetrator) were perpetrated by someone under 18. Torfaen People First runs a project Just The Same (funded by Children In Need) in which young people with learning disability deliver awareness sessions to primary and secondary school children within Torfaen. Disability Hate Crime is not the main focus of these sessions however the feedback reinforces this apparent lack of knowledge, understanding and contact and emphasises the importance of awareness sessions. See Appendix Seven for examples of feedback.

Mencap in their report Bullying Wrecks Lives suggests that 82 per cent of children and young people with a learning disability have experienced bullying and that they are twice as likely to be bullied as other children and targeted by bullies because of their disability. Other children perceive them as 'easy targets' because they can be made to get into trouble, or because they may not understand that what is happening to them is bullying. Mencap points out that *'bullying of children with a learning disability discriminates against children who find it hard to understand bullying, to tell people about it, and to be listened to and supported'*

## 2.6 WORKING WITH PROFESSIONALS

As previously detailed the purpose of Talk About It project had as one of its objectives the need to work directly with staff that support people with learning disability, either directly or indirectly.

Within this context there were two main aims:

- Raising awareness of Disability Hate Incidents/Crimes and its affect on the lives of people with learning disability;
- The benefits of Talk About It Centres (Third Party Reporting);

The programme for Working with Professionals is delivered by people with learning disability who are able to share their first-hand experiences of Disability Hate Incidents and Crimes and the effects on their everyday lives. They share directly with the professionals their fears of going to police stations to report incidents that for many have become a 'norm' for them. The benefits of telling their concerns to someone they know and trust in the safety and security of somewhere that is familiar to them becomes apparent and demonstrates the support that is offered by staff in Talk About It Centres.

Feedback has shown there is a real need for professionals to have opportunities to work directly alongside people with learning disabilities in order to gain a deeper understanding of the issues. Housing organisations

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 47  
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felt their staff would benefit from the Talk About It programme and that residents could raise concerns with staff who had a better understanding of Disability Hate issues. The Children and Young People Partnership felt there were forums where the Talk About It project could be presented. Students in the Nursing profession and Trainee Police already have placements with People First Groups and this enables them to understand learning disability as well as the issues of Disability Hate incidents/crimes.

A spin-off from working with professionals on Talk About It has been that Torfaen and Newport People First Groups and SEWREC have linked with local radio stations – namely Able Radio, Urban Radio, Brynglas Beat - to promote the rights of People with Learning Disability and the Effects of Disability Hate Crimes. The local radio stations signpost people with learning disability to the Talk About It (Third Party Reporting) Centres for help and support in the reporting of Disability Hate Incidents and Crimes.

At all these events the members of People First Groups deliver the presentations and are active in the discussions. Again this demonstrates that when people with learning disability are given opportunities they themselves can take the lead in promoting the effects of Disability Hate Incidents and Crimes. The feedback from a professional at one event was *'the power point presentations are simple in their wording but very powerful in getting the message across'* (Safer Newport event).

## 2.6.1 GATHERING THE VIEWS OF TALK ABOUT IT CENTRE STAFF

As stated, part of the original project was to raise the awareness of front line staff through out services, Talk About It Centre staff in the 31 Centres were asked to complete a short questionnaire. See Appendix Eight.

The findings of previous workshops show that whilst most professionals working directly within the field of learning disability understand the issues of Disability Hate Crimes and Incidents this was not always the case.

*"We hear the same story over and over again from ..."*

*"There's nothing we can do about it - it's a fact of life."*

*"We suggested using a different bus route - or perhaps moving house."*

Professionals working on the fringes of learning disability, for example, Community Safety, hospitals had a more tenuous understanding of the scope and impact of Disability Hate Crimes and Incidents on the everyday lives of people with learning disability. This concurs with the evidence from other reports that suggests that the further away an organisation is from people with learning disability the less likely they are to understand the issues that they face.

*"I've known Derek for many years but I did not understand the issues of learning disability."*

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 48  
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*"Working with students and existing staff in the nursing profession to gather a deeper understanding of learning disability."*

At the time of writing ten responses have been received (a third of the centres) with the responses being analysed into a composite response.

The responses to the questionnaires indicate:

Staff responsible for the Talk About It Centres had a good understanding of the nature of Hate Incident and Crimes and the difference of scale between the two. *'Hate Crimes occur when a perpetrator targets a victim because of his/her perceived membership in a certain social group e.g. disability'* whilst Disability Hate Incidents *'Includes such things as name calling and verbal abuse, bullying and harassment....'*

It was recognised that not all incidents would result in criminal action leading to prosecution. However, people had an understanding that the reporting of Disability Hate Incidents may prevent further escalation and thereby lead to safer community settings for all people with learning disabilities.

When considering the benefits of the Talk About It Centres respondents emphasised the safe, secure nature of the Centres staffed by people that were qualified, trained and known to people with learning disability. As staff they were ideally placed to provide the vital support to both victims and witnesses.

In addition the Centres were able to provide practical support and the mechanism to report the incident. *'A place for a person to talk in confidence, in a place they feel safe and no one will judge them only help.'* *'This project allows a voice to the individual in a safe environment'*.

*'The feedback here has been very positive and welcoming. Many of our customers experience difficulty with communication and find reporting issues difficult. They feel comfortable and safe within the Library environment and have usually built up a good rapport with the staff and have enough confidence to speak to them about their problems.'*

When asked to consider any difficulties that they had encountered it was highlighted that there was a need to ensure that all staff at each Centre had undergone the introductory training and that there was a need to ensure that people were aware of what had happened to the report once it was made. The fact that some Centres have limited hours due to the nature of their 'core' activity was noted for example, day centres only open 9-5 Monday - Friday.

The need to ensure that the wider community of police staff were aware of the issue of Hate Crime, the needs of people with learning disabilities and the Talk About It Centre and the True Vision Report It Form was evident from some of the responses and from a number of training events. *'Some police*

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 49  
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*officers in local police stations hadn't heard of the project and dismissed the incidents when reported.'* Which reinforces the reasons behind the establishment of: a reporting procedure that takes the reports centrally via the Community Cohesion Team and then routes them back out through specialist officers: the importance of the relationships that is fostered and built between the Centre Staff, people with a learning disability and the police Single Point Of Contact (SPOC).

Members of staff were asked whether they thought people with learning disability had an understanding of hate Incidents/Crimes and if so what this was. Interestingly, the fact that staff believe people with learning disability were aware of the behaviour but use language in a very different way to describe it, supports the findings of Living In Fear (Mencap 1999) *'I think as abuse and often in terms of bullying, they are aware of the component parts such as name calling, hitting etc', 'Our members talk about hate crime and incidents in terms of bullying by people who don't like or understand their disability.'*

*'Because of the historic issues some people believe its just the way it is and that it has to be put up with: Talk About It has changed this and given people a voice.'*

How staff of the Talk About It Centres raised the awareness of the issues of Hate Incidents and Crimes engendered responses that varied in degree that indicated that nothing was being done, though there was a recognition that this area should be addressed, through to *'We support members to go to events on hate crime awareness: as soon as we know a hate crime or incident happened we ask the victim if they want to report it with us.'*

Some Centres have actively run workshops and provided opportunities for people to talk and share experiences, some Centres promote special events focussed on Hate Crime whilst others integrate the issues into their mainstream activities. *'We talk about some of the issues when we have discussion within classes e.g. community awareness and relate this to a type of incident that may occur.'*

Raising the issue with other professionals and service providers was something that some staff had 'embedded' in their every day practice *'We meet with a multi –disciplinary team of professionals on a regular basis and promote the need for the hate crime process within management and carers'.* However other staff felt that within their limited time and resources that this was not an activity/role that they could embrace.

