

House of Commons

Petitions Committee

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# **Online abuse and the experience of disabled people: Government response to the Committee's First Report**

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**Second Special Report of Session 2017–19**

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## **Petitions Committee**

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You can follow the Committee on Twitter using [@HoCpetitions](https://twitter.com/HoCpetitions).

## Support

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If you have been affected by the issues in this report, there are organisations that can help.

You can find advice on staying safe online at [www.getsafeonline.org](http://www.getsafeonline.org)

If you need to report a crime, you should contact the police.

<https://www.police.uk/contact/>

If you want to talk to someone about hate crime, you could contact Stop Hate UK.

<https://www.stophateuk.org/talk-to-us/>

If you are a child or young person and are worried about online abuse, you could contact Childline.

<https://www.childline.org.uk/get-support/contacting-childline/>

If you have a learning disability and need advice, you could contact Mencap.

[https://www.mencap.org.uk/advice-and-support/  
learning-disability-helpline](https://www.mencap.org.uk/advice-and-support/learning-disability-helpline)

If you have been a victim of “revenge porn”, you could contact the Revenge Porn Helpline.

<https://revengepornhelpline.org.uk/>

## **Second Special Report**

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On 22 January 2019, the Petitions Committee published its First of Session 2017–19, *Online abuse and the experience of disabled people* (HC 759) The government response was received on 3 April 2019 and is appended to this report.

## **Appendix: Government response**

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### **Introduction**

The Government is grateful for the Committee's important and timely inquiry into online abuse and the experience of disabled people. The Committee's inquiry is highlighting areas of concern to Government, Parliament and the public.

Government recognises the importance and the benefits of the internet and social media to all users, including disabled people. The internet



offers a huge range of opportunities for all users, allowing communities to connect, people to share support and seek advice.

However, Government is also aware of the disproportionate abuse experienced by disabled people online and the damage such abuse can have on people's lives, career and health. That is why we are taking action through the joint Department for Digital, Culture, Media and Sport and Home Office Online Harms White Paper, which will be published imminently.

The White Paper will set out a range of non-legislative and legislative measures to keep all UK users safe online. We want the UK to be the safest place in the world to go online and the best place to start and grow a digital business. The measures in the White Paper will help to restore public trust in online services and allow the digital economy to continue to thrive.

The Government's response to each of the Committee's recommendations is set out below.

## **Recommendation 1**

We recommend that the Government increase the representation of disabled people in its own events, publications and advertising. In particular, we recommend that the Government introduce targets to ensure that its own advertising campaigns reflect the disabled population of the UK. Disabled people are parents, partners, neighbours, friends, work colleagues, sons and daughters. We recommend that at least 19% of all images of working-age people in all Government advertising campaigns are images of disabled people. Such representation needs to reflect the diversity of disabled people and their life experiences. We recommend that the Government ask other public bodies to do the same. (Paragraph 48)

### ***Government response***

We note the concerns of the Committee and the aspirations for increased representation

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in Government events, publications and advertising. All government communications seeks to use the most appropriate channels, images and messages to achieve our objectives. This includes seeking to reflect the audiences that they are talking to. Government departments, agencies and arms-length bodies follow the extensive guidance on accessibility, inclusivity and representation provided by the Office of Disability Issues. Departments are responsible for implementing this in their individual communications activity.

The Home Office launched a hate crime public awareness campaign in October 2018, which aimed to increase awareness of all forms of hate crime. This included scenes depicting a disabled man utilising public transport, which we know from our engagement with organisations representing disabled people to be a place of particular concern for many disabled people.

## **Recommendation 2**

The Government needs to act to remove the barriers that leave disabled people so marginalised that 21% of young adults would avoid talking to someone due to their disability. Young people should be coming into contact with disabled people regularly. The Government can make a difference by increasing disability awareness in schools. We recommend that the Government create a disability awareness programme co-produced with disabled people themselves to ensure that it reflects disabled people's lives, frames them as three-dimensional human beings and does not focus on disabled people as "problems". We recommend that building children's understanding of disability and disabled people—and, separately, of the effects of online bullying and abuse of disabled people in particular—becomes mandatory, not optional, in schools. (Paragraph 49)

## ***Government response***

Schools are required to comply with the relevant requirements of the Equality Act 2010. They must not unlawfully discriminate against pupils. They also have to have due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it,
- Foster good relations across all characteristics—between people who share a protected characteristic and people who do not share it.

