

A Snapshot of
Disability Hate Crime
in Lancashire

2010

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**Lancashire
Constabulary**
police and communities together

Executive Summary

CPS Lancashire, Lancashire Constabulary and Lancashire County Council agreed to work in partnership to better understand Disability Hate Crime in the county.

This report is the culmination of this work and serves as a 'snapshot' of Disability Hate Crime in the county. It canvassed people's opinions on their understanding of Disability Hate Crime, the crime they fear and have experienced, the perpetrators who committed these crimes and incidents, the changes in behaviour as a result of the fear and experience of crime and the knowledge of support services.

The report reflects national research and is a call to action for all agencies that have a responsibility to tackle hate crime.

Summary Findings

Knowledge of disability hate crime

The people who took part in the research had very little knowledge of Disability Hate Crime, many having never heard this terminology before.

Fear of crime

Nearly two thirds of people who took part in the questionnaire indicated that they felt frightened or feared that they would be targeted because they have a disability.

Experience of crime

Nearly half of the people questioned said that they had actually experienced crime and they felt that they had been targeted because they had a disability. Almost a third reported that they had been the victim of a crime or incident in the last six months and that fear and experience of crime was greatest 'in the street' followed by 'at home'. The incidents and crimes are taking the form of verbal attacks, including threats and intimidation in a third of cases.

Perpetrators of incidents and crimes

Half of respondents were frightened of people between 16 and 24 years old and strangers and groups of strangers were the perpetrators of crimes.

Experience of reporting crime

Nearly half of people questioned had told their family and friends that they were frightened or had been attacked. A number of the focus group respondents suggested that the service they received from the police on reporting a crime could be improved.

Changes in behaviour as a result of fear and experience of crime.

A tenth of people who responded to the questionnaire suggested that they had moved house as a result of fear alone and avoiding places was a common reaction to fear of crime. Of those that had been a victim of crime, a third avoided specific places and a fifth had changed their routine in some way.

Knowledge of support

The knowledge of the role of CPS Witness Care Units, Victim Support and the police in supporting victims of hate crime was very limited. Participants also knew very little about Special Measures and the circumstances in which these can be employed.

Recommendations

1. A joint communication and education strategy should be agreed between agencies targeted at Deaf and disabled people to increase awareness of Disability Hate Crime and how to report it.
2. A joint communication and education strategy should be agreed between agencies targeted at agency staff to increase awareness of Disability Hate Crime and how to facilitate reporting it.
3. A joint communication and education strategy should be agreed between agencies targeted at young people to increase awareness of Disability Hate Crime, its impact on people and how to report it.
4. A joint communication and education strategy should be agreed between agencies targeted at tenants of social landlords to increase awareness of Disability Hate Crime, its impact on people and how to report it.
5. All agencies should proactively promote good news stories and successful prosecutions.
6. Anonymous methods of reporting and third party reporting should be expanded.
7. The accessibility of current reporting systems should be reviewed and improved, including simplifying current electronic systems to make them more user friendly.
8. Local authority officers should be trained in identifying Disability Hate Crime at an early stage and encouraged to work in partnership with other agencies to tackle it.
9. All agencies should adopt a pro-active approach to all instances of Disability Hate Crime.
10. Agencies should approach the issue of Disability Hate Crime from a rights-based angle.
11. Agencies should endeavour to report all incidents, with identities of victims omitted if requested, in order to contribute to an intelligence picture of hotspots for Disability Hate Crime.
12. Agencies should endeavour to ensure that each victim is treated as an individual and early interventions are provided as appropriate.
13. Relevant agencies should review the letters sent out to Deaf and disabled victims and witnesses. They should involve Deaf and disabled people and the organisations that support them to develop more accessible communication.
14. Relevant agencies should engage with Deaf and disabled people more effectively to ensure that the role of the Crown Prosecution Service, Witness Care Units and special measures are more widely understood.



**...the criminal justice system
has failed to support
disabled people to recognise
and report hate crimes...**

Introduction

The profile of Disability Hate Crime has been raised in recent times in a number of reports produced by charities, the Disability Rights Commission (DRC) and the Equality and Human Rights Commission (EHRC). These reports have highlighted the many barriers that Deaf and disabled people encounter when accessing justice. The reports make clear that there is more that can be done by criminal justice agencies, local authorities, charities and other partners to improve access to justice for Deaf and disabled people. 'Getting Away with Murder', a report by Scope, Disability Now magazine and the UK Disabled People's Council, summarised the current situation as follows ...

"So far, the criminal justice system has failed to support disabled people to recognise and report hate crimes, and failed to investigate, prosecute and sentence such crimes for what they are."

The agenda has prompted a number of agencies to look carefully at their treatment and support of disabled people in cases where they may be victims of crime. In October 2008 the then Director of Public Prosecutions, Sir Ken Macdonald QC, described the situation...

"I am on record as saying that it is my sense that Disability Hate Crime is very widespread. I have said that it is my view that at the lower end of the spectrum there is a vast amount not being picked up. I have also expressed the view that the more serious Disability Hate Crimes are not always being prosecuted as they should be. This is a scar on the conscience of criminal justice. And all bodies and all institutions involved in the delivery of justice, including my own, share the responsibility."

It is clear that the efforts of the CJS alone will not effectively combat this problem and it is vital that local authorities, housing providers and disabled people's organisations all contribute to tackling Disability Hate Crime. The importance of this

combined approach and the success of any work undertaken was summarised in 'Getting Away with Murder'...

"To prevent, rather than simply punish Disability Hate Crime, disabled people and their allies need to come together with Government, police, prosecutors, judges and journalists, to pro-actively tackle this crisis of justice. It is only by working together, at a community level as well as nationally, that we will be able to tackle the disablist attitudes and practices that so often lay the foundations for hate crime. Until we do this, Disability Hate Crimes will remain unrecognised and unchallenged, and some of its perpetrators will continue to, literally, get away with murder."

In October 2008 the National Disabled Police Association held a two-day conference at Aintree Racecourse on Disability Hate Crime. As a result of attending this conference Lancashire Constabulary, Lancashire County Council and CPS Lancashire agreed that more work was needed at a local level in terms of Disability Hate Crime and our responses to Disability Hate Crime and agreed to embark on the following project in partnership.



Aims and Objectives

Aims:

- To establish a baseline of evidence of Disability Hate Crime in Lancashire.
- To obtain a better understanding of the issues that Deaf and disabled people experience when reporting crime, giving evidence and recovering from the experience of hate crime and hate incidents.
- To raise the profile and awareness of Disability Hate Crime amongst agencies and Deaf and disabled communities across Lancashire, contributing to an increase in the number of cases of disability hate crime reported and prosecuted.
- To contribute to an improvement in the services available to support people to report crime, give evidence and get on with their lives after being a victim of a hate crime or hate incident.

Objectives:

- To produce a Disability Hate Crime report detailing the experiences of Disability Hate Crime by people in Lancashire.
- To increase the knowledge of the barriers to justice Deaf and disabled people face in Lancashire.
- To establish strong links between Lancashire Constabulary, Lancashire County Council and CPS Lancashire.
- To build strong links with organisations supporting Deaf and disabled people in Lancashire.
- To increase the knowledge of how the CJS operates by the Deaf and disability communities of Lancashire.
- To increase confidence in how seriously the partners take Disability Hate Crime.
- To increase the knowledge of Deaf and disabled communities in how to report Disability Hate Crime.





Methodology

The project consisted of nine focus groups and a questionnaire distributed to over 60 different Deaf and disabled peoples' organisations. The focus groups covered a breadth of geographic locations and a range of organisations that support Deaf people and people with different disabilities.

The focus groups were made up of...

- 4 Mixed impairment groups.
- 1 Visually Impaired Group.
- 1 Deaf Group.
- 1 Learning Disability Group.
- 2 Mental Health Groups.

The focus group facilitators posed a structured set of questions to each group. The responses were explored and recorded for later analysis. The questionnaire was distributed to a range of groups across the county, again canvassing the views of people with a range of disabilities and Deaf people. The results were then collated and analysed.

The responses from the focus groups and the results of the questionnaire form the broad themes outlined in this report. The main findings of the report were then presented to a range of stakeholders at an action-planning event where actions and recommendations were canvassed and incorporated into this report.

Do you know what Disability Hate Crime is?

Through the questionnaire and focus groups we were keen to understand how familiar people were with the concept of hate crime. We wanted to better understand what they thought it was, where they had heard about it and if a lack of understanding was contributing to a lack of identification and reporting.

The current ACPO and CPS policy definition of disability hate crime is as follows...

"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 or perceived disability."

A hate incident is defined as...

"Any non-crime incident 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."

In April 2005 the law was changed by section 146 of the Criminal Justice Act 2003. This section did not create any new offences, it imposed on courts a duty to increase the sentence for any offence where there is evidence that it was aggravated by hostility based on a person's disability or presumed disability. Section 146 Criminal Justice Act 2003 applies to offences committed in either of the following circumstances:

"At the time of committing the offence or immediately before or after doing so, the offender demonstrated towards the victim of the offence hostility based on a disability or presumed disability of the victim".

OR

"The offence was motivated (wholly or partly) by hostility towards persons who have a disability or a particular disability."

The concept of Disability Hate Crime and the understanding by all disability communities and indeed by agencies, of exactly what 'Disability Hate Crime' is, was an area we were keen to explore in the focus groups. We began by asking the participants whether they were aware of Disability Hate Crime and asked what they thought it was and if participants had heard of it.

The level of awareness of what Disability Hate Crime is varied between groups and between members within groups. Rather than being familiar with the concept itself most participants took a guess at what the phrase might mean. Typical responses included ...

