

What is the nature and extent of mate crime offending against disabled people and how effective are institutional responses?

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Abstract

Mate crimes are said to occur when disabled people are victimised by people purporting to be their friends. Cases can escalate and several murders of disabled people have been attributed as mate crimes. Although under-researched, mate crime has been construed as a form of hate crime and its understanding has also been informed by contributions from disability studies.

This study sought to explore the nature and extent of mate crime and how institutions were responding to it. To achieve this, a mixture of methods was used, including a survey of all police forces in England and Wales, a case study of police records and a series of interviews with key stakeholders, including representatives of disabled people. The research revealed that mate crimes are typically perpetrated against disabled people living alone in deprived areas. Often incidents involve groups of local people repeatedly targeting victims in their own homes. Perception of offending can often be blurred or obscured by the presence of familiarity. From a theoretical perspective, the evidence suggested that victims may be targeted not just because they are different, but also because of perceived relational disadvantages connected with their impairments. In common with previous research into disability hate crimes, this study indicated an inadequate institutional response to mate crime. The suggestion of ineffectiveness was apparent not just in the police and other criminal justice responses, but also in the response of multi-agency Safeguarding Adult services. It seemed that this may be due to inadequate institutional data, a tendency to attribute abuse to a victim's impairment and a misplaced focus on vulnerability.

The results of the study were interpreted by reference to a model of the course of mate crime which incorporates references to hate crime as well as disability studies. Recommendations for an improved response to mate crime are also provided.

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Abbreviations

ACPO	Association of Chief Police Officers
ARC	Association for Real Change
BCU	Basic Command Unit
CPS	Crown Prosecution Service
CRPD	Convention on the Rights of Persons with Disabilities
CSEW	Crime Survey for England and Wales
DCI	Detective Chief Inspector
DPP	Director of Public Prosecutions
EHRC	Equality and Human Rights Commission
FOI	Freedom of Information
HMCPSP	Her Majesty's Crown Prosecution Service Inspectorate
HMIC	Her Majesty's Inspectorate of Constabulary
ICF	International Classification of Functioning, Disability and Health
ICIDH	International Classification of Impairments, Disabilities and Handicaps
LGBT	Lesbian, gay, bisexual and transgender
MCA	Mental Capacity Act
MCI	Mate Crime Incident
NHS	National Health Service
QC	Queens Counsel
SCR	Serious Case Review
UKDHM	United Kingdom Disability History Month
UN	United Nations
UPIAS	Union of Physically Impaired Against Segregation
WHO	World Health Organisation

Chapter 1

Introduction

The term mate crime has only recently come into use and is descriptive of a form of disability hate crime whereby perpetrators 'befriend' disabled people prior to offending against them. The aim of this study was to determine the nature and extent of mate crime offending and assess the effectiveness of institutional responses to it. To achieve this aim, the study set out to address three specific research objectives: to determine the extent of mate crime offending against disabled people; to understand the nature of mate crime; and to assess the effectiveness of institutional responses to it. This introductory chapter begins with some personal reflections on this study. It then offers a brief familiarisation with the subject of mate crime, considers some of the broader issues in relation to researching this topic and outlines the structure of the thesis.

As its name implies, mate crime has been construed as a form of hate crime (Thomas, 2011; Williams and Tregidga, 2014; Macdonald, 2015) and this thesis will draw upon theories around hate crime to provide a more comprehensive understanding of the subject. However, given the oppressed position of disabled people (discussed in the following two chapters), it would be inaccurate to suggest that mate crimes can be construed simply as another form of hate crime against a discrete minority group (Goodley and Runswick-Cole, 2011; Perry, 2013; Roulstone and Sadique, 2013). Both the conceptualisation of disability and the nature of hate crime against disabled people are complex issues. Hence, this thesis will draw upon theories emanating from both hate crime and disability studies.

1.1 My personal reflections on this study

This is a thesis about crime. Please do not perceive it solely as a portrayal of the "personal tragedy" (Oliver, 1986, p.6) of disabled people (see para 2.2.2). Indeed, as will be seen, anyone looking for tragedies might need to seek no further than the disabling effects of society and the failure of its institutions to

adequately respond to the needs of disabled people. My greater understanding of the body of research on disability has led me to appreciate the reality that disabled people as a group are disadvantaged and oppressed within society. There is a considerable amount of scholarly evidence to support this view (e.g. Oliver, 1986; Abberley, 1987; Barnes, 1991; Calderbank, 2000; Shakespeare & Watson, 2001; Goodley & Runswick-Cole, 2011), and this evidence will be examined in more detail over the course of this thesis.

By contrast, my own position could be regarded as one of hierarchical privilege. I have no experience of living as a disabled person and hence I make no personal claim to authenticate the voices of disabled people. However, in this latter respect, the study has been fortunate to hear the voices of disabled people as expressed through some of the interviews with key stakeholders (see Chapter 7). As will be seen, the importance of listening to disabled people is an issue which threads throughout this thesis and forms part of the recommendations in the conclusion.

