



**Date:** 10<sup>th</sup> August 2020

**Our Reference:** FOIA-2020-084

## **RE: Your request for information under the Freedom of Information Act 2000**

I write in response to your Freedom of Information Act 2000 (FoIA) request dated **16/07/2020**, in which you requested:

“A report made in 2017 by the Equality and Human Rights Commission, "Tackling disability-related harassment: Final progress report 2017" have wrote in page 22 that: 'The MoJ reported the College of Policing has carried out analyses of the perpetrators of disability hate crime [...]’.

Are the analyses of disability hate crime perpetrators available read and use in me Master's dissertation?”

### **Decision**

When a request for information is made under the FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant.

Under section 1(1), I can confirm the College **holds recorded information** within the scope of your request. Please find attached under the title of 'Disclosure document 1', the 'Understanding the perpetrators of disability hate crime' paper, which was created, and presented by the College at an NPCC conference in 2012.

Within the paper, data has been collected from several constabularies, these are: Norfolk, Suffolk, Leicestershire, Avon & Somerset, the Metropolitan Police Service and West Yorkshire.

The data provided by Norfolk and Suffolk was extracted using disability hate crime markers, however, these markers have occasionally been applied inconsistently, with some offences being marked as a disability hate crime when the victim was disabled, but no hate crime took place. Work has been carried out by both constabularies from June 2018 to rectify the data, however, data before June may still contain discrepancies.

Your rights are provided at the bottom of this letter.

Yours sincerely,

**Kate Kaufman | Legal Researcher**

**Legal Services**

**College of Policing**

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## **Your right of review**

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within **40 working days** from the date of our original response. We will aim to respond to your review request within **20 working days**.

### **The Information Commissioner's Office (ICO)**

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively, you can contact them by phone or write to them at the following address:

#### **Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**

**Phone: 0303 123 1113**

## Understanding the perpetrators of disability hate crime

### Purpose of the paper:

- To aid the understanding of the characteristics and motivations of perpetrators of disability hate crime (DHC) as recommended by the Equality and Human Rights Commission report 'Out in the Open'<sup>1</sup>.
- To help forces to develop strategies to deal with DHC by;
  - a. Starting the process of developing a profile of offenders who commit DHC and of the crimes typically committed
  - b. Providing a template for future analysis of DHC within forces.
  - c. Identifying any data recording issues and raising awareness of the importance of accurate data recording of this crime type.

### Summary of key findings from analysis of a sample of 393 Disability Hate Crime cases from six forces<sup>2</sup>:

#### Offender characteristics

- DHC offenders are predominantly male (69 per cent) and under the age of 34 (59 per cent) with 35 per cent of offenders being both male and under 34.
- There is some indication that the DHC offenders in this sample may include a higher proportion of prolific offenders than found in the general offending population. This warrants further investigation.
- There was no data<sup>3</sup> to suggest that having a pre-existing relationship between victim/offender significantly increased the chance of being a victim. (In 49 per cent of cases the force had recorded a prior relationship between the victim and offender. However, contrary to previous studies on other forms of hate crime, disabled victims of crime in this sample were just as likely to be victimised by someone they knew as someone they did not.

#### Type of crime

- The majority of DHC is violent crime including harassment (58 per cent) or acquisitive crime (14 per cent). Six per cent of cases were identified specifically as neglect of a disabled person by a carer.

#### Vulnerable groups

- Individuals with learning disabilities were more likely to be the victim of violent crime compared to other crime types (4.3 times more likely). They are also more likely than other disability groups to be victims of violent crime (2.6 times more likely)

#### Findings from analysis of Police National Computer (PNC) data (91 cases):

- No clear patterns emerged from analysis of prior offending histories that might help the creation of an offender typology. However the sample contained some particularly prolific offenders, with 52 per cent of the total 1,764 offences being committed by ten offenders.
- The 1,764 offences committed by the 91 offenders comprised a variety of different crime types.
- More data on criminal histories will help to determine with greater certainty if those who commit disability hate crime have a distinctly different criminal history from general offenders.

#### Next steps:

- RAI has created a data analysis tool that will help forces to collate DHC data, analyse it and look for trends.
- Further quantitative analysis to identify differences between DHC offenders and non DHC offenders.
- A qualitative study to understand the motivations of DHC offenders.