It is for schools to decide how best to meet these duties. To support them in doing so, Guidance for schools about the Equality Act 2010 is published by the Department

for Education (DfE). Many children with disabilities will also have Special Educational Needs because their disability calls for special educational provision to be made for them. Schools are expected, and in some cases required, to provide a range of support to children with SEN to help them play a full part in school life.

DfE further supports schools to prevent and tackle bullying, particularly of young disabled people. DfE is funding The Anti-bullying Alliance (National Children's Bureau) to extend their All Together programme. This programme guides schools through a whole-school approach to reduce bullying of all pupils but particularly targets bullying of those with special educational needs and disability (SEND). The programme includes face-to-face training for teachers, online Continuing Professional Development (CPD)-certified staff training and support for schools to create an audit and action plan tailored to their area of need. Whilst this training

is not mandatory, any school in England can access the online CPD-certified staff training free of charge and can access the online audit and action plan tool.

The Department for Education laid regulations on 25 February 2019 to require all schools to teach Relationships Education to primary aged pupils, Relationships and Sex Education (RSE) to secondary aged pupils and Health Education to primary and secondary pupils in state funded schools. The updated guidance makes clear that schools will need to take into account the specific needs of disabled children and young people (and special educational needs) to ensure that the new subjects are relevant and accessible. Young people will be taught about what a positive, healthy, respectful relationship can look like, good mental health, and how to keep themselves safe in a variety of situations, including online. They will also learn about the harms of stereotypes, the importance of respecting others and other families and the

impact of bullying including cyber bullying. The new subjects will be taught from September 2020 but schools will be encouraged and supported to do so from September 2019.

### **Recommendation 3**

We recommend that the Government acknowledge the importance of the internet to disabled people and how disabled people are affected by abuse. We heard the enormous value that social media in particular has for disabled people. It enables them to campaign, work, learn and socialise in a way that is otherwise impossible due to the inaccessibility of the offline world and is essential because they need to fight to be heard. The evidence makes clear that online abuse has a significant effect on the health of people with long-term conditions and disabilities. Abuse is not simply “offensive” or “bad manners”. It does lasting damage to people’s lives, health and careers. (Paragraph 56)



## ***Government response***

Government recognises the importance of the internet to disabled people. We share the committee's concerns about the damaging effect of online abuse and that is why we are taking action through our Online Harms White Paper (OHWP).

This Government agrees that the internet offers a huge range of opportunities for all users, including and often especially for disabled people. It facilitates communication and enables communities to connect, share support and seek advice. For many disabled people the internet has empowered them to participate in activities and take advantage of opportunities that would not otherwise be possible. However we also acknowledge that there are very legitimate concerns about the disproportionate abuse suffered by disabled people, and the ways in which some may be more targeted for particular types of abuse online.

The joint DCMS - Home Office OHWP will set out a range of non-legislative and legislative measures detailing how we will tackle online harms. It will set clear responsibilities for technology companies to keep all UK users safe.

Last Summer, the Home Office hosted a Ministerial roundtable with the charity Changing Faces, Ditch the Label, BT and social media companies. This meeting addressed the abuse faced online by people with disfigurements, and how all participants could work together to tackle these issues. The focus of the meeting was on the importance of the internet for people with disfigurements, with clear examples from experts by experience of both the good and the bad. DCMS hosted a Ministerial roundtable with organisations representing disabled people to explore the issues faced by disabled people online and consult on the statutory social media code of practice. Since this, Changing Faces have been working with social media companies

to continue to help protect people online. Government intends to expand this work over the coming months.