"I've never heard of that terminology before and I have no idea, I can guess what it might mean but I have no idea"

Focus Group 2 Participant.

"Is that when a person's going for a job, and the like, employer, discriminates against 'em?"

Focus Group 3 Participant.

"No idea. Bullying? Discrimination? Racism? These sorts of things?"

Focus Group 5 Participant.

"Is it hate crime in terms of discriminating against disabled people and picking them out and picking on them to commit crime while they're in the street and sort of following them and thinking I have more of a chance of getting them because they are disabled."

Focus Group 2 Participant

It became very clear during the focus groups that the term itself was not one that participants were familiar with or could relate to. The words used and concept itself was commented on by more than one participant...

"Just to say, the thing specifically about Disability Hate Crime, I think it's a strange phrase people aren't used to and I think people are becoming more aware through things in the news of race hate crime and homophobic crime, but somehow, hate crime is a strong phrase and it's not one that people think of when something happens to themselves...people just tend to put things down as that's the sort of thing that happens..."

Focus Group 7 Participant



This confusion has been recognised in research carried out by the Equality and Human Rights Commission and Scope...

"The terminology around targeted violence and hostility is ill-defined, and terms such as 'violence', 'harassment' and 'abuse' are often used interchangeably. The issues are described and understood differently by different agencies and by disabled people. There is particular confusion over the language of 'hate crimes' and this can compromise effective response and intervention."

"...the term 'hate crime' creates barriers to understanding. The prevailing attitude towards disability hate crime remains that of disbelief – disabled people are vulnerable and pitiable, perhaps, but not hate-worthy. However, hate, which is defined as intense aversion or hostility, can be motivated by

many things, including the belief that someone is inferior or less valuable than you. It may be harder to understand the motivation for someone's hatred in relation to Disability Hate Crimes but the level of violence, the contempt for people's lives and the often sustained nature of the crimes detailed in this report can leave little doubt that hate is a factor."

This uncertainty and unfamiliarity by Deaf and disabled people and agencies of what Disability Hate Crime is, is clearly a barrier to effective recognition and reporting of this phenomenon. This is important because any effort made to increase recognition and reporting should start from the point that this terminology is misunderstood and efforts should be made to explain what it is by giving examples of Disability Hate Crime.

The ambiguity and uncertainty felt by participants around the term 'Disability Hate Crime' is important when considering the responses received to the questionnaire which used the term throughout. In the Focus Groups a number of participants at the beginning stated that they did not think that they had been a victim of Disability Hate Crime. However, on further exploration it transpired that most people did in fact have some experience of Disability Hate Crime.

RECOMMENDATIONS:

1. A joint communication strategy should be agreed between agencies targeted at deaf and disabled people to increase awareness of Disability Hate Crime and how to report it.

The key messages should include the fact that victims don't have to put up with this treatment and that there are a number of different ways of tackling this issue.

2. A joint communication strategy should be agreed between agencies targeted at agency staff to increase awareness of Disability Hate Crime and how to facilitate reporting it.

The key messages should include the responsibility all agencies have in tackling and recognising Disability Hate Crime and supporting people in reporting and taking action.

What crime do you fear?

As part of the research we were keen to understand the types of crime that Deaf and disabled people feared as well as what their experience was of crime.

The questionnaire asked "Have you ever felt frightened or feared you would be targeted because you have a disability?" 37% of respondents indicated that they did not feel that they would be targeted and 3% responded that they did not know. The responses to the questionnaire indicate that 60% of respondents had felt frightened or feared they would be targeted because they have a disability. This confirms anecdotal evidence that the fear of being targeted is high amongst Deaf and disabled people in Lancashire. This impacts on all aspects of living and this is borne out by subsequent responses in the questionnaire, the focus groups and the wider research.

The focus groups were asked if they felt frightened or feared being targeted because they are Deaf or have a disability. Responses included...

"Every time I go in [shopping centre], I am frightened you know...unless I'm with somebody."

Focus Group 4 Participant.

"When you go to the supermarket till, and you're in a chair, you've got to put your key, your pin number in, and everybody's above you; they can see what you're doing and you're wary aren't you? and you feel threatened. Small things can be very big issues."

Focus Group 4 Participant.

The fear of targeted crime and incidents was a common theme that ran throughout the focus groups and mirrored the responses given in the questionnaire. It was very clear that the participants were living with fear as part of their everyday lives.

One question focused on the frequency of people's fear of crime rather than their experience. 22% said that they feared being a victim of crime or incident once a week or more, 24% feared being a victim of crime or incident once a month or more. 18% said that they feared being the victim of a crime or incident once or more in a six month period.

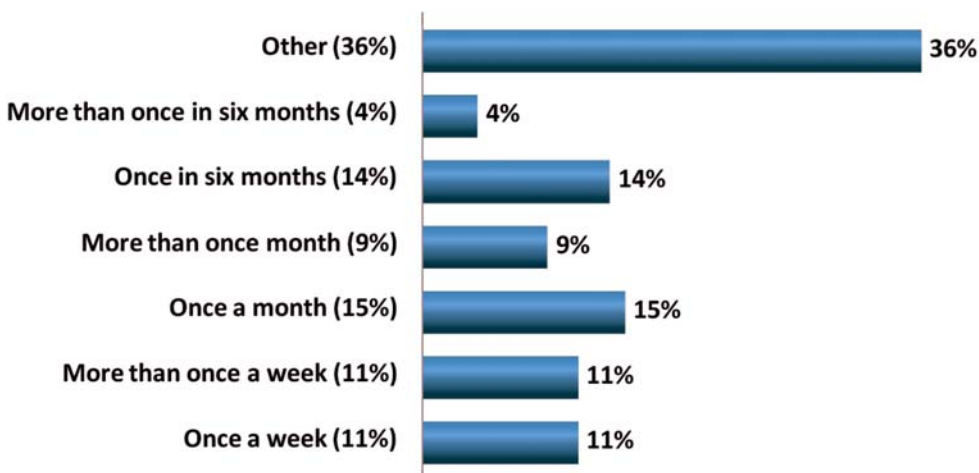
The responses indicate that 46% of the respondents feared they would be victims of a crime or incident at least once a month or more. This is an incredibly high number of people that are living in fear. The remaining 36% was made up of respondents entering never/more often on the questionnaire forms.

The views expressed in the focus groups suggested that the fear of being a victim of a crime or incident was something that people learned to live with as part of their everyday lives.

RECOMMENDATIONS:

- 3. All agencies should pro-actively promote good news stories and successful prosecutions.

How often do you fear being a victim of crime or an incident?





What crime have you experienced?

Actual, real life experience of crime was an area that it was important to cover as part of the research and this was addressed in both the questionnaire and the focus groups. Identifying how often people experienced crime, the locations in which crime was experienced and how people were frightened or attacked are key pieces of information when developing strategies to better support Deaf and disabled people through the experience of Disability Hate Crime.

The questionnaire asked "Do you feel that you have ever been subjected to a crime or an incident because of your disability?" 46% said that they hadn't and 7% responded that they weren't sure. Nearly half the respondents, 47%, said that they felt they had been subjected to a crime or incident because of their disability. This is confirmation from the participants that they felt that they had been specifically targeted because they were Deaf or disabled. It is important to note that this is based on perception rather than a factual knowledge that the incident was motivated by the disability. However, in order for a crime to be investigated as a Disability Hate Crime, perception by the victim or any other person is all that is required.

When discussing their experiences of being subjected to crimes and incidents because of their disabilities the focus group participants made the following comments...

"I've been told that I'm no good, I've even been threatened to take my wheelchair...I've been shot at and I've been burgled five times..."

Focus Group 1 Participant.

"People will come into our gardens...and the adults will think they have the right to."

Focus Group 1 Participant.

"I've had a problem with gangs of children, well the younger people mainly, and I've also had trouble with some grown-ups sometimes being quite aggressive because you've nearly hit them with your white stick, which is quite a problem when you use a white cane. And I've also had abuse you know, thrown at me, you know, name calling, so I'll either avoid going that way or I'll always go with a friend on certain routes."

Focus Group 2 Participant.

"I had my scooter pinched, by lads, young lads, I had my scooter pinched, I informed the police, the police caught 'em, these lads were living in the next road to me, and I was frightened if they came around at night, 'cos I'm on my own. I was frightened they would come around at night but everybody says 'No they won't, no they won't' but I don't know, I still don't go out at night, when I go home from here I lock my door."

Focus Group 3 Participant.

"Yes, I've been verbally abused. I've been physically attacked and I've been robbed."

Focus Group 4 Participant.

"A couple of years ago, we were supporting a guy who, every time he went out, in this certain area, the young lads there would take his cane off him and then sell it back to him, and he had no choice but to give them the money because he couldn't go anywhere without the cane. And as a result of that he then became socially isolated because he wouldn't go out."

Focus Group 2 Participant.

In one of the focus groups a participant indicated that they had been harassed while using their scooter, another reported having dog dirt smeared across her window because of her mental health issues, one focus group member reported that she had felt intimidated into taking out loans from a doorstep loan company. Name calling was reported as extremely common in all the focus groups. Some focus group members reported being targeted on the days when they collect their benefits, with people knocking on their doors and demanding money from them.

"I've seen children picking on somebody worse than me, bullying them and that, taking money off them and their phone and things like that."

Focus Group 9 Participant.

"...in the holidays, when the kids were off school, instead of going up the rec' to play football, they play football in me garden, they squashed the neighbour's climbers, kicked football at the windows ... I kept the front door open because it were a nice day... and then the kids sort of came in my house, sat there watching the telly..."