<sup>1</sup> [http://www.equalityhumanrights.com/uploaded\\_files/disabilityfi/out\\_in\\_the\\_open\\_dhi\\_manifesto.pdf](http://www.equalityhumanrights.com/uploaded_files/disabilityfi/out_in_the_open_dhi_manifesto.pdf)

<sup>2</sup> The analysis of force data suffered from missing data in some variables, the implications of this are outlined in the report see p.3.

<sup>3</sup> Care should be taken interpreting this finding – the data was not sufficiently detailed to explore particular groups in any depth. E.g. the data could not be broken down to explore victim's place of residence which meant that analysts were unable to explore the implications of being in care on chances of being a victim for example.

## **Introduction**

In 2009/10 and 2010/11 the Crime Survey for England and Wales (CSEW) estimated that there were 65,000 incidents of disability hate crime against adults aged 16 and over meaning that 0.1 per cent of the population had been a victim of disability hate crime (Smith et al, 2012 see Appendix B).

Disability hate crime has been identified as a problem; however there is very little available data on the characteristics and motivations of the perpetrators. A recent review by HMIC has identified that there is a lack of understanding among police, CPS and probation as to what constitutes disability hate crime<sup>1</sup>. The review also found that police had a poor understanding of disabilities and often failed to consider the offender's motivation for committing an offence, resulting in insufficient evidence being obtained during the investigation to prosecute the offender for the disability-hate related aspect of the crime<sup>2</sup>.

The Equality and Human Rights Commission manifesto for change 'Out in the Open' includes the recommendation that:

*Police forces should develop an in-depth understanding of the characteristics and motivations of perpetrators, design local prevention strategies accordingly and evidence their effectiveness<sup>4</sup>.*

The Research Analysis and Information unit (RAI) have been asked to begin this work with an initial analysis of force recorded disability hate crime data. This comprises all instances of offences which have been flagged by the force as disability hate crime, where the offender is known.

## **Aims**

The aim of this study is to gain an understanding of the characteristics of perpetrators of disability hate crime to explore development of a typology of such offenders. By identifying factors related to perpetrators that may make them more likely to commit DHC or affect their choice of victim, it may be possible to develop strategies to prevent disability hate crimes. In addition, the identification of possible factors relating to DHC will raise awareness of the importance of collecting an accurate record of DHC incidents if a useful analysis of the problem is to be achieved. This data will also provide a template for future data analysis that will enable forces to analyse their local problem and compare the effectiveness of any interventions designed to reduce DHC.

## **Methodology**

As there are no recording categories for disability hate crimes (as there are for racial and religious hate crime) it was not possible to acquire a large national dataset by searching PNC. However forces are identifying these offences locally and since 2011/12 have returned aggregated figures as part of the Home Office Annual Data Return. Therefore this analysis is based on data that has been voluntarily shared by forces.

Compared to other hate crime the numbers of recorded disability hate crime are low. Data published by ACPO show that recorded disability hate crime formed 2.5 per cent of all hate crime in 2009 and in 2011 it formed 4.4 per cent<sup>3</sup>. The most recent figures that have been published by the Home Office show a total of 1,744 disability

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<sup>4</sup> [http://www.equalityhumanrights.com/uploaded\\_files/disabilityfi/out\\_in\\_the\\_open\\_dhi\\_manifesto.pdf](http://www.equalityhumanrights.com/uploaded_files/disabilityfi/out_in_the_open_dhi_manifesto.pdf)

hate crimes recorded in 2011/12<sup>4</sup> in England and Wales. Of that a small proportion are successfully detected.

To put together a sample of DHC offenders, forces were asked to provide details of DHC crimes where an offender was identified. For each case the data sought from forces includes the following variables:

<b>Victim</b>	<b>Offender</b>	<b>Crime</b>
Age,	PNC number	Date of the offence
gender,	Age	Location of the offence
disability,	Gender	Crime type
postcode,	Postcode,	Alcohol related
employment status	Employment status	
Relationship to the Offender	Number of previous convictions	

So far, data have been received from Norfolk, Suffolk, Leicestershire, Avon & Somerset, the Metropolitan Police Service and West Yorkshire providing 393 cases. Other forces are in the process of collecting this data.

