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Disability Hate Crime

Training Resource and Information Pack



Disability Hate Crime Resource and Information Pack

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Foreword

During Hate Crime Awareness Week 2017, I met West Yorkshire Police Hate Crime Coordinator Kevin Brighton. We recognised through this discussion that potentially, some incidences of **hate crime** towards people with learning disabilities, mental health needs, autism and physical disabilities, may go unreported as the victim and their support staff may not be aware of what a **hate crime/incident** is and how to report it. Therefore, we needed a way to improve staff awareness of what constitutes a **hate crime** or **hate incident** by identifying and acting on the early indicators of repeat victimisation, whilst providing the staff and/or people we support with the knowledge of how they can report such incidents to the police or internally.

National statistics show that **hate crimes** and **hate incidences** across the five strands (disability, race or ethnicity, religion or belief, sexual orientation and transgender identity) are under-reported, and severely underreported within disability. To highlight this, out of a total of 1,862 **hate crimes** reported in 2016/17 in West Yorkshire, only 117 came from the strand of disability.

Experiencing **hate crimes** can be a particularly frightening experience as the victim has been targeted because of who they are, or who the attacker thinks they are. Unlike non-identity related offences, the attack is personal and specifically targeted, which means it's less likely to be a random attack.

If **hate crimes** are not dealt with as soon as they occur, they can get worse very quickly. This often causes the victim to engage in many forms of self-abuse. With this in mind, it's clear to see that victims and support staff must have the tools necessary to act on **hate crime** as soon as it's recognised.

The aim of this training pack is to help people with learning disabilities, mental health needs, autism, and physical disabilities to recognise whether they are, or have been a victim of **hate crime** and if so, how to best report it. Where they cannot do this, the pack gives guidance and training on how people supporting a victim can advocate on the person's behalf.

We are very grateful for all the input from West Yorkshire Police and would also like to thank the Crown Prosecution Service sharing their leaflets and providing case studies where the perpetrators were given custodial sentences.

Joanne Silkstone

NE and Yorkshire Learning and Development Manager
United Response

1 What's the main difference between a crime and an incident?

- The police will investigate an incident to decide whether a crime has been committed and to establish if there is enough evidence to bring a prosecution.
- Not everything that is reported to the police or other agency is a crime. It might be classed by the police as an incident.
- When there is a report, the police will decide how to classify it, and the person reporting it does not need to decide: **JUST REPORT IT** even if you are not sure if it is a crime or not.

2 What is the Police and Crown Prosecution Service (CPS) definition of Hate Crime?

A **hate crime** is 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, race, religion, sexual orientation or gender identity or **perceived** disability, race, religion, sexual orientation or gender identity.

This could include:

- Behaviour such as:
 - physical assault,
 - damage to property,
 - offensive graffiti,
 - arson.
- Threat of attack such as inciting hatred by:
 - words,
 - pictures or videos,
 - offensive letters,
 - abusive or obscene telephone calls,
 - groups hanging around to intimidate,
 - unfounded malicious complaints.

3 Police definition of a Hate Incident?

A **hate incident** is any **non-criminal incident** which is **perceived** by the victim or any other person to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or **perceived** disability, race, religion, sexual orientation or gender identity. This could include verbal or online abuse, such as:

- taunting,
- offensive leaflets and posters,
- abusive gestures,
- dumping of rubbish outside homes or through letterboxes,
- bullying at school or in the workplace.

4 Disability Hate Crime

What is disability hate crime?

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, race, religion, sexual orientation or **perceived** disability, will be recorded as such.

Definition of disability

For the purposes of Section 146 of the Criminal Justice Act 2003 "disability" means any physical or mental impairment. Section 146 is also relevant to cases where the offender has assumed a person is disabled, whether or not that assumption is correct.

The definition of disability in Section 146 also includes people living with HIV or AIDS.

5 Summary

- If a crime has happened because you, or anyone, thinks it's happened because of a disability or any of the five strands (disability, race, religion, sexual orientation, gender) then it is classed as a **hate crime**.
- Just because someone perceives a crime to be a **disability hate crime**, does not mean it can be prosecuted as such. The prosecution would have to prove to the Court, beyond a reasonable doubt, that the case fell within the legal definition under Section 146 Criminal Justice Act 2003.

Section 1 : Key Information

- If an incident happens and is done because you or anyone thinks it's happened because of a disability or any of the five strands then it is classed as a **hate incident**.
- The distinction between a **hate crime** and **hate incident** isn't always clear - the main message is **REPORT IT** as the police will decide.

Under the Criminal Justice Act (2003) Section 146 where an offender has demonstrated hostility because of the victim's disability or presumed disability or has carried out an act motivated by hostility towards a person's disability or presumed disability, the Court must treat these circumstances as an aggravating factor and must state in open Court that the offence was committed in such circumstances.

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Examples of perception-based recording extracted from the Hate Crime Operational Guidance 6 © College of Policing 2014

Example A

Jon reports circumstances which amount to an offence under Section 4 of the Public Order Act 1986. He was sworn at and threatened that he would be punched in the face by an attacker who moved toward him in an aggressive manner. Nothing was said about his sexual orientation but he perceives that he was targeted as he is openly gay and there was no other reason why he was chosen.

- He reports this to the police who should correctly record this as a **hate crime** based on sexual orientation.

Example B

The circumstances are the same as in Example A but this time the incident happens at a party in a private residence. The public order offence is not applicable as the incident took place in a dwelling.

- Despite Jon's belief that this is a **hate crime**, it should be recorded as a **hate incident**.

The reasons for this should be explained to Jon. His perception relates to the motive and not the interpretation of the law.

When choosing this method of recording, it is important to make the right decision and advice should be sought from a crime registrar if necessary.

Example C

Mary visits her friend at a local site occupied by Irish travellers. As she is leaving, a youth throws a stone at her car causing damage to the bodywork. Mary is not a traveller herself and did not know the offender. She reports the crime of criminal damage. On hearing

of the incident, a traveller resident approaches the police to say that he perceived the crime to be motivated by hostility towards the traveller residents as there is local protest to their presence and residents have suffered other attacks which have not been reported.

In this case the crime should be recorded as a **race hate crime**.

Example D

Janice is a physically disabled teacher and is supervising a class of teenagers. She is required to exercise discipline to control misbehaviour and sends a pupil from the class. The pupil says to the Janice, 'Why don't you leave me alone, cripple?' Janice perceives this to be motivated by prejudice relating to her disability.

However, as there is insufficient evidence to substantiate a criminal offence this should be recorded as a **hate incident**.

- It would be more appropriate for the incident to be recorded by the school authorities, who also **have a legal duty to respond**.

Example E

Following on from Example D, the father of the teenager, who is a member of a right-wing extremist group which believes that disabled people are a drain on society and should be eradicated, waits outside the school the following day and sets upon Janice as she is leaving. He causes injuries amounting to actual bodily harm. During the incident he uses abusive language, 'You cripple, you're not fit to breathe air'.

- This should be recorded and investigated as a **disability hate crime**.

Other examples

Paul is walking home from school when two boys walk towards him, when they pass they laugh and call him a nasty name. This is in relation to his learning disability. This is the first time they have done this and Paul tells his mother.

- Paul's mum calls the police and this is recorded as a **hate incident**.

Paul is looking through Facebook and sees he has been mentioned on a group's wall. It has been posted by a girl who thinks he shouldn't be in her class at school as he is holding the class back as he is struggling to understand the subject. Others are agreeing with this and some rude terms are used regarding disability in general. Paul shows this to his mother who calls the police.

The police and school work together to educate the people involved.

- If they continued then this could lead to this becoming a **hate crime** as an offence of harassment.

Section 1 : Key Information

Paul is walking home from school when two boys attack him, punching his arms and face. During this attack they call Paul a "SPAZ" because he has learning difficulties.