Focus Group 4 Participant.

What was particularly striking and common to all of the focus groups was the acceptance of this type of behaviour as part of everyday life. This has been reported in the Equality and Human Rights Commission research...

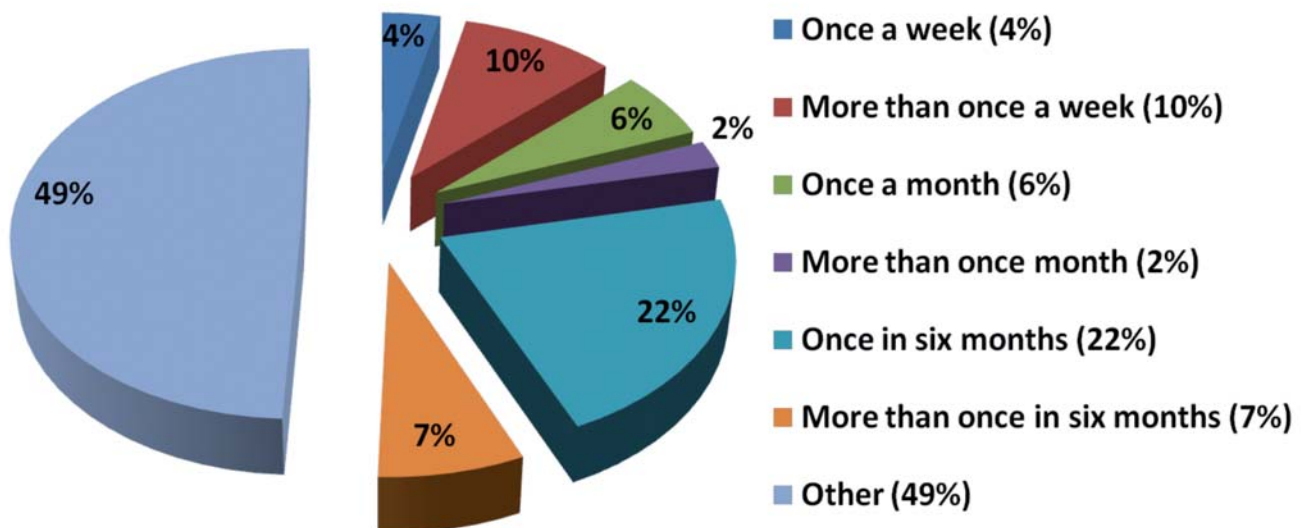
"...disabled people are frequently unaware of their rights. As mentioned previously, negative attitudes and low expectations by wider society (and the extent to which these may have been internalised by disabled people themselves) can lead both disabled and non-disabled people to treat some incidences of targeted violence and hostility as part of the everyday."

The focus group responses and the data collected from the questionnaires demonstrates that fear of being a victim of a crime or incident is high for Deaf and disabled people in Lancashire.

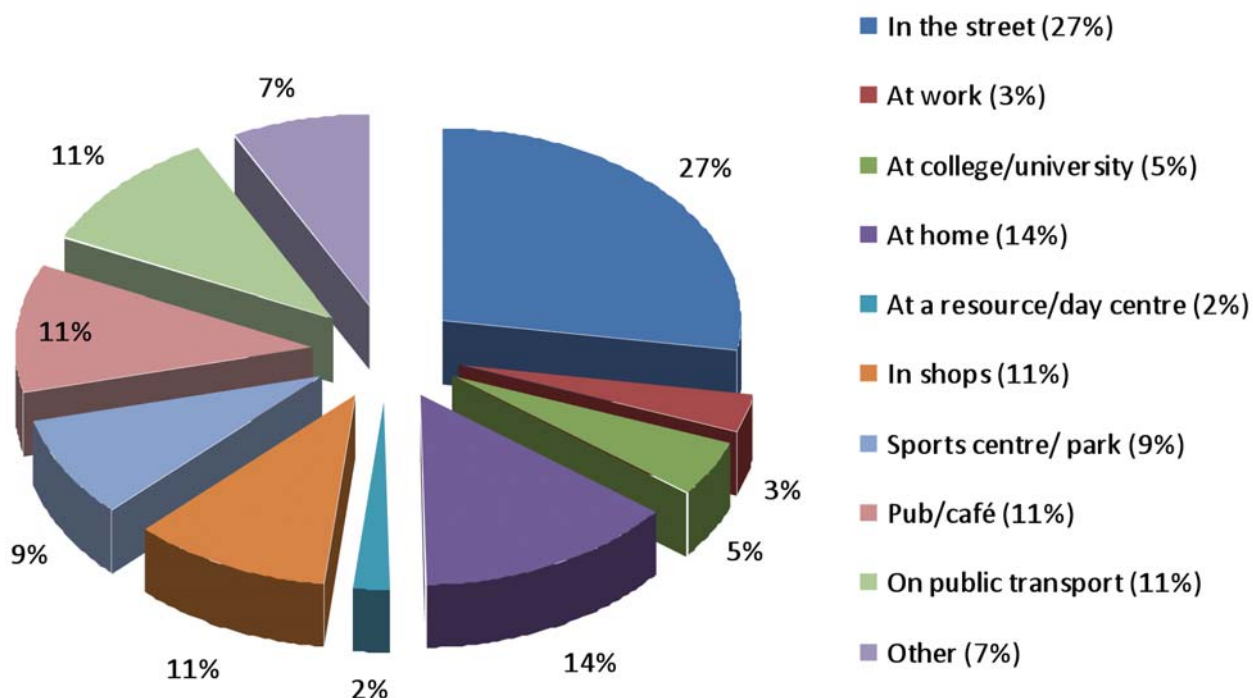
This part of the questionnaire focused on people's experience of crime or incidents. 14% said that they had been the victim of a crime or incident once a week or more. 8 % said they had been the victim of a crime or incident once a month or more. 29% said that they have been the victim of a crime or incident once or more than once in a six month period. 49% recorded 'other' – responses included a mixture of people writing 'never' on the forms with others detailing events which occurred more than six months ago and some many years ago. Overall this would suggest that 51% of the respondents had been the victim of a crime or incident at least once in the last six months. This question only asked about crimes or incidents, not specifically Disability Hate Crime.

This high level of being exposed to crime and incidents reflects Scope's research...

How often you have been a victim of a crime or incident?



Were you frightened or attacked in any of these places?



Hate crime against disabled people appears to be common and widespread. Disabled people are more likely to be victims of crime, and disabled women more likely to be victims of domestic violence, than non-disabled people. However, lack of national comprehensive data on the prevalence and the nature of Disability Hate Crime means the true extent of the problem remains hidden."

The frequency of attacks appears to be lower than that of one piece of research conducted in Scotland but it still represents a large proportion of Deaf and disabled people in Lancashire.

"For many disabled people hate crime is a feature of their day-to-day life. One in five respondents suffered an attack once a week or more often, with women (26% - 10 respondents) and under 44 year olds (37% - 13 respondents) most vulnerable to frequent attacks. Many people felt that it was something that they had to live with on account of their disability."

The frequency of being a victim of crime or incident was high when considering the responses to the questionnaire and the views expressed in the focus groups. This is of particular concern as the number of Disability Hate Crime incidents reported to the police and prosecuted as such is very low and represents an area for further work.

This survey question did not distinguish between 'frightened' and 'attacked' and this represents a wide spectrum of experiences. 'In the street' was by far the largest category selected in this part of the questionnaire with 27% of the respondents selecting this. The next highest category selected is 'at home' with 14% of respondents selecting this option. Shops, pubs/cafes and public transport each attracted 11% of responses and this illustrates the fear that Deaf and disabled people experience when simply getting on with their day-to-day lives.



The local research is supported by national research conducted by the Equality And Human Rights Commission in terms of identifying the venues of attacks and fear.