Data obtained from five forces has been coded into a format suitable for analysis in SPSS and some basic descriptive analysis has been completed together with some statistical analysis of relationships within the data. In particular Chi-squared tests have been used to determine if those with particular disabilities are more likely to be a victim of violent crime and if those with learning disabilities are more likely to be victimised by someone with they know rather than a stranger. The following analysis is based on a sample of 393 cases and represents an overview of the themes to emerge from the analysis.

## **Findings**

The profile of the DHC offenders in this sample of 393 cases is presented below. It should be remembered that this analysis is taken from a sample of crimes where a perpetrator has been identified and because of that it is not necessarily generalisable to all disability hate crime.

### **A note on data quality:**

It should be noted that there were some problems with the data gathered from forces. Some data was missing for all variables apart from the offender age. In the analysis, all missing data was coded as 'unknown' and is noted in the analysis below. It can be seen that some variables such as 'victim disability' have a lot of missing data (25 per cent of the victims had their disability listed as unknown').

Some data could not be provided by forces at all. One force was unable to provide data on the total number of convictions held by offenders and two forces were unable to provide information on whether alcohol was a factor in the case. Where this is the case this is noted in the text associated with the relevant chart and all percentages are based on the total number of cases for which information on that variable could be provided.

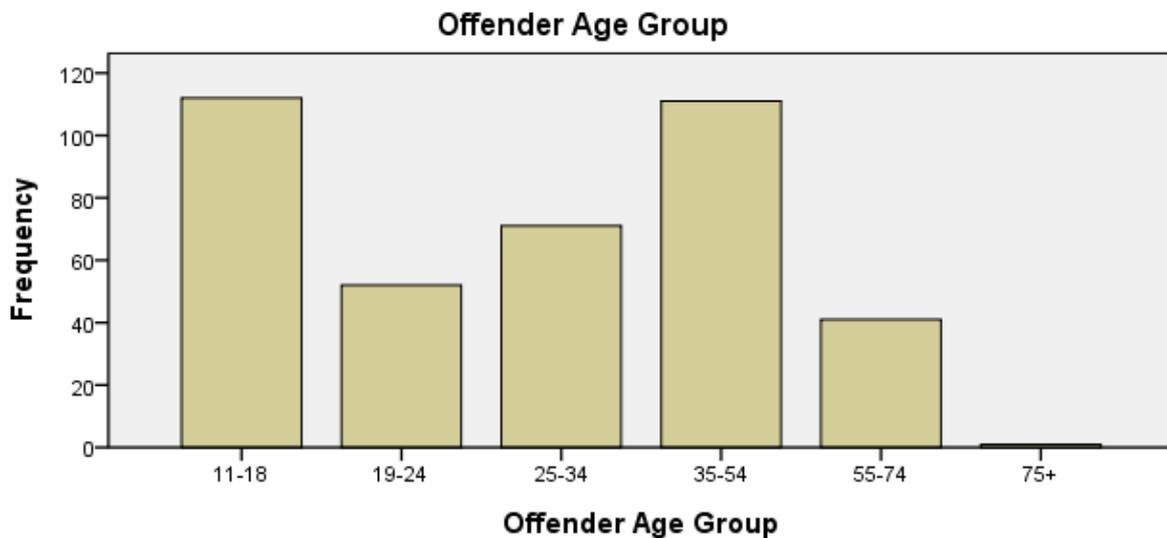
The greater the sample size the more reliable the findings are, therefore missing data does have implications for any analysis. This has similar implications for forces who are trying to gain a better understanding of the issues about DHC. Improving the quality of the data collected by forces will improve any analysis, and lead to a better understanding of the victims, offences and offenders.

**Gender:**

The majority of offenders were male (69 per cent), 29 per cent were female and for the remainder the gender was unknown (5).