This is a crime of assault and Paul his mother and the police officer all perceive it to be related to his disability.

- This is a **hate crime** assault.

Paul is at home in the early evening, it has just got dark. A group of four boys are hanging around outside and begin shouting swear words towards Paul house, shouting at him to come outside. The words they use do not directly mention his disability but it is the same two boys who assaulted him previously. Paul is scared and frightened by this. Paul's mum perceives this is because of Paul's disability.

- This is a **hate crime**, public order offence and the police deal with the offenders.

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How do the Police and CPS treat Disability Hate Crime?

The police and other criminal justice agencies consider all **hate crimes** to be very serious, which includes **disability hate crime**. When a case is prosecuted, the Courts can impose a stronger sentence under powers from the Criminal Justice Act 2003. This reflects the priority placed on these crimes.

The difference between the police and the CPS:

- **The police** arrest and question, they gather evidence and take witness statements.
- **The CPS** is responsible for charging and prosecuting, they decide if the evidence is good enough to go to Court.

The CPS is an independent judicial agency responsible for the preparation and presentation of criminal prosecutions in the UK. In its role as the public prosecutor, the CPS works closely with the Courts, the police and other agencies in the criminal justice system. They have produced guidance on **disability hate crime** which is available on their website. www.cps.gov.uk/hate-crime. It is focused on enabling victims of **disability hate crime** to obtain justice and to feel confident to give evidence.

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Special Measures

It is really important to consider any special measures needed and to advocate these on behalf of people you are supporting. These are applied for through the Court. The Youth Justice and Criminal Evidence Act 1999 (YJCEA) provides a legislative framework for special measures.

The special measures available to vulnerable and intimidated witnesses, with the agreement of the Court include:

- **Screens** (available for vulnerable and intimidated witnesses): Screens may be made available to shield the witness from the defendant (S23 YJCEA);
- **Live link** (available for vulnerable and intimidated witnesses): A live link enables the witness to give evidence during the trial from outside the Court through a televised link to the Courtroom. The witness may be accommodated either within the Court building or in a suitable location outside the Court (S24 YJCEA);
- **Evidence given in private** (available for some vulnerable and intimidated witnesses): Exclusion from the Court of members of the public and the press (except for one named person to represent the press) in cases involving sexual offences or intimidation by someone other than the accused (S25 YJCEA);
- **Removal of wigs and gowns by judges and barristers** (available for vulnerable and intimidated witnesses at the Crown Court), (S26 YJCEA);
- **Video-recorded interview** (available for vulnerable and intimidated witnesses): A video recorded interview with a vulnerable or intimidated witness before the trial may be admitted by the Court as the witness's evidence-in-chief for adult complainants in sexual offence trials in the Crown Court. A video recorded interview will be automatically admissible upon application, unless this would not be in the interests of justice or would not maximise the quality of the complainant's evidence (S27 YJCEA). Section 103 of the Coroners and Justice Act 2009 relaxes the restrictions on a witness giving additional evidence-in-chief after the witness's video-recorded interview has been admitted);
- **Examination of the witness through an intermediary** (available for vulnerable witnesses) An intermediary may be appointed by the Court to assist the witness to give their evidence. They can also provide communication assistance during the investigation stage. Approval for admission of evidence so taken is then sought retrospectively. The intermediary is allowed to explain questions or answers so far as is necessary to enable them to be understood by the witness or the questioner but without changing the substance of the evidence (S29 YJCEA);
- **Aids to communication** (available for vulnerable witnesses) may be permitted to enable a witness to give best evidence whether through a communicator or interpreter, or through a communication aid or technique, provided that the communication can be independently verified and understood by the Court, (S30 YJCEA).

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The use of communication aids is a special measure which is intended to help vulnerable witnesses who need to use a “device” to communicate. This can include computers, voice synthesisers, symbol boards and books. The case of R v Watts [2010] EWCA Crim 1824 is a leading example of the use of this special measure which was granted, in combination with a number of other special measures, to enable non-verbal witnesses with severe communication needs to give evidence.

- **Video-recorded cross examination** (Section 28) is not yet in force. However, this measure is being tested at three Crown Courts and the outcome of the pilot will inform national implementation.
- A combination of special measures may be appropriate. For example if a witness who is to give evidence by live link wishes, screens can be used to shield the live link screen from the defendant and the public, as would occur if screens were being used for a witness giving evidence in the Courtroom.

Examples of Special Measures

www.youtube.com/watch?v=aUOc0Sa1WMM

www.youtube.com/watch?v=b1jr1v3l88k

- * Remember the police and other authorities are there to help victims and won't do anything without them wanting it to happen.

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Mental Capacity

You must work within the legislation of the Data Protection Act 1998 and Mental Capacity Act 2005.

When considering how to respond to repeated concerns, the following factors need to be considered:

- The mental capacity and safety of the adult who the concern is about;
- The strength of the support networks available to the adult at risk;
- The wishes of the adult and impact of the concern on them;
- The impact on important relationships;
- The level of risk;
- Do you have a duty to respond and report?

- An inquiry into disability-related harassment by the Commission in 2010/11 led to the report 'Hidden in Plain Sight' (Equality and Human Rights Commission, 2011). This report found that many people who experience such harassment see it as a common place part of everyday life, rather than as **hate crime**.
- Disabled people experience numerous forms of harassment, some of which will amount to criminal offences.

Hate crimes violate the rights to freedom from torture and inhumane or degrading treatment or punishment, the right for respect to private and family life and the right to life as part of the European Convention of Human Rights. The United Nations Convention of the Rights of Persons with Disabilities 2006 are relevant to harassment, particularly freedom from exploitation, violence and abuse. People have a right to a life in their community.

The following actions are examples of types of harassment commonly reported by disabled people:

Actions relating to disability and mobility aids. For example:

- Carers or perpetrators of domestic violence may exploit someone's impairment by moving aids out of reach or by withholding food, water, communication, money or medication.
- Throwing or kicking away a walking stick or walking frame, or using these objects as weapons against the disabled person.

Actions relating to accessibility aids. For example:

- Removal of an access ramp preventing the disabled person from gaining access to transport or a building.
- Use of an access ramp as a weapon such as throwing the ramp at the disabled person.
- Challenging the right of a disabled person to use accessible facilities such as reserved parking, reserved seating or spaces on public transport. Or showing impatience or annoyance towards disabled people using such facilities.
- Targeting disabled people's homes for crimes (e.g. criminal damage or burglary) which are sometimes identified by mobility aids such as adapted parking spaces, ramps and other adaptations outside the properties.
- Staring, laughing at or mimicking the disabled person.
- Filming the offence, for example a physical or sexual assault.

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- Filming and uploading images of disabled people, possibly with abusive comments, onto social networking sites.

Common factors in **disability hate crime** taken from Disability Hate Crime and Other Crimes against Disabled People - prosecution guidance August 2017:

- Incidents escalate in severity and frequency. There may have been previous incidents, such as: financial or sexual exploitation; making the victim commit minor criminal offences such as shoplifting; using or selling the victim's medication; taking over the victim's accommodation to commit further offences such as taking/selling drugs, handling stolen goods and encouraging under-age drinking.
- Opportunistic criminal offending becomes systematic and there is regular targeting, either of the individual victim, their family/friends or of other disabled people.
- Perpetrators are often partners, family members, friends, carers, acquaintances, or neighbours. Offending by people with whom the disabled person is in a relationship may be complicated by emotional, physical and financial dependency and the need to believe a relationship is trusting and genuine, however dysfunctional. Where perpetrators are partners or live with the disabled person, or are either members of the same family or have previously been partners, the offence of Controlling or Coercive Behaviour may apply.
- Carers, whether employed, family or friends, may control all or much of the disabled person's finances. This provides the carer with opportunities to abuse, manipulate and steal from the disabled person.
- There are a number of common triggers for crimes against disabled people. For example: access or equipment requirements, such as ramps to trains and buses, can cause irritability or anger in perpetrators; perceived benefit fraud; jealousy over perceived "perks" such as disabled parking spaces.
- Multiple perpetrators are involved in incidents condoning and encouraging the main offender/s. For example, filming on their mobile phones and sending pictures to friends or social networking sites.
- False accusations of the victim being a paedophile or "grass".
- Cruelty, humiliation and degrading treatment, often related to the nature of the disability. For example, blindfolding someone who is deaf; destroying mobility aids.
- Barriers to, and negative experience of, reporting to criminal justice agencies, which leads disabled people to feel that they are not being taken seriously.
- Disabled people have a tendency to report incidents to a third party rather than to the police.

