



Responding to the real experiences of
Deaf and disabled survivors of hate
crime

Contempt

By reason of ...

Intersectional hate crime

Presentation to Law Commission event on changes to hate crime law

December 9th 2020

Ruth Bashall, Chief Executive, Stay Safe East

Stay Safe East

The only specialist user-led service for Deaf and disabled survivors of all forms of abuse

- A partner in the London DDPO hate Crime Partnership
- A partner in the CATCH hate crime partnership
- Holistic, long term and accessible advocacy for disabled survivors of hate crime, harassment, cuckooing, domestic and sexual abuse and other forms of abuse
- Policy and change: working to make London and national strategies and practice on hate crime more inclusive of disabled survivors

E-mail: policy@staysafe-east.org.uk

Tel: 07587 134 122

Website: www.staysafe-east.org.uk

Twitter: @staysafeeast





Our thoughts about the Law Commission's proposals

We welcome that the Law Commission recognises:

- The difference in hate crime law especially to protect LGBT and disabled people
- That disabled people are let down by hate crime law - that the law isn't working for us
- The 'particular difficulty in prosecuting disability hate crime'
- That the police, the CPS and the courts are not consistent in how they deal with hate crime
- The barriers to reporting
- And that they are asking whether other groups should be included in hate crime law: sex workers, homeless people, alternative cultures (Goths or emos), and age related hate crime

Our thoughts about the Law Commission's proposals



We agree with these recommendations that:

- There should be one Hate Crime law for everyone (Parity)
- Hate crime law needs to be the same across all groups for
 - 'aggravated offences' including against disabled people
 - Stirring up of hatred including against disabled people

This has only happened because we have campaigned hard for this!

- Women should be protected by hate crime law against misogyny (but a lot of detail need to be sorted out)
- On-line hate crime should be part of the law
- More crimes should be covered by the 'aggravated offences' penalties
- There should be a Hate Crime Commissioner



Our thoughts about the Law Commission's proposals

Targeting of disabled people

We don't agree with what the Law Commission says about hate crime that is targeted against us because we are disabled people ('by reason of')

The Law Commission say that this is too wide and could cause confusion and injustice to perpetrators

Why we don't agree

- Disabled people experienced abuse that only happens because we are disabled people. We consider this to be hate crime.
- Not all hate crime involves someone using disablist words – and sometimes we don't hear those words but we know there is hostility or contempt

An example of a hate crime where the victim was targeted because she is a disabled woman

A visually impaired woman had her home taken over by a local gang who used her home to sell drugs and for prostitution. She was abused physically and emotionally. She was locked out of her home or had to lock herself in her room. Her carer had let the gang into her home and had stolen her money.

The woman was a victim of cuckooing.

This abuse would not have happened if she had not been disabled.

She was targeted because she is disabled – by reason of her disability. This is a hate crime.

Our thoughts about the Law Commission's proposals



Definition of hate crime

- We think the definition of hate crime should be much clearer. This would help disabled people who are victims of hate crime.
- The law says hate crime is about **hostility** and **prejudice**

We think a lot of hate crime against disabled people (and other groups of people) is about seeing us not equal, not human – that we are worth nothing, so it doesn't matter if we are harmed.

This is called **contempt**

The dictionary says contempt is “**the feeling that a person is worthless or beneath consideration**” . This is how some people see disabled people. that is why they attack us or abuse us. This is hate crime.

For example a man urinated on Christine Lakinski as she lay dying. This is contempt.

We think contempt should be part of the legal definition of hate crime.

Our thoughts about the Law Commission's proposals



Intersectional hate crime

- This is when someone is a victim of hate crime because (for example) they are a Black woman with learning disabilities, or a South Asian Gay man or Lesbian.
- Disabled people can be victims of any form of hate crime
- At the moment, the police and CPS might focus on only part of the hate crime
- We think it is very important that hate crimes that involve more than one 'issue' (intersectional hate crime) are recognised in law. For example, Muslim women are more likely to experience islamophobic hate crime, disabled people from BAME communities are more likely to be victims of hate crime.



Our thoughts about the Law Commission's proposals

Stirring up hatred against disabled people

- The Law Commission says it wants the law to be the same for all groups
- We think that the law should cover hate crimes against disabled people such as:
 - Falsely accusing disabled people of benefit fraud
 - Falsely accusing disabled people of being a paedophile
 - Saying that disabled people should be killed at birth
 - Saying that we should 'get rid of autism' and other impairments- this is saying disabled people should be killed

All of these encourage other people to hate disabled people, and can lead to more physical hate crime.

What else is missing from the report?

We would like the new law to address these issues:

- Hate crime incidents are hate crime if they are part of a pattern
- Hate crime is a big part of domestic abuse against disabled women and some disabled men
- Disabled and other victims of hate crime are discriminated against by the police and the courts and don't get the right support
- The police don't recognise hate crime against disabled people
- The law should put a duty on the government to fund hate crime advocacy and support for victims of hate crime, in the same way it funds domestic violence services