**Age:**

Evidence from other sources suggests that in general, most offending occurs during the teenage years and then the amount of offending rapidly decreases as the offender ages, although a small number of offenders do continue offending for longer<sup>5</sup>. A similar pattern can be seen in this sample with 43 per cent of the sample aged between 10 and 24 at the time they committed the DHC, and 57 per cent aged between 25 and 85 at the time of the offence. This is shown in the graph below. The age brackets used in the graph are of unequal sizes and this tends to emphasise the contribution of older age groups, but these were used in the data returned by some of the forces therefore all of the age data was grouped this way to avoid excluding a proportion of the sample.



To determine whether the age pattern of DHC offenders is typical of general offenders further investigation should be carried out with a larger sample which can be compared with a sample of general offenders.

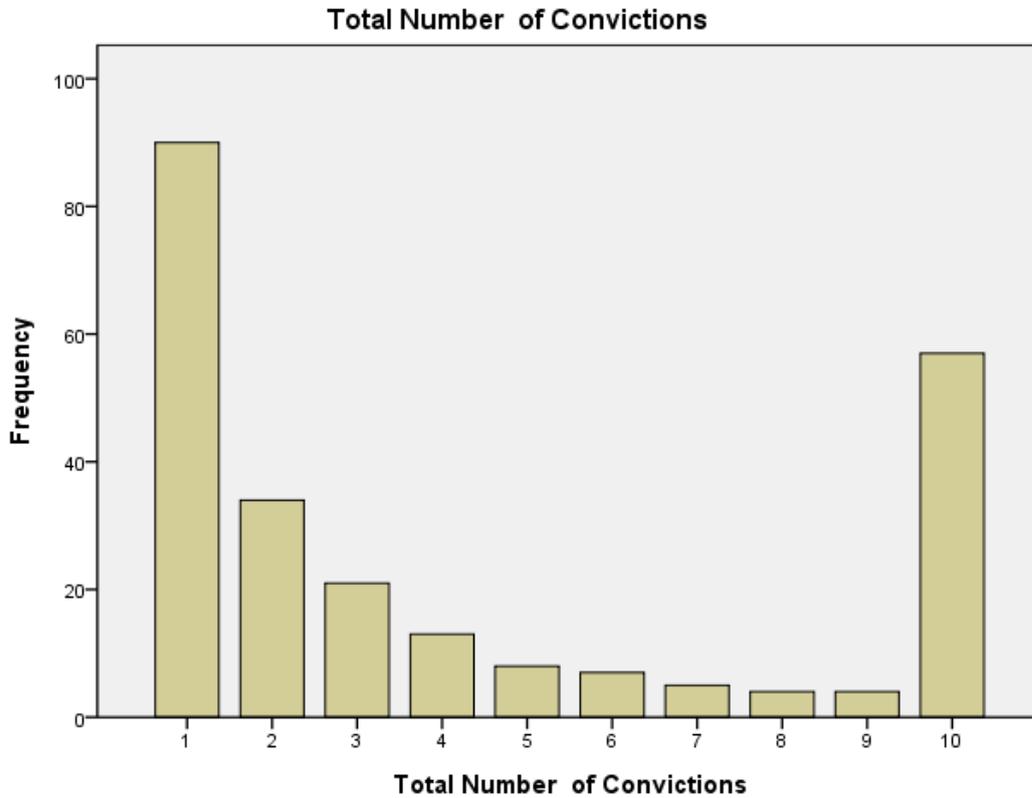
**Employment status**

22 per cent of offenders were unemployed, 14 per cent were employed, 13 per cent were students and the remainder was unknown.

*Total number of convictions:*

The number of convictions was provided by the force and is based on their own force records (as opposed to information from PNC). However it should be noted that only 5 forces were able to provide this information therefore this is based on a sample of 243. This is shown in the graph below. For 22 per cent of the sample the DHC conviction was their only conviction, however 14.5 per cent had been convicted for 10 or more offences. A Home Office study in 2001 that looked at the general offender population found that 6.6 per cent of the male offender population had over 10 court appearances<sup>6</sup>. This data is not directly comparable but provides some indication that the sample of DHC offenders may be more likely to be prolific offenders (defined here as having over ten convictions) than the general offending

population. This warrants further investigation with a comparable group of general offenders.