Signs which are classed as **hate crime** are very similar to 'bullying'. These could be:

- Unexplainable injuries.
- Lost or destroyed clothing, books, electronics, or jewellery.
- Frequent headaches or stomach aches, feeling sick or faking illness.
- Changes in eating habits, like suddenly skipping meals or binge eating. Children may come home from school hungry because they did not eat lunch.
- Difficulty sleeping or frequent nightmares.
- Declining grades, loss of interest in schoolwork or not wanting to go to school.
- Sudden loss of friends or avoidance of social situations.
- Feelings of helplessness or decreased self-esteem
- Self-destructive behaviours such as running away from home, harming themselves or talking about suicide.

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Considerations

As the person they have trusted to tell, you or a colleague, need to have a conversation with the individual about what happened, how serious it is and have an idea if it is a crime or incident.

Questions you may want to think about are:

- Was it a sustained attack?
- Did it involve violence?
- Was cruelty, humiliation or degradation involved?
- Was there any focus on the disability itself or disability aids eg language, gestures, gratuitous damage to hearing aids, crutches, wheelchair, scooter etc.

Section 1 : Key Information

12 C U D S A - Conflict Management tool

This is a mnemonic used in conflict management and is also useful when adapted to assist you or others to have those challenging conversations.

Confront/challenge	If you feel that something is wrong with the person you support and from your knowledge of their behaviours - your gut feelings are usually right. Trust them and ask direct questions being supportive and caring.
Understand	What this is might relate to - either Hate Crime or Hate Incidents . This will help you make a decision to escalate it to the police or not. IF UNSURE REPORT IT!
Decide	Decide together if this needs reporting and if there is identified consent to share this information. Record the conversation somewhere.
Search	Find out and agree what the desired outcome is as well as investigating alternative actions/options.
Agree	Work out the timescale involved, what needs to be done to who and how. Consider what special measures may be needed.

13 Why should I report it?

Hate crimes and incidents hurt; they can be confusing and frightening.

By reporting them when they happen, you may be able to prevent these incidents from happening to someone else. But more importantly, you can ensure the support the victim may need is provided and that offenders are brought to justice. You will also help the police understand the extent of **hate crime** in your local area so they can better respond to it.

Reporting makes a difference - to you, your friends, your community and the person's life.

There are several ways you can report a **hate crime or incident**, whether you have been a victim, a witness or you are reporting on behalf of someone else:

Remember

- The distinction between a **Hate Crime and Hate Incident** isn't always clear. The main message is **REPORT IT** – the police will decide.
- there are agencies that will support a vulnerable person through the reporting of the crime and afterwards. For example Victim Support:
www.victimsupport.org.uk/sites/default/files/Hate%20crime.pdf
- The Safeguarding Vulnerable Group Act (2006) established the Vetting and Barring Scheme which holds lists of individuals that are 'barred' from working with children and/or vulnerable adults. The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) to ensure that there are effective joined up arrangements for the safeguarding and protection of vulnerable people.

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How do I report a Hate Crime/Incident?

1. In an emergency call 999

If you cannot make voice calls, you can now contact the 999 emergency services by SMS text from your mobile phone. However, you will only be able to use this service if you have registered with emergencySMS first. See the emergencySMS website for details or ask at any police station.

2. Contact the police

You can speak to the police in confidence. You do not have to give your personal details but be aware the investigation and ability to prosecute the offender/s is severely limited if the police cannot contact you. Details on how to contact your local police force can be found at www.police.uk

3. Report online

You can report online through the Truevision website www.report-it.org.uk

A self-reporting form can be downloaded which you can complete and send to your local police force. The forms, including an Easy Read version, can be found on the Self-Reporting Form Page on their website.

4. Third party reporting centres

Local agencies such as the Citizens Advice Bureau, Community Voluntary Services etc can also report the incident on your behalf and provide you with advice and support.

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Stop Hate UK provide confidential and independent **hate crime** reporting service in various areas in the UK including a 24 hour helpline.

5. Crimestoppers

If you do not want to talk to the police or fill in the reporting forms, you can still report a **hate crime** by calling Crimestoppers on 0800 555 111 or going to their website www.crimestoppers-uk.org. You do not have to give your name and what you say is confidential. It is free to call.

15 Record keeping

- Just because an incident has been flagged as **disability hate crime** (i.e. it is perceived) it does not mean that the Court can treat it as one as this must be based upon evidence.
- When completing documents:
 - they should not be subjective,
 - avoid abbreviation,
 - avoid using codes,
 - dates should follow in a chronological order.
- Documents should also be based on clear reasoning with due regard to legislation, policies and procedures.
- Write everything down.
- If there has been damage or graffiti, take a photo or a video/audio recording of what happened.

16 Acts of omission

An **omission** is a failure to act.

- **The Care Act 2014:**

Neglect and acts of omission include ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of necessities of life such as medication, adequate nutrition and heating.

Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess the risk for themselves.

- **The Mental Capacity Act (2005) Section 44** created an offence of ill-treatment or neglect of an individual lacking capacity by someone who has the care of the person, is their attorney under an LPA or is a Court appointed deputy. When a provider in a position of responsibility does not ensure that appropriate care, environment or services are provided, they may be open to 'willful neglect'.
- **Section 21 Criminal Justice and Courts Act 2015** creates the offence of ill-treatment or wilful neglect by the care provider (known as Care Worker Offence).
- **Section 7 Health and Safety at Work Act** places a duty on the employee to take reasonable care of the health and safety of themselves and others who may be affected by their acts or omissions at work.

Remember if a person has reported a **crime/incident** and it is not accepted, the person's vulnerability may still need to be explored under your duty of care to the individual and signposting them to agencies who can support them.

- **Section 42 Care Act 2014** requires a local authority to undertake a safeguarding enquiry where an adult:
 - has needs for care and support (Whether the local authority is meeting any of those needs) **and**
 - is experiencing, or at risk of abuse and neglect **and**
 - as a result of those care and support need is unable to protect themselves from either the risk of, or the experience of abuse and neglect.
- **The Equality Act 2010** also protects people with disabilities (or if someone thinks you have a disability or you are connected with someone with a disability) as one of the nine protected characteristics which expects people with a disability not to be discriminated against, harassed or victimised within the workplace, using public services, joining a club, contact with public bodies, education, etc.

However, being refused services is **not** a criminal offence (for example booking a place in a restaurant and being refused) and so the police cannot take action unless for example verbal abuse was used.

Case 1

After 5 years the victim and defendants relationship broke down. The defendant wanted reconciliation but the victim did not. On two occasions during the space of a few days the defendant entered the victim's home uninvited and assaulted her. During the course of one of the assaults the victim's daughter ran to a friend's house for help.

The friend returned to the property and intervened managing to get the defendant to leave the property. As the defendant walked away he was verbally abusive towards the friend shouting. He then shouted to the friend "You can also get your ***** husband and you can fetch your son." Whilst shouting this the defendant began to mimic twitching to imitate the friend's son who suffers from Tourette's.