#### **Recommendation 4**

We recommend that the Government commit to ensuring that the internet is no more dangerous for disabled people than non-disabled people. To do that, we recommend that the Government ensure that the voices of a diverse range of disabled people are included at the heart of its discussions on online safety. Disabled people must be explicitly consulted and their views taken into account. (Paragraph 57)

#### ***Government response***

As flagged in the response to recommendation 3, Government has committed to publishing a joint DCMS-Home Office White Paper, setting out a range of legislative and non-legislative measures detailing how we will tackle online harms and keep UK users safe. The White

Paper will establish a Government-wide approach to online safety, delivering the Digital Charter's ambitions of making the UK the safest place in the world to be online for all users, including disabled people.

In developing the Internet Safety Strategy to date, the Government has engaged with various organisations on online harm and abuse. In October 2018, the Minister for Digital and Creative Industries held a roundtable with organisations representing disabled people, focused specifically on the issue of online abuse.

When the Government consults on its detailed online safety proposals set out in the White Paper, we will ensure the views of disabled groups are sought as part of this process. This may include specific working groups involving organisations representing disabled people.

The Hate Crime Action Plan refresh (published October 2018) commits to broadening our

engagement with organisations representing disabled people on disability hate crime which we are now taking forward.

### **Recommendation 5**

We recommend that the Government acknowledge that training and support are necessary to encourage safe online activity and recognise when things might be going wrong. The social isolation that disability can lead to can be mitigated by getting and staying online. We recommend that the Government makes guidance on staying safe online, suitable for disabled people, available through the public services that disabled people regularly use and to those who might work in environments where people seek help to go online. We recommend that all such guidance must include how to identify and manage cases of hate crime and online abuse. People also need help to recognise befriending with the intent of exploitation online (so-called “mate crime”),

which we discuss in chapter 3. We recommend the Government ensure that there is nationally available information, which clearly lays out how individuals, businesses and charities should deal with suspicions of exploitation and abuse. (Paragraph 58)

### ***Government response***

Government acknowledges the role of training and guidance. The UK Council for Internet Safety (UKCIS) Education Working Group has published a number of resources to help schools with online safety provision. Notably, the group has created resources such as Education for a Connected World framework and guidance for those who work in Early Years settings. We are also publishing the statutory Code of Practice for social media providers on dealing with harmful conduct online in easy read.

We recognise that education and awareness is critical to empowering all users and ensuring everyone is able to benefit from being online.

The Government recognises the critical need to properly understand the range of different needs of disabled people in relation to getting help and support online, and in keeping themselves safe from being targeted for abuse or serious crimes linked to being ‘befriended’ and exploited.

We will be taking an active role in encouraging industry to acknowledge and support the specific needs of disabled people who use their platforms, including in relation to reporting harms and getting issues dealt with. It is important that we recognise the wide range of disabilities, the different impacts disabilities have on individuals and the importance of providing practical and focused information that supports positive online participation. We recognise that further work in this area is required, and we will seek to convene the range of stakeholders, including organisations representing disabled people, to better improve the provision of media literacy and online safety resources.

As mentioned in recommendations 3 and 4, we have engaged with many civil society stakeholders, including organisations representing disabled people and industry to help ensure that their needs are reflected in our forthcoming OHWP.

In relation to hate crime there is a variety of training and resources that help to identify what hate crime is, and how to report it. For example, the Home Office has funded hate crime projects specifically targeting awareness raising resources for disabled people. The Crown Prosecution Service published revised public statements and legal guidance for all strands of hate crime (including disability), as well as a support guide for disabled victims and witnesses going through the criminal justice system. These documents were developed with support from community partners and academics with experience and expertise on the lived experience of hate crime. In addition, the



Crown Prosecution Service has published two pieces of guidance on recognising hate crime and what to do about it.

As mentioned in response to recommendation 3, the Home Office is supporting the work between Changing Faces and social media companies, and would be keen to broaden this work to other organisations representing disabled people. We will also be looking to develop guidance for parents and carers and will look to include online reporting as part of that.