An essential element of the Talk About It project is to ensure that staff members of the Centres have appropriate support when dealing with reporting, generally staff reported that they had full support within the management structure of their 'core' organisation and also cited the support that they received from the other Talk About It staff.

*"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"* 50  
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*'The staff have been trained to support and guide the customer through the process of reporting incidents to the team. The help that has been forthcoming to the customers who have accessed the services has been second to none with quick responses resulting in better quality of life outcomes.'*

*'Recently attended a meeting for all the Talk About It Centres and Gwent Police to ensure that we're all working together and to make any improvements.'*

Key to the development of the Talk About It project and the day-to-day operation of the centres is the relationship with the Police at all levels. Each Centre has a Single Point Of Contact (SPOC) within the Neighbourhood Teams. They are encouraged to get to know people who use the Centre before any issue might be reported, as they then are a familiar face at any time of crisis. *'We liaise with the local police to visit and network with the students at the project – this in turn promotes goodwill and a chance to get to know the local police officers.'* *'I have a named PC who is my support officer and he will be my contact if ever I need his advice.'*

As this is a People First initiative Torfaen People First was keen to understand how the organisation could promote the benefits of the Centres, it is evident not just from the replies to this question, but also to others about awareness that this should not be a 'one hit' event but rather part of a continual process. *'I feel much more advertising and promotion is needed of these Centres in order for them to become established and to raise more public awareness.'*

One of the developments over the past year has been the monthly electronic Update and members of staff were asked about the helpfulness of these. As members of a 'virtual' network, it was reported that people saw them as a way of keeping them updated to new events and reminding them that they were part of a network.

Essential to any service is being aware of the need for continual development, responding to feedback and the changing context with this in mind staff were asked for their ideas for improvement to the service. To date, the Updates have been used very much to remind Centre staff of the day-to-day operation of the Talk About It project. Feedback was centred on the provision of simple clear information with an interest in the usage of the service and the outcomes for people with a learning disability. See Appendix Nine for examples.

When asked about regular meetings for Talk About It Centre staff, people felt that this would be advantageous, helping to *'keep it high on the agenda'* and *'to meet people who have had to deal with victims of disability hate crimes, how they dealt with the victims concerns and fears, and what the outcome was.'*

Finally respondents were asked what recommendation they would make to the project and the Welsh Government. *‘This service is of great benefit to the local community and having been part of the process would not hesitate to encourage and support anyone who is suffering or having difficulties in this way to come forward to speak out and report issues to the team and to ensure that we can keep promoting this very worthy initiative.’*

In addition to comments made earlier about more and continual promotion, a strong message that runs through the responses is encapsulated in the final quote: *‘That this issue still needs to be taken seriously and awareness raised’.*

Overall, the feedback from the questionnaire to staff at the Talk About It Centres was positive, with areas for future development highlighted.

*‘The project allows a voice to the individual in a safe environment, the reports are straightforward, this makes it easier to talk to the person because they understand pictures more than words.’*

## **2.7 RESEARCH: FINDINGS**

The following findings have been drawn from the detailed responses of both members of the focus groups and views of the staff involved in the Talk About It (Third Party Reporting) Centres. In doing so they seek to answer the original purpose of the research in finding out the effectiveness of the Centres and the process developed to support reporting and the victims of Disability Hate Incidents and Crime in Gwent. For ease they are sub divided into four main themes:

- Contextual
- Third Party Centre Implementation and Process
- Outcomes of Talk About It Project and Centres
- Sustainability of the Talk About It Project

### **CONTEXTUAL**

It has become more difficult for professionals and police to recognise that a person has learning difficulties. This is often due to the move to increased independence and that people themselves have become more confident in their everyday life styles and as a result their additional support needs to fully comprehend the information and situation may be overlooked.

People with learning disability will/may use different language to describe their experiences of Hate Harassment, Incidents or Crimes.

### **THIRD PARTY CENTRE IMPLEMENTATION AND PROCESS**

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it” 52  
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That there is a need for on-going support, training and guidance to staff/professionals in the Talk About It Centres so that they feel reassured of their actions and responsibilities.

The need for confidentiality was raised by everyone involved in the Talk About It Centres, however this needs to be understood in the light of the main findings of the IPCC and SCRs.

There is a need for on going and regular awareness training led by people with learning disability for their peers.

## **OUTCOMES OF THE TALK ABOUT IT PROJECT AND CENTRES**

Though the Talk About Project people with a learning disability have a clearer understanding that it is unacceptable for them to be the victims of Hate Harassment, Incidents, or Crime.

During the awareness sessions people with learning disability express their desire to be listened to, taken seriously and dealt with honestly.

The People First Groups in Gwent now have ownership of the Talk About It project and the trained members deliver the Introductory Training programme to professional staff of prospective Talk About It Centres.

The partnership working between the Talk About It Centres and Gwent Police (Neighbourhood Teams) has both strengthened the link in the reporting process and in creating a better understanding of the needs of people with learning disability and the requirements of the police.

That it is important for the Police SPOC's (Single Points Of Contact) to maintain a presence with the Talk About It Centres and become a familiar face, building a two way relationship.

There is a clear need to ensure that all involved in a report are aware of the progress of any report.

People with learning disability who have become trainers can, when given the opportunities, lead the promotion in the understanding of Disability Hate Incidents and Crimes and deliver the training to a wide range of groups including primary/secondary schools, other educational establishments, and professionals working both directly in the field and on the fringes of learning disability.

## **SUSTAINABILITY OF THE TALK ABOUT IT PROJECT**

Members of the People First Groups in Gwent recognise the need for, and importance of, secure long term funding that will allow both them and the scheme to become widely publicised and used.

"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"  
TPF Focus Group



### 3. CONCLUSIONS

Torfaen People First believes in the value of the Talk About It project and the Talk About It (Third Party Reporting) Centres. This belief is widespread and is evidenced by the support that had been provided by Gwent Police, the EHRC, the Home Office and Welsh National Assembly.

It is evident that Talk About It brings benefits:

- To people with learning disability as they pursue more active roles in their everyday lifestyles.
- To professionals across a wide range of services who continue to support people with learning disability.
- To the Police as they tackle the under-reporting of Disability Hate Incidents in their efforts to prevent any escalation of Hate Crimes which in the past has resulted in the loss of life.
- To policy makers as they strive to shape a community that is equal and safe for all members of society.

Whilst this research has shown the many positive outcomes from the work of Torfaen People First members on the issue of Disability Hate Crime it is acknowledged that there has not been a significant upsurge in the reporting of Disability Hate Incidents and Crimes through the newly established Talk About It Centres. However, it should be noted that the Talk About It Centres have been in existence for less than one year at the time of this research but it hoped that as the project becomes more established then the momentum for reporting Disability Hate Incidents and Crimes will increase although long term there would be welcome relief to record a decline if Disability Hate Incidents and Crimes became minimal or even non existent.

Another important factor to consider is that there is a great fear amongst people with learning disability who have suffered Disability Hate Incidents from name calling and derogatory language to physical abuse and property damage to report it because of reprisals and the incitement of even more horrible incidents and possibly crimes.

Balanced against this reluctance to report, is the fact that Talk About It Centres (Third Party Reporting Centres) are not widely known about in the general community because centres are based primarily within settings such as day opportunities and community education establishments where the protection of vulnerable adults (POVA) reporting exists and it would appear that probably only serious incidents are reported to the police. Additionally, Incidents that happen in a wider community setting are often not reported then the true picture relating to Disability Hate Incidents and Crimes is being masked resulting in difficulties for police to observe situations and endeavour to prevent escalation into community disturbances.