The defendant pleaded guilty on the day of trial to common assault, using threatening, abusive or insulting words and behaviour to cause harassment, alarm or distress and assault by beating.

He was sentenced to a 12 month Community Order and 240 hours' unpaid work uplifted from 180 hours. A three year Restraining Order was also imposed and he was ordered to pay £75 compensation and £400 costs.

Case 2

A former student sent an email to a member of staff at the school which read; "I hope all the disabled and less fortunate children in the world die." Attached to the email was also a picture of a student who attends the school and underneath the picture the defendant had typed "stupid disabled *****, Down Syndrome *****."

The defendant pleaded guilty at the first hearing to sending an indecent or offensive message.

He was sentenced to a four month Youth Referral Order uplifted from three months. He was also ordered to pay £85 costs and a £20 victim surcharge.

Section 2 : Training Resources

Hate Crime and Incident training for managers' example

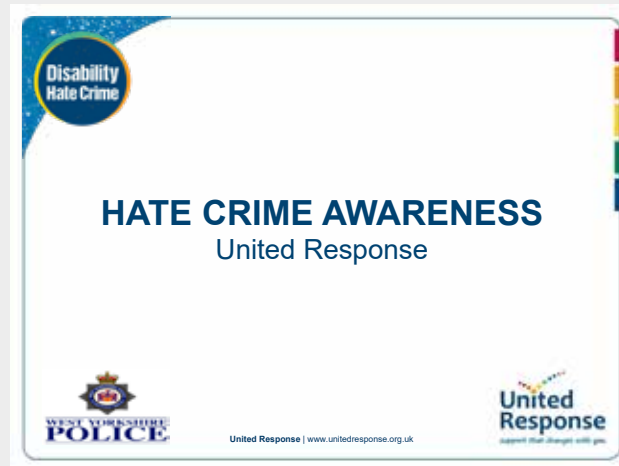
Name		Date		Topic
Time	Suggest half day (3.5hrs)	Venue		Hate Crime and Incident focussing on disability strand
Aim of workshop For attendees to be able to: <ul style="list-style-type: none"> Identify what constitutes a hate crime/incident, specifically relating to disability, Identify legislation that impacts on their responsibilities and that of their teams, Have a clear understanding of reporting functions for both carers, support staff and children and adults they support, To be able to deliver basic awareness to staff teams. 		Objectives of workshop Attendees will be able to: <ul style="list-style-type: none"> Identify what hate crime is and the five strands of diversity Recognise the signs of hate crimes/incidents and how this relates to their area of responsibility To understand the legislation that effects their response to reports by their teams and children and adults they support - including 'omission' To enable an appointed person to deliver basic awareness to staff teams. 		
Resources required		Teaching methods used:		
<ul style="list-style-type: none"> ✓ Dry wipe board and pens ✓ Flip chart paper and pens ✓ PowerPoint/Projector ✓ Reporting forms -3rd party, Truevision, online, own ✓ Resource pack ✓ Speakers ✓ WiFi ✓ Statement forms and risk assessment ✓ CPS Hate Crime Leaflets ✓ Victim Support Leaflet 		Teacher input	✓	Role play
		Assignment testing		Whole class teaching
		Demonstration		Individual work
		Discussion	✓	Group work
		Attendees talk and presentations		Games and active learning

Time	Topic	Facilitator and learner activity	Resources
10mins	Welcome, health and safety, introductions	Facilitator welcomes all Attendees introduce themselves	PowerPoint Slide 1
5 mins	Aims/Objectives	Facilitator presentation	PowerPoint Slide 2
35mins	What does hate mean? Equality and Diversity Protected characteristics, 5 strands of diversity that police and the other authorities will deal with under Hate Crime/ Incidents.	Group activity Facilitator presentation Case Study (Fiona Pilkington)	PowerPoint Slide 3 Flip chart paper and pens/dry board and pens, Group matching exercise PowerPoint Slide 4 PowerPoint Slide 5
Break – 10mins			
15mins	Recognising what a crime/incident is	Group activity Facilitator presentation	PowerPoint Slide 7 PowerPoint Slide 8 Flip chart paper and pens/dry board and pens,
15mins	Signs of hate	Facilitator presentation Group activity – reflection/ safeguarding	PowerPoint Slide 9 Flip chart paper and pens/dry board and pens, CUDSA in resource pack Case Study on 'vulnerability/ safeguarding
20mins	Reasonable steps - what do I do now? Why should we get this right? (Legislation and roles and responsibilities) Evidence gathering Organisational responsibility	Facilitator presentation Group activity/reflection	PowerPoint Slide 10 PowerPoint Slide 11 Flip chart paper and pens/dry board and pens, PowerPoint Slide 12
10mins	Reporting	Facilitator presentation	PowerPoint Slide 13 PowerPoint Slide 14
	What happens next? Why may a person not report?	Group activity Facilitator presentation	PowerPoint Slide 15
	Dissemination of learning	Group activity Facilitator feedback	Victoria Delaney Video
5mins	Feedback and evaluation	Reflection and evaluation	PowerPoint Slide 16

Section 2 : Training Resources

United Response Hate Crime/Incident Awareness PowerPoint Presentation with facilitator notes for both managers and support staff

Slide 1.



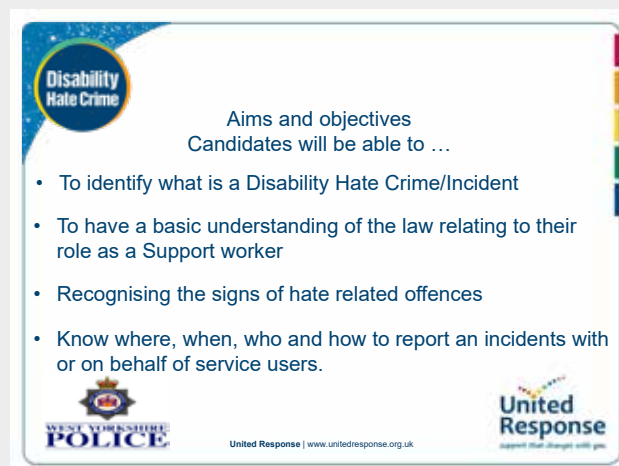
Notes

This training has been developed in partnership with United Response and West Yorkshire Police Hate Crime/ Incident Coordinator.

The Foreword in your packs gives the history of why we are here today.

Health and Safety brief, toilets and break.

Slide 2.



Notes

Check this is meeting attendee's needs.

Why they thought they were attending!

Read aims and objectives to candidates.

Slide 3.



Notes

Start this slide blank

Split the attendees into groups and ask them to come up with one word answers for what they think HATE is.

After 5 minutes ask the groups one by one what they have come up with and record on flip chart/dry board at the front.

Explore the word HATE – write on the flip chart 'I HATE YOU MUM!!' What does this mean to the group?

Assist the group to simplify the words they identify. Look towards words that a person they are supporting would recognise and understand.

Now ask the group to identify as many things as possible that people are picked on or bullied for. Get real examples if they feel comfortable sharing to bring in reflection of their own experiences and feelings.

Write what the attendees came up with on the flip chart/white board.

At this point ask the group to reflect for 2 minutes on what they did/how did they feel/how did they record or report?

Ask the groups to hold these thoughts and make notes on how they may use this exercise and include in their dissemination of information to others.

Have the group heard these words used when a person they support/staff reported incidents?

Reveal all 5 strands of Hate Crime slide

Were all 5 strands mentioned from flip chart exercise?

The attendees may have identified protected characteristics from the Equality Act 2010. Identify that these are protected in the workplace, using public services, education, public bodies, etc. It is important to identify that under the Equality Act 2010 being refused services is **not** a criminal offence and so, for instance, police cannot take action if someone is refused when booking a place in a restaurant unless for example verbal abuse was used.