As regards my own background, before commencing research on this topic, I spent most of my working life as a police officer. In research terms, this has been an advantage in that I have been able to draw upon my professional experiences as an aid to understanding police systems and processes and facilitating access to police data in that a significant amount of the latter years of my police service were spent as a detective in a Safeguarding Team. The majority of the resources of this team were devoted to the safeguarding of children but a significant amount of time was also dedicated to the safeguarding of adults.

Similarly to child protection, Safeguarding Adults processes are multi-agency in nature and are focused on the investigation of abuse of adults with care needs, the majority of whom were disabled people. The processes of investigation and risk management within Safeguarding contrasted with my previous police practice. I noticed that the criminal justice system struggled to provide an adequate response to some disabled people, especially those residing in the wider community who seemed to be at a greater risk of being victimised. When I subsequently left the police and took up a role as a practice officer in a local authority safeguarding adults team, I began to gain more insight into some of

the reasons why this might be the case. I became aware of how the existing relationship between offender and victim could have a strong influence on the outcome of a case.

In terms of my own scholarly journey, my career in the police had led me from a point of being an enthusiastic administrator of criminal justice to a position where, when I left the police, I had begun to take a more active interest in wider issues of social justice. Leaving the police and securing a job with regular hours in the local authority provided me with the opportunity to develop my education and I set about pursuing a Master's degree in criminology. It was whilst I was considering research topics for my Masters dissertation that I became aware that there were media and other reports about the previously-un-named concept of mate crime. I recognised that this new concept captured the types of cases which I had previously identified as being perpetrated against some disabled people. I was curious as to the applicability of the concept and interested in the extent to which it might explain this form of offending. Hence, I decided to pursue my Masters research around this subject. In choosing this issue, I was aware that this was primarily an exploratory study as mate crime had previously been an un-researched topic. Initially, I found that there was evidence that some acquisitive crimes might be categorised as mate crimes. However, the subsequent finding that mate crime might be a factor in a number of killings of people with varying types of impairment led me to appreciate that mate crime may have an even greater potential significance in the lives of some disabled people (Doherty, 2013). As well as highlighting queries over the applicability of the concept of mate crime, my research for my Masters dissertation led me to conclude that there were still several other questions left to answer and it is those unanswered questions which led to this thesis.

As will be seen (Chapter 4), however, the formulation of the most appropriate methods to answer the research questions was also influenced by my previous career history. I had a knowledge of police systems and policing culture and hence I had some idea of the best places to find the most productive data. In addition, I had some indication as to the likely response by the police to my research request. Both of these factors influenced my subsequent choice of methods.

1.2 What is mate crime?

The term mate crime first appeared in 2009 as part of a campaign aimed at preventing the exploitation of people with learning disabilities (Association for Real Change, 2013a). However, as yet, no official data has been published in relation to the occurrence of mate crimes. Notwithstanding this, recent research (Quarmby, 2011; Thomas, 2011; Doherty, 2013) has established that a number of murders could be classified as mate crimes. Examples include victim Steven Hoskin who, in 2006, was drugged and pushed to his death from a viaduct by 'friends'. The Guardian newspaper (Williams, 2010) subsequently observed that Steven Hoskin had severe learning disabilities and highlighted his murder as a mate crime. More recently in 2010, Gemma Hayter was subjected to a prolonged four-hour assault by friends, made to drink urine before being taken to a disused railway line, stripped and further beaten, a bin bag placed over her, stabbed and then left to die. Gemma Hayter had been diagnosed with a learning disability at an early age (although there were conflicting diagnoses in her adult life), and as such her murder was subject to a subsequent multi-agency Serious Case Review. One of the key findings of that Review was that, prior to her murder, she had been a "victim of 'mate crime'" on a regular basis over a period of time, by a number of people who were known to her". (Warwickshire Safeguarding Adults Partnership, 2011, p.3). The authors of the Review expressed concern about the subsequent risks to disabled adults living alone in the community and being subject to this type of harassment and exploitation. This was based on the evidence they found in the case of Gemma Hayter whereby they cited the existence of a culture in which "violence and mate crime is normalised" (Warwickshire Safeguarding Adults Partnership, 2011, p.60).

Despite the above, and notwithstanding the fact that there have been other more recent murders of disabled people that could be construed as mate crimes (see Table 1. 1 below), there has been limited comment on the subject. In addition to offences of homicide, other studies have raised the possibility that less-serious offences against disabled people can also be classed as mate crimes (Williams and Tregidga, 2013; Landman, 2014; Walters et al., 2016). It has been suggested that types of mate crime offending can range from the

commission of theft and other dishonesty offences to sexual offences, as well as homicide offences such as those referred to above.