It is evident that the Talk About It project has raised awareness of Disability Hate Incidents and that people with learning disability now understand that they no longer have to tolerate such situations. Therefore there is an urgent need for funding to be available to promote the Talk About It project and support the Talk About It Centres through a concerted publicity campaign.

An outcome of the Pan Gwent project is that people with learning disability themselves are leading the awareness raising and understanding about Disability Hate Incidents and Crimes training to their peers. They have, and continue to, lead the delivery of the training on the establishment of an additional (originally six within Torfaen) twenty-five Talk About It Centres across Gwent.

Torfaen People First developed the Talk About It initiative, Pan Gwent People First Groups have embraced the project, Gwent Police has worked in partnership on the project, the Welsh Government and other national organisations have acknowledged the work of Talk About It. It is therefore hoped that there will be commitment and funding to secure the future of Talk About It so that people with learning disability in Gwent and across Wales will reap the benefits of this innovative project – TALK ABOUT IT.

People with learning disability have championed the Talk About It project in their efforts to secure a more peaceful lifestyle free from the harassment of Disability Hate and its hurtful consequences. It is now incumbent upon all of us to work with and support them as they strive to build safer communities for themselves and all people with learning disability across Gwent, Wales and beyond.

#### **4. RECOMMENDATIONS:**

Torfaen People First supports and applauds the priority that both the UK Government, through its Action Plan 'Challenge It, Report It, Stop It', and the National Assembly for Wales, through the formation of a Cross Party Task and Finish Group, are giving to this serious area and the life changing impacts of Disability Hate Incidents and Crime.

That this is an issue that is quite rightly being taken seriously is evident and it is hope that there will be UK wide and Principality wide changes following the recommendations of many of the historic Reviews.

However, within this context, Torfaen People First needs to look to how it may impact this work within its geographical area of influence, that of Torfaen and with their colleagues in Pan Gwent.

Detailed developments are outlined below.

##### **4.1 DEVELOPING THE WORK IN GWENT FOR TORFAEN PEOPLE FIRST STRATEGIC**

- a. To continue to raise the awareness of people with learning disability about Hate Harassment and the process for reporting.
- b. To raise the awareness of people with a learning disability of their human rights and place within community as full citizens and resulting responsibilities.
- c. To raise the awareness of the issues with families, parents and carers.
- d. To raise the awareness of the general public to the issues of Hate Harassment and to learning disability awareness generally.
- e. To discuss with the National Assembly for Wales the appointment of Champions for People with a Learning Disability, posts which should be taken up by people with learning disability with the appropriate support and resources available.
- f. To be part of the national Wales wide campaign to take forward the issues in Wales.
- g. To promote the need for research into the motivation of perpetrators.
- h. To promote the need for Restorative Justice for victims of Hate Crime within the community and schools.

## OPERATIONAL

- a. To improve reporting of Hate Harassment, Hate Incidents and Hate Crime by people with a learning disability and witnesses.
- b. To continue to work in partnership with Gwent Police, and SPOCs to ensure the issue of Disability Hate Harassment is addressed both on an organisational and individual level.
- c. To agree a shared glossary of definition across all those involved that removes the ambiguity of language usage.
- d. To utilise the On Line Watch Link (OWL) system of Gwent Police to support the established updating system for Talk About It Centres and to encourage it as the use of two way communication.
- e. To continue to raise the awareness of Hate Harassment and the process for reporting with front line staff.
- f. To continue to raise the awareness of professionals e.g. G.P.s, and support staff of the issues of Hate Crime and the need to remain vigilant and respond appropriately.

## NEXT STEPS

- a. To seek funding to continue the work of the Talk About It Centres and Torfaen People First in this crucial area of Disability Hate Crime.
- b. To establish a Safe Haven scheme in Gwent.
- c. To work with Gwent Police to introduce Pegasus in the area and to promote the roll out of the scheme across Wales.
- d. To expand the Just The Same schools training programme and link with established anti bullying programmes.
- e. To develop a Keeping Safe programme for people with learning disabilities to include keeping safe from cyber bullying and harassment.
- f. To encourage local People First Groups to become involve with their local Community Cohesion Forums, Community Safety Partnerships and Partners/Police And Community Together (PACTs).
- g. To develop a raising awareness programme around the issue of Mate Crime to help people with learning disability make appropriate relationship.
- h. To work with the Criminal Justice System to address the needs of prisoners who have learning disabilities.

"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"  
TPF Focus Group

## 4.2 DISSEMINATING THE FINDINGS

An important thread that runs through much of the writing and research on the issues that surround Disability Hate Crime, and the recommendation of the innumerable IPPC and SCRs is the need for good communication and the sharing of information and good practice. This being the case an important element of the future work of Torfaen People First will be to continue to champion the issue of Disability Hate Crime and to disseminate the findings of this report. It will do this through:

- a. To the National Assembly, Welsh Government, national and local policy makers.
- b. Report to be submitted to Voice UK who are seeking publications for their website [www.disabilityhatecrime.org.uk](http://www.disabilityhatecrime.org.uk)
- c. Articles to be submitted to national and local learning disability media.
- d. Dissemination to EHRC Wales Office.
- e. Dissemination to the Disability Hate Crime Action Group for Wales.
- f. Research to be shared with the All Wales Hate Crime Research Project.
- g. To the Police All Wales Diversity Group as an example of Good Practice which could support them in their efforts to prevent the escalation of Disability Hate Incidents into Hate Crimes through the under-reporting of these issues by people with learning disability.
- h. Presentation at the Social Research Association seminar series.
- i. Presentation to People First Groups within Wales through All Wales People First
- j. Dissemination to all other Welsh Voluntary Organisations operating in the field of learning disability.
- k. Findings to be circulated to all those who contributed to the research in Wales.
- l. Findings to form part of the audit loop for the scheme and future developments.
- m. Dissemination with in the Gwent Community Safety Partnerships and groupings as appropriate.

- n. Dissemination to Gwent Voluntary organisations through Gwent Association of Voluntary Organisation and Torfaen Voluntary Association.
- o. Presentation at Gwent Police Conference on Hate Crime.

**PREVIOUSLY UNDERTAKEN DURING THE COURSE OF THE RESEARCH:**

- a. At the South Wales launch of the EHRC Report Hidden In Plain Sight Torfaen People First and Gwent Police were invited to share their experience of the Talk About It project from need, through design to implementation and use.
- b. In March 2012 Torfaen People First hosted a Pan Gwent Conference for people with learning disability, attended by professionals and Police representatives to raise the issue of Mate Crime = Hate Crime.

