

Hate Crime Review Questionnaire – SCLD Response

1. What do you consider to be hate crime?

We understand a hate crime to be a crime committed against a person which is motivated by a perceived characteristic e.g. race, sexual orientation, religious belief, disability or gender identity. More specifically, disability hate crime is when someone commits a crime against a person because they have a disability. The nature of hate crime ranges from bullying and verbal harassment through to physical assault and abuse. It can also be perpetrated online through social media. Within the context of disability hate crime there is a distinctive nature to learning disability hate crime. This includes the widespread use of offensive language which is specific to learning disability like ‘cretin’ or even ‘mong’, in the case of the former, sometimes by respectable commentators and politicians.

2. Please tell us about any specific experience(s) you have had of hate crime

We are aware of incidents where people with learning disabilities have:

- Been abused verbally in their communities and on public transport
- Been threatened with violence and told to keep quiet
- Been harassed at bus stops by school children
- Had stones thrown at their windows by local youths
- Been individually targeted via social media on sites such as facebook

3. What impact did the experience have on you?

Hate crime can be extremely distressing for people with learning disabilities. Hate crime can cause pain, depression, anger, anxiety, lack of confidence and post-traumatic stress. It goes against people’s human rights and can prevent them from fully participating in society. Hate crime often results in people with learning disabilities becoming more withdrawn leading to increased social isolation.

From August 2015 to March 2016 SCLD funded the Disability Hate Crime Project. Working across North Ayrshire, Stirling and Clackmannanshire the project used the medium of Forum Theatre to allow people with learning disabilities to be involved in the construction, development and delivery of hate crime drama workshops. Empowering people with learning disabilities in

this way by raising awareness of hate crime, and helping people know what to do if they experience it, plays an important role in the development of social skills, self-confidence and social connections and contributes to the Keys to Life Strategic Outcomes 2, 'Choice and Control, and 4, 'Active Citizenship', with particular emphasis on developing wellbeing and resilience.

Is there anything else you'd like to share with us?

Hate crime is known to disproportionately affect people with learning disabilities. However, due to the fact that disability hate crime data can't be disaggregated so there is not reliable data available on the experience of people with learning disabilities.

Moreover incidents of hate crime are thought to be significantly underreported. This is likely to be particularly true for learning disability related hate crime. In some cases victims/witnesses of Hate Crime do not feel comfortable reporting incidents directly to the Police and may be more comfortable reporting it to someone they are familiar with. To overcome this, Police Scotland work in partnership with various public sector and third sector organisations to provide safe and private spaces for people to report hate crimes. These spaces are known as Third Party Reporting Centres (TPRCs) and exist as a means for people to report hate crime(s) anonymously.

However, a recent SCLD mapping and scoping exercise on TPRCs identified low levels of activity at existing sites and a lack of clarity about the exact role of a TPRC among the organisations in which they were located. The report recommendation included:

- An investigation into the feasibility of utilising the reach of Social Work Services, Support Workers and Carers to maximise the number of incidents that are reported.
- A more clearly defined role for Third Party Reporting Centres
- More cohesion and consistency about which organisations are listed and known to be Third Party Reporting Centres.
- A need to ensure centres are able to provide a secure space for privacy.
- Increased public awareness of TPRCs and where they are located.

Lorne Berkley

Lorne.b@sclد.co.uk

Scottish Commission for Learning Disability (SCLD)

I am happy for you to use a quote from our response in the consultation paper.