1.3 Why research mate crime?

Whilst curiosity to investigate and explore the 'new' concept of mate crime may inspire personal motivation (see para 1.1), curiosity alone is not a sufficient cause for conducting academic research in a new area and it has been suggested that researchers should consider a range of issues when attempting to identify whether exploratory research is appropriate. For example, Babbie (2013) saw exploratory research as being linked to three drivers in relation to the concept under consideration; lack of data, the newness of the concept and the immaturity of theorising on the subject.

In terms of mate crime, all three of these drivers are present. As regards data, there are currently no official or national available statistics available in the UK (or elsewhere, for that matter) in relation to the occurrence of mate crime.

Although there is access to other related crime data, such as police figures in relation to disability hate crime, it is likely that this official data under-represents the extent of offending against disabled people (Corcoran et al., 2015, p.21) .

As will be seen, further evidence in relation to under-representation is provided in more detail by the survey of all police forces conducted as part of the fieldwork of this study (see chapter four). In addition, in respect of the newness of the phenomenon, mate crime is a relatively modern concept which appears to have received its first public mention only as recently as 2009 (Grundy, 2009). This has meant that there has been very little research conducted on the subject. Indeed, a review of academic literature suggests that the first scholarly references to the concept of mate crime did not occur until two years later (Grundy, 2011; Thomas, 2011). This issue is something which the very existence of the current study is seeking to address in some way.

In respect of Babbie's final driver for exploratory research, there is very little doubt that theoretical explanations of mate crime are at a preliminary stage, Indeed, although (as its name implies) mate crime was originally conceptualised as a form of hate crime, evidence of its theoretical immaturity is provided by the

fact that untested alternative hypothetical suggestions have arisen in attempts to explain the phenomenon.

For example, one tentative line of thought has been to suggest that mate crimes could be explained by theories which underpin domestic abuse (Thomas, 2011; McCarthy, 2017), whereby the offences occur as a consequence of the dynamics of power and control within a relationship (Thomas 2013; Yardley et al., 2013). This approach is initially appealing, in that there are many similarities between domestic abuse and mate crime. However, as will be seen, there are also some clear differences. For instance, the types of relationships between perpetrator and victim within mate crime relationships are often far more diverse than the typical family or intimate relationships associated with domestic abuse. In addition, mate crimes cannot be adequately explained solely from a feminist perspective.

One other theoretical suggestion is that of Joanna Perry (2013), who has suggested that offences of this nature could be seen as simple “grooming” type offences (Perry, 2013, p.48) and need no other explanation. This uncomplicated hypothesis is also initially appealing. However, one of the difficulties with this type of position is that it is hard to see how it might explain, for example, why some perpetrators would groom a victim with the intention of harassing them or, in extreme cases, murdering them. In addition, the grooming interpretation assumes that friendly relationships are actively pursued in advance by offenders as a means of committing mate crimes. However, as will be seen later and is discussed below, the evidence might suggest that this might not always be the case in mate crimes.

Mate crime is such a new and contested concept that, at the time of completing this thesis, insufficient evidence has yet arisen to substantiate either of the above hypothetical positions. Hence, in relating this study in previous work (Greener, 2011), there were no grounds for moving the theoretical foundations of mate crime away from their original conceptualisation as a form of hate crime against disabled people. Having said that, when this study began, both hate crime and disability studies theoretical explanations were still very much at the preliminary stage (Babbie, 2013) in terms of explaining mate crime. Indeed,

mate crime's parent field of disability hate crime has itself been acknowledged as "a very young (and rather small) field of study" (Emerson, 2014, p.495).

In summary, mate crime appears to be a phenomenon which is ripe for study. One further motivating factor for researching this topic is its potential significance. Although there has been passing comment on its influence as a factor in some homicides of disabled people (see para 1.2 above), institutional acceptance of its influence has been very limited. Table 1. 1 below provides a short list of recent homicides of disabled people, all of which could be construed as mate crimes. Despite this, none of these homicides have been identified or described as such. This list is provided to show that these cases are not isolated and that their explanation holds significant public interest.