State the 4 protected characteristics **not** currently monitored by the Home Office:

- Age
- Marriage
- Pregnancy
- Sex

Reveal all 5 strands of Hate Crime of slide

- **Race:** Death of Stephen Lawrence 1993 – many attendees may have heard about Stephen was a British black man from Plumstead, South East London, who was murdered in a racially motivated attack while waiting for a bus in Well Hall, Eltham on the evening of 22nd April 1993. This led to the Macpherson report in 1999. This report essentially targeted police and authorities regarding how they didn't recognise the hate element or ignored it. Section 145 of Criminal Justice Act (2003) deals with racial hostility.
- **Sexual orientation:** Section 146 of Criminal Justice Act (2003) monitored the strand of **hate crime** covering homophobic, biphobic and transphobic.
- **Belief/faith:** Section 145 Criminal Justice Act (2003) – deals with hostility of religion. Definition of a religious group is "a group of people defined by reference to a religious belief or lack of religious belief".

Section 2 : Training Resources

- **Gender identity:** Section 146 of Criminal Justice Act (2003) covers hostility on grounds of 'transgender',
- **Disability:** definition of disability under Section 146 of Criminal Justice Act 2003 in their resource packs. As this session is mainly focused on disability – see if the attendees can identify any disability cases – eg Fiona Pilkington – leading onto the next slide.

“A victim of a hate crime or incident does not have to be a member of a minority group or someone who is generally considered to be vulnerable. For example, a heterosexual man who is verbally abused leaving a gay bar may well perceive that the abuse is motivated by hostility based on sexual orientation, although he himself is not gay. Anyone can be the victim of a hate incident or crime.”

(College of Policing, 2014:7).

Mention the tragic case of 21 year old Sophie Lancaster 'goth victim' who was beaten to death for looking different which was treated as a **hate crime**. The Sophie Lancaster Foundation are working to have 'Alternative Subcultures' or 'Lifestyle and Dress Code' added to the reportable Hate Crime Strands.

Slide 4.



Notes

REVEAL Photographs of two people.

Ask attendees does anyone recognise this tragic case?

How long ago was it?

Slide 5.

Case Study: Fiona Pilkington

- In 2007, Fiona, then 38, drove herself and her 18-year-old daughter, Francecca, who had severe learning disabilities, to a layby near her home in Barwell. She then set the Austin Maestro on fire killing them both.
- Fiona called the local authorities 33 times asking for help
- All of those involved failed to recognise the incidents as Hate Crimes

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Notes

Case study: **REVEAL three elements on the slide.**

Fiona and her daughter lived in a council owned premises. Both were disabled. Francecca had severe learning difficulties.

She was bullied by people on the estate. They were not only children and young people but adults too. The neighbours knew it was happening but often took part and never intervened.

The Council Housing Officer was involved as was a social worker and carer for Francecca. They were told about the issues and said it was for the police. This was after many calls for help from Fiona to the carer and social worker. Eventually the police were involved. They recorded the incidents as Anti-Social Behaviour (ASB), if time discuss this and note that **hate incidents and crimes** can be the same as ASB and crime in general. They just have the hate element which in this case is disability.

- * Introduce the group exercise of putting together a timeline of events leading up to death.
- * These templates are in the resource pack.

This part of the lesson is the most important part. The attendees need to understand the struggle that people with diverse characteristics have been through to enable law/legislation to be changed to recognise the differences in our communities and making sure all are treated equally.

Reflection on timeline

- Explore with the groups - What can you do? Explore how you may want to disseminate this exercise to teams.
- Any personal experiences they feel comfortable at sharing?
- Write down on the flip chart.
- Ask group about why there are gaps in recording. Do they think the incidents stopped? NO - Fiona stopped reporting.

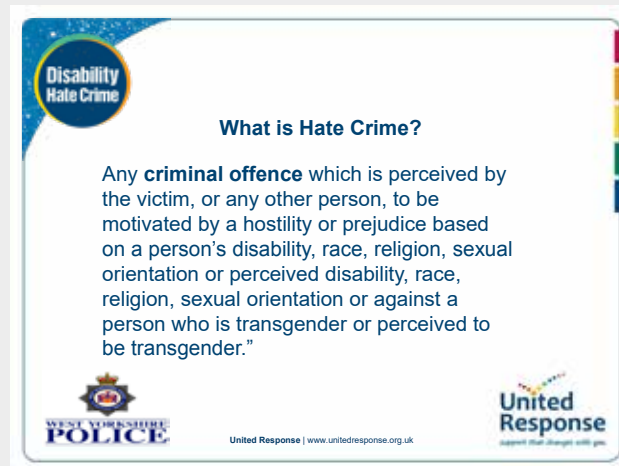
Break

Slide 6.

REFLECTION THOUGHT FOR BREAK
Have things changed?

Section 2 : Training Resources

Slide 7.



Notes

Ask attendees to shout out crime types and record on the flip chart /dry board at the front

Identify as many crimes as they can

- Assaults - Common, Actual Bodily Harm to Grievous Bodily Harm.
- Robbery, assault or threat to steal.
- Theft.
- Burglary.
- Damage.
- Public order offences.
- Communications - abusive phone calls.
- Online trolling - Facebook/Twitter.

Identify crimes which they might not have thought of, eg verbal abuse in the street about the victim's disability.

Refer to the CPS leaflet in pack. It identifies that the police find is the most common evidence of **hate crime** is verbal abuse. Written abuse such as graffiti, texts or online messages can also be used as evidence.

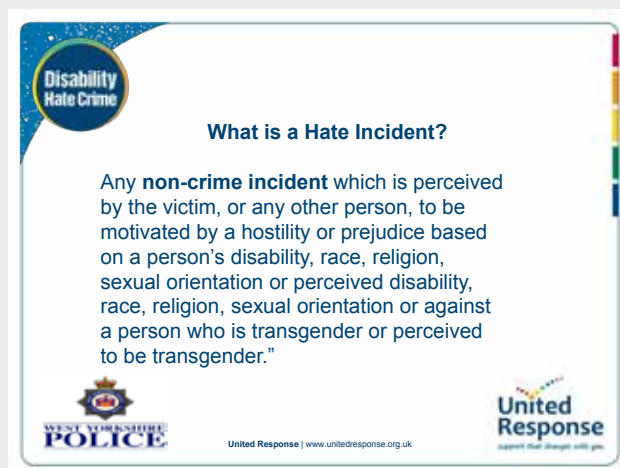
Reveal definition

Read definition of a **hate crime** and ask the group to pick out which are HATE and why they are different.

Can the group identify any safeguarding types of abuse here? (Linking criminal acts to abuse).

Think about incident reports – Has **hate crime** been considered when reported?

Slide 8.



Notes

Identify that "incidents" is everything else that has not been identified as a "crime" from the previous slide.

REVEAL definition

Emphasise **ALL HATE CRIMES ARE HATE INCIDENTS BUT NOT ALL HATE INCIDENTS ARE HATE CRIMES.**

Emphasise any incidents **PERCEIVED** to be motivated by **HATE** must be recorded if the police are involved.

Look at the words used

HOSTILITY

PREJUDICE

Where an incident is motivated by hostility or prejudice due to disability then they will be classed as a **hate incident** by the police.

The law protects people against hostility when the hostility is:

- linked to a criminal offence; and
- in some way about disability, ethnicity, gender identity, nationality, race, religion or sexual orientation.

Are there any simpler words to use to enable the service users to understand or articulate? If pictures are used do they represent the feelings accurately?

Refer to the CPS leaflets in resource pack that identifies some words hostility can be described as.

Record these words on a flip chart/white board and also identify what pictures they currently use that may represent the word 'hostility' and 'prejudice'.