### **Recommendation 6**

Disabled people are not hard to reach, only easy to ignore. We recommend that the Government include disabled people explicitly and directly in all consultations, including on digital strategy. If disabled people aren't in the room, they aren't being consulted. All consultations must be accessible to, and directly involve, disabled people, including people with physical, neurological, developmental, sensory

and learning disabilities. We recommend that the Government to report to Parliament on how it has consulted with disabled people and what changes that consultation has led to. We recommend that the Government set out in its response to this report how and how often it will make such reports to Parliament. (Paragraph 67)

### ***Government response***

Each individual Department, and its Ministers, is responsible for taking decisions as to how they engage with stakeholders and the public as part of their policy development. Departments are also responsible for complying with any statutory, or other legal requirements that might apply to them, with regards to consultation. The Cabinet Office has published consultation principles which provide departments with guidance on conducting consultations and can be found on gov.uk. This guidance states that departments should consider the full range

of people affected by the policy, and whether representative groups exist. It also states that departments should consider targeting specific groups if appropriate, and ensure they are aware of the consultation and can access it. And it states that departments should consider how to tailor consultation to the needs and preferences of particular groups, including people with disabilities.

On gov.uk, Easy Read versions accompanying a consultation are published in PDF format. The Department for Work and Pensions (DWP), the Department of Health & Social Care and HM Revenue & Customs are working together to consolidate this best practice into a set of principles for producing publications in Easy Read. These have been shared and tested with a range of disability organisations and aim to ensure consistent high quality across government for Easy Read publications and that they are produced in a format that is clear

for people with learning disabilities. DWP has recently published their first Easy Read prototype based on these principles.

The Government Digital Service (GDS) also provides guidance to help departments to make their online services and information accessible. This guidance makes it clear that people with disabilities have to be included in user research and usability testing. Accessibility is also one of the standards against which GDS assesses the development of central government digital services.

The Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018 recently introduced requirements to improve access to online public services for citizens. It also makes it easier for users to feedback and escalate issues about the accessibility of public sector websites. GDS

will support compliance by providing regular monitoring and guidance to signpost how organisations can fix accessibility issues.

### **Recommendation 7**

We recommend that the Government require social media companies to have policies, mechanisms and settings that are accessible to all disabled people. That must include Easy Read versions of all relevant policies. Policies may include, but are not limited to: terms and conditions; community standards; account policies; and any other forms of guidance. Mechanisms and settings may include, but are not limited to: systems for reporting abuse or other concerns; privacy settings; and settings for any other preferences. (Paragraph 80)

### **Recommendation 8**

To ensure that the particular concerns of disabled people are recognised, we recommend that social media companies be required to demonstrate that they have consulted and

worked in partnership with disabled people themselves when developing policies and processes. (Paragraph 81)

### ***Government response***

We agree that social media companies should have policies, mechanisms and settings that are accessible to all disabled people. The Government's social media code of practice, published in draft in the Government response to the Internet Safety Strategy in May 2018, provides guidance to social media providers on appropriate reporting mechanisms and moderation processes to tackle harmful conduct online.

Following draft publication, we have engaged extensively with industry and civil society stakeholders, including disabled people, to further shape the code of practice and ensure guidance to social media providers reinstates the importance of accessible policies, mechanisms and settings on platforms. This

includes social media platforms having clear and accessible reporting processes and accessible information in their terms and conditions.

Guidance also highlights that social media companies should consult relevant professionals and users when designing new safety policies.

This includes all users, including disabled people. The Government is committed to promoting equality and diversity online, aiming to ensure that all groups and individuals have equal access to the benefits of the internet.