Table 1. 1 Recent homicides of disabled people - potential mate crimes

<p>1) Brendan Mason, age 23, had learning difficulties. In July, 2016 he was lured to his death in Leicester by two men who filmed themselves as they beat him, stripped him naked and then left him. He subsequently died in hospital after suffering 99 injuries. The court heard the men had been friends of Mr Mason and planned to assault him. Judge Michael Chambers QC said "You subjected him to a brutal and sustained attack in which you caused him great pain and humiliation". (BBC News, 2017a)</p>
<p>2) Jimmy Prout, 45, was found dead on wasteland near his home in North Shields in March 2016 and two men were found guilty of his murder. A jury heard he was tortured by a group he thought of as friends who subjected him to months of abuse including being forced to eat his own testicle. They heard that a series of events created tensions that led to a number of serious assaults against Mr Prout, which included him having his teeth knocked out with a hammer and chisel. Paul Greaney QC, prosecuting, said: "Jimmy Prout was not just mistreated, he was tortured". (BBC News, 2017b)</p>
<p>3) Lee Irving, 24, who had learning disabilities, was murdered in Newcastle in November 2015 by people he thought were his friends. He suffered multiple injuries, including 27 rib fractures. Four people were jailed over his murder. A subsequent Safeguarding Adults Review revealed that since the age of four, 14 agencies had been involved with Mr Irving, who had an IQ of 56. The review said it was unclear if Mr Irving's death could have been prevented. (BBC News, 2017c)</p>
<p>4) In August 2015, Susan Whiting, age 20, a student with learning difficulties, went to stay the night with a couple in Walsall after first becoming friends with the murderer's wife through a local adult community centre. As Susan had stayed with the couple before, her family trusted them. However, the following day she did not return home and the police subsequently found her body under a bed in the couple's house. She had been drugged, raped and killed. The man was convicted of the rape and murder of Miss Whiting and was jailed for life and his wife was convicted of her manslaughter. (BBC News, 2016)</p>

5) In May 2015, Phillip Nicholson, who had learning difficulties, was invited to the flat of a couple on the pretence of meeting another girl with whom they were friends. He was there brutally attacked and stabbed by the couple who made a recording of the final moments of Mr Nicholson's life in which he was heard saying: "Stop, I just want to be friends, please". DCI Stewart Balmer of Dorset Police described it as "one of the most harrowing cases I have dealt with in 30 years' service". (BBC News, 2015)

This thesis will uncover the extent and nature of mate crimes and show why it is a useful concept to explain cases such as these and perhaps help to prevent them in the future. The guiding research aim of this study can be summarised as follows:

What is the nature and extent of mate crime offending against disabled people and how effective are institutional responses?

The central research questions are:

- What is the extent of mate crime offending against disabled people?
- What is the nature of mate crime?
- How effective are institutional responses to mate crime?

1.4 Structure of this thesis

For mate crime to be fully understood, this study is under-pinned by theorising both in relation to hate crime and interpretations of disability. The next chapter begins with theoretical interpretations of hate crime, including an examination of what hate crime studies is and how hate crime has been defined, and concludes with an overview of how hate crime theory informs this study. It then moves on to establish an understanding of how the concept of disability has been interpreted by first examining attempts to define disability, and then considering some of the theorising around disability, with particular reference to how significant contemporary interpretations of disability have developed.

The following chapter continues with a more focused examination of the literature in relation to mate crimes against disabled people. In terms of scholarly output, mate crime forms only a small part of a small body of research into disability hate crime (Emerson, 2014). However, this thesis draws upon a

variety of academic disciplines including hate crime, social work, criminal justice and disability studies within the wider fields of criminology and sociology. These are also used to try to understand the institutional responses to mate crime in terms of criminal justice practice and the safeguarding of disabled people. In this respect, the focus is not only on the role of the agencies of criminal justice such as the police, the legislature and the Crown Prosecution Service (CPS), but also on the response of local authority Adult Social Care services. In particular, the chapter examines the extent to which local multi-agency Safeguarding Adults arrangements (Association of Directors of Social Services, 2005; Stevens, 2013) provide an effective response to disability hate crime in England and Wales.

Following the above review of literature, Chapter 4 outlines the design of the study upon which the thesis is based. Beginning with a specification of the research aim and associated questions, it describes and discusses the multiple methods approach used to address the research aim. A combination of the three chosen methods is outlined; including a survey of all police forces in England and Wales, a case study analysing a sample of mate crime incidents from one specific police force, and some semi-structured interviews on the subject of mate crime with a sample of key stakeholders. The chapter explains why this particular combination of both quantitative and qualitative methodologies was chosen to address the three research questions.

The rest of the thesis then follows the investigative path of the empirical research. All three chosen methods contribute towards the overall aim of the study. Chapter 5 discusses the findings arising from the survey of all police forces, together with some of the findings from the case study of police documents, to provide a broad assessment of the extent of mate crime. In Chapter 6, the main bulk of the findings from the case study of police documents are analysed and discussed. These prove most useful in providing an insight into the nature of mate crime. The interviews with key stakeholders, the final piece of fieldwork, are then subject to analysis in Chapter 7. The interviews provide a substantial amount of evidence in relation to the effectiveness of the institutional responses to mate crime.

In Chapter 8, all of the data and associated discussions are then drawn together to provide answers to the research questions and to summarise what this study reveals about the nature and extent of mate crime and how institutions are responding to it. The chapter concludes with recommendations as to how responses to mate crimes might be improved.

