



# What is happening with Disability Hate Crime

October 2018

EasyRead version of:  
**HM Crown Prosecution Service  
Inspectorate.  
Joint Inspection of the Handling of  
Cases Involving Disability Hate Crime  
HM Inspectorate of Constabulary and  
Fire & Rescue Services**



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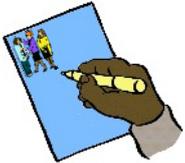
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Some words are in **bold**.

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# What is disability hate crime?

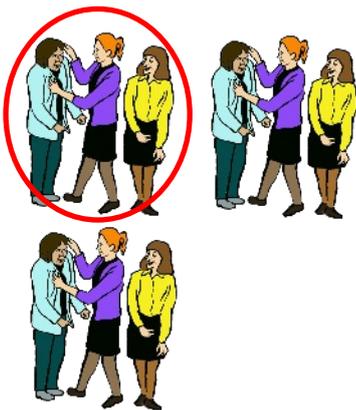
Disability hate crime is when the person who does the crime:



- hurts another person because of their disability



- wants to make other people hate someone because of their disability.



About one in every 3 hate crimes in England and Wales are against people with a disability.



# About this report

The Crown Prosecution Service  
Inspectorate (HMCPIS) wrote this report.

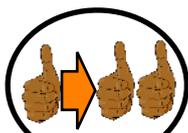


We check how the Crown Prosecution Service (CPS) and other organisations **prosecute** crimes.



We say when things could be better and share good ways of working.

2013						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



In 2013 and 2015 we looked at how services dealt with disability hate. We said things needed to get better.

2018						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



This report is about what is happening now.



## What we looked at

We looked at what was happening with:



- magistrates courts



- **CPS** paperwork



- police reports from 6 different areas



- how the **CPS** works with community groups to find out how things affect people with disabilities.



We spoke to:

- the **CPS**



- community groups

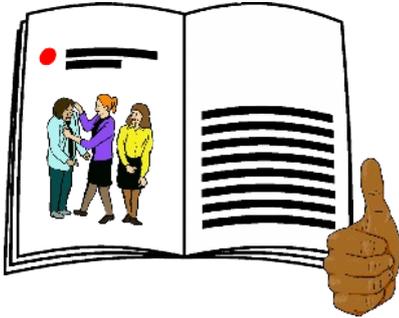


- **prosecutors**



- Hate Crime Co-ordinations

# What we found out

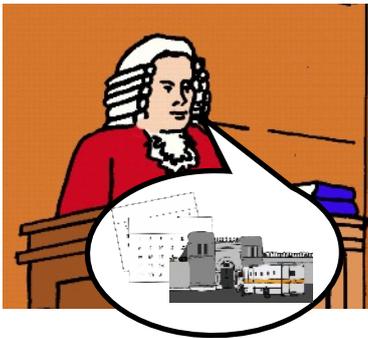


## 1. Agreeing what is hate crime

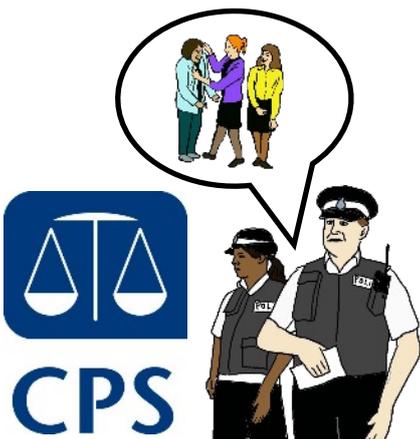
There is a clear definition to explain hate crime.



Police must flag (or mark) disability hate crimes and fill in forms about them.



This is important because courts can give people a bigger **sentence** for hate crime.



The police should tell the **CPS** when they think a crime is disability hate crime.

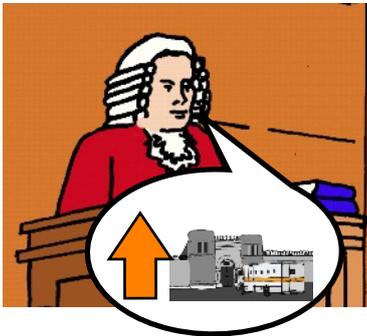


But the police and **CPS** often disagree about whether a crime is disability hate crime.