*'There can be no more important human right than to live in safety and security. Its absence prevents us from living our lives to the full. And for some, its absence has led to the loss of life itself. For many disabled people in Britain safety and security is a right frequently denied'*

Trevor Philips, EHRC

# APPENDIX ONE:

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“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”

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APPENDIX TWO:

HATE INCIDENTS AND HATE CRIME  
STATISTICS

Nationally Recorded Disability Hate Crime:  
Breakdown by Police Force Area:  
2009 & 2010

AREA	England	Northern Ireland	Wales	2009 TOTAL	England	Northern Ireland	Wales	2010 TOTAL
Avon & Somerset Constabulary	78			78	72			72
Bedfordshire Police	1			1	2			2
Cambridgeshire Constabulary	1			1	8			8
Cheshire Constabulary	2			2	3			3
City of London Police	0			0	0			0
Cleveland Police	0			0	4			4
Cumbria Constabulary	10			10	18			18
Derbyshire Constabulary	2			2	7			7
Devon & Cornwall Constabulary	14			14	6			6
Dorset Police	3			3	9			9
Durham Constabulary	0			0	26			26
Dyfed Powys Police/Heddlu Dyfed Powys			3	3			7	7
Essex Police	16			16	18			18
Gloucestershire Constabulary	13			13	13			13
Greater Manchester Police	74			74	55			55
Gwent Police / Heddlu Gwent			9*	9*			15	15
Hampshire Constabulary	17			17	47			47
Hertfordshire Constabulary	30			30	24			24
Humberside Police	7			7	19			19
Kent Police	21			21	51			51
Lancashire Constabulary	70			70	55			55
Leicestershire Constabulary	35			35	87			87
Lincolnshire Police	6			6	9			9
Merseyside Police	17			17	59			59
Metropolitan Police Service	99			99	116			116
Norfolk Constabulary	75			75	116			116
North Wales Police/Heddlu Gogledd Cymru			6	6			13	13
North Yorkshire Police	9			9	8			8
Northamptonshire Police	47			47	25			25
Northumbria Police	3			3	1			1
Nottinghamshire Police	50			50	36			36
Police Service of Northern Ireland		83		83		57		57
South Wales Police / Heddlu De Cymru			22	22			103	103
South Yorkshire Police	4			4	7			7
Staffordshire Police	20			20	41			41
Suffolk Constabulary	98			98	99			99
Surrey Police	77			77	62			62
Sussex Police	4			4	10			10
Thames Valley Police	102			102	88			88
Warwickshire Police	8			8	5			5
West Mercia Constabulary	33			33	76			76
West Midlands Police	96			96	33			33
West Yorkshire Police	25			25	55			55
Wiltshire Constabulary	4			4	4			4
<b>TOTALS</b>	<b>1171</b>	<b>83</b>	<b>40</b>	<b>1294</b>	<b>1374</b>	<b>57</b>	<b>138</b>	<b>1569</b>

Figures marked \* have been revised since publication after a review of recording mechanisms

**Welsh Forces highlighted**

**N.B. STATISTICS NOT YET PUBLISHED FOR 2011 (as at March 2012)**

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”  
TPF Focus Group

## NOTES TO TABLE:

### CONTEXT :

The data relates to ‘recordable crimes’ under Home Office recording rules and indicates those offences that have been perceived as Hate Crimes by the victim or any other person.

Crimes were recorded from 1 January to 31 December 2010 in all police forces in England, Wales and Northern Ireland.

The Police Service is committed to reducing the under-reporting of Hate Crime and would view increases in this data as a positive indicator, so long as it reflects an increase in reporting and not an increase in the actual incidence of crime which they strive to reduce.

### CAVEATS TO DATA:

Improvements in the way forces collect and record Hate Crime data mean that direct year-on-year comparisons can be misleading. Individual forces are better placed to reflect on statistical variations in their geographical areas.

Data for non-crime incidents is held locally. They are not included in this data and not centrally collated by the Association of Chief Police Officers (ACPO)

Data Source: ACPO (2011) Recorded Hate Crime Data for 2010 for England, Wales and Northern Ireland.

[http://www.report-it.org.uk/files/acpo\\_hate\\_crime\\_data\\_for\\_2010.pdf](http://www.report-it.org.uk/files/acpo_hate_crime_data_for_2010.pdf)

## Disability Hate Crime statistics



**2008/09**

Gwent Police Force systems only recorded disabled victims : not disability hate crime.

**2009/10 : Total 15**

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
April					1
July				2	
Aug		1		1	
Sept		1			
Nov		1		1	
Dec			1		
Jan				1	
Feb				1	
Mar		1		2	1
<b>Total</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>8</b>	<b>2</b>

**2010/11 : Total 9**

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
Sept		1			
Oct		2			1
Nov		1			
Dec					1
Jan		2			
Mar		1			
<b>Total</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>2</b>

**2011/12 : Total 8**

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
April				1	
Jun					1
July					1
Aug		1			
Sept		1			1
Oct				1	
Nov				1	
Dec					
Jan					
Feb					
Mar					
<b>Total</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>3</b>

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it” 7  
TPF Focus Group

## Disability Hate Incidents statistics



Heddlu  
Gwent  
Police

**2008/09 : Total 56**

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
April		2		1	3
May	1	2		2	
June	1	3			
July	1	5		1	4
Aug	1	5	3		
Sept	1	3			1
Oct	1			3	
Nov		1			1
Jan	1		1		
Feb	1	2		1	
Mar	1	2			
<b>Total</b>	<b>9</b>	<b>25</b>	<b>4</b>	<b>8</b>	<b>9</b>

1 incident reported outside force area in July

**2009/10 : Total 37**

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
April					
May				1	
June	1				
July		1		1	2
Aug			1	1	
Sept					
Oct					
Nov	1	1		1	
Dec	1	1		1	
Jan	1	4		4	
Feb		2	1	1	
Mar	1	2	1	3	2
<b>Total</b>	<b>5</b>	<b>11</b>	<b>3</b>	<b>13</b>	<b>4</b>

1 incident reported outside force area in August



## Disability Hate Incidents statistics



**2010/11 : Total 44**

	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
April		3			1
May	2	1		1	
June		1		1	1
July		4		1	
Aug	1	3		1	
Sept		1			
Oct		1		2	2
Nov	1	1		1	2
Dec		1			
Jan	1	3			
Feb	1	1		1	1
Mar		1			2
<b>Total</b>	<b>6</b>	<b>21</b>	<b>0</b>	<b>8</b>	<b>9</b>