To achieve the above, the findings of this study are presented in language which is not intended to detract from the messages of the thesis. There are a plethora of terms which have been used in a derogatory way over centuries and have facilitated in the oppression of disabled people (Clark and Marsh, 2002). Likewise, more indirect references to disabled people have been more recently identified in terms of “the language of shirkers and scroungers” (Garthwaite, 2011, p.369). These concerns around language are not merely semantic for, as Oliver (1996) suggests, language itself can have a “disabling effect” in the way that it is “used to shape meanings and even create realities” (ibid, p.34). There is little doubt that inappropriate language and terminology can lead to negative impressions of disabled people (Briant et al., 2013) and hence endeavours have been made to use appropriate terminology throughout. A significant example of this type of usage is that of ‘people-first’ language (Snow, 2009) – expressions such as ‘persons with disabilities’. This type of terminology is used not only by EU organisations and elsewhere in the world, including the US and Canada, but also by the United Nations (2006) in the Convention on the Rights of Persons with Disabilities. Yet the appropriateness of people-first language is disputed by many disabled people in the UK who see its use, “not as a question of semantics, but as an important and sensitive issue” (House of Lords Select Committee on the Equality Act, 2016, p.24). The accepted form of language in the UK in relation to disability is to refer to someone as a disabled person and this is the terminology used throughout this thesis where practicable.

Terms “shape meaning” (Oliver, 1996, p.34). For instance, some commentators have questioned the appropriateness of “softer’ terms such as ‘abuse’ in describing violence against disabled people” (Hollomotz, 2013, p.61). Others prefer ‘disablist’ hate crime to the term ‘disability’ hate crime (Perry, 2013). Concerns have also been raised about the use of “victim terminology” (Edwards, 2013, p.696). Whilst accepting the legitimate concerns expressed in some of these commentaries, the ethos of this thesis is to use non-

discriminatory language whilst maintaining a discourse which is comprehensible to as wide an audience as possible. For example, there has been controversy over the interchangeability of 'learning disability' and 'learning difficulty'¹ (Rix, 2006; Holland, 2011; Tilly, 2015). 'Learning difficulty' is preferred by Some UK commentators (Goodley, 2001), including some self-advocacy groups (People First, 2017). However, 'learning disability' appears to be the favoured terminology used in most institutional guidance such as that of the police (Association of Chief Police Officers, 2012; College of Policing, 2014) and health (Health & Social Care Information Centre, 2015) as well as some other leading organisations of people with learning disabilities (CHANGE, 2017). Hence it is the latter term which is used predominantly throughout this thesis. Adam, a disabled people's representative who was interviewed as part of this study, perhaps best sums up this approach in his comment:

I've been involved in the disability movement for 20 years and I'm still learning. There are plenty of peers out there willing to put anyone right, sometimes unfairly. It's words... People can get torn to bits just for using wording. And it shouldn't be about that. "OK I got that word wrong. I've learned from that". But what we want is the essence of what it's about...

At the conclusion of this research, it will be found that 'it's about' how mate crimes play a significant part in the lives of some disabled people. It will be seen that disabled people living alone in deprived areas tend to be exploited, sometimes repeatedly, by groups of local people as well as by individuals. It will also be shown that exploitation can take a number of forms including theft, sexual abuse and murder and that abuse is facilitated by familiarity and friendship. These findings are supported by theoretical explanation, which will show how disabled people may be targeted not just because of their marginalised and stigmatised position in society but also because of perceived relational disadvantages connected with their impairments. As regards the institutional response to mate crime, it will be seen that institutional effectiveness has been limited, not just in the police and other criminal justice responses, but also in the response of multi-agency Safeguarding Adult services. The evidence suggests that this inadequacy of the institutional

¹ "An increasing number of international organisations and countries (e.g., USA, Canada, Australia) use the term 'intellectual disability'" (Holland, 2011, p.3)

response may be linked to a lack of data, a tendency to attribute abuse to a victim's impairment and a misplaced focus on vulnerability.

Chapter 2

Theorising hate crime and disability

Greener (2011) has proposed that, in order for research to be of value, it is not sufficient to simply identify that a knowledge gap exists, but that there should also be a “need ideally to be able to show that it arises in some way from previous work” (ibid, p.171). The next two chapters draw upon established theories to provide a basis upon which hate crime can be effectively understood. A review of the wider relevant literature begins in this chapter and this provides a sound theoretical basis for the more focused approach to hate crime and the institutional responses to it discussed in the next chapter.

The first part of this chapter provides an examination of the field of hate crime scholarship. As hate crime is conceptualised as a crime committed against disabled people, most of the rest of this chapter then examines theoretical understanding of disability. In particular, reference is made to the significance of the established social model of disability. The chapter then concludes by considering how contributions from these two fields, hate crime and disability studies, may be combined to provide an explanation of disability hate crime and disablism.