***Victim & Offender - Geographic proximity***

Forces provided the first four digits of the post code of the home address of both victims and offenders. From this it was determined that 51 per cent of the offenders lived in the same locality or town as the victim. Comparisons using the full six digit post code would be needed to identify with any clarity how close the victim and offender lived. In the current dataset a more useful measure is the victim and offender relationship as is outlined below.

***Victim & Offender - Prior relationship***

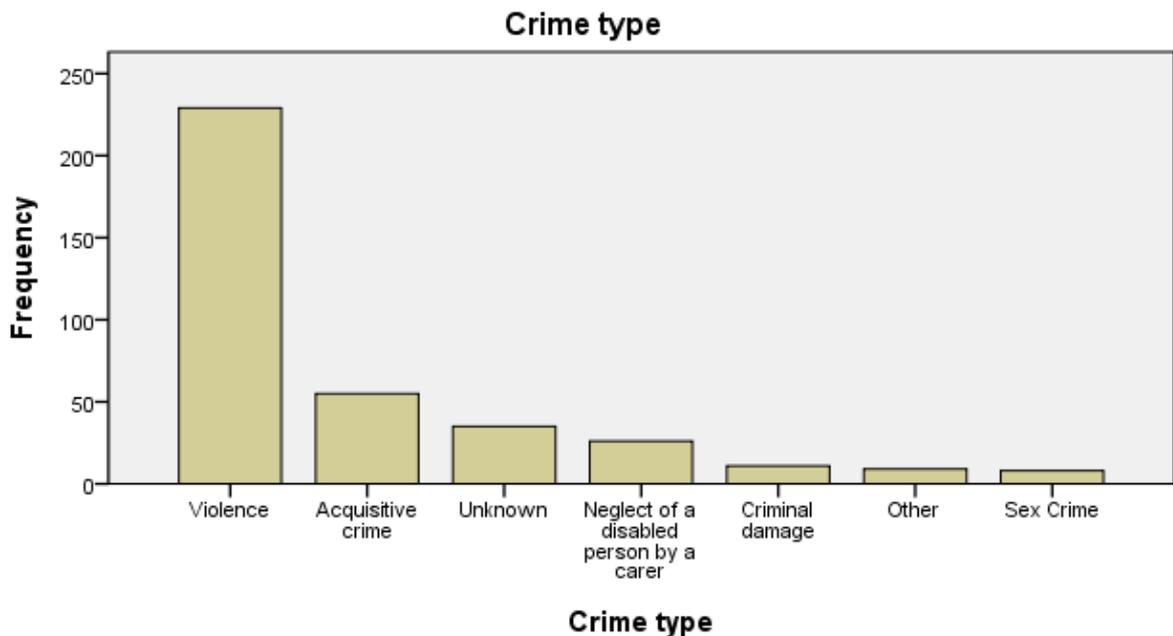
In 14 per cent of the sample the victim and the offender lived together and in 61 per cent they did not. In 24 per cent of the cases it was not recorded whether or not they cohabited.

There was a prior relationship recorded between victim and offender in 49 per cent of the sample. The offender was either family/partner to the victim (14 per cent), friend or acquaintance (16 per cent) a neighbour (13 per cent) or a carer (six per cent). In 38 per cent of the sample there was no prior relationship and in 11 per cent of the cases the relationship was unknown.



**Crime type**

- The chart below shows the crimes committed against disabled people, broken down by crime type. 58 per cent of the DHC flagged crime was violent crime. 14 per cent was acquisitive crimes and six per cent were categorised as “neglect of a disabled person by a carer”. This latter crime type, although small, may warrant further investigation due to the specificity of the offence. This profile of crime types committed against disabled victims is quite different to the profile of offences for other hate crime where for Race or religious or sex orientation hate crime between 93-97% of recorded crimes were violence against the person or criminal damage – the majority being violence against the person<sup>7</sup>.



**Crime characteristics**

69 per cent of offenders acted alone rather than in a group. Only four forces recorded whether alcohol was a factor in the offence and of those it was recorded that alcohol was not a factor in 90 per cent of cases.