Think about how a conversation can start with a person being supported or discuss a situation they or others have disclosed to you. This will lead into the next section of the training.

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Slide 9.



Notes

Start with the slide blank.

Ask the group to shout out signs they think of a hate crime/incident. List on flip chart/dry wipe board.

Recognise the signs, normally associated with bullying, harassment and safeguarding concerns.

Back up above by linking to crimes/incidents and explore how you record safeguarding – eg is physical abuse also a **Hate Crime**? Do you need to explore this recording more in your own organisation?

REVEAL full slide.

** Note new signs identified by attendees. **

Refer to resource pack on signs specific to disability. Question if any of these did not get mentioned, for example disability and mobility aids.

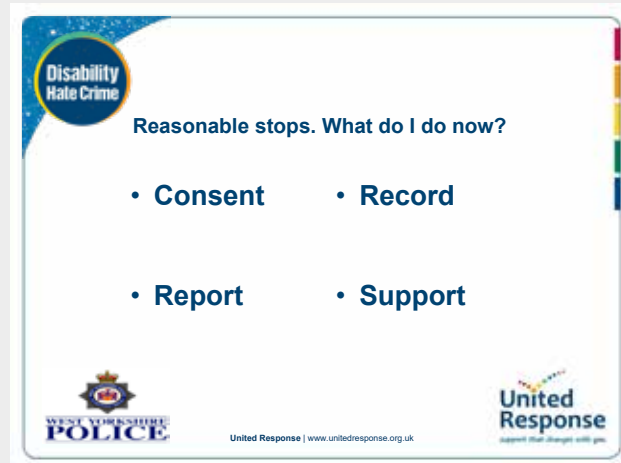
Introduce CUDSA (Confront, Understand, Decide, Search, Agree).

This is a model covered in more detail in the info pack. It gives a structure to questioning the person being supported to establish facts and evidence.

This will assist making the record/report and will identify the decision making process.

Suggest these can also be added to how you may want to disseminate information to teams/the people you support.

Slide 10.



Notes

Explain each of the areas on the slide

Consent – Utilising CUDSA has ensured that the evidence/information is collected. Can the person give consent? Do we have a duty to act?

Consider the 5 principles outlined in the Mental Capacity Act 2005: how information is presented to the person, risks and benefits, options, barriers to communication etc on the person's ability to make a decision under the 2nd stage capacity assessment that the person is able/unable to understand information relevant to the decision, retain this information, weigh up this information and express a choice.

Record – Together with the person you support make an accurate record of the event/incident. Do you have your own organisation reporting forms? Are you aware of 3rd Party reporting forms?

Report – Who needs to know. police, social services, family etc?

Support – Ensure safeguards are in place.

Victim Support – www.victimsupport.org.uk/sites/default/files/Hate%20crime.pdf

Slide 11.



Notes

Blank slide to start

Ask the question "Why should we get this right?"

Ask attendees to list reasons on flip chart paper

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REVEAL each of the four reasons.

Discuss each in turn.

There is a very clear mnemonic used called ITOP.

- Individual:** What does it do to them. This relates to you and other as well.
- Team:** Who you work with, your negativity effects them and others around you, so positive action gives positive results.
- Organisation:** What effect will this have if we get it wrong? Possible criminal investigation, Loss of reputation, loss of jobs.
- Public:** As a charity we rely on good will and respect.

You may want to explore ITOP with your teams to allow them to understand how **Hate Crime/Incidents** can affect everyone.

Slide 12.



Notes

Ask group to reflect on their own organisation and reporting practices – does more need to be done?

FOCUS ON RECORDS

Look at handouts/pack for further information on legislation

Look at resource pack for reporting packs from Truevision http://report-it.org.uk/files/true_vision_dhc_final_book_secure.pdf

CPS Leaflet in resource pack identifies who can help

Explore what their internal recording systems are and write them down

The Resource Pack identifies that under common factors of **Disability Hate Crime** perpetrators are often carers whether employed or not. Is this looked at in investigations? Section 21 Criminal Justice and Courts Act 2015 creates the offence of ill-treatment or wilful neglect by the care provider (Known as Care Worker Offence)

Reflect on the group's past experiences if relevant. Knowing what they now about **Hate Crime/Incident** – would they do anything differently?

Consider the use of the Disclosure and Barring service (DBS) which helps employers make safer recruitment decisions to prevent unsuitable people from working with vulnerable groups, including children.

Slide 13.



Notes

Discuss all the ways **Hate Incident/Crime** reporting can get to the police - even anonymously.

Show the example of a reporting app from STOPHATE UK www.stophateuk.org/resources/west-yorkshire-hate-crime-reporting-app/

There are also third party reporting centres.

Do you know where these are?

Ensure the word anonymously is explored and the consequences discussed.

It is important to remember that if reporting to police, consent is required.

Also, important to consider the capacity of people that may need you to advocate on their behalf under your duty of care if you witness any Hate Crime/Incident or if anything has been disclosed to you.

Remember CUDSA.

Just because someone perceives a crime to be a disability hate crime does not mean it can be prosecuted as such.

The prosecution would have to prove to the Court, beyond a reasonable doubt, that the case fell within the legal definition under Section 146 Criminal Justice Act 2003

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Slide 14.

Disability Hate Crime

How to report to the Police

- Call 999 in an emergency or 101 for non-emergencies
- For Deaf or speech impaired use:
Textphone 07786 200 200 or Text Relay 18001 101
- Online use : Livechat www.westyorkshire.co.uk/contactus
or online form
- Visit in person at any police station

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support that changes with you

Notes

Ask group:

If outside West Yorkshire need link/changes that are relevant to your area.

When there is a report, the police will decide how to classify it. The person reporting it **does not need to decide: JUST REPORT IT** even if you are not sure if it is a crime or not.

Consider who are your key individual networks (KINs). Victoria Delaney's video at the launch event talked about the importance of the neighbours opposite in recognising something was 'not right' when the parents went out.

You may want to consider this in your dissemination of information to your teams – exploring local areas numbers and reporting centres.

Emphasise 'Evidence' and 'Managing Expectations' where there is lack of reporting anonymously.

Show and Tell – Pass around Witness Statement Forms, identifying on the back where vulnerability is recognised and assessed. Mention Special Measures and direct to examples of what can be used that are in the Resource Pack.

Consider would any of these Special Measures be appropriate to explore with your teams and people you are supporting – inform the police at reporting stage. Further information in pack. If time show video.

www.youtube.com/watch?v=aUOc0Sa1WMM

www.youtube.com/watch?v=b1jr1v3l88k

Emphasise giving the full picture and a timeline of events and language used and having evidence of the person's disability.

Slide 15



Notes

Ask the group why a person may not report.

Write them on dry board/flip chart at the front.

Explore if the group know what is available to them for reporting now and would they use any of the forms?

They may want to agree a form with their teams, or other individuals, which meets the needs of the person they are supporting. They may also want to consider the different reporting apps available.

Refer to CPS leaflet's section on going to Court.

REMINDER: Just because someone perceives a crime to be a disability hate crime, does not mean it can be prosecuted "as such".

The prosecution would have to prove to the Court, beyond a reasonable doubt, that the case fell within the legal definition under Section 146 Criminal Justice Act 2003.

Remember if a person has reported a crime/incident and it is not accepted, then the person's vulnerability may still need to be explored under your duty of care to the individual and signpost to agencies that may support them.

Section 42 Care Act 2014 requires a local authority to undertake a safeguarding enquiry where an adult:

- Has needs for care and support (whether the local authority is meeting any of those needs) **and;**
- Is experiencing, or at risk of abuse and neglect; **and**
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse and neglect.

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Slide 16



Notes

Ask the group to think about all of your reflections so far on the course and the teams/services they manage and support.