2.1 Theorising hate crime

Hate crime has been most commonly construed as a form of disability hate crime and thus a constituent of the more general offending category of hate crime (Thomas, 2011). Hence, to seek to understand this phenomenon, it is first necessary to understand how scholars have interpreted hate crime and its effects.

Hate crime is a relatively complex phenomenon. Although history might show that such behaviour has existed for as long as we might care to speculate, it is only within the last generation that the issue has been conceptualised and started to receive significant attention in terms of academic interest and public policy and legislation. Green, McFalls, and Smith (2001) suggest that hate crime theories can be categorised along a spectrum between two distinct levels

of analysis, the individual and the societal. The individual level of analysis typically looks to psychology to explain why people commit hate crimes (Levin and McDevitt, 1993; Craig, 2002), whilst the societal approach is usually depicted as concentrating on wider social forces such as deprivation, social mobility, etc. (Green et al., 1998; Perry, 2009). However, Perry (2009, p.56) claims that recent literature on hate crime has been dominated by psychological and social-psychological accounts. In keeping with its exploratory position, this study will refer to both types of approach, but most reference will be made to this second group of broader societal explanations as a theoretical base. This type of analysis is favoured by other contemporary leading UK hate crime scholars (Iganski, 2008; Garland, 2011; Chakraborti, 2015). Indeed, Iganski (2008, p.117), whilst accepting that hate crime has in the past been relatively absent as a topic of study within sociological disciplines in the UK, has argued that academic criminology and sociology are "...the natural disciplinary homes for the study of hate crime". Commentators such as Walters (2011, p.313) have likewise observed that criminological research about hate crime has been relatively scant. He claims that this is not just due to the fact that hate crime has only been recognised as a category of criminalisation within the last couple of decades, but also because there is still little agreement as to what constitutes a hate crime offender. Perry (2009) supports this view, and suggests that criminologists struggle to identify hate crime offenders because neither public policy, nor legislative, nor academic discourse has produced a commonly-accepted definition of hate crime.

2.1.1 The development of hate crime scholarship

Following the civil rights movements of the 1960s, interest in the subject of hate crime first developed in the USA (Jenness and Grattet, 2001), where it is often referred to as 'bias' crime. In an early influential US hate crime study, Jacobs and Potter (1998) drew upon the ground-breaking earlier research of the renowned psychologist Gordon Allport (1954) and his seminal book *The Nature of Prejudice*. Aside from his valuable contribution to the field of psychology in this and other works, Allport's theorising is significant in terms of its subsequent influence on hate crime. Although hate crime had not been conceptualised when Allport published his book, he observed that manifestations of individuals' prejudices could be seen to occur in a progressive way. Accordingly, he

proposed a five-point scale of prejudice which ranged from antilocution² at one end of the scale to extermination at the opposite end and, with the benefit of contemporary knowledge, this scale can be seen to include a broad spectrum of contemporary hate crime offending.

In their work, Jacobs and Potter (1998) agreed with Allport that most prejudices have some “functional significance” for the persons holding them (Allport, 1954, p.372), including helping them explain social problems by means of scapegoating others or simply to provide feelings of security or self-esteem. They reached the conclusion that “hate crime is not really about hate, but about bias or prejudice” (Jacobs and Potter, 1998, p.11). They were unable to be prescriptive about prejudice itself, however, describing it as a “complicated broad and cloudy concept” (ibid, p.11). These observations about prejudice and the socially-constructed nature of hate crime are still relevant today and have helped to provide a basis upon which contemporary hate crime theorising is based.

In another early piece of influential research, Levin and McDevitt (1993) conducted a survey by extracting information from the hate crime records of Boston Police in the USA. From this, they developed a typology of the motivations of hate crime offenders which they elaborated upon over time (McDevitt, Levin and Bennett, 2002; McDevitt et al., 2010). Interestingly, and perhaps contrary to expectations, they established that those with extremist motivations to commit hate crimes (whom the study referred to as ‘mission-seekers’) featured as only a small minority at less than one per cent of their sample (McDevitt et al., 2002, p.307). In subsequent work regarding the same sample, they identified that the most common motivation for offenders was that of ‘thrill-seeking’. Hate crime offenders motivated by thrill-seeking were in the majority, representing approximately two thirds of their sample (ibid, p.307). Apparently Boston police investigators’ reports suggested that this thrill-seeking was based on an “immature desire to display power” (McDevitt, Levin and Bennett, 2002, p.308). The relevance of power in subsequent theoretical explanations of hate crime is discussed below, whilst thrill-seeking as a motivation for some hate crimes will be discussed later in the thesis.

² What might now be referred to as *hate speech*.

Apart from findings in relation to types of motivation, their research also revealed two other aspects of hate crime relevant to this current study. The first of these was that hate crime offences were often committed by “multiple offenders” (McDevitt et al., 2002, p.302). This characteristic has been found to be the case in other studies (Gadd et al., 2005; Doherty, 2013) and will later be seen to be relevant to this current study.