**2011/12 : Total 52**

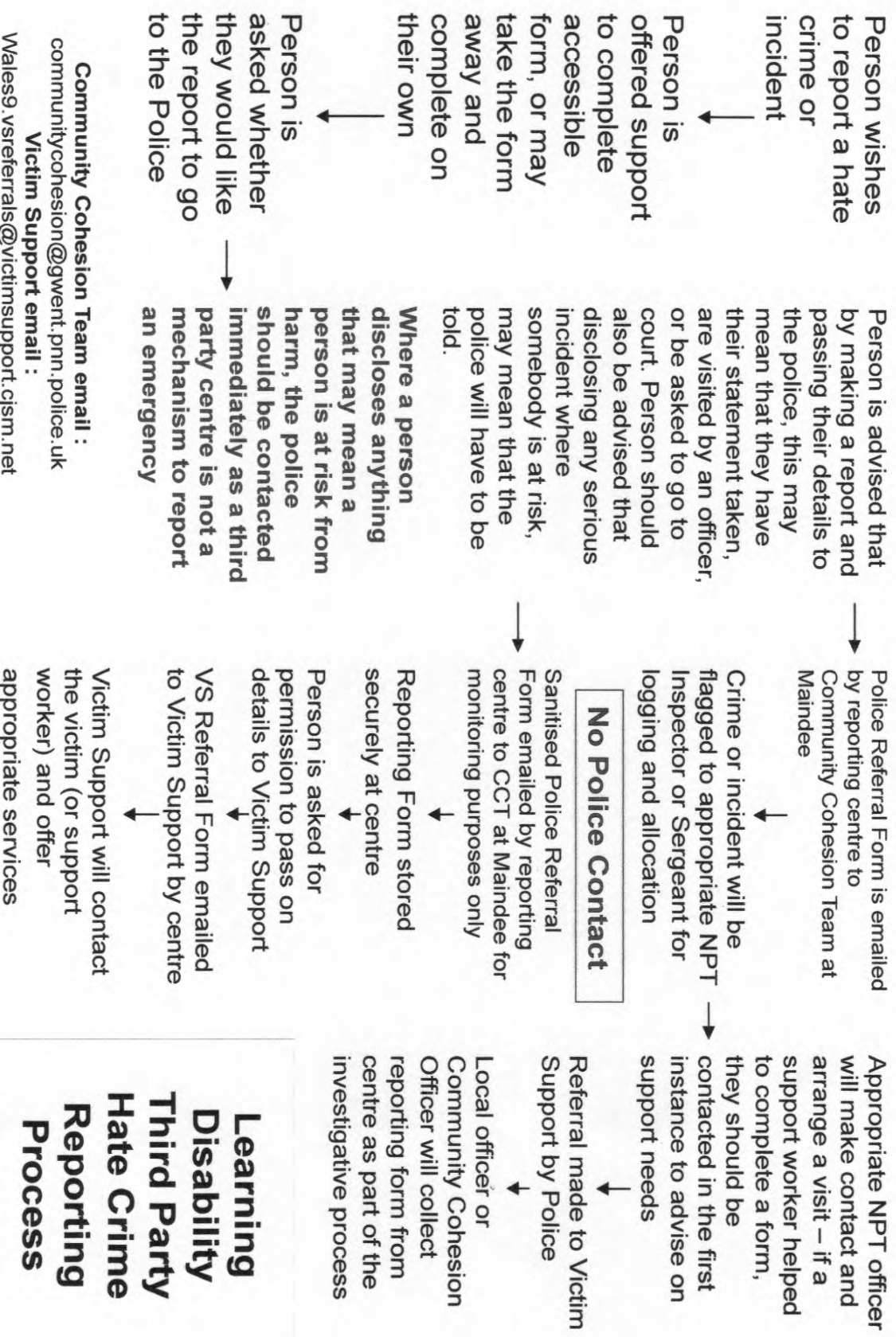
	Blaenau Gwent	Caerphilly	Monmouthshire	Newport	Torfaen
April		1		3	
May	1	1	2		1
June	1	3			1
July	2	2	1	3	2
Aug		1	1	3	
Sept	1	2	1	1	
Oct		2		1	
Nov	1	3			
Dec		1		2	
Jan				1	1
Feb		1			1
Mar		1	1	1	1
<b>Total</b>	<b>6</b>	<b>18</b>	<b>6</b>	<b>15</b>	<b>7</b>

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”  
 TPF Focus Group

APPENDIX THREE:

TALK ABOUT IT PROCESS FLOW CHART  
AND REFERRAL FORMS

## NOT PROTECTIVELY MARKED





# Third Party Hate Crime Reporting

## What should I do if someone wants to make a report?

1. Offer them the option to complete an accessible form, with support or on their own
2. Ask them if they would like the police to be told about what has happened
3. Make sure that they understand if anyone is at risk the police may have to be told and if the police are told, they may have to make a statement or go to court
4. After the accessible form has been completed, fill in a Gwent Police referral form and email this to:  
[communitycohesion@gwent.pnn.police.uk](mailto:communitycohesion@gwent.pnn.police.uk)
5. If the person reporting has said that they do not want the police involved, you should still fill in a referral form and send this, but without any personal details (used for monitoring purposes only)
6. If the person reporting does not want police involvement, you should ask them if they would like Victim Support to contact them. If they would like this, fill in the Victim Support referral form and email it to: [wales9.vsreferrals@victimsupport.cjsm.net](mailto:wales9.vsreferrals@victimsupport.cjsm.net)
7. If the person reporting has requested no police involvement, you should store their reporting form securely at your centre. This could be used in the future if the person changes their mind, or something else happens. If you have passed on details to the police, an officer will collect the reporting form as part of the investigative process.

~~~~~

**RESTRICTED**



**Hate Crime - Third Party Reporting Centre  
Referral Form**

**If you believe the victim/witness to be in immediate danger or in  
need of urgent police attention, please dial 999**

**Please e-mail to [communitycohesion@gwent.pnn.police.uk](mailto:communitycohesion@gwent.pnn.police.uk)**

|                                                 |  |
|-------------------------------------------------|--|
| Date of incident                                |  |
| Time of incident                                |  |
| Name of Victim/Witness                          |  |
| Name of support worker<br>(if applicable)       |  |
| Home/ contact address<br>(including postcode)   |  |
| Contact telephone number                        |  |
| Location of incident                            |  |
| Brief description of what has happened          |  |
| Description of any suspects                     |  |
| Is offender known to victim?                    |  |
| Is this a repeat incident?                      |  |
| Details of any support needs<br>(if applicable) |  |
| Have the Police been contacted?                 |  |

**“I didn’t tell any one about it as it would have stopped me doing the things that I  
wanted to do: I just put up with it”** 13  
**TPF Focus Group**

## Third Party Reporting Hate Crime Referral.

|                                                                                                    |                |                 |                             |                         |
|----------------------------------------------------------------------------------------------------|----------------|-----------------|-----------------------------|-------------------------|
| <b>Date:</b>                                                                                       |                |                 |                             |                         |
| Date of incident                                                                                   | Name of victim | Current Address | Day Time Telephone number/s | Mobile Telephone number |
|                                                                                                    |                |                 |                             |                         |
| Has consent been given?                                                                            |                |                 |                             |                         |
| Is this the first referral of this nature?                                                         |                |                 |                             |                         |
| Details of incident                                                                                |                |                 |                             |                         |
| Name and contact telephone number of person referring                                              |                |                 |                             |                         |
| Any other useful information, which may help Victim Support to offer the most appropriate support? |                |                 |                             |                         |

**e-mail to :**

**CAERPHILLY: MONMOUTHSHIRE: NEWPORT: TORFAEN:**

[suzanne.boulton@victimsupport.org.uk](mailto:suzanne.boulton@victimsupport.org.uk)

**BLAENAU GWENT:** [sue.singer@victimsuport.org.uk](mailto:sue.singer@victimsuport.org.uk)

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”

TPF Focus Group

APPENDIX FOUR:

TALK ABOUT IT CENTRE SCHEDULE



# DISABILITY HATE CRIME (Updated : Feb.12)

## 'Talk About It' (Third Party Reporting) Centres



*Torfaen People First project working in partnership with:*



Heddlu  
Gwent  
Police



### BLAENAU GWENT

| Talk About It Centre               | Contact                         | Address                                                 | Phone           | Email                                                                                                    |
|------------------------------------|---------------------------------|---------------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------|
| Blaenau Gwent People First         | Liz Holwell                     | 54 Victoria St<br>Cwmbran<br>NP44 3JN                   | 01633<br>838672 | <a href="mailto:Liz.holwell@tpfirst.org.uk">Liz.holwell@tpfirst.org.uk</a>                               |
| EVAD Info Shop                     | Eileen Chilcott                 | 69 Bethcar St<br>Ebbw Vale<br>NP23 6HW                  | 01495<br>353100 | <a href="mailto:eileen.chilcott@evad.org.uk">eileen.chilcott@evad.org.uk</a>                             |
| Gateway Club NHS Wales Abertillery | Linda Groves                    | The Bridge,<br>Foundry Bridge,<br>Abertillery           | 01495<br>322660 | <a href="mailto:Linda.groves@wales.nhs.uk">Linda.groves@wales.nhs.uk</a>                                 |
| Bert Denning Centre (BG S.S)       | Karen Jones                     | Warwick Road<br>Brynmawr                                | 01495<br>315278 | <a href="mailto:communitysupportteam@blaenau-gwent.gov.uk">communitysupportteam@blaenau-gwent.gov.uk</a> |
| Pen y Cwm School                   | Catherine Fox<br>Sharon Bennett | Bangor Rd<br>Beaufort Hill,<br>Ebbw Vale<br>NP23 5QD    | 01495<br>304031 | <a href="mailto:penycwm@blaenau-gwent.gov.uk">penycwm@blaenau-gwent.gov.uk</a>                           |
| Llanhilleth Day Centre             | Helen Bool                      | Sports Pavilion,<br>Llanhilleth                         | 07825<br>416662 | <a href="mailto:communitysupportteam@blaenau-gwent.gov.uk">communitysupportteam@blaenau-gwent.gov.uk</a> |
| Blaina Library BG CBC              | Tracy Jones                     | The Institute<br>Blaina<br>NP13 3BN                     | 01495<br>355609 | <a href="mailto:tracy.jones1@blaenau-gwent.gov.uk">tracy.jones1@blaenau-gwent.gov.uk</a>                 |
| Tredegar Day Centre                | Arthur Guidice                  | Georgetown<br>Community<br>Centre, Tredegar<br>NP23 4JF | 01495<br>718611 | <a href="mailto:communitysupportteam@blaenau-gwent.gov.uk">communitysupportteam@blaenau-gwent.gov.uk</a> |
| Ebbw Vale Outreach Centre          | John Hawkins                    | St.John<br>AmbulanceHall<br>The Walk,<br>Ebbw Vale      | 07989<br>859802 | <a href="mailto:communitysupportteam@blaenau-gwent.gov.uk">communitysupportteam@blaenau-gwent.gov.uk</a> |

"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"

TPF Focus Group

## DISABILITY HATE CRIME (Updated : Feb.12)

### ‘Talk About It’ (Third Party Reporting) Centres



#### CAERPHILLY

| Talk About It Centre             | Contact         | Address                                 | Phone           | Email                                                                      |
|----------------------------------|-----------------|-----------------------------------------|-----------------|----------------------------------------------------------------------------|
| Caerphilly People First          | Tracy Drew      | Aeron Place<br>Bargoed<br>CF81 8JA      | 01443<br>834444 | <a href="mailto:caerphillypf@hotmail.co.uk">caerphillypf@hotmail.co.uk</a> |
| Oxford House Com.Ed. Risca       | Liz Vaughan     | Grove Road<br>Risca<br>NP11 6GN         | 01633<br>612245 | <a href="mailto:vaughej@caerphilly.gov.uk">vaughej@caerphilly.gov.uk</a>   |
| United Welsh Housing Association | Claire Phillips | 13 Beddau Way<br>Caerphilly<br>CF83 2AX | 02920<br>858153 | <a href="mailto:cphillips@uwaha.co.uk">cphillips@uwaha.co.uk</a>           |



#### MONMOUTHSHIRE

|                                                   |                    |                                             |                 |                                                                                                    |
|---------------------------------------------------|--------------------|---------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------|
| Abergavenny People First<br>Caldicot People First | Sheilagh Gunston   | c/oCareMattersWales<br>Bridgend<br>CF32 9AU | 01656<br>723002 | <a href="mailto:sheilagh.gunston@btinternet.com">sheilagh.gunston@btinternet.com</a>               |
| Office Services Enterprise (Mon.CC)               | Lynne Depree       | Tudor Street,<br>Abergavenny<br>NP7 5DH     | 01873<br>853645 | <a href="mailto:lynne.depre@monmouthshire.gov.uk">lynne.depre@monmouthshire.gov.uk</a>             |
| Greenfingers Gardens Abergavenny (MCC)            | Dave Smith         | Pen-y-Pound Road<br>Abergavenny<br>NP7 5UD  | 01873<br>854649 | <a href="mailto:davidsmith@monmouthshire.gov.uk">davidsmith@monmouthshire.gov.uk</a>               |
| Abergavenny Com.Ed Centre                         | Andrea Charles     | Old Hereford Road<br>Abergavenny<br>NP7 6EL | 01873<br>851554 | <a href="mailto:andreacharles@monmouthshire.gov.uk">andreacharles@monmouthshire.gov.uk</a>         |
| Monmouth People First                             | Charlotte Moore    | Drybridge House,<br>Monmouth                | 07870<br>375428 | <a href="mailto:charlmore@googlemail.com">charlmore@googlemail.com</a>                             |
| Swan Craft Studio                                 | Cathy Yeates       | Swan Square<br>Monmouth<br>NP25 3NY         | 01600<br>719756 | <a href="mailto:enquiries@artistswithfutures.org">enquiries@artistswithfutures.org</a>             |
| Overmonnow Family Learning Centre                 | Elizabeth McMullan | Victoria Estate<br>Monmouth<br>NP25 5AR     | 01600<br>712822 | <a href="mailto:elizabethmcmullan@monmouthshire.gov.uk">elizabethmcmullan@monmouthshire.gov.uk</a> |