What will they do now?

Make basic PowerPoint available.

Ongoing work/work in progress – United Response's media team in York is working on Hate Crime/Hate incident scenarios that West Yorkshire Police have assisted with.

Section 2 : Training Resources

Case study: Fiona and Francessa Pilkington 2007

Timeline	Incident
----------	----------

Fiona Pilkington, 38, and her disabled daughter Francessa Hardwick, 18, suffered years of intimidation by youths before their bodies were found in a burnt-out car in Leicestershire on the 23rd October 2007.

Details of calls made to police relating to the case were heard at an inquest.

1997	
17 November 1997	Ms Pilkington reports to police that her cheque book and disability book were stolen from her car.
2000	
4 October 2000	Pam Cassell, 72, Ms Pilkington's mother, contacts police about youths lighting fires in the street.
30 October 2000	Ms Pilkington calls police after youngsters start throwing eggs at the house. No officers are available to attend their call.
2003	
26 March 2003	Ms Pilkington's son Anthony Hardwick, who was being bullied at school, goes missing. An officer visits and the teenager returns two hours later.
3 August 2003	Anthony is punched in the mouth and his tooth is chipped.
12 August 2003	Ms Pilkington calls police as she has not heard from an officer about the assault on her son. She decides not to take it further.
2004	
9 January 2004	Mrs Cassell phones police to complain about youths throwing stones and bottles in gardens and setting fire to gates and fences. No officer attended and no action was taken by police.
24 January 2004	Anthony is being bullied at school and threats are being made against his life. His mother calls police but is told to call the school.
28 January 2004	Ms Pilkington reports further threats by the gang to kill her son. The police offer bullying advice but the family receives no visit from an officer.

19 April 2004	A 999 call is made from the family home. The line cuts out. An officer is sent out but no explanation is given as to what happened on the police incident log.
29 April 2004	Ms Pilkington writes to her MP, the Conservative member for Bosworth, David Tredinnick. She claims police are failing to deal with the gang on the street. Following a complaint, a dedicated inspector is assigned to reduce anti-social behaviour in the area.
11 June 2004	Mrs Cassell reports a youth sitting on a car bonnet, "mooning" at the family's home. Police officer attends but rules no criminal offence has taken place. The incident is closed.
22 June 2004	Ms Pilkington tells police that youths are taunting her disabled daughter. The incident is closed after she receives advice from police.
25 June 2004	The mother-of-two calls police to say her son is being abused. No officer attends and the incident is closed.
3 July 2004	Anthony Hardwick is locked in a shed at knifepoint by the gang. He has to smash a window to escape.
28 July 2004	Anthony is attacked again, this time with an iron bar. But when police arrive, Ms Pilkington, fearing reprisals, says she does not want the matter to be prosecuted.
2005	
28 October 2005	Youths are still being a nuisance, Ms Pilkington tells police. But no officer attends the family's home.
3 November 2005	Members of the gang start jumping on the family's hedge in their front garden. They also shout abuse. The incident log shows no officer is available and the incident is closed.
2006	
13 October 2006	Anthony is pushed into a car by the gang. He injures his hand but when an officer attends eight days later, the incident is simply closed.

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2007	
1 February 2007	Ms Pilkington's neighbours report the family cowering inside their home. No officer is available to attend. When contact is made with the family four days later, the incident is closed without any further action.
2 February 2007	Neighbour reports youths smashing bottles in the front garden of Ms Pilkington's home. No officer attends.
8 February 2007	Mrs Cassell reports youths throwing snowballs at the windows of her daughter's house. A police community support officer attends seven hours later and the incident is closed.
13 February 2007	A group of youths aged 10 to 14 are seen screaming outside the family's home. No officers attend and the incident is closed.
11 March 2007	The gang start damaging the For Sale sign outside the family's home. A police community support officer attends but no action is taken.
6 April 2007	Anthony is hit by stones as he rides his bicycle. Police contact the local council, which writes letters to the youths warning them about their behaviour.
19 April 2007	Ms Pilkington reports a boy trying to get Anthony to buy cigarettes for him.
10 May 2007	In a diary entry, Ms Pilkington writes about her son pacing up and down the stairs of their home because he was stressed out by the noise from the youths outside.
12 May 2007	Ms Pilkington, in her diary, writes: "I drew the curtains and sat in the dark until 2.30am, stressed out." That day she also writes: "Learn from experience that no-one is available on Fridays to Mondays as it's busy elsewhere and this is low priority."
13 May 2007	Ms Pilkington pens another entry in her diary, which reads: "I am cheesed off and fed up. Why can't they just walk past without doing anything? Why don't they walk on the other side of the street?"
2 June 2007	Ms Pilkington reports children smoking in her front garden. An officer attends and reports back that she was "over-reacting".

3 July 2007	Neighbour accuses Ms Pilkington of hitting a child in the street and claims she has been "telling the police things". No police officer attends.
25 September 2007	Mrs Cassell reports a broken window, the third to be smashed. A police officer does not attend until the following day.
26 September 2007	Mrs Cassell reports children throwing stones at the house. Police attend and an officer apparently speaks to the children.
28 September 2007	Fifth window is smashed at the family's home.
4 October 2007	Mrs Cassell reports a youth on a bicycle throwing stones at the house's windows. An e-mail is sent to a beat officer but no-one attends.
Last call made 23rd October 2007	Ms Pilkington phones police to say two girls are jumping on the hedge in her front garden. When she leaves the house with her daughter, the two girls start imitating the way Francecca walks. No officer attends but advice is given to draw the curtains and ignore the abuse.

Section 2 : Training Resources

10 years on: Have we changed?

Fiona is remembered as the woman who burnt herself and her daughter to death. People remember reading about her in the papers or seeing her face on the news: a photo of a brown-haired, middle-aged woman with downcast eyes. No one knew her personally. Fiona spent much of her life isolated and alone. Over ten years later, residents in the Leicestershire village where she lived and worked still seem disconnected to her death. Locals living just a few metres from the lay-by where Fiona eventually set her own car ablaze struggle to recall the details. "We saw nothing," one elderly resident says. "There was no fuss here. We had no one asking any questions."

The tragic back story behind Fiona's suicide was revealed under the unforgiving glare of the national press. An investigation found that Fiona and her family had been bullied and abused by local teenagers for more than a decade. Groups of up to 16 youths had pelted their home in Bardon Road, Barwell, with stones, eggs and flour. The abuse was often targeted at Frankie, who had severe learning disabilities. Fiona specifically mentioned the gang in a suicide note to her mother. "The street kids [,] well I have just given up," she wrote. "I am just not cut out to take this much harassment."

A decade on, few residents want to discuss the abuse, despite anti-social behaviour still causing problems for many people in the local area. "I think it's easier for people to ignore [Fiona's suicide]. If they don't talk about it, it didn't happen: it's that kind of attitude," says Sarah Hutchinson, a nursery worker who lives just a few streets from the Pilkington's home. She says that neighbours could have feared reprisals from the gang if they got involved. "The whole street knew it was wrong but didn't get involved for various reasons of their own," she says. For residents such as Hutchinson however, their anger remains directed at the police. "They knew," she says simply "It makes me angry."

Leicestershire police had repeatedly missed opportunities to identify the Pilkington's as vulnerable, failing to link individual reports of anti-social behaviour as part of a wider campaign of harassment. The Pilkington family received a five-figure settlement from the force in 2012, although no officers faced disciplinary charges.

For many, it was a watershed case: thrusting the issue of disability-related hate crime into the national spotlight.

The month of October now hosts National Hate Crime Awareness week, which hopes to keep bringing national attention back to the problem. Yet despite increasing awareness, disabled people living locally say that constant harassment still affects their everyday lives.



Cases [like Fiona's] give exposure. [Hate crime] is certainly talked about more now than it was 10 years ago."