### **Recommendation 9**

The rules for social media platforms should be easy to identify, find and understand. It should be clear what behaviour is offensive and how to report abuse. It is unacceptable that police services are bearing the costs of social media companies' failure to communicate the difference between unacceptable behaviour and criminal behaviour and how to report abuse appropriately. We recommend that social media

companies be required to be more proactive, not only in searching for abusive and extreme content, but in ensuring their users understand the limits of acceptable behaviour, including the use of images and hashtags, and in actively reporting potentially criminal behaviour. We recommend that this covers the use of images of disabled people, particularly disabled children, to create “jokes”. (Paragraph 82)

### **Recommendation 10**

The Government must accept its responsibility for ensuring disabled people’s safety online. We recommend that the Government acknowledge that the current model of self-regulation of social media has failed—and is still failing—disabled people. We recommend that it takes steps to ensure that social media companies accept their responsibility for allowing illegal and abusive content on their sites and the toxic environment this creates for users. We recommend that the Government ensures that social media



companies accept their responsibility to make sure that disabled people can make use of online tools as other users can. (Paragraph 86)

### ***Government response***

We agree the rules for social media platforms should be easy to identify, find and understand. As mentioned in response to recommendations 7 and 8 above, the draft statutory code of practice provides guidance to social media providers on appropriate reporting mechanisms and moderation processes to tackle harmful conduct online. It also states social media platforms should have clear and accessible reporting processes, which should be clearly stated in their terms and conditions and easily accessible for all users, including disabled people. By setting out clear standards for industry, we will ensure there is improved support for users online, and that more companies are taking consistent action to tackle abuse.

As stated above, the Government has committed to publishing a joint DCMS-Home Office White Paper, setting out a range of legislative and non-legislative measures detailing how we will tackle online harms and keep UK users safe. The White Paper will establish a Government-wide approach to online safety, delivering the Digital Charter's ambitions of making the UK the safest place in the world to be online for all users, including disabled people.

### **Recommendation 11**

The police, the public and social media companies need a criminal law that is fit for purpose and draws a line between behaviour that can be tackled by private companies and behaviour that requires a criminal justice approach. It is not enough to repeat "What is illegal online, is illegal offline" as an excuse for inaction. We note that the Law Commission is reviewing abusive and offensive online communications, but we recommend that the

Government brings forward legislation to clarify the law as soon as possible. We recommend that Ministers set out a timetable for doing so in the Government response to this report.

Any delay must be justified to Parliament. To ensure that new legislation takes into account the needs of disabled people, we recommend that the Government consult disabled people directly. Such a consultation must be accessible to all disabled people, including those who are currently not using the internet due to their fear or experience of abuse. (Paragraph 103)

### ***Government response***

In February 2018, the PM announced that the Law Commission would undertake a review of current legislation on offensive online communications to ensure that laws are up to date with technology. The Law Commission has now completed the first part of their review and published their scoping report on 1 November 2018. During the course of the review the Law

Commission engaged with many individuals and organisations who are affected by these laws or have detailed knowledge of the surrounding issues. This has included victims of online abuse and the charities that support them, prosecutors, lawyers and academics, civil liberties groups, technology companies, and various parts of Government.

The report concludes “for the most part, we have concluded that abusive online communications are, at least theoretically, criminalised to the same or even greater degree than equivalent offline behaviour ... it appears that practical and cultural barriers mean that not all harmful online conduct is pursued in terms of criminal law enforcement to the same extent that it might be in an offline context.”

We are now working with the Law Commission to agree the scope of the next phase of this report. Throughout this process we will continue to engage with disabled people.

## **Recommendation 12**

Disabled people do not feel adequately protected or valued by the law. Many of the disabled people we spoke to felt that the UK Government has the information it needs to change the legislation now, and commissioning another Law Commission review into hate crime was simply avoiding the issue. We recommend that the Government amend hate crime legislation to ensure disability hate crime has parity with other hate crime offences. To ensure that the law applies where a victim had been selected because they were disabled, we recommend that it abolish the need to prove that hate crime against disabled people is motivated by hostility. It should be enough to prove that an offence was committed “by reason of” their disability. (Paragraph 112)

## ***Government response***

The Government is aware from engagement with our stakeholders about their concerns about the effectiveness of existing legislation, including about ‘parity’ between disability and other hate crime ‘strands’. Consequently, as part of the Hate Crime Action Plan refresh, the Government has asked the Law Commission to review the coverage and approach of current hate crime legislative provisions. This will include looking at the existing strands, as well as whether additional protected characteristics should be added. The Law Commission will be undertaking a public consultation and we will consider the results of their report in due course.

