INTRO.

Thank you SPECTRUM for organising today's important event; I am pleased to be here today to add my bit on behalf of the national, award winning, Disability Hate Crime Network.

Hate Crime is not always life destroying but is it certainly always soul destroying. It affects not just the victim, but also their families, friends and sometimes overshadows whole communities. From today's hand-outs you will see that Hate Crime is defined as ‘any criminal offence which is perceived, by the victim **or any other person**, to be motivated by hostility or prejudice towards someone based on a personal characteristic.’ It goes on to list the characteristics. The 'any other person' can include the perpetrator, a witness or witnesses or motivation may become apparent to Police Officers upon investigation.

There is much work to do. It is only by working with people, a 'joined-up' working approach, that we will achieve change and achieve equal justice. Many disabled people and our user led organisations are involved with achieving this equal justice for victims. This is so important. We all have different approaches; these many different approaches sending the same message impact more widely. The DHC network extends to nearly 7000 Disabled People, ULDPO's and professionals working in the CJS including Senior Police Officers and members of the CPS; this includes the Fb group which as at last night shows nearly 3400 members. There's some duplication.

The term, 'DHC', is often up for discussion. This is the term which is well established but can be confusing; the crime Disability Hate Crime in itself does not exist. Rather it is disability as the motivation, the 'aggravating factor' , which turns the criminal act into a Disability Hate Crime. Robustly investigated and prosecuted, once proven (and motivation can be difficult to prove) there is a section of the CJA, 'S146', which can and should be used by the Judge when sentencing, to increase the sentence of any criminal found guilty of a crime where disability has been an aggravating factor. This is an area that Stephen Brookes MBE, Founder and Co-ordinator of the Disability Hate Crime Network recently spoke on saying,

" Nationally we are still miles away from where we should be, as underpinned by the fact that the use of section 146 allowing for enhancing the sentence which is the result of a case based on ‘any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's disability or perceived disability’ is just not happening.

It is also important to note **the absolute failure of the judiciary** at all levels to give disabled people confidence in the judicial system, and is a matter we continue to challenge. The ‘ignorance’ of judges in even starting to understand the added issues of being disabled, which is clear in their failure to apply s146 when it is albeit rarely applied is a national disgrace and is clearly and substantially responsible for the failure of disabled people to bother to report cases given the decreasing chance of real justice. There is need for a new working party to look in some detail at aspects of reporting , charging and sentencing of DHC, at a time when we have a wake-up call to the whole criminal justice system to step up the need to increase the number of prosecutions to reflect the seriousness of attacking all disabled people."

About the recently published Home Office Statistical Bulletin, 'Hate Crimes England and Wales 2013/14'; The disabled crossbench peer Baroness [Tanni] Grey-Thompson said the figures were “worrying” and that she would be “really surprised” if there were only three disability hate crimes in the whole of a police area in one year.

She said she believed part of the problem was that disabled people become accustomed to the “day-to-day grind” of lower-level discrimination, so that when they are the victim of a hate crime, they do not believe it is worth reporting and just think: “Why bother?”

She also urged disabled people to report hate crimes by calling their local force on 101 or by using [the True Vision website](http://www.report-it.org.uk/). But please, if you believe that you are in imminent danger, see a crime taking place, or believe that someone else is in danger please call 999!

Negative stereotyping in the media of disabled people adds to misunderstanding and fuels prejudice. The rhetoric used by this Government of scrounger, lazy and latterly 'of less worth' has added to the vocabulary used against disabled people; this is covered well by Paul Dodenhoff in his recent publication 'Hidden Hate, Why We Continue To Fail Disabled People' and a viewpoint with which I tend to agree. The rhetoric has not caused an actual increase in incidents per say. DHC has been with us since the beginning of history. Everyone's work has seen an **increase in reporting**. It is this confidence in reporting that we need to build. There are barriers to achieving equal justice. I see from today's agenda that the groups will be looking at this in more detail.

**We have to change the culture that all too broadly still exists from...**

... accepting the so called 'lower level' hate crimes such as name calling and mickey taking; you know those jokes that are only funny from just the one perspective? Take this away from the misguided belief that this is OK and is just 'part of the deal of being a disabled person' firmly over to placing it where it belongs...

... to where we and our communities know that **'this is definitely NOT OK'**. We change the mindset, and get associated further actions.

Disabled People and our organisations have a huge role to play here, in supporting others, awareness raising and joined-up working within our own networks of disabled people, and in other areas across the CJS and in education. We have a huge wealth of skills, knowledge and experience that we can offer to make positive changes.

We know and have seen how these so called 'lower level' crimes can and do escalate into much more severe crimes with devastating results. You may have heard the term 'Mate Crime'. This is where a person is befriended by a criminal seeking to draw a victim towards them in false friendship for personal gain. An example here are the so called 'Friday Friends'; 'mates' who visit their victims every pay day; not to see nor support the person in friendship but rather to permanently borrow sums of money for their own use. Rarely repaid. The pattern can build and build over time, becoming more severe as time goes on. Sometimes other criminals join the Friday Friendship gang. The whole thing can snowball and end very badly for the victim. Journalist, Author and DHCN Co-ordinator Katharine Quarmby's book, 'Scapegoat, Why we are failing disabled people', Internationally acclaimed by Professor Tom Shakespeare formerly of the World Health Organization evidences in detail how and why this and other DHC's happen. It is a harrowing but accessible read for anyone who would like to know more.

Having got the hang of the idea that this 'low level crime' IS NOT OK, sometimes we need to deal with the fears that in reporting 'things will just get worse', and worries about 'What happens next 'How will I cope'. Third party reporting centres play a role here. I believe that there are details of 'third party reporting centres' in today's hand outs. Third party reporting centres range from one person supporting another, through to what logic tells you a 'reporting centre' would be; managed groups of trained disabled people working peer to peer as volunteers to support victims from the start of the criminal justice process. I have been involved as the 'one person' 3rd party reporting centre on more than 1 occasion; I can tell you that this works. But the work in Lancashire with what can be seen as a more familiar 'reporting centre' - the structured group of empowered and knowledgeable disabled people - is becoming viewed as the national model of best practice for increasing reporting and supporting victims.

There has been change over recent years following the inquiry and the publication of the 'Hidden in Plain Sight' report by the EHRC which revealed the true nature of how far we need to go to obtain real and equal justice for victims of DHC. Some of the issues recognized in the report include:

The under-reporting of DHC

The barriers to reporting

The importance of the early investigation of the 'motivating factor' [disability]

Supporting people to give 'credible evidence'

Making Courts more accessible

Unless disabled people report, the Police cannot do their jobs. Equal justice will not be achieved. We [disabled people] have a support role to play here too in helping some Officers to gain the confidence to introduce and talk comfortably about disability. Some people who are disabled as defined in EA just do not identify themselves as disabled; and yet they may be the victims of DHC. I have some experience of and some Third Sector working background in mental health; many people who manage mental health conditions just do not identify themselves as disabled. The protection is there, but introducing it can feel difficult.

To help overcome some of the barriers, build confidence and influence change we in the DHCN highlight areas of good working practice as well as looking at situations where mistakes or omissions have been made. We work positively doing our bit whenever we can and at all levels with a joined-up approach. We are an unfunded group of volunteers, and we are here to help win the fight.

I end with the words of Professor Alan Roulstone, the title of his latest publication on Disability Hate Crime;

Report it, Sort it, Say no to hate.

ENDS.