Kamran Mallick, chief executive of Disability Rights UK

Ann*, who has learning difficulties, lives not far from where the Pilkington's faced years of abuse. She says that she has been bullied for most of her life, and won't give her name for fear of further taunts.

She says that groups of young people regularly follow her through the streets to shout abuse, even entering the charity shop where she volunteers.

On one occasion, a teenager took a photo of her as she walked down the street with bags of shopping. It was posted on a local Facebook group, where users lined up to write abuse in the comments. Ann says that the photo was removed once she reported it to the police, but stresses that offline, the harassment has continued.

Ann says that she has simply got used to ignoring the insults. Three years ago, however, she contemplated taking her own life. "I've always tried to ignore it," she says, "but it got to me so much. You can't block it all out. I don't know why they do it."

The hate crimes which many disabled people are unwilling to report are instances of low-level harassment, including name-calling and other anti-social behaviour. The same taunts were central in the hate campaign that led Fiona to kill herself and her daughter.

The abuse can have a devastating, cumulative effect, says Mallick.

"It can leave [disabled people] isolated in their homes and cut off from society," he says. "That can lead to a whole range of problems and seriously affect their mental health. The police should be taking all actions seriously."

Summary and outcomes

No one person was blamed for the deaths of Fiona and Francecca but it was recognised that systemic faults led to information not being shared. Roles were not understood and the question of who will deal with the problems were just passed from one organisations to another.

Vulnerabilities and risks were not assessed and the signals were there, the calls for help were not recognised.

What's changed?

- You're reading this. United Response recognise they have a duty of care to the people they serve and employ.
- Hate crime and incidents are now recognised as serious offences.
- Disability is one of the five protected strands of diversity.
- The police and all of West Yorkshire authorities understand this.
- The police have specialist officers to assist those who are victims of these offences as well as assisting others to develop their knowledge and working practices both inside and outside of the police service.
- New legislation has been developed to assist all agencies help those most vulnerable in the communities.

Section 2 : Training Resources

17 November 1997	4 October 2000	30 October 2000
26 March 2003	3 August 2003	12 August 2003
9 January 2004	24 January 2004	28 January 2004
19 April 2004	29 April 2004	11 June 2004
22 June 2004	25 June 2004	3 July 2004
28 July 2004	28 October 2005	3 November 2005

Case Study: Exercise Sheets

13 October 2006	1 February 2007	2 February 2007
8 February 2007	13 February 2007	11 March 2007
6 April 2007	19 April 2007	10 May 2007
12 May 2007	13 May 2007	2 June 2007
3 July 2007	25 September 2007	26 September 2007
28 September 2007	4 October 2007	23 October 2007

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Ms Pilkington reports to police that her cheque book and disability book were stolen from her car.	Pam Cassell, 72, Ms Pilkington's mother, contacts police about youths lighting fires in the street.	Ms Pilkington calls police after youngsters start throwing eggs at the house. No officers are available to attend their call.
Ms Pilkington's son Anthony Hardwick, who was being bullied at school, goes missing. An officer visits and the teenager returns two hours later.	Anthony is punched in the mouth and his tooth is chipped.	Ms Pilkington calls police as she has not heard from an officer about the assault on her son. She decides not to take it further.
Mrs Cassell phones police to complain about youths throwing stones and bottles in gardens and setting fire to gates and fences. No officer attended and no action was taken by police.	Anthony is being bullied at school and threats are being made against his life. His mother calls police but is told to call the school.	Ms Pilkington reports further threats by the gang to kill her son. The police offer bullying advice but the family receives no visit from an officer.
A 999 call is made from the family home. The line cuts out. An officer is sent out but no explanation is given as to what happened on the police incident log.	Ms Pilkington writes to her MP, the Conservative member for Bosworth, David Tredinnick. She claims police are failing to deal with the gang on the street. Following a complaint, a dedicated inspector is assigned to reduce anti-social behaviour in the area.	Mrs Cassell reports a youth sitting on a car bonnet, "mooning" at the family's home. Police officer attends but rules no criminal offence has taken place. The incident is closed.
Ms Pilkington tells police that youths are taunting her disabled daughter. The incident is closed after she receives advice from police.	The mother-of-two calls police to say her son is being abused. No officer attends and the incident is closed.	Anthony Hardwick is locked in a shed at knifepoint by the gang. He has to smash a window to escape.
Anthony is attacked again, this time with an iron bar. But when police arrive, Ms Pilkington, fearing reprisals, says she does not want the matter to be prosecuted.	Youths are still being a nuisance, Ms Pilkington tells police. But no officer attends the family's home.	Members of the gang start jumping on the family's hedge in their front garden. They also shout abuse. The incident log shows no officer is available and the incident is closed.

Case Study: Exercise sheets

Anthony is pushed into a car by the gang. He injures his hand but when an officer attends eight days later, the incident is simply closed.	Ms Pilkington's neighbours report the family cowering inside their home. No officer is available to attend. When contact is made with the family four days later, the incident is closed without any further action.	Neighbour reports youths smashing bottles in the front garden of Ms Pilkington's home. No officer attends.
Mrs Cassell reports youths throwing snowballs at the windows of her daughter's house. A police community support officer attends seven hours later and the incident is closed.	A group of youths aged 10 to 14 are seen screaming outside the family's home. No officers attend and the incident is closed.	The gang start damaging the For Sale sign outside the family's home. A police community support officer attends but no action is taken.
Anthony is hit by stones as he rides his bicycle. Police contact the local council, which writes letters to the youths warning them about their behaviour.	Ms Pilkington reports a boy trying to get Anthony to buy cigarettes for him.	In a diary entry, Ms Pilkington writes about her son pacing up and down the stairs of their home because he was stressed out by the noise from the youths outside.
Ms Pilkington, in her diary, writes: "I drew the curtains and sat in the dark until 2.30 am, stressed out." That day she also writes: "Learn from experience that no-one is available on Fridays to Mondays as it's busy elsewhere and this is low priority."	Ms Pilkington pens another entry in her diary, which reads: "I am cheesed off and fed up. Why can't they just walk past without doing anything? Why don't they walk on the other side of the street?"	Ms Pilkington reports children smoking in her front garden. An officer attends and reports back that she was "over-reacting".
Neighbour accuses Ms Pilkington of hitting a child in the street and claims she has been "telling the police things". No police officer attends.	Mrs Cassell reports a broken window, the third to be smashed. A police officer does not attend until the following day.	Mrs Cassell reports children throwing stones at the house. Police attend and an officer apparently speaks to the children.
Fifth window is smashed at the family's home.	Mrs Cassell reports a youth on a bicycle throwing stones at the house's windows. An e-mail is sent to a beat officer but no-one attends.	Ms Pilkington phones police to say two girls are jumping on the hedge in her front garden. When she leaves the house with her daughter, the two girls start imitating the way Francecca walks. No officer attends but advice is given to draw the curtains and ignore the abuse.

Section 2 : Training Resources

CUDSA
CONFRONT
When?
Examples of questions to start and open up?
UNDERSTAND
What type - Hate Incident/Crime? This may help your decision to report to police
How was information presented? Include verbal and non-verbal
Explore different reporting options
DECIDE
Take into consideration consent to share information. Record this
Consider 3rd Party reporting
SEARCH
Desired outcome?
AGREE
Time scales, who will do what, when and how?
Record this

REFLECTION
What have I learnt?
What will I do differently?
How will I do this?
Why will I do it?
How will I measure my success?

ITOP - Q. Why should we get this right?

I ... Individual

T... Team

0... Organisation

P... Public

Spit Ill-Will Aggression Confrontation Prejudice

We would welcome your feedback on how useful you have found this pack.
Please send any comments to hate.crime@unitedresponse.org.uk

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