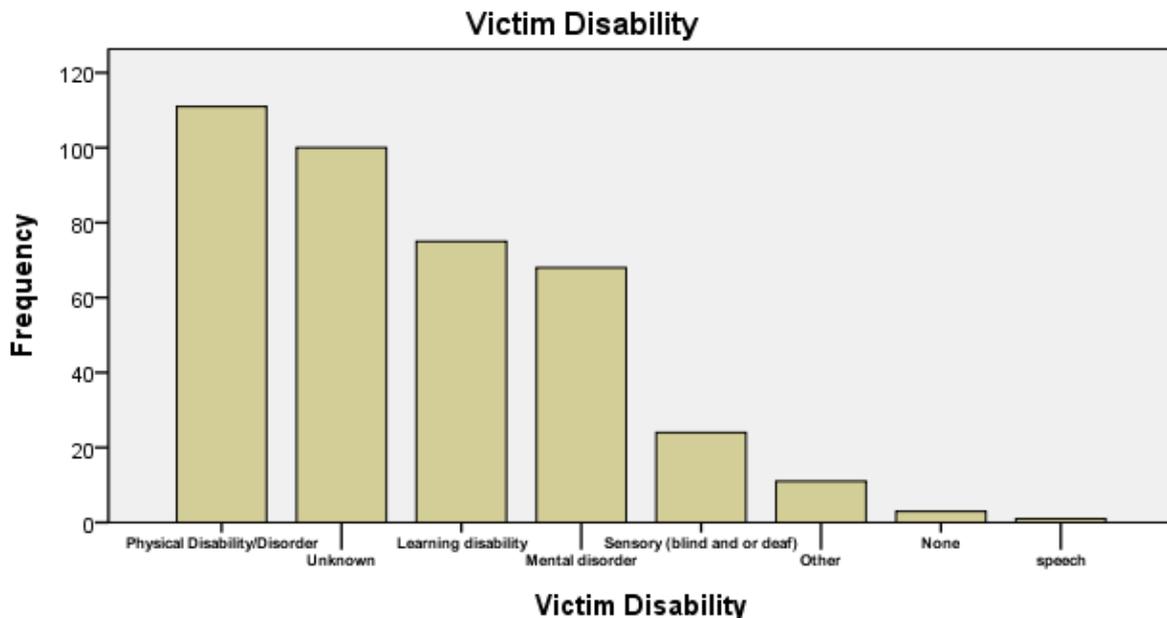
**Victim demographics:**

44 per cent of victims were male and 41 per cent were female (the remainder were “unknown”). 51 per cent of the victims were aged over 35.

23 per cent of the victims were unemployed, 14 per cent were retired, nine per cent were employed, eight per cent were students and the remainder was unknown.

Victims were categorised by disability as is shown in the graph below: physical disability/disorder (28 per cent), learning disability (19 per cent), mental disorder (17 per cent), sensory (blind or deaf) (six per cent), speech (0.3 per cent) or unknown (25 per cent).

A large proportion of victims in this sample were people with physical disabilities. The next largest group was ‘unknown’ suggesting inaccuracies in recording practices by forces. HMIC identified in their joint review of disability hate crime that police officers reported difficulties in identifying different disabilities partly due to their own lack of knowledge or awareness of disability. Staff also reported feeling uncomfortable about asking victims and witnesses if they were disabled for fear of causing offence<sup>8</sup>.



**Relationships between disability type and other variables:**

Chi square statistical tests were used to determine whether any relationships existed between the variables. The chi squared test can determine whether a relationship is “statistically significant” and can also provide an indication of the size of the effect via the odds or “odds ratio<sup>5</sup>”. These tests were restricted to relationships identified through previous research namely that (1) those with learning disabilities were more likely to be victimised by people they know (sample=279), and (2) people with learning disabilities are more likely to be victimised violently (sample=289).

<sup>5</sup> Here the odds ratio figure reports the odds of an event happening to one group, compared to another group i.e. the odds of being a victim of violent crime comparing learning disabled victims to victims with other disabilities.

### *Disability and victim-offender relationship*

In a study of offences against the Protection from Harassment Act 1997 in the MPS, it was found that in 83 per cent of cases the victim knew or believed the suspect to be a neighbour or someone who was local to their residential area<sup>9</sup>. There is some anecdotal evidence that in the case of those victims with learning disabilities, offenders may befriend them with the purpose of victimising them or taking advantage of them in some way<sup>10</sup>.