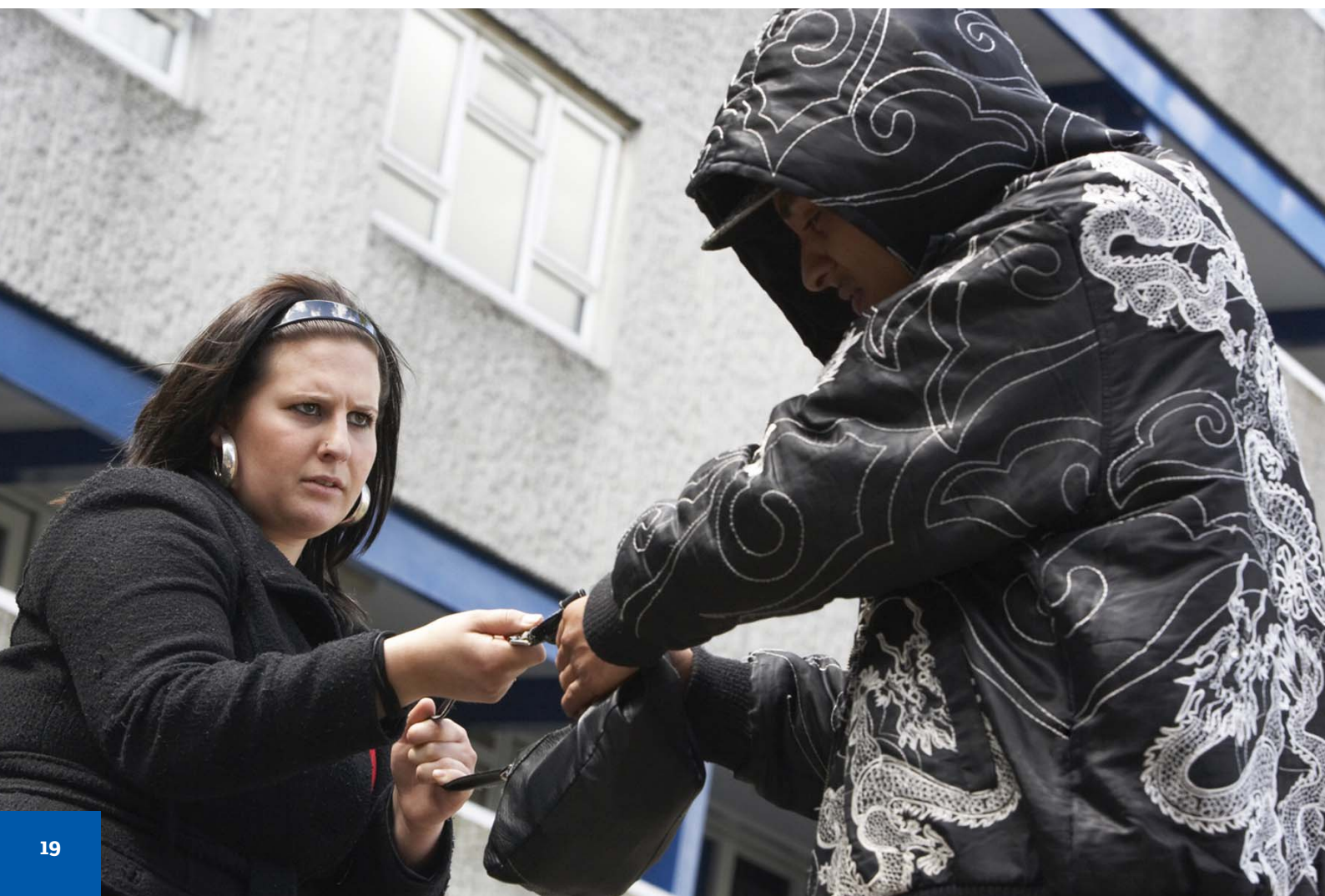
"A number of hotspots, where targeted violence and hostility tends to occur, are identified, namely: on the street; in and around home-based settings (particularly in relation to social housing but also including private accommodation); in institutional settings; in schools, colleges and at work, and on public transport. The types of targeted violence and hostility enacted in different settings vary, and can impact on different groups of disabled people."

The local research demonstrates that everyday public spaces are a source of fear and venue for experience of attacks for Deaf and disabled people in Lancashire. This results in people structuring how they live their lives in order to avoid these places and is an unacceptable limit on their liberty.

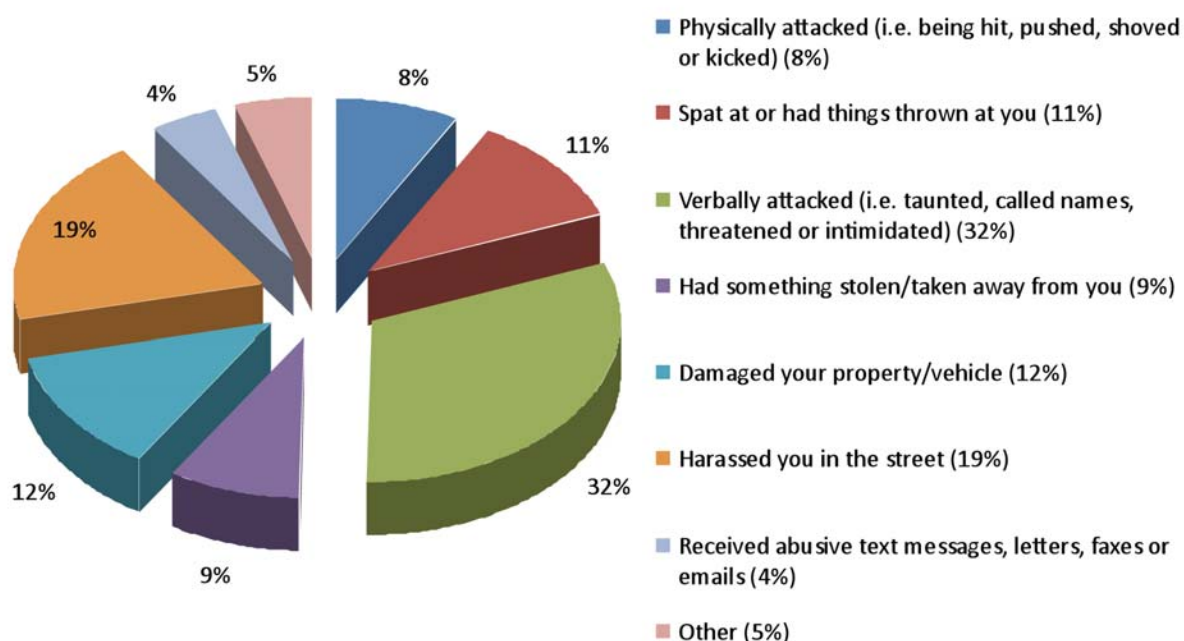
The highest category of crime or incident selected in this part of the survey was verbal attacks including intimidation with 32% of respondents. Street harassment was the second highest category with 19% of respondents selecting this description. 12% reported having property/vehicles damaged or stolen, 11% reported having been spat at or had things thrown at them, 9% had something stolen with 8% reporting that they had been physically attacked.

The findings of the report produced by the Disability Rights Commission and Capability Scotland were very similar to the Lancashire research...

"The research shows that disabled people are most likely to be attacked verbally, such as being taunted, called names or intimidated. Over a third of disabled respondents who have been frightened or attacked are likely to have suffered physical attacks and/or harassment in the street. This high level of verbal and physical attack was confirmed by carers: over 80% of carers said that the person they cared for had been verbally attacked and nearly 40% had been physically



How were you frightened or attacked?



attacked.”

The Equality And Human Rights Commission research identified eight key types of incident, physical incidents, verbal incidents, sexual incidents, targeted anti-social behaviour, damage to property/theft, school bullying, incidents perpetrated by statutory agency staff and cyber bullying. The research also indicated there were some severe incidents but there was also a lot of low-level incidents which may not be picked up but have the potential to escalate.

This potential was highlighted in the research carried out by Scope...

“Incidents of Disability Hate Crime often stem from low-level harassment; name calling, intimidation and vandalism frequently escalate into more serious crimes.”

During the discussions in the focus groups it was common for people to refer to anti-social behaviour. On further exploration of the circumstances it would transpire that people were describing quite serious offences and labelling them

with the term ‘anti-social behaviour’. Coupled with the view that agencies do not tackle anti-social behaviour effectively people were choosing not to report these crimes and incidents. This may also contribute to the low level of reporting of Disability Hate Crime across Lancashire.

In ‘Getting Away with Murder’ Scope recommend...

“A system of early warning and rapid reaction, developed with disabled people and their organisations that can combat low-level harassment is key to preventing such incidents developing into more serious forms of hate crime, and to enabling disabled people to live independent lives without fear.”

RECOMMENDATIONS:

5. All agencies should pro-actively promote good news stories and successful prosecutions.

Who are you afraid of and who has committed crime against you?

WHO ARE YOU AFRAID OF AND WHO HAS COMMITTED CRIME AGAINST YOU?

Identifying the perpetrators of crime against Deaf and disabled people and finding out who people feared was an important aspect of the research.

The questionnaire asked "What do you think is the average age of the people that frighten you the most?" This question focused on the age of the people whom the respondents are most in fear of. The responses to this question appear to reflect the age of perpetrators of incidents and crimes detailed below. This breaks down as 27% being frightened of people under the age of 16 and 51% being frightened of those between 16 and 24. 16% of respondents were afraid of people between 25 and 44 and 6% of respondents were afraid of people between 45 and 64 years old.

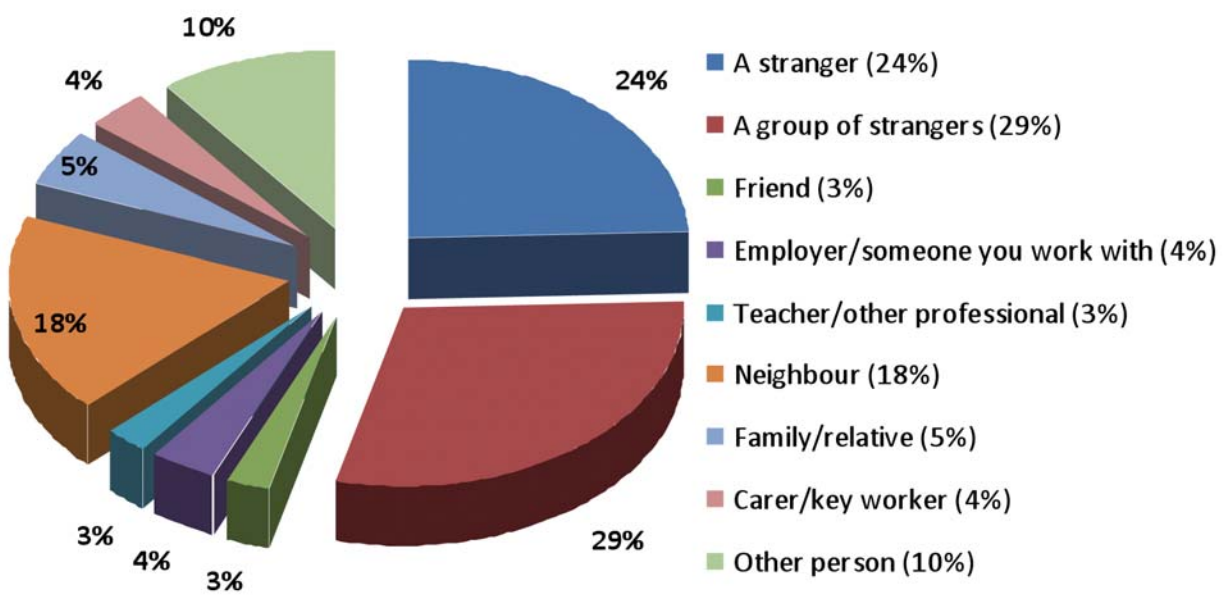
When asked to estimate the age of the perpetrators of crimes and incidents 50% of the respondents selected the 16-24 category, 23% estimated that perpetrators were under 16. 16% responded between 25 and 44, 10% between 45 and 64 and 1% over the age of 65.