| Monmouth Com.Ed Centre                            | Julie James        | Monnow Vale Hospital, Monmouth              | 01600<br>773010 | <a href="mailto:juliejames@monmouthshire.gov.uk">juliejames@monmouthshire.gov.uk</a>               |

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”

TPF Focus Group

## DISABILITY HATE CRIME (Updated : Feb.12)

### ‘Talk About It’ (Third Party Reporting) Centres



#### NEWPORT

|                                                   |                |                                                           |                 |                                                                                          |
|---------------------------------------------------|----------------|-----------------------------------------------------------|-----------------|------------------------------------------------------------------------------------------|
| Newport People First                              | Diana Gonzalez | Market Buildings<br>Upper Dock Street<br>Newport NP20 1DD | 01633<br>842002 | <a href="mailto:newportpeople1st@gmail.com">newportpeople1st@gmail.com</a>               |
| Reach Supported Living                            | Natalie Hayes  | Devon Place<br>Newport<br>NP20 4NP                        | 01633<br>679899 | <a href="mailto:natalie.hayes@reach-support.co.uk">natalie.hayes@reach-support.co.uk</a> |
| South East Wales Race Equalities Council (SEWREC) | David Phillips | 137 Commercial St.<br>Newport<br>NP20 4NP                 | 01600<br>719756 | <a href="mailto:david.phillips@sewrec.org.uk">david.phillips@sewrec.org.uk</a>           |



#### TORFAEN

|                                   |                 |                                                         |                 |                                                                                                      |
|-----------------------------------|-----------------|---------------------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------|
| Torfaen People First              | Catherine Hart  | 54 Victoria Street<br>Cwmbran<br>NP44 3JN               | 01633<br>838672 | <a href="mailto:catherine.hart@tpfirst.org.uk">catherine.hart@tpfirst.org.uk</a>                     |
| Crownbridge Club (Thursdays: ppm) | Jan Bennett     | Woodland Road Centre<br>Cwmbran NP44 2DZ                | 01873<br>880322 | <a href="mailto:jdbennett1@sky.com">jdbennett1@sky.com</a>                                           |
| Gateway Club (ppm-term time)      | Judith Levy     | Llantarnam<br>Leisure Centre<br>Cwmbran NP44 3XB        | 07793<br>569909 | <a href="mailto:judith.levy@o2.co.uk">judith.levy@o2.co.uk</a>                                       |
| The Highway Com.Ed.Cwmbran        | Tricia Robinson | The Highway Centre<br>Croesyceiliog<br>NP44             | 01633<br>647700 | <a href="mailto:patricia.robinson@torfaen.gov.uk">patricia.robinson@torfaen.gov.uk</a>               |
| The Settlement Com.Ed.Pontypool   | Tricia Robinson | The Settlement Centre<br>Trosnant, Pontypool<br>NP4 8AT | 01633<br>647700 | <a href="mailto:patricia.robinson@torfaen.gov.uk">patricia.robinson@torfaen.gov.uk</a>               |
| Ty Nant Du Centre                 | Veronica Legg   | Ty Nant Du<br>Pontnewynydd<br>NP4                       | 01495<br>742261 | <a href="mailto:veronica.legge@torfaen.gov.uk">veronica.legge@torfaen.gov.uk</a>                     |
| Workwell Centre                   | Liz Betteridge  | 306 Springvale Estate<br>Cwmbran<br>NP44 5VR            | 01633<br>863957 | <a href="mailto:liz.betteridge@workwellentreprise.co.uk">liz.betteridge@workwellentreprise.co.uk</a> |
| Cartrefle Cymru                   | Chris Dodds     | Old Surgery, Mill Road<br>Pontnewynydd<br>NP4 6NG       | 01874<br>614122 | <a href="mailto:chris.dodds@cartreficymru.org.uk">chris.dodds@cartreficymru.org.uk</a>               |

|                         |                 |                |                 |                                                                                                |
|-------------------------|-----------------|----------------|-----------------|------------------------------------------------------------------------------------------------|
| <b>CONTACTS :</b>       |                 |                |                 |                                                                                                |
| Community Cohesion Team | Heather Powell  | Gwent Police   | 01633           | <a href="mailto:heather.powell@police.pnn.gwent.uk">heather.powell@police.pnn.gwent.uk</a>     |
| Victim Support Gwent    | Suzanne Boulton | Victim Support | 02920<br>464585 | <a href="mailto:suzanne.boulton@victimsupport.org.uk">suzanne.boulton@victimsupport.org.uk</a> |
|                         | Sue Singer      | 0845<br>121900 |                 | <a href="mailto:sue.singer@victimsupport.org.uk">sue.singer@victimsupport.org.uk</a>           |

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”

TPF Focus Group

APPENDIX FIVE:

DEVELOPMENT PLAN:  
GWENT TALK ABOUT IT CENTRES

# ' Talk About It ' Action Plan ~ PAN GWENT

2010 / 2011

| WHO                                                                                                                                                               | HOW                                                                                                                                            | WHEN                   | WHAT                                                                   | WHERE                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| do we need to involve?                                                                                                                                            | are we going to do it?                                                                                                                         | are we going to do it? | do we need to do to make the Centres happen?                           | should the Centres be?                                                                                                                                                                                                                                                                               |
| People First Groups :<br>Update Police on progress :<br>PF Groups to link with the Talk About It Centres :<br>Professionals need to know about Training Programme | Contact all People First Groups :<br>Produce Conference Report :<br>Training Prog for Members and Profs. in local areas :<br>Evaluation Report | NOV                    | Conference Report :<br>Planning Programme                              | Pan Gwent — identified by PF members in local areas<br>Priority : Centres used by people with learning disability on regular basis.<br>Police : work locally to keep everyone informed.<br>Publicise : Talk About It Centres in local PF areas<br>Place of Safety Scheme for other identified venues |
|                                                                                                                                                                   |                                                                                                                                                | DEC                    | Members Meetings across Gwent                                          |                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                   |                                                                                                                                                | JAN                    | Train PF Co-Trainers and Staff in Centres /Launch                      |                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                   |                                                                                                                                                | FEB                    | Awareness Training for pwwd / professionals in each PF Group area.     |                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                   |                                                                                                                                                | MAR                    | Local Seminars on the ' Talk About It ' Project :<br>Evaluation Report |                                                                                                                                                                                                                                                                                                      |









APPENDIX SIX:

INDIVIDUAL AND FOCUS GROUP  
QUESTIONS






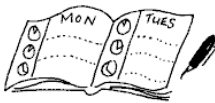



## DISABILITY HATE CRIMES AND INCIDENTS :





## FOCUS GROUPS : QUESTIONNAIRE :

|                                                                                     |                                                                                |  |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--|
|    | Talk About It Centre :<br>Date :                                               |  |
|    | Name :                                                                         |  |
|   | What do you think are<br>Disability Hate CRIMES ?                              |  |
|  | What do you think are<br>Disability Hate INCIDENTS ?                           |  |
|  | How often does Disability Hate<br>Crime or Incidents happen to<br>you ?        |  |
|  | Where does the Disability<br>Hate Crime or Incident usually<br>happen to you ? |  |
|  | Who do you tell about the<br>Disability Hate Crime ?                           |  |
|  | What happened when you told<br>someone about the Disability<br>Hate Crime?     |  |



|                                                                                     |                                                                                                                        |  |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--|
|    | Did you know that<br><b>'YOU DO NOT HAVE TO<br/>PUT UP WITH IT' ?</b>                                                  |  |
|    | How does that make you feel<br>about REPORTING the<br>Disability Hate Crime?                                           |  |
|    | How do you think TALK<br>ABOUT IT Centres can<br>help people to STOP<br>Disability Hate Crimes and<br>Incidents ?      |  |
|    | How does the REPORT IT<br>form help to tell the Police<br>about the Disability Hate<br>Crimes and Incidents ?          |  |
|  | Why do you think it is easy to<br>use the REPORT IT form ?                                                             |  |
|  | How do you know when the<br>Police will visit your<br>Group ?                                                          |  |
|  | Do you tell the Police about any<br>incidents of Disability Hate<br>Crime ?                                            |  |
|  | Do you ask the Police to come<br>back to tell you what they have<br>done about it ?                                    |  |
|  | What do the Police tell you<br>they have done about the<br>Disability Hate Crimes and<br>Incidents in your community ? |  |

“I didn’t tell any one about it as it would have stopped me doing the things that I 23  
wanted to do: I just put up with it”  
TPF Focus Group