Using the sample of data available here (279 cases) it was found that victims with learning disabilities were just as likely to be victimised by someone they knew as someone they did not, and this was not significantly different from the experience of other disabled victims<sup>11</sup>.

### *Disability and crime type.*

Analysis of the sample suggests that those victims with learning disabilities were significantly more likely to be a victim of violent offences than those with other disabilities (chi-squared test  $p < 0.01$  level)<sup>12</sup>. Victims with a learning disability were 4.3 times more likely to be subject to a violent crime than a non violent crime<sup>13</sup>. In this sample the odds ratio shows that victims with a learning disability were 2.6 times more likely to be the subject of a violent crime compared to victims with another disability

### **Findings – PNC data:**

Forces provided PNC ID numbers for each of the individuals in the dataset. Using these ID numbers RAI has been able to obtain the offenders' PNC records but only for a proportion of the overall sample. From these records it was possible to identify the age of first offence and subsequent offending history for each offender. Once the data set was cleaned and duplicates removed, this provided a subset of 91 offenders which represents all the DHC offenders from two forces.

### *Age of first conviction:*

Research suggests that people who are convicted for any offence by the age of 14 are more likely to commit violent crime and to have a longer criminal career<sup>14</sup>. Within this sample it was found that six per cent were first convicted by age 14 and 23 per cent of the sample were first convicted between the ages of 15-20. No national age of first conviction data could be found with which to compare this data.

### *Offending history:*

Prior offending data was obtained from PNC records. An attempt was made to identify whether there was a pattern of offending prior to the DHC flagged offence. Although no clear patterns emerged from the data, two aspects were identified that may be worthy of further investigation.

- The sample contained some particularly prolific offenders
- The offences committed by the offenders in the sample were varied

The 91 offenders had committed a total of 1,764 offences across their offending careers. The offenders in this sample committed a range of offences. Of the 1,764 offences the largest proportion was comprised of acquisitive crime (24 per cent), violent crime (23 per cent) and criminal damage (8.8 per cent). The remainder comprised a range of other offences.

It was noted that within this sample 10 offenders had committed the majority of those offences. The offence history of the 10 most prolific offenders in the sample accounted for 52% of those offences. This is in line with the national average as evidence suggests that 50% of crime is committed by between 7-10% of active offenders<sup>15</sup>.

It is not clear from this data whether the characteristics of those who commit disability hate crime can be determined from their criminal histories. It is likely that this analysis is limited by the small sample size. A larger sample would help to identify any relationship between criminal history and DHC type as well as any relationship between the characteristics of the victim and the offender or offence type.

**Options for further investigation:**

The above analysis provides some information about a group of offenders who have committed at least one offence categorised as disability hate crime however the characteristics were not so distinct as to allow us to create a definitive typology of DHC offenders. A larger sample of DHC offenders and in particular their criminal career histories from PNC would enable a more detailed analysis of the profile of these offenders and their offending patterns which in turn would aid in the development of a typology. To facilitate this RAI is creating a data collection tool for forces which will allow them to collate and analyse DHC data in their own force areas.

Options for further investigation are described below, structured around a number of questions that this analysis was not able to answer:

*Do DHC offenders have a different offending profile from non-DHC offenders?*

The profile of the DHC offenders could be compared to that of general (none-DHC) offenders to see if there are significant differences between the groups. This could enable the development of approaches to dealing with DHC offenders. A randomly selected sample of general offenders from the same forces over the same time period would be required for comparison purposes.

*Do DHC offenders have a different or similar offending profile to other hate crime offenders?*

It might also be useful to compare the profile of DHC offenders to that of other hate crime offenders such as religiously or racially motivated hate crime. This would help to identify whether there are similarities in the patterns and whether there may be a profile of hate crime offenders in general.

*Is 'hate' or opportunity the motivation for an individual to offend against a disabled person?*

No data on motivations was available from forces. That each of the offences was flagged as disability hate crime tells us that the victim considers that they were targeted because of their disability. However this flag does not distinguish between crimes that were motivated by hate and crimes that were motivated by opportunity, where the disabled person is seen to be an easier target by virtue of their disability.