The 24 and under age groups were raised as a concern in every focus group as a source of considerable anxiety for Deaf and disabled people in Lancashire.

"You know, we've got lots of people, really, the biggest problem is groups of young people, you know, and if it's getting late 10, 11 o'clock, you know, it's like, who do you report it to? By the time you report it the group have gone anyway. And they don't always hang around in exactly the same place, so, you know, the police should be going out and checking to make sure that there aren't young groups around. Obviously, if it's something really serious then we would report it, but, you know, if you're reporting groups of kids, and they do move around and they're not always in the same place. People are apprehensive about going out, taking the dog for a walk or whatever because there are kids around."

Focus Group 4 Participant.

Who committed the Disability Hate Crime against you?





The education of young people was a frequently raised issue in the focus groups. The participants felt that ignorance of the experience of life as a Deaf or disabled person contributed to the crime and incidents directed at these communities. There was a strong feeling that if better education on disability issues was provided, fewer crimes would be committed against Deaf and disabled people.

The questionnaire asked "Has somebody you know committed Disability Hate Crime against you?" This question focused on whether respondents actually knew the person who committed a disability hate crime against them. The survey results indicate that 18% of the respondents did actually know the person who committed the crime against them, 75% did not and 7% preferred not to say.

This question focused on the identity of the perpetrator of the Disability Hate Crime. 24% of people who committed the crime were strangers and 29% of perpetrators were identified as groups of strangers. The third highest category is that of neighbours, 18% of people responding indicated that their neighbours had committed a Disability Hate Crime against them.

The research carried out by the Disability Rights Commission highlighted a similar experience by Deaf and disabled people in Scotland...

"Strangers, either individually or in groups, are most likely to be responsible for the attacks, but one in five disabled respondents have experienced an attack by a friend or colleague and the same proportion have been frightened or attacked by a teacher or carer."

In Lancashire it is clear that people below 24 years old who are strangers are the primary source of fear and perpetrators of Disability Hate Crime.

RECOMMENDATIONS:

3. A joint communication and education strategy should be agreed between agencies targeted at young people to increase awareness of Disability Hate Crime, its impact on people and how to report it.

4. A joint communication and education strategy should be agreed between agencies targeted at tenants of social landlords to increase awareness of Disability Hate Crime, its impact on people and how to report it.



What are your experiences of reporting crime?

Understanding the experience of Deaf and disabled people when reporting crime is vital to understanding the barriers to reporting and developing effective responses.

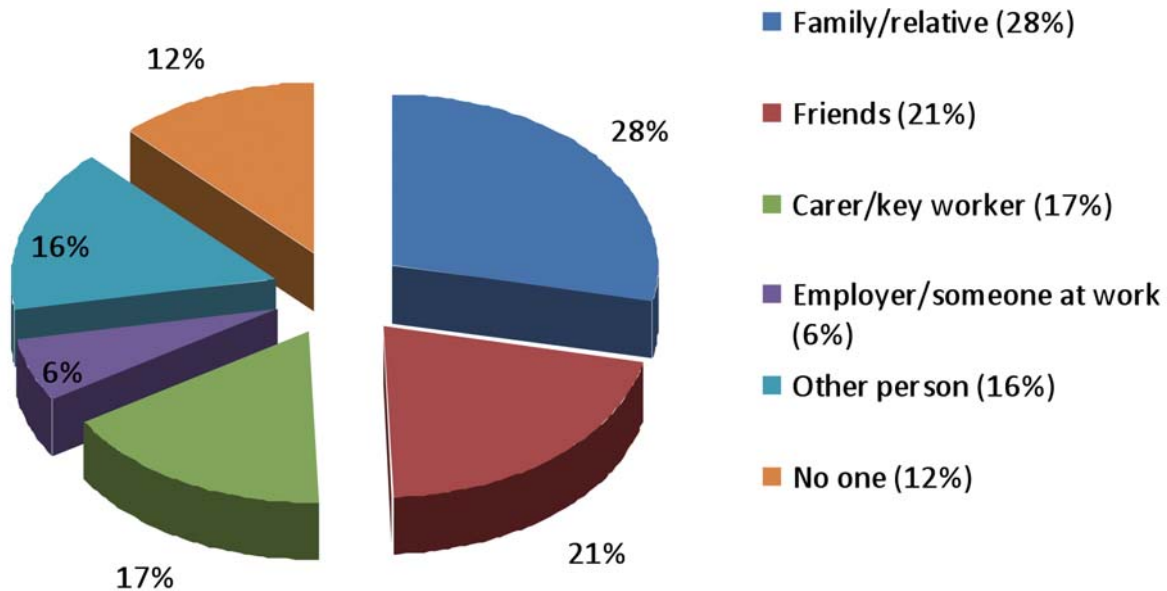
The questionnaire asked "How confident are you that you can get help to stop someone frightening or attacking you?" 27% of the respondents were very confident and 23% were quite confident that they could get help to stop someone frightening or attacking them. 25% responded that they were not very confident that they could get help, 19% were not confident and 6% expressed no opinion. It's important to note that all the respondents to the questionnaire were engaged with services, charitable organisations or support groups and their contact with these organisations may have contributed to the respondents' confidence in getting help.

49% of respondents had told their family or friends that they were frightened or had been attacked. 12% of the respondents indicated that they had told nobody – this is of great concern as the degree of harm to the person is difficult to ascertain. Carers and key workers are key people in the reporting process; 17% of respondents told either a carer or a key worker about being frightened or attacked.

The importance of the relationship with professionals and the role they can play in identifying and supporting people who are victims of Disability Hate Crime was highlighted in the research conducted by Scope...

"The culture of adult protection often means that professionals do not recognise incidents of hate crime as crimes and attempt to deal with them in-house rather than referring them to the police. This has an impact on the number of crimes, including hate crimes, against disabled people that are

Have you told any of the following people that you were being frightened or attacked?



reported to the police. More fundamentally it fails to acknowledge that the individual has been the victim of a crime and should be entitled to appropriate redress through the criminal justice system, using euphemistic terms such as abuse and bullying to describe what are in fact crimes against disabled people."

The report recommends...

"Social care professionals should undertake training on how to recognise the early warning signs of disability hate crime and work with disabled people, police and other local agencies to tackle it. The role of social care professionals in pioneering work on preventing domestic violence provides a useful model."

The questionnaire asked "If you were ever subjected to a crime or any sort of abuse, would you report it to the police, or ignore it?" The respondents indicated that 76% of them would report it, 10% would ignore it and 14% were unsure of what they would do. This high level of confidence in reporting the incident to the police is positive but is at odds

with the focus group responses.

The majority of respondents from the focus groups who said they wouldn't report it to the police had had what they considered to be very poor responses when they had reported in the past. This was identified as a major barrier to reporting...

"[Name] has gangs of 20 plus congregating in front of her house and they're throwing things at her windows. She's reported that to the police and the police have asked her to come to meetings, like, for their area but their meetings are always in an evening... And she doesn't feel as though, she feels threatened if she went to go out..."

Focus Group 1 Participant.

"You feel you're wasting your time, basically, you really do. It's one thing to report it it's another thing for something to be taken up about it and you're just fobbed off. We aren't important, we're disabled, it's as simple as that, they don't say it, but when you get no response or excuses, what do you do?"

Focus Group 4 Participant.

"There's no use ... write, keep a diary, write down the times that they do these things, but, I can't write, because of arthritis and a visual impairment...it's a waste of time, still they don't do anything about it."

Focus Group 1 Participant.

"... attacked me up in the car park. Nobody did anything, the crowd just let it happen and but for the manager and my friends who were around me, they were able to protect me, I was slapped across the face and allsorts you know, it shook me. I wouldn't go up there for a long time. I shouldn't have to put up with that. I honestly shouldn't have to put up with that. And I mean, when ... 'What did you do to provoke it? What did you say' I'm sat in a wheelchair. That's the first response you get is, what did you do to offend them? Not, what they've said to you, it's what you've said, it's like it's your fault from start to finish...and you get frustrated and you think to yourself, where do I go? There is nowhere for us to complain because we're essentially a minority that is ignored. The only place we can come and feel safe and secure is places like this..."

Focus Group 4 Participant.

The bureaucracy involved with reporting and the practical difficulties that paperwork and reporting by telephone can pose for many disabled people was also raised as a barrier to reporting...

"Yes, all the reports you have to fill out, all the reports. Because I can't do it, all the paperwork."

Focus Group 3 Participant.

"I think that's the difficulty there, because, anything to report it, the forms themselves are quite often badly worded or difficult to understand ... they could be simplified."

Focus Group 3 Participant.

"What tends to happen is that people that, people that have had strokes and people quite often with MS or whatever, their speech is rather slurred and people's impression of that person is that they're inebriated and they're not inebriated it's because they have that disability...They are people who are discriminated against. ...You try to give an opinion over the phone or whatever and you're slurring your words people tend to think that..."

Focus Group 3 Participant.

"I know they say some hearing people criticise Deaf people, but, it's usually, I mean you people can stand up for yourself, but one problem is, er, you know if I think there's a problem, is how would I communicate with the police to report an incident? Could I text you or? You know, if I'd been discriminated against in some way, and I need to get hold of the police quickly, I can't make a telephone call, I've gotta wait to ask a hearing friend so it's time, time constraints, it's very difficult."

Focus Group 5 Participant.

"I've tried that actually, they gave me the text number, I've texted it but it takes two hours for the police to come so, they don't come straight away, so I've actually used it because I've had a few problems with my ex, I've texted this number and they never come straight away, two or three hours before they've arrived."

Focus Group 5 Participant.

"Police were not helpful, suggested I stay in to prevent it happening. This is an infringement on my liberty. I think more should be done to raise awareness of disability and take away their fear of disability."

Questionnaire Response.

Some focus group members reported detecting a change in tone from officers once they had made the officer aware that they had mental health issues and some group members reported that they did feel that police officers could be patronising. The fear of reprisals was raised at every focus group and it became clear that this is a major barrier to people reporting...

"You can be quite vulnerable by reporting things, we reported somebody for breaking in a car in a driveway ... and the police came, they found one of these lads had a knife...I had a phone call about four or five weeks later asking could they bring these two young men into our house to talk about what had happened. Now, they had already broke into our car to steal things, I didn't feel comfortable inviting them into my house. Especially when they live just around the corner from me...I'd have been happy in a neutral place but not in my home."

Focus Group 1 Participant.

"I haven't reported it for the past two weeks because I'm frightened of the consequences I might face...they're too near me ...needles have been put in my bin and the police think I'm on drugs..."

Focus Group 1 Participant.

"Going back to youths and groups, I mean, I know you know that that is an issue and if you do report it to the police, but the concern then is that they know where you live, you know, that group know where you live so what happens the because you can have damage, you know, they can put your windows through, they can do all sorts of things and they can threaten, be threatening, so sometimes, what would you suggest? You know, sometimes it's better to do nothing, but then it might make it worse if you do report it, then there can be recriminations."

Focus Group 7 Participant.

There were good examples of how the police had responded well and the victims were satisfied with the outcomes and efforts that the police are making to support disabled people more effectively...

"... It's nice that they've got new police officers who sign in place and I think that's really good, but, in general the police need to be more aware as well."

Focus Group 7 Participant.

"I had problems with them up at the school at one stage, I told the PCSO that there's a lot of people who gives me a lot of stick ... it's quietened off, the PCSO had a quiet word....it was very good."

Focus Group 3 Participant.

"...we have a meeting, PACT meeting and I always go to that ...and you find that very good because, you've got, you're face-to-face with police officers, and erm, community officers, and also the general people, so you can, things like kids hanging around, even dog fouling, which is a particular problem for disabled people, because there's nothing worse than having your wheelchair or scooter covered in dog dirt and they do help."

Focus Group 3 Participant.

The respondents had a number of suggestions for what might improve the response of the police...

"Can I just ask, at any police station, if a crime is committed is there a specific police officer who can deal with that? Would it be channelled to a particular division or part of? ... Somebody who will have a deep understanding of that, we all understand what it's like to commit a crime against a visually impaired or physically disabled person, but unless you're in that position yourself or very close to it I sometimes think that goes over your head a little. That you're not quite as sympathetic because of your lack of understanding."

What I'm saying is that if there was a department or officer within that particular place, that he might have that understanding and be more sympathetic and be able to proceed a lot more quickly because he knows what he's looking for."

Focus Group 2 Participant.

The difficulties experienced by Deaf and disabled people with reporting have been discussed in the Equality And Human Rights Commission research and the research carried out by Mind...

"We identified a number of barriers to reporting and recording, particularly in relation to the police. These are physical, procedural and attitudinal barriers that can discourage disabled people from reporting. The cumulative impact of these barriers may lead disabled people to feel that they are not being taken seriously or, worse, being treated as if they are in the wrong."

"Poor relationships between people with mental distress and the police were the most frequently cited barrier to justice for victims with mental health problems. 57 per cent of all respondents had been in contact with the police in the last two years. People with mental distress are far more likely to come into contact with the police as the victim of crime than to be detained under the Mental Health Act with police involvement or to be arrested for a crime. People cited interaction with the police under Mental Health Act powers as a reason to fear and distrust the police"

The experience of reporting in Lancashire is mixed with good examples in places. The overall view of the focus groups was not positive however and this was in relation to a number of different aspects of the reporting process.

RECOMMENDATIONS:

6. Anonymous methods of reporting and third party reporting centres should be expanded.
7. The accessibility of current reporting systems should be reviewed and improved, including simplifying current electronic systems to make them more user friendly.
8. Local authority officers should be trained in identifying Disability Hate Crime at an early stage and encouraged to work in partnership with other agencies to tackle it.

Have you changed the way you behave because of crime or the fear of crime?

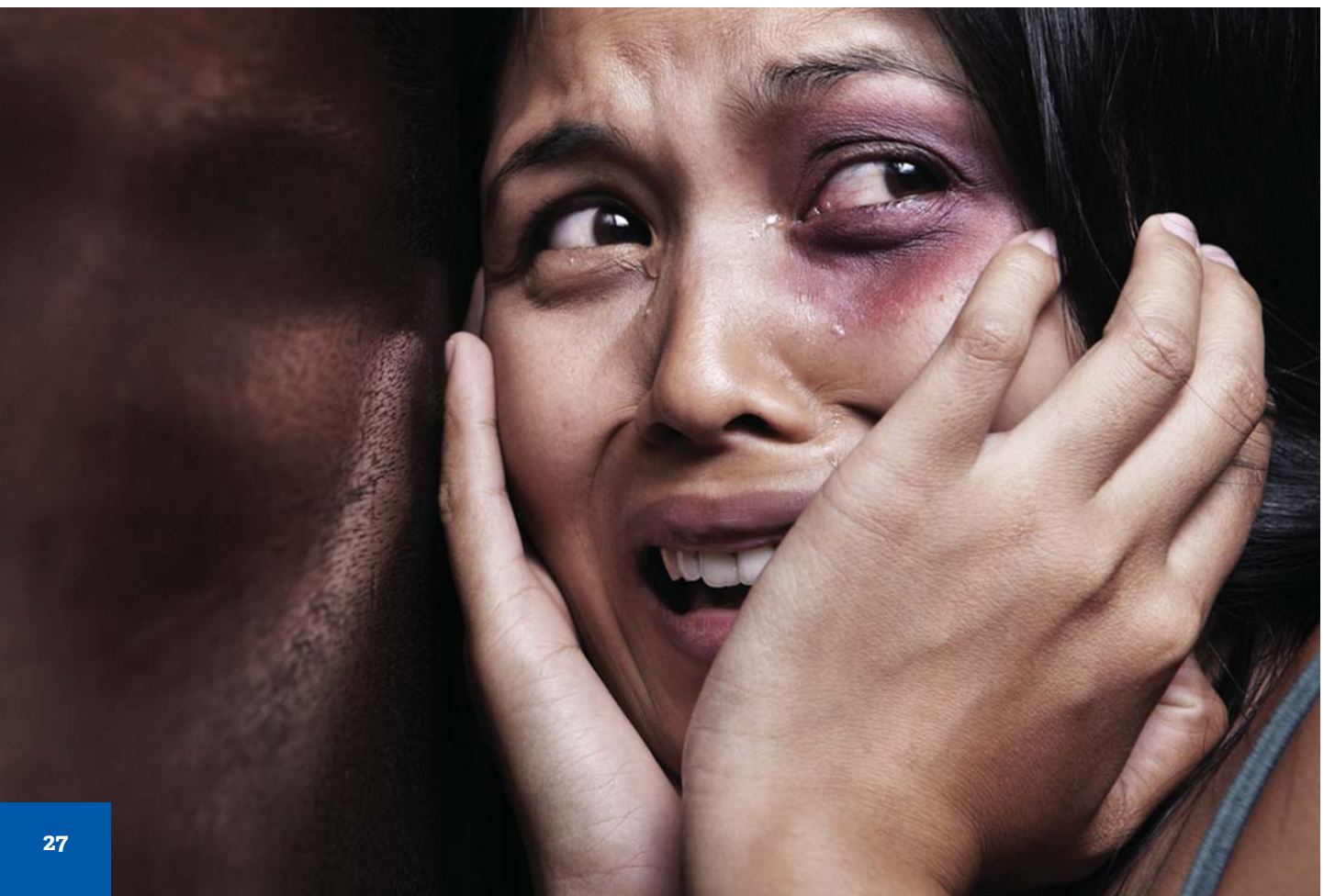
Employing avoidance strategies and structuring lives around crime was something that has been highlighted in the wider research on Disability Hate Crime. Understanding people's experience in Lancashire formed a large part of the research.

The questionnaire asked "Have you ever done any of the following to stop someone frightening you?" This question concerns what people have done to stop being frightened of others – the respondents did not have to have been a victim of a crime or incident and this distinguishes it from the following question. The results are concerning. Fear motivated 10% of respondents to move, 44% had avoided places, 2% had changed jobs and 27% had changed their routine. 17% responded that they had done something else to stop someone frightening them although this was undefined.

Again this suggests that avoidance strategies are being employed rather than dealing with the people causing the fear.