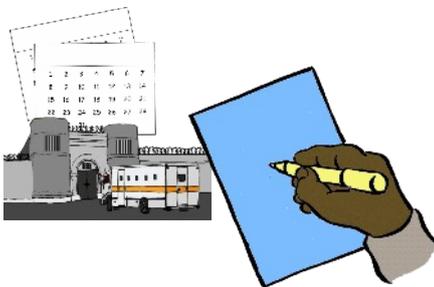


The **CPS** must flag disability hate crimes, even if the police do not do this.

## 2. Getting a bigger punishment for hate crime



Courts can give people a longer time in prison or a larger fine if they can prove the crime is a hate crime.



They usually write down what the **sentence** should be and how much more it is because of the hate crime.



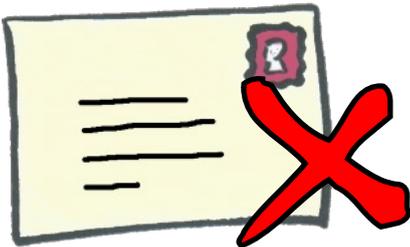
But not all courts do this.



The **CPS** should tell the courts why they think the person should get a bigger punishment for a disability hate crime.



They should send a letter about this to the court and to the person who did the crime.



They did not do this in most of the cases we looked at.



They should also fill in forms to say what the court decides. But this does not show if the person got a bigger punishment.



Sometimes courts do not give someone a bigger punishment. If this happens they should still write down that it was a disability hate crime.



### 3. Deciding when to charge someone with hate crime

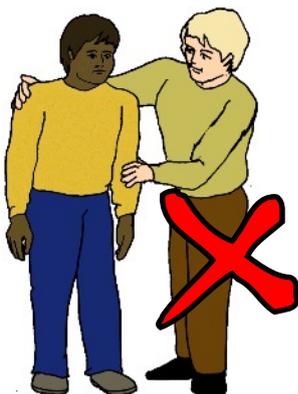
The police should always ask the **CPS** what to do about hate crime. The **CPS** might suggest a better way of dealing with it than going to court.



The police sometimes **charge** people for cases that should be disability hate crime. This means the person gets a smaller punishment than they should.



The police are working on a hate crime checklist. This will help them decide if a crime is disability hate crime.



### 4. Victims and witnesses

Many **victims** do not get the support they should.



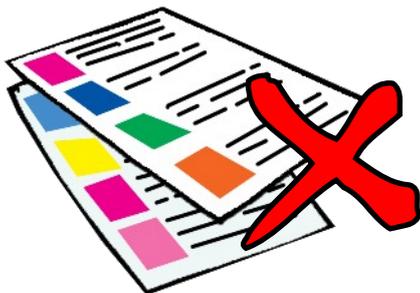
Police should think about how to keep the **victim** safe. This happened in less than half the cases we looked at.



The police and **CPS** must get better at sharing information about any changes or extra support the **victim** needs to give **evidence**.



They must make sure **victims** have this support as soon as possible.



They should also make sure **victims** have information in ways they can understand. We did not find anyone using EasyRead letters but this can be difficult when they need to write to **victims** quickly.

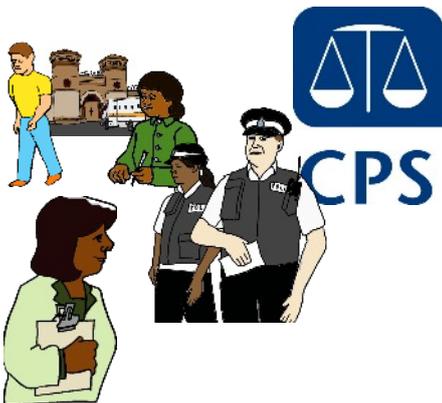


The police should ask if **victims** want to make a personal statement to say how the crime affected them. The court can use this to help them decide a **sentence**.



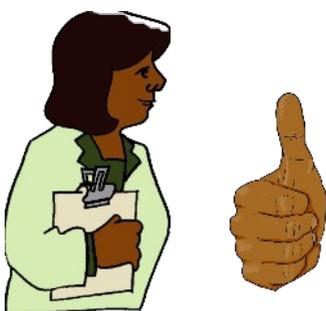
The police should also tell **victims** about other services that can support them.

