

Which way to Turn: Overcoming Barriers to Reporting for victims of Disability Hate Crime

How many times do disabled people face seemingly endless episodes of being misinterpreted or misrepresented? Other people, taking your ideas, concerns and complaints, and devaluing them – just because you have a disability. The energy that you have used in building the courage to make that complaint, quickly seems worthless as concerns that to you are really important – are reduced to unimportant utterances, not worth recording or repeating. This article will reveal examples of complaints from disabled people to the police in the UK, with those reporting such matters being belittled, ignored and devalued. However, it will also reveal how to cope with this hijacking of our worries illustrating some innovative tactics to secure justice.

If complaints raised to the police are not recorded, or taken seriously, then effectively that data will not be captured by the police or associated authorities – and therefore, we do never know that injustices are happening to disabled people. Hence, it is only those who are disabled themselves, or work with disabled people, who have any notion that the path to justice is often a difficult one for disabled people. The author has spent around fifteen years working with disabled people in the UK who have been victims of hostility, simply because of their disability – these are victims of what is now known as disability hate crime. When working to support victims, it quickly became obvious that victims reporting incidences of hostility were not given access to the criminal justice system and were often dissuaded or blocked at the first attempt to report these crimes, or at some point later in the process.

The purpose of this article is to discover why disabled people do not have their complaints of being victims of criminality taken seriously and what reasons are offered by the police – and other agencies in the UK – for not processing such complaints. The research for this paper was conducted independently of any research institution, but with the same level of ethical protection for participants to the study. Having heard from so many disabled people across the years that getting justice was much harder for disabled people, it was an aspiration of the author to capture some of these examples and reveal them to the wider world. Such little academic research currently exists in asking disabled people themselves why they think that justice is so remote an aspiration for them.

Interviews were conducted and examples of how disabled complainants were treated at the first point of reporting a crime. These included reports to the police and to other social care authorities. These reports are necessary in bringing to light the wrongs occur. These harms should have been dealt with using law enforcement and procedural regulation by social care authorities which have a duty of care over all of their clients. Interviewees told of having their claims of being victimised reduced in importance and sometimes ridiculed. Already busy police officers and officials of housing and other authorities tried to placate the claimants, whilst signposting them toward services other than the one that the disabled claimant wanted to register the problem with. Techniques used by the receiving official included indicating the vulnerability of the claimant, the potential illnesses and weaknesses that the victim may have. These were cited as perfectly good reasons why, instead of seeking justice, the disabled victim should instead seek a medical professional, or therapist,

or anyone except the person they are actually reporting to. The motivations for this deflecting of disabled victims remains unknown. But many officials who provide social services and those in the police are very busy people in under resourced and stretched organisations. But should this be an acceptable reason for not giving disabled people access onto the pathway to justice that, like any citizen, they deserve.

The implications for disabled victims of crime being sent '*elsewhere*,' rather than having their victimhood recognised by the authorities, are potentially crucial for both the victim and the wider disabled community. If crimes are not reported then data of those criminal acts will not be collected. If wrongful acts against disabled victims are not recognised then these occurrences will not come to the notice of legislators, Deaf and Disabled People's Organisations, to the media, to health providers or to society in general. But far more importantly, if disabled people are being devalued in their quest for justice then their victimhood is diminished and those responsible for these crimes will remain free from any punitive measure. Without crimes being reported to, and accepted by, the appropriate agency; policy makers will remain blissfully unaware of the hostility that disabled people face – this hostility often taking place on a daily basis. In capturing these vital accounts from the victims who have had access to justice denied, one other facet was revealed. These victims also related overcoming their predicament by developing strategies and actions to make the authorities listen to them. Inspirational, innovative and imaginary actions were devised by ordinary disabled people, not professionals or academics, but just people facing a fight to attain justice.

Whilst this research was conducted independently, it was effected with the same high ethical standards and protections that participants would enjoy in any research study. The author is unfunded and is a co-lead of the Disability Hate Crime Network in the UK. As well as that organisation, the author works with police, UK government agencies and others to achieve justice for disabled people who are victims of hostility and to provide training and awareness for various agencies to try to make life easier for disabled people. The author has been a victim of disability hate and with sincere admiration, offers thanks those who took part in this study in recognition of their courage and tenacity.