The second significant and perhaps more often repeated observation arising from the study (McDevitt et al., 2002), was that some hate crime perpetrators regularly commit their offences in the locality in which they reside. This early finding that hate crime offenders tend to operate within their own local areas is consistent with other work on hate crime (Sibbitt, 1997; Gadd et al., 2005). Interestingly, in terms of mate crime, the tendency was also identified as a consistent factor in Doherty's (2013) study of the nine homicides attributed as mate crimes. As will also be seen, this observation is also consistent with the findings arising from the fieldwork in this study (see Chapter 6). Indeed (as is discussed in more detail later in this chapter and elsewhere) the tendency for hate crime to be locally committed has inspired one contemporary scholar to conceptualise this tendency as “localism” (Garland, 2010, p.167).

However, notwithstanding the academic activity in the USA, it was not until a decade or so later that scholarly interest in hate crime began to be stirred in the UK. Bowling (1999) suggests that interest arose following events such as the Brixton riots in 1981, which were seen as resulting from police inadequacies in dealing with racist violence (Scarman, 1981). Interest then continued after the murder of Stephen Lawrence in 1993 and the subsequent public enquiry by Lord McPherson (Macpherson, 1999). As might be anticipated from these beginnings, hate crime scholarship began in the UK (much like the USA) with its focus mainly on attitudes towards race. It is only in more recent years that the focus of hate crime has widened to include other minority groups such as LGBT and disabled people, both in issues of public policy as well as specific areas of academic study.

One early significant UK study was Sibbitt's (1997) examination of racist violence in London. As with earlier US work, she was able to demonstrate that offenders tended to act in groups. Although she could not identify any particular

age or gender profile of offenders, she did observe that the prejudices which appeared to inspire their behaviour tended to be shared by the wider community in which they lived, concluding that “the wider community not only spawns such perpetrators, but fails to condemn them and actively reinforces their behaviour” (Sibbitt, 1997, p.vii).

Although Sibbitt’s research did not specifically examine disability hate crime, she did note that the perpetrators of racist hate crime were also often involved in more general crime and violence towards other groups to the extent that hate crime offenders “terrorise not only members of ethnic minorities but others in the community more generally” (Sibbitt 1997, p.101). She also noted several other general characteristics about hate crime perpetrators. These included the observation that many of them came from families where there was a lack of identity, where there was insecurity about the future, and where there were physical and/or mental health issues. Her finding in relation to the insecure backgrounds of perpetrators was consistent with that of Ray and Smith (2002) who, in their study of hate crime offenders, found that many were unemployed and most of the rest were in low-skilled jobs. They also found that most racist perpetrators in their study had previous convictions for other offences including theft, assault and drugs. This is supported by Gadd et al.'s (2005, p.4) later work interviewing hate crime offenders in North Staffordshire whereby he identified that hate crime offenders tended to accept violence as a routine way of resolving conflict. Again, none of these observations are inconsistent with Doherty's (2013) later findings in relation to the perpetrators of hate crime homicides.

Sibbitt’s eventual conclusion in terms of attempting to explain why individual perpetrators committed hate crimes was that their actions were the result of a combination of the contextual factors within the community and the psychology of the individual involved. In terms of attempting to understand this psychology of the individual, in a subsequent US study, Craig (2002) reviewed a range of evidence from social psychology and other disciplines with a view to seeking common factors across hate crimes. She was relatively unsuccessful in her quest for commonalities and eventually reached the conclusion that “although hate crime perpetrators are overwhelmingly male, there are few additional shared characteristics” (Craig, 2002, p.97).

2.1.2 Defining hate crime

Research outcomes such as those experienced by the above scholars have prompted prominent UK hate crime theorists such as Nathan Hall (2013, p.122) to suggest that "...the search for a single, universal causal factor for hate crime is likely to be useless". Hall explains this by arguing that, although individual-level psychological approaches provided some contribution to understanding hate crime, they appeared to be unable to provide a complete explanation.

Notwithstanding the above, however, the efforts to comprehend hate crime have not only been in relation to establishing its causes but also, at a more basic level, there has been academic disagreement over what actually constitutes a hate crime. In the following section, this contention is explored in more detail.