|                                                                                   |                                                                                                                                           |  |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | <p>How can we help tell other people with learning disability about Disability Hate Crimes?</p>                                           |  |
|  | <p>What would you to say to the WELSH GOVERNMENT about helping people with learning disability to be safer in their local community ?</p> |  |

### NOTE :

Information shared from this discussion/interview will contribute to the WELSH GOVERNMENT RESEARCH ~ please say if you want us to keep your name confidential.

Thank you from TORFAEN PEOPLE FIRST for taking part in this RESEARCH PROJECT.



“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”

TPF Focus Group

# APPENDIX SEVEN:

## JUST THE SAME FEEDBACK

“I didn’t tell any one about it as it would have stopped me doing the things that I 25  
wanted to do: I just put up with it”  
TPF Focus Group



### **Young People's Thoughts about 'Just The Same' Training**

- "Thank you for coming in, I will now look at disabled people as the same as everyone else."
- "I really enjoyed this session because it made all of us realise that disabled people are just as normal as us."
- "It was interesting learning and knowing what disabled people can do and how they are treated."
- "Thank you for coming in as I have learned how disabled people want to be treated and will try and treat them more respectfully."
- "I found it really life changing."
- "I felt lucky to meet everyone in the session, I now care a lot."
- "I found it really interesting and I'll treat disabled people the same as I want to be treated."
- "It was very moving. I would usually avoid people like \*\* but now I feel like she is normal like me."
- "Thank you, my mum has a disability and a mental illness and you have helped me so much."
- "I really enjoyed this session. I hope you fulfil your dreams and get treated like normal people and live happily."
- "Thank you for sharing such personal stuff to us. I found it very interesting and I have learnt a lot, like how hard it can be for people with a disability."
- "I hope \*\* fulfils his dream of Old Trafford, mine is the same!"
- "I've got a disability myself and I have lots of allergies. Sometimes people call me names so I know how you guys feel!"

"I didn't tell any one about it as it would have stopped me doing the things that I 26  
wanted to do: I just put up with it"  
TPF Focus Group

- “I really enjoyed today’s session, it was a real eye-opener knowing how people with disabilities live their lives. I think you are all extraordinary people and deserve to be treated better. You are remarkable!!”
- “Everyone is the same and no-one should get picked on just because of how you look or speak.”
- “I found it sad, but better to know what it is like to have a disability.”
- “It was interesting to know how disabled people are treated. Thank you for sharing your feelings to us and giving us advice on how you’d like to be treated.”
- “I found it heart touching and sad to hear what goes on.”
- “I found it interesting but also upsetting how many of you get left out.”
- “Thank you for coming to tell us about ever thing and I wish you would get treated the same as everyone else.”
- “It makes me feel sad to hear that people with disabilities are mistreated and misunderstood.”



APPENDIX EIGHT:

TALK ABOUT IT CENTRES  
QUESTIONNAIRE



## WELSH GOVERNMENT RESEARCH PROJECT



### TALK ABOUT IT CENTRE : QUESTIONNAIRE

|                                                                                                                                                                                                                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| TALK ABOUT IT Centre                                                                                                                                                                                           |  |
| Name (professional) / Date                                                                                                                                                                                     |  |
| (a) Please state number of REPORT IT Forms completed to date :<br>(b) Number of REPORT IT Forms submitted to Police for 'INFO ONLY'<br>(c) Number of REPORT IT Forms submitted to Police for 'INFO and ACTION' |  |
| (a) Briefly describe your understanding of Disability Hate Crimes<br><br>(b) Briefly describe your understanding of Disability Hate Incidents                                                                  |  |
| Describe the benefits of TALK ABOUT IT Centres                                                                                                                                                                 |  |
| Describe any difficulties : ie procedures : support : guidelines                                                                                                                                               |  |
| Describe how you think people with learning disability understand Disability Hate Crimes and Incidents                                                                                                         |  |

“I didn’t tell any one about it as it would have stopped me doing the things that I  
 wanted to do: I just put up with it”  
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|                                                                                                                               |  |
|-------------------------------------------------------------------------------------------------------------------------------|--|
| How does your TALK ABOUT IT Centre raise awareness of Disability Hate Crimes/Incidents with people with learning disability ? |  |
| How does your TALK ABOUT IT Centre raise awareness of Disability Hate Crime/Incidents with other professionals ?              |  |
| Briefly describe how your TALK ABOUT IT Centre staff has support within your organisation ?                                   |  |
| How does your Local Neighbourhood Police provide support in your TALK ABOUT IT Centre ?                                       |  |
| How can your local People First Group promote the benefits of Talk About It Centres ?                                         |  |
| (a)How does the monthly UPDATE help your Talk About It Centre ?<br>(b)Do you have any suggestions for improvement ?           |  |
| How would regular 'multi-agency' meetings/annual events to share information be helpful ?                                     |  |
| What 'recommendation' would you make to the Welsh Government Research Project ?                                               |  |

*Note : information shared from this questionnaire/interview will contribute to the WAG RESEARCH ~ but personal identity can remain anonymous if desired.*

*Thank you from TORFAEN PEOPLE FIRST for taking part in this RESEARCH PROJECT.*



“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”  
TPF Focus Group

APPENDIX NINE:

KEEPING IN TOUCH:  
TALK ABOUT IT CENTRE UPDATES

**‘SPECIAL’**

**FEB ‘12**

## **‘TALK ABOUT IT’ Disability Hate Crime**



Heddlu  
Gwent  
Police



## **Email message to all TALK ABOUT IT CENTRES ~ Gwent UPDATE ~ RESEARCH**

- **WELSH GOVERNMENT ~ NEW IDEAS FUNDING : RESEARCH**
- Hello to everyone ~ as you will know from UPDATE 6 a questionnaire is being sent to the staff/professionals of ALL the TALK ABOUT IT CENTRES
- *A brief overview of the design of the questionnaire ~*
  - Gather info on the number of REPORT IT forms completed;
  - Insight into staff/professionals understanding of Disability Hate Crimes;
  - Benefits of Talk About It Centres for staff/professionals and for people with learning disability;
  - Learn whether there are any difficulties being experienced by staff in their lead role within the Talk About It Centres;
  - Gather some info from staff that indicates how they think people with learning disability understand Disability Hate Crimes;
  - Staff focus on activities in their TALK ABOUT IT Centre which is helpful to people with learning disability;
  - Do staff of Talk About It Centres raise awareness of Disability Hate Crimes/Incidents with other professionals;
  - Learn about the type of support staff in Talk About It Centres receive within their organisation;
  - Understand the partnership working with the Gwent Police Community Cohesion Team and the local Neighbourhood Police;
  - Make connections with the local People First Groups;
  - Develop broader links with other Agencies and Voluntary Organisations working in the field of learning disability;
  - **MAKE A RECOMMENDATION TO THE WELSH GOVERNMENT !**

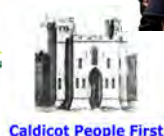
Please remember the questionnaire has not been designed to be a marathon task ! ~ your responses should be brief but give enough detail that will enable a valuable contribution to be made to the Welsh Government Research Project.

“I didn’t tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it”  
TPF Focus Group

No.3

## 'TALK ABOUT IT' Disability Hate Crime

NOV.2011



Heddlu  
Gwent  
Police



## Email message to all TALK ABOUT IT CENTRES ~ Gwent Welcome to UPDATE 3

- Hello to everyone ~ we hope your TALK ABOUT IT Centre activities bring benefits and support to all people with learning disability on the issues of Disability Hate Crime and Incidents.
- As you know ~ all the local People First Groups across Gwent received some further funding to enable them to continue the development and support for TALK ABOUT IT Centres in their counties. Looking forward to hearing you!
- Torfaen People First is making progress on its RESEARCH PROJECT – funded by the Welsh Assembly Government : New Ideas Fund.
- The focus of the RESEARCH on Disability Hate Crime/Incidents is ~
  - ❖ Gather evidence of Disability Hate Crimes across Gwent
  - ❖ Report on its effects for people with learning disability
  - ❖ Detail the benefits offered in TALK ABOUT IT Centres
  - ❖ Record change in Hate Crime reporting/rate of detection
- In the New Year – as part of the RESEARCH - there will be FOCUS GROUPS for people with learning disability to share their views and stories on this issue.
- TPF links with professionals in established TALK ABOUT IT Centres and staff of other service providers who wish to develop Talk About It Centres.
- TPF is in contact with all the PEOPLE FIRST GROUPS in Gwent and learns from members about 'happenings' in their area.
- TPF continues to work with other organisations in the field of learning disability to ensure there is '**learn from each other approach**' on Disability Hate Crime.
- This RESEARCH fits with WAG priorities of *One Wales* ~ '*improve the quality of life for people in Wales especially those most vulnerable and disadvantaged*'.
- WAG states it '*is firmly committed to support and include those who are marginalised by society*'.
- TPF report will contribute to many of the WAG aims as the Welsh Assembly seeks to '*develop a strategy to reduce hate crime*'.



**FURTHER DETAILS IN 'TALK ABOUT IT ~ UPDATE 4' (December 2011)**

"I didn't tell any one about it as it would have stopped me doing the things that I wanted to do: I just put up with it"  
TPF Focus Group