To be able to answer this question a qualitative study is recommended, for example an analysis of disability hate crime case files may allow researchers to distinguish

between crimes against disabled people that are motivated by hate compared to those that are crimes of opportunity. Another possible approach would be to undertake qualitative interviews or focus groups with perpetrators to try to gain a better understanding of motivations. At least one of the forces that have supplied data for this study has officers and staff that have a specific remit towards disability hate crime, their views could also be sought.

Research Analysis and Information Unit  
 College of Policing  
 May 2013

<sup>1</sup> HMCPSI, HMIC, HMI PROBATION (2013) Living In A Different World: Joint Review Of Disability Hate Crime March 2013 available at <http://www.hmic.gov.uk/publication/living-in-a-different-world-joint-review-of-disability-hate-crime/>

<sup>2</sup> Ibid.

<sup>3</sup> [http://www.report-it.org.uk/hate\\_crime\\_data1](http://www.report-it.org.uk/hate_crime_data1)

<sup>4</sup> <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hate-crimes-1112/>

<sup>5</sup> Hirschi, T. and Gottfredson, M. (1983) "Age and the Explanation of crime", in American Journal of Sociology, 89, pp552-84. Wilson, J.Q. & Herrnstein, R. (1985) "Crime and Human Nature" New York: Simon and Schuster. Farrington, D. P. (1986) "Stepping stones to adult criminal careers". In Olweus, D., Block, J. and Yarrow, M.R. (Eds) "Development of Antisocial and Prosocial Behaviour: Research, Theories and Issues" New York: Academic Press (pp. 359-384). Blumstein A; Cohen J (1987) "Characterizing Criminal Careers Science" New Series, Volume. 237, No. 4818. (Aug. 28, 1987), pp. 985-991.

<sup>6</sup> Prime, J; White, S; Liriano S; Patel K (2001) Criminal careers of those born between 1953 and 1978. Authors Source Home Office statistical Bulletin 4/01.

<sup>7</sup> <https://www.gov.uk/government/publications/hate-crimes-england-and-wales-2011-to-2012--2/hate-crimes-england-and-wales-2011-to-2012>

<sup>8</sup> HMCPSI, HMIC, HMI PROBATION (2013) Living In A Different World: Joint Review Of Disability Hate Crime March 2013 available at <http://www.hmic.gov.uk/publication/living-in-a-different-world-joint-review-of-disability-hate-crime/>

<sup>9</sup> Mason, G (2005) A picture of hate crime: racial and homophobic harassment in the United Kingdom Current Issues in Criminal Justice Vol 17 No 1.

<sup>10</sup> Grundy, D (2011) Friend or fake? Mate crimes and people with learning disabilities. Journal of Learning Disabilities and Offending Behaviour Vol 2 No 4.

<sup>11</sup> 50% of the 70 learning disabled victims knew the offender, compared to 56% of the 209 non-learning disabled victims.

<sup>12</sup> (p<0.01,  $\chi^2(1)=9.17$ )

<sup>13</sup>

Odds and Odds Ratio	
4.29	Odds of someone with a learning disability being a victim of violent crime, compared to non-violent. (60 violent offences (81%) out of 74 total offences)
1.62	Odds of someone with an "other" disability (non learning) being a victim of violent crime, compared to non-violent. (133 violent offences (62%) out of 215 total offences)
2.64	Odds ratio of someone with a learning disability being a victim of violent crime (compared to someone with an "other" disability (95% Confidence Interval = 1.4 to 5.0)

<sup>14</sup> "Rapid Evidence Assessment of factors associated with violent reoffending" – Available on the POLKA community Identifying and Managing Dangerous Offenders.

<sup>15</sup> Home Office (2001) Criminal Justice: The Way Ahead. Cm 5074. London: Home Office, Farrington, D., Coid, J. Harnett, L., Jolliffe, D., Soteriou, N., Turner, R. and West, D. (2006) Criminal Careers up to Age 50 and Life Success up to Age 48: New Findings from the Cambridge Study in Delinquent Development (second edition). London: Home Office, Wikström, P-O., Oberwittler, D., Treiber, K. and Hardie, B. (2012) Breaking Rules: The Social and Situational Dynamics of Young People's Urban Crime. Oxford: Oxford University Press.