## **Recommendation 13**

The CPS and the police can only work within the framework provided by the law. We recommend that the Government work with disabled people to review the use of such designations. The review should have the aim of ensuring hate

crimes are properly reported and sentenced as such and that “vulnerability” is only used when appropriate. (Paragraph 118)

### ***Government response***

The Law Commission will review the coverage and approach of current hate crime legislative provisions and we will consider the results of their report in due course.

The College of Policing Hate Crime Operational Guidance, sets out how the term vulnerability should be used in the hate crime and specifically disability hate crime context. It clearly states that the police should not assign the term vulnerable to people solely by reason of their disability, and that whether a victim is vulnerable will depend on the circumstances.

The CPS Public Statement on Disability Hate Crime and other Crimes Against Disabled People was published in August 2017. This statement was developed with the support of a

National Scrutiny Panel created specifically for this task which consists of community partners and academics with experience in this field. The draft statement was also subject to a full public consultation which was published in Easy Read, BSL and audio as well as consultation events with representatives from disability groups.

The statement confirms the CPS's commitment to the social model of disability which recognises that the prejudice, discrimination and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from specific barriers they experience on a daily basis. As a result, the CPS has committed to only using the term 'vulnerable' in relation to disabled people when it is appropriate in the context of the law and facts of the case for example in relation to special measures applications for a 'vulnerable witness' and Sentencing Guidelines.



## **Recommendation 14**

We recommend that the Government ensure that employers of support workers or others working with or for disabled people can check whether an employee has been convicted of a disability hate crime. When the Government reforms hate crime legislation, we recommend that it ensure that it is possible for a conviction for a hate related offence to show up in a Disclosure and Barring Service check.

(Paragraph 122)

### ***Government response***

DBS checks can be undertaken for those who work in eligible roles in the health and social care sectors, including the provision of personal care. These checks should be done as part of an organisation's pre-recruitment checks and form part of an employer's wider safeguarding policies and practices. Eligibility for the various types of DBS checks is set out in legislation.

A criminal record check will reveal certain information relating to a person's criminal record. This includes convictions, cautions, reprimands and warnings. When an enhanced check is applied for, the police may also disclose relevant local police information. DBS checks will always disclose unspent convictions. Spent convictions and cautions are disclosed on standard and enhanced certificates subject to the 'filtering rules' set out in legislation. The rules allow for certain old and minor convictions to be 'filtered out' (not disclosed), but certain specified offences will always be disclosed—this ensures that serious offences will always be disclosed on standard and enhanced certificates.

The Law Commission review into hate crime will consider the approach of the legislation, including the existing strands, and we will consider the results of the report in due course.

## **Recommendation 15**

We recommend that the Government conduct a full overarching review into the experience of disabled people reporting crime and giving evidence, covering the work of third-party reporting centres, online initiatives, the police and the courts. In particular, we recommend that it develops an action plan to ensure that the appropriate training and procedures are in place so that disabled people, including adults with learning disabilities or autism, are treated as “reliable witnesses” and appropriately supported from the moment they approach the police.

(Paragraph 136)

### ***Government response***

Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) conducted an inspection into the reporting and recording of hate crime last year. The full inspection report was published in July 2018, with an additional report of the experience of victims

later published in October. The Government is supporting the National Police Chiefs' Council (NPCC) to respond to the recommendations within that inspection report, including the importance of ensuring victims' experiences are improved. In addition, HMICFRS and Her Majesty's Crown Prosecution Inspectorate (HMCPPI) also published the report of a joint inspection looking at the management of disability hate crime. This report demonstrated that there have been improvements in the handling of disability hate crime cases since the previous reports in 2013 and 2015, and highlights areas for improvement.