## 5. Area Hate Crime Co-ordinators



Hate Crime Co-ordinators work for the **CPS**.

They make sure the police, **CPS** and other organisations work together to support **victims** and **witnesses** of hate crime.



We think they do a good job of checking the **CPS** has the right information to ask the court to give a bigger punishment.



Hate Crime Co-ordinators also make sure **prosecutors** are trained about hate crime. In some places they only have training about other types of hate crime.



## 6. Involving people and the local community

Inclusion and Community Engagement Managers work for the **CPS**.

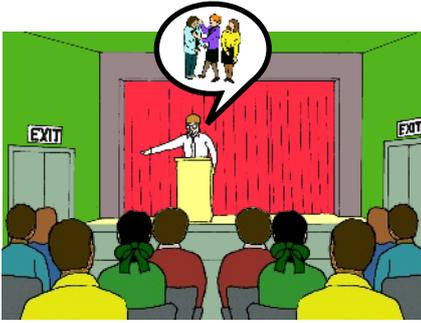


They are:

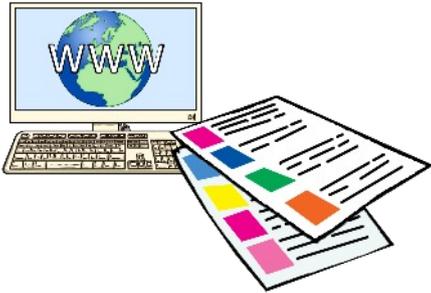
- working on a national plan for involving people



- meeting community groups to find out what is important to them



- telling people about disability hate crime



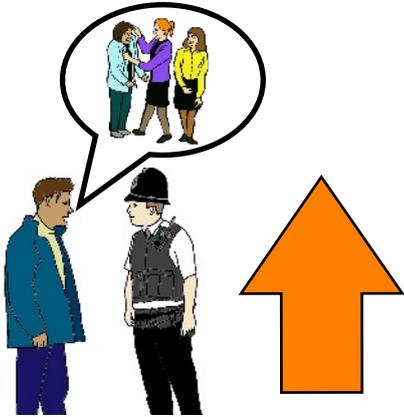
- working on EasyRead papers and information on websites.



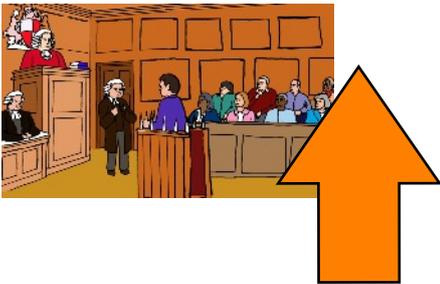
We think people will only want to be involved if they see we are better are handling disability hate crime.

# What is better

Many things are better than they were:



- the police dealt with more disability hate crimes last year



- more people were **prosecuted** for disability hate crime



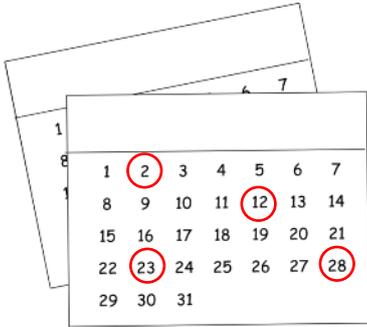
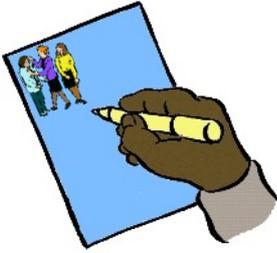
- **prosecutors** are better at deciding when a crime is disability hate crime



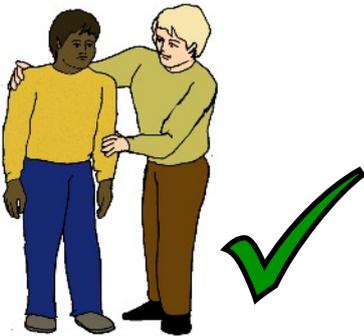
- Hate Crime Co-ordinators do a good job of checking how the police and **CPS** handle disability hate crime.