The questionnaire also asked "If you have been a victim of a hate crime or incident, have you ever done any of the following to make you feel safer?" The results for this question are also very concerning – this response is linked with the earlier question of whether people had actually experienced a hate crime or incident – the result for those indicating a positive response was 47%.

13% of respondents to this question had moved home, 36% had avoided going to certain places and 22% had changed their routines in some way. This suggests that those that have been victims of hate crime or incidents had made substantial changes in their lives as a result. These responses suggest that when an incident or crime occurs, avoidance strategies are adopted and have a continuing impact on the victim.



Typical focus group responses include...

"I daren't even go the front door...there's only me in the flat and they know it...they can see the lights on so they know...I'm an easy target."

Focus Group 1 Participant.

"Good question that, change of route because it's something I've done several times..."

Focus Group 2 Participant.

"I sleep with a knife under my pillow...I sleep with it under my pillow so I can get it quick...if they get in they won't be getting out..."

Focus Group 1 Participant.

"It's interesting that when I mentioned to someone that I was coming here tonight and what we were talking about, they immediately said, oh yeah, 'cause I was talking this week to a group of young adults, who live locally, adults with learning difficulties, who would love to be able to go to [a nightclub] but they tried it a couple of times and always get picked on and end up getting into trouble. But they've not reported it, they just stopped going."

Focus Group 7 Participant.

"...I've walked through groups of lads, I use a symbol stick, I don't have it open, I don't use it to walk, it's a symbol stick, but what I'll do is I'll hide the symbol stick, and I'll just walk straight on."

Focus Group 2 Participant.

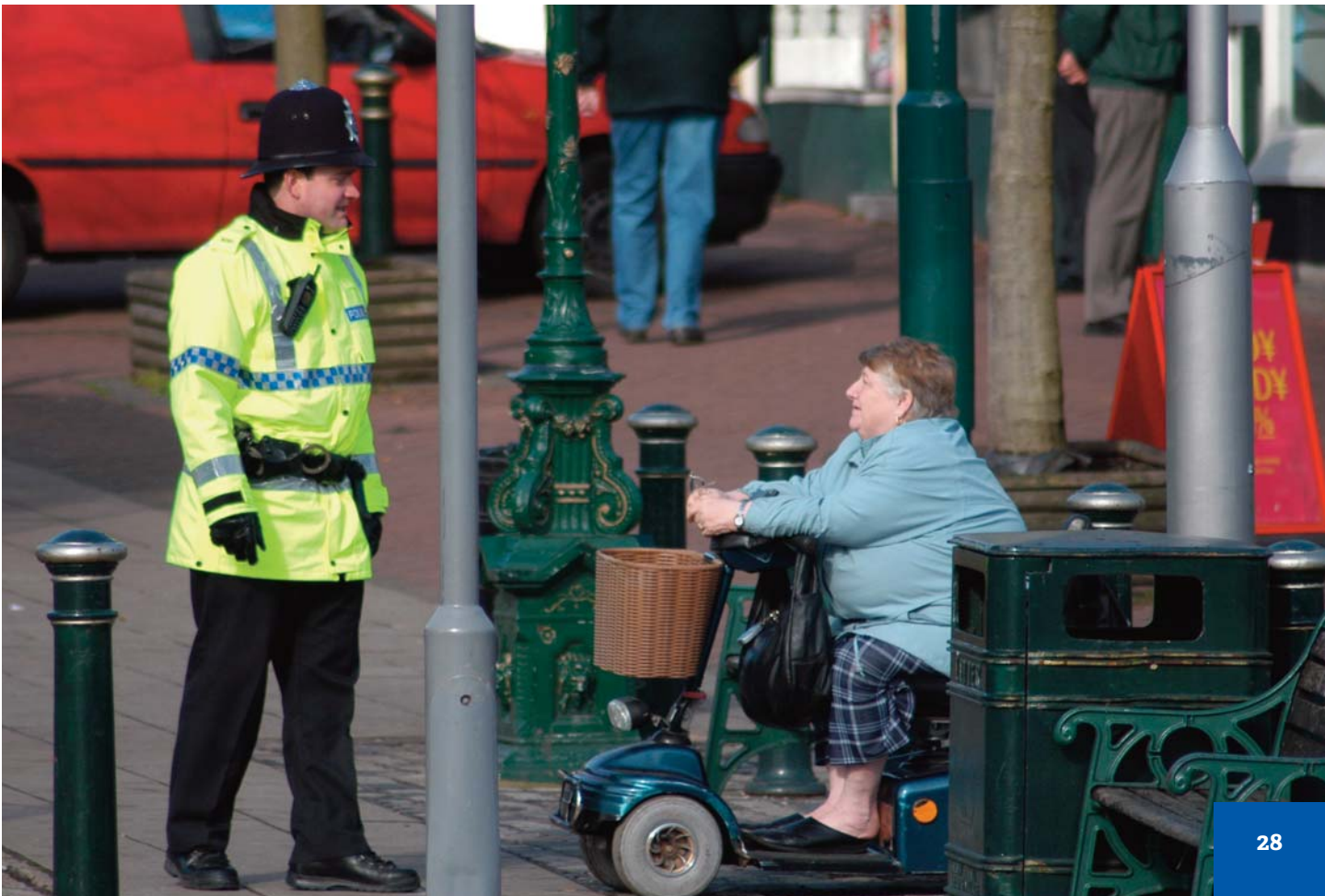
"[Name] is thinking of moving out of a purpose built bungalow back into high rise flats, where, and she felt safer in a high rise flat..."

Focus Group 1 Participant.

"If I see a group of lads, or group of young people, I'd rather cross the road, just in case, you know, I mean, sometimes, because I've got no side vision, if I bump in to them and all that...because I'm so vulnerable, I'd rather cross the road because I wouldn't be able to defend myself."

Focus Group 2 Participant.

This response to dealing with Disability Hate Crime was recognised in the Disability Rights Commission research...



This response to dealing with Disability Hate Crime was recognised in the Disability Rights Commission research...

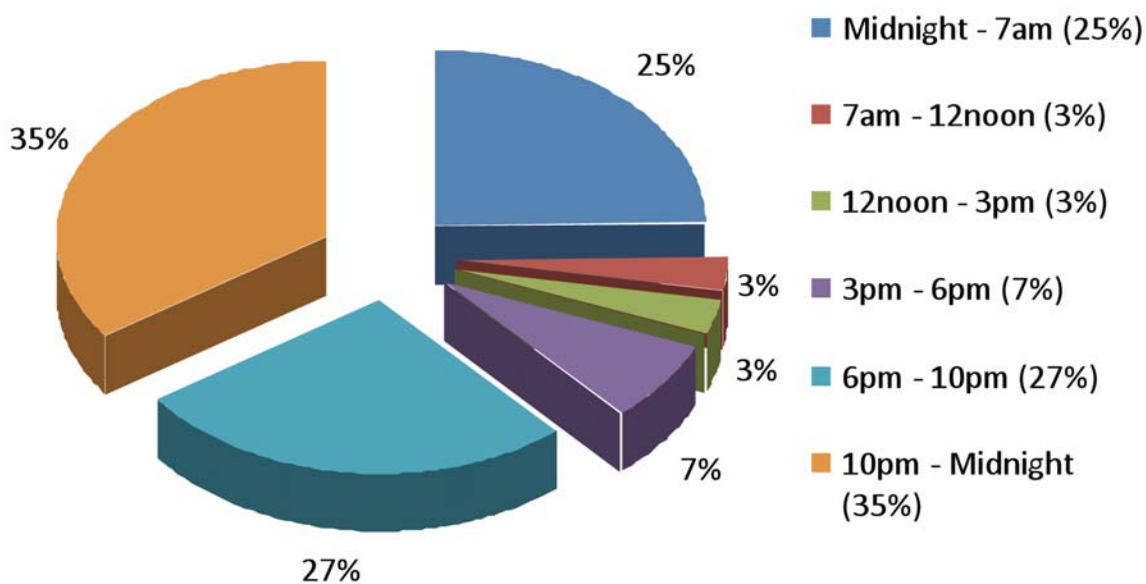
"The impact of hate crimes on disabled respondents is such that, around three quarters had made significant changes to their lives to avoid being frightened or attacked. Forty-seven percent now avoided going to certain places and 38% have changed their routine. One in four (25%) said that they had to move from their home."

35% of respondents indicated that they avoided going out after 10pm and 27% responded that they avoided going out between 6pm and 10pm. 7% avoided going out between 3pm and 6pm. 25% avoided going out between 12am and 7am – this is probably when most respondents are asleep. These responses clearly indicate that people's freedoms are being curtailed – in order to feel safe respondents are limiting when they leave their homes.

The questionnaire asked "Are there certain days that you avoid going out?". The respondents indicated that 16% avoided going out on Friday mornings and 22% and 20% avoided going out on Saturday and Sunday mornings respectively. Respondents indicated that 21% avoided going out Friday afternoons/evenings and 22% and 17% respectively avoided going out on Saturday and Sunday afternoons/evenings.

There is a definite trend towards people avoiding going out on Fridays, Saturdays and Sundays. The reluctance to go out on these days may correlate with the times when people below age 24 are more likely to be off school/college/work. This structuring life to avoid harm was highlighted in Scope's report...

Are there certain times that you avoid going out?





“The fact that disabled people are often asked to adjust their lives, (such as being asked to move, stay in, or avoid certain areas), shows that public bodies are not taking their duties (under the Disability Discrimination Act and specifically the Disability Equality Duty) to promote disabled people’s equality seriously enough. Imposing effective curfews on victims of crime, rather than targeting the perpetrators, is simply not acceptable.”

The wider impact of this response is documented in the research conducted by the Equality And Human Rights Commission and this holds true for Lancashire...

“Responses by disabled people to their experience of targeted violence and hostility can have an adverse impact on themselves. Their actions may be perceived to be perpetrating anti-social behaviour, and may also aggravate targeted violence and hostility against themselves. Issues of dependency and the lack of viable alternatives can further constrain the ability of disabled people taking actions to improve their lives.”

“The impact of targeted violence and hostility is not confined merely to those disabled people who have suffered from direct acts and can extend to other disabled people. Family members of disabled people can also be subjected to targeted violence and hostility. The impact is more pervasive than the statistics on the prevalence of such incidents suggests.”

RECOMMENDATIONS:

9. All agencies should adopt a pro-active approach to all instances of Disability Hate Crime.
10. Agencies should approach the issue of Disability Hate Crime from a rights-based angle.
11. Agencies should endeavour to report all incidents, with identities of victims omitted if requested in order to contribute to an intelligence picture of hotspots for Disability Hate Crime.

Are you aware of any support you can get through the court process? What would help?

The impact of Disability Hate Crime on the lives of Deaf and disabled people is clearly huge. The research was keen to explore if people in Lancashire were aware of the Crown Prosecution Service (CPS), if they were aware of the support Witness Care Units and Victim Support can provide and if there was any role for other partners in supporting victims.

The questionnaire asked if respondents were aware of who the Crown Prosecution Service was; 72% indicated that they knew who the CPS was while 28% did not. This was explored further with the focus groups where knowledge of the functions of the CPS was limited.

The focus groups were not aware of the support provided by CPS and Police Witness Care Officers and the help that they can provide. Special Measures applications to the court in appropriate cases were not an option that many participants were familiar with. When the work of the Witness Care Units was discussed and the circumstances in which special measures may be granted were carefully explained, participants agreed that this contributed to improved confidence in reporting. This is important because ignorance of the support available can be a barrier to reporting.

"I think some of the people that I support; they need things explaining just what's going to happen, talking it through with them, finding out what they want to do about it, meeting somebody perhaps informally before they go to court...."

Focus Group 1 Participant.

"If I reported a crime, I would like to deal with the same person all the time. Because, so you don't have to go through it all again explaining it, plus, as you say, it's quite traumatic it does take you longer to get over it and if you could talk to the same person they would come to understand that..."

Focus Group 2 Participant.

The issue of the accessibility of the information provided by Witness Care Units was raised in one focus group...

"The thing about the Courts, the procedure, I mean, you get a letter don't you, the level of the English for Deaf people is totally inaccessible. I mean you haven't got a clue what they're saying, you don't know about the procedures or what's going to happen, what you've got to do, it's very, very difficult for Deaf people. It's just the level of English; quite often you just get discarded really."

Focus Group 2 Participant.

The issue of wider support for people to recover from being a victim of crime was discussed in the focus groups and a potential role for the Council in providing support and confidence building was raised...

"Then if because of the psychological effects, because it could have been long term and they've never reported it, it could be 12 months down the line and their emotions are, you know, what support would there be from Lancashire County Council, what would your team do then? ... Where would we refer to then? Would it be social services?"

Focus Group 2 Participant.

The training of wider professionals in the Criminal Justice System was raised as a concern and a potential barrier to reporting...

“Sorry, I might be going slightly off the point but talking about courts, crown courts, magistrates, whatever it might be, what about the judge themselves? Are they experienced in disability issues? Have they got any awareness? Or are they completely, you know, and they just look at the crime, and say guilty / not guilty, or do they have any actual awareness themselves? And also, what about the jury? Because, you know, if there’s a jury involved, you know, do they have an awareness?”

Focus Group 7 Participant.

Mind’s research commented on the lack of knowledge of support and the effect this had on reporting...

“...one in five respondents to our survey did not report a crime because they were not offered the support they needed to make a complaint or they didn’t know where to go to ask for support.”

RECOMMENDATIONS:

- 12. Agencies should endeavour to ensure that each victim is treated as an individual, and early interventions are provided as appropriate.
- 13. Relevant agencies should review the letters sent out to Deaf and disabled victims and witnesses. They should involve Deaf and disabled people and the organisations that support them to develop more accessible letters.
- 14. Relevant agencies should engage with Deaf and disabled people more effectively to ensure that the role of the CPS, witness care and special measures are more widely understood.



Sample

An equality and diversity monitoring form was included with the questionnaires. The respondents were made up of 46% male and 54% female.

In terms of age the profile of respondents was as follows. The largest number of respondents was aged over 60 with 33% of people belonging to this category; this was followed by the 50-59 and 40-49 categories with 24% and 23% respectively. It is quite clear that the number of respondents below these age categories represented far fewer people.

This may be for a number of reasons but it may suggest that lower numbers of people in these age groups interact with the Disabled People's Organisations (DPOs) and resource centres we approached. This will have a major effect on the possibility of third party reporting for these groups and the knowledge by victims and witnesses of the support that is available. This is particularly important when considering "bullying" etc in schools. The interaction of age and disablist discrimination would provide an interesting and valuable research field.

The profile for respondents in terms of ethnic/cultural/racial origin is as follows. The respondents to the questionnaire were predominantly of the White British category. The percentage of respondents that were of BME backgrounds was smaller than that of the county as a whole.

The low response rate from BME people may be due to a number of factors but this could suggest that lower numbers of BME people in these age groups interact with the DPOs and resource centres we approached. Language could also be a barrier as the questionnaire was distributed in English. This will have had an impact on the accessibility of the document to members of Lancashire's communities.

Interaction with DPOs and resource centres will also have a major impact on the possibility of third party reporting by these groups and the knowledge of support available by victims and witnesses. The dynamics between race hate and Disability Hate Crime would benefit from further research.

The respondents to the questionnaire defined themselves as belonging to the following religions, faiths or beliefs. Three quarters of the respondents defined themselves as Christian with 20% of the respondents stating that they had no religion or preferring not to say. In the context of the county as a whole it would appear that there is a significant under representation of people belonging to the Muslim faith but there is also under representation, indeed no representation in some cases, from all the other faiths.

This factor is important because, again, it may indicate that the level of engagement with the DPOs and resource centres may be lower among the non-Christian faith groups. This has implications for the reporting options available to these sections of our communities and their knowledge of the support mechanisms provided by agencies. Religious Hate Crime and Disability Hate Crime and the interplay between these two would benefit from investigation. Further research into the experiences of people from non-Christian faiths would be helpful.

The sexual orientation of respondents was stated as follows. There is under representation in the sample of people defining as Gay, Lesbian or Bisexual with only 2% of people defining under these categories. This compares with national estimates of between 5-7% of the population defining as LGB. There were a significant number of responses which preferred not to state their sexual orientation at 18%.

The low response rate may reflect that LGB people do not engage with DPOs and resource centres. Alternatively, it may suggest that LGB people do not wish to declare their sexual orientation – the 18% of people who responded 'Prefer Not to Say' may support this conclusion. The interaction between homophobic and Disability Hate Crime is of interest and further research with Deaf and disabled LGB people would be useful.

The respondents indicated that they identified as having the following disabilities or impairments. Physical disabilities were identified by 54% of respondents, sensory impairments by 16%, mental health issues by 8% and learning disabilities by 13% of people responding to the survey.

It should be noted that some people will have ticked more than one box in this part of the questionnaire and will have experience of multiple impairments. This is an area that requires further research to determine how the experience of people with single disabilities contrasts with those who define as having multiple disabilities.

When asked about their gender identity the responses were as follows. The respondents indicated that 95% of them were of the same gender identity as that assigned to them at birth, with 2% indicating that it was not and 3% preferring not to say. 24% of respondents indicated that they lived and worked in the gender role opposite to that assigned at birth with 69% indicating that they didn't and 7% preferring not to say. Having spoken to the organisation that suggested the wording for this question it has transpired that similar responses have been reported from other organisations and this should be treated as an anomalous result.

Conclusions

The emerging picture is one of Deaf and disabled people fearing being a victim of crime once a month or more and experiencing crime or incidents at least once in the last six months. Nearly half believe they have been targeted because of their disability. On the street and at home are the places where crime is experienced and feared the most. Verbal attacks and harassment in the street are the incidents and crimes most commonly experienced. Strangers and groups of strangers below the age of 24 are committing the crimes and incidents.

Family, friends and key workers are the people most likely to be told of attacks and the fear of crime. The response from the police when reporting has been poor and this has acted as a disincentive to further reporting. Awareness of the support available should a report be made is very low.

Deaf and disabled people avoid places and change their routine to stop feeling frightened. Even more avoid places and change their routine if they have been a victim. Going out at on Fridays and at weekends is avoided.

Newsletters and talks are the favoured method of communication to increase knowledge of Disability Hate Crime and the support available.

The findings broadly reflect those of national research and serve as a local picture of Disability Hate Crime in Lancashire. The recommendations included in this report are intended as a starting point in achieving justice for disabled people in the county.

Contacts

To report a hate incident or hate crime:



**Lancashire
Constabulary**
police and communities together

0845 1 25 35 45



0800 555 111

Crimestoppers is a charity that you can report a crime or information about a crime to anonymously.

In an emergency you should always dial 999

To report a hate incident or hate crime online and for further information about Disability Hate Crime please visit our websites:



**Lancashire
Constabulary**
police and communities together

www.lancashire.police.uk



CPS

www.cps.gov.uk



www.lancashire.gov.uk



www.saferlancashire.co.uk