The inspectorate noted that there has been a sustained drive by the CPS to raise awareness of disability hate crime and improve the number of cases with recorded and announced sentence uplifts. The report also praises the work of the hate crime coordinators who conduct assurance checks on all hate crime strands including disability hate crime. The inspectorate described

CPS decision making as 'excellent'. The CPS has developed an action plan in response to the report's recommendations and is working alongside the NPCC lead on hate crime to ensure that effective improvement measures are engaged across the investigation and prosecution of disability hate crime.

The Home Office have committed to work with the Association of Police and Crime Commissioners and others to understand what services are available to disabled victims of hate crime, including third party reporting centres and how these can be best promoted.

The Home Office commissioned the development of bespoke hate crime training for call handlers which included training on how to support disabled victims. In addition, the Hate Crime Action Plan refresh also committed to identifying opportunities to support additional

police training tailored to the needs of specific groups such as LGBT or disabled hate crime victims.

The CPS's Public Statement on Disability Hate Crime and other Crimes Against Disabled People outlines the CPS's commitment not to make assumptions about a disabled victim's reliability or credibility, and to challenge others who do so. At the same time as publishing this public statement, the CPS also published a support guide for disabled victims and witnesses of crime which outlines the support available at each stage of the criminal justice process.

The CPS has recently completed its mandatory hate crime training package for prosecutors which covered all strands of hate crime and includes victim support.

### **Recommendation 16**

We recommend that the Government ensure that every frontline police officer receives the

support necessary to ensure that disabled people have equal access to, and treatment in, the criminal justice system. (Paragraph 137)

### ***Government response***

The College of Policing launched the National Vulnerability Learning Programme in September last year, which seeks to upskill police officers and staff to ensure they are equipped with the knowledge and skills to respond to vulnerable people (including those who have been victim of a hate crime) in a consistent and effective way. Evaluation of this programme has shown an improved response by individual officers, to vulnerable people and vulnerability. In addition, they developed a new syllabus for core investigative skills which includes the response to hate crime.

The Government is committed to looking at options for supporting additional bespoke police hate crime training. We are supportive of the work of disability charities such as Dimensions

who have recently completed training on learning disability hate crime with Surrey police, and Changing Faces working with Kent police. We will continue to help promote examples of good practice such as these.

### **Recommendation 17**

We heard from disabled people that “mate crime is hate crime”. Dealing with exploitation, online and offline, seems to have been left in the “too difficult” box. We met people who had been sexually and financially exploited by those they met online. We heard of cases where people have been murdered and tortured. It’s time for the Government to act. We recommend that the Government establish a Ministerial review to address befriending with the intention of exploitation on and offline. In doing so, it must bring together all agencies, organisations and people concerned, particularly disabled people, and include social media and online dating companies. It must report to Parliament on its



intended actions within six months. We also recommend that the Law Commission consider befriending with the intent of exploitation within its review of hate crime laws. (Paragraph 147)

### **Recommendation 18**

The Government must ensure that disabled people are not unnecessarily caught up in attempts to tackle befriending with the intention of exploitation. We recommend that any review of the current law must include the voices of disabled people and any actions must be co-developed with disabled people, to ensure their capacity to make their own decisions is respected and that they are not further marginalised. (Paragraph 148)

### ***Government response***

Some offenders are motivated by a perception that disabled people are 'vulnerable' or an 'easy target', rather than by hostility or hatred. This includes instances where people are targeted

online and befriended before being exploited or abused. This means the CPS is unable to apply for a statutory sentence uplift for hate crime, under the Criminal Justice Act 2003. If an offence does not meet the legal definition of a disability hate crime, the CPS will provide evidence that a disabled person is targeted because they are vulnerable, so that the sentence reflects the gravity of such offending even if a statutory uplift cannot be applied.

The Law Commission review of hate crime legislation will include a public consultation and will consider hate crime legislation, including whether it is effective in addressing crimes targeting someone because of their disability. We would encourage disability stakeholders to participate in the public consultation. The review started in January 2019 and we expect it to take between 18 months and 2 years in order to consider fully the complex issues involved. We will consider the results of their report in due course.