# What needs to change

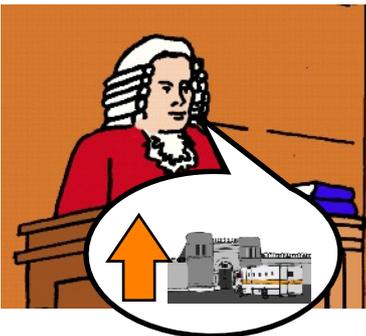
Everyone must get better at recording disability hate crime so that:



- we know how often it happens



- **victims** get the right support, including changes that help them give **evidence** about the crime



- people get a bigger punishment for disability hate crime



- people feel confident to report disability hate crime.

## The police:



- need a better way to show the **CPS** they think a crime is disability hate crime



- must use the rules for recording disability hate crime



- must get better at **investigating** disability hate crime



- must tell **victims** about the support they can get

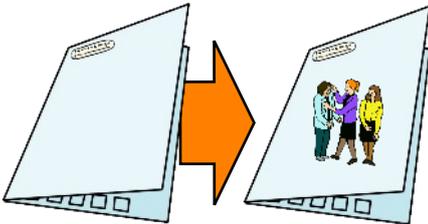


- should ask if **victims** want to make a personal statement



- Chief Constables should make sure disability hate crimes are **investigated** properly.

## The police and CPS



- should change the forms so it is easier to show when they think a crime is disability hate crime



- use the hate crime checklist to decide when a crime is disability hate crime

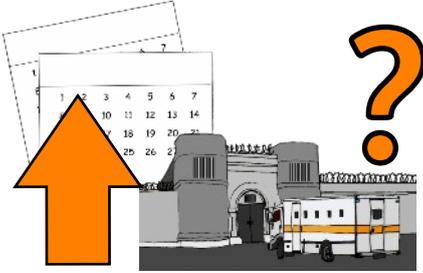


- should only deal with disability hate crimes out of court if there is a really good reason.

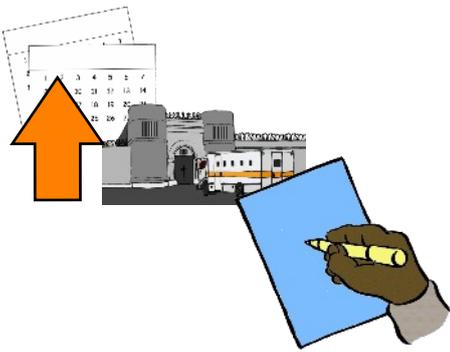


## CPS Prosecutors:

- must use the **CPS** guide to explain why the crime is a disability hate crime



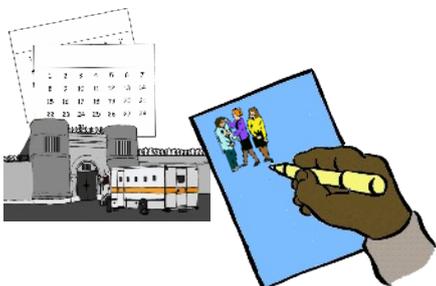
- must say clearly why they think the crime should get a bigger punishment



- write down when a court gives a bigger punishment because of disability hate crime



- must write to the court and the person who did the crime to explain why there should be a bigger punishment.



## Courts:

- should write down what the **sentence** should be and how much more it is because it is a hate crime.



## How to contact us

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Telephone:  
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Website:  
**[www.justiceinspectorates.gov.uk/hmcpsi](http://www.justiceinspectorates.gov.uk/hmcpsi)**

## What the words mean

### **Charge**

When the police officially accuse someone of a crime and say which crime they think they have done.

### **CPS**

The organisation that decides about **prosecuting** people in England and Wales.

### **Evidence**

Facts or information to show whether something has happened or not.

### **Investigate**

Look at the facts and information and find out the truth about what happened.

### **Prosecute**

Take someone to court for a crime they did

### **Sentence**

The punishment a court gives to someone who does a crime.

### **Victim**

The person harmed by a crime.

### **Witness**

A person who sees a crime and tells the police or court what happened.



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