Administrative definitions of hate crime appear to depend on the jurisdiction in which they occur and there is still no single agreed theoretical definition of hate crime. However, there does appear to be general scholarly acceptance that, like crime in general, it is a socially constructed phenomenon but that the socially contingent effects are particularly significant in relation to hate crime because stronger cultural factors are at work (Perry, 2001; Hall, 2013). Hence, compared with other crimes, there is more likelihood that what may be a hate crime in one jurisdiction will not necessarily be in another. A recent example of this in the UK has been Greater Manchester Police's decision to record attacks against goths³ as hate crimes (Garland and Hodkinson, 2014). Jenness and Grattet (2001, p.2) have suggested that these culturally contingent effects may have arisen because some victim groups have successfully sought to promote their inclusion as hate crime victims because to do so evokes "...drama, passion, and righteousness, and...an attendant demand for a response". This has been referred to elsewhere as "competition for suffering" (Mason-Bish, 2010, p.63), whereby those groups with less influence appear to miss out. More concerningly in terms of robust theory, it has led Jenness and Grattet (2001, p.155) to express concern that hate crime itself is merely a "policy domain" to

³ "The goth scene emerged initially in the early 1980s and centres upon a distinctively dark, sombre and sometimes macabre style of music and fashion. Goths typically wear black clothing and often have black or brightly coloured hair, particular styles of jewellery and, sometimes, tattoos" (Garland & Hodkinson, 2014, p. 617)

which “multiple institutional spheres have contributed to the invention, development and institutionalisation of the term”.

The above may serve to explain some of the reasons why academics have struggled to agree a global definition of hate crime. As Boeckmann and Turpin-Petrosino (2002, p.208) comment:

There is no consensus...Part of the reason for this lies in the fact that cultural differences, social norms, and political interests play a large role in defining crime in general and hate crime in particular.

Notwithstanding this lack of consensus over a definition of hate crime, there does appear to be some agreement about the misleading nature of the term ‘hate’. Some theorists have observed that the term hate crime is used in relation to some types of victim but excludes others (Jenness, 2001). Alternatively, some scholars (Iganski, 2008b; Gerstenfeld, 2013) have suggested that it may be a misnomer to use the term ‘hate’ at all as a description of this type of crime. Jacobs and Potter's (1998) early recognition of the significance of prejudice as a factor has led to a considerable amount of psychological research being conducted into the phenomenon of prejudice (Hall, 2013). The significance of prejudice (and its relationship with hostility and contempt) as a factor in hate crime is an issue which this thesis will seek to examine further as part of its aim to understand the nature of hate crime.

Indeed, consistent with the previous assertion of Jacobs and Potter (1998), Craig's (2002) research led to her producing a relatively simple definition of hate crime founded on prejudice as a motivation, with no mention of the word ‘hate’:

An illegal act involving intentional selection of a victim based on a perpetrator's bias or prejudice against the actual or perceived status of the victim (Craig, 2002, p.86).

However, it has been noted that “scarcely any of this research examines directly and systematically the question of why prejudice erupts into violence” (Green et al., 2001, p.480). Within this discourse then, it is understandable that theorists have offered alternative definitions as to what constitutes a hate crime. Barbara Perry (2001) went further by proposing that that the identity of the victim is irrelevant to the perpetrator and that one of the significant motivations for hate crime is not based on individual characteristics but rather that the victim is a

member of an identifiable group, (Perry, 2001, p.55). In so doing, she refuted earlier research (Levin and McDevitt, 1993) which had suggested that hate crime perpetrators tend to target strangers as victims. Her subsequent “comprehensive” (Chakraborti and Garland, 2015, p.4) interpretation of the concept included some of the complexities of hate crime and hence is noticeably longer than those presented above:

Hate crime ... involves acts of violence and intimidation, usually directed towards already stigmatised and marginalised groups. As such, it is a mechanism of power and oppression, intended to reaffirm the precarious hierarchies that characterise a given social order. It attempts to re-create simultaneously the threatened (real or imagined) hegemony of the perpetrator's group and the ‘appropriate’ subordinate identity of the victim's group. It is a means of marking both the Self and the Other in such a way as to re-establish their ‘proper’ relative positions, as given and reproduced by broader ideologies and patterns of social and political inequality (Perry, 2001, p.10).

Apart from the notion that group identity is important, the definition includes a number of other significant aspects of hate crime offending which will be referred to as this thesis progresses. These include the assertions that hate crime is used as a mechanism of power and a means of othering (Perry, 2001; Roulstone et al., 2011; Chakraborti, 2015b) of groups already marginalised within society.

Perry's notion that hate crimes can be seen as being predominantly directed towards the perceived group identity of the victim was picked up by others such as Gerstenfeld (2013, p.11) who produced the following straightforward definition: “The simplest definition of a hate crime is this: a criminal act which is motivated at least in part by the group affiliation of the victim”

Gerstenfeld's (2013) focus on group affiliation or status as a motivator could be seen as similar to Craig's (2002) definition above. However, where Perry's more comprehensive definition is different is in the way she also sees hate crime as being an expression of the power of the dominant group. This interpretation is important in terms of society's response to disability, as will be discussed later in this chapter with reference to the oppression which disabled people

experience as part of their everyday lives (Abberley, 1987; Young, 1990; Perry, 2008).

2.1.3 Understanding hate crime

There have been a number of scholarly efforts at providing a theoretical basis for understanding why people commit hate crimes. Hall (2013, p.110) makes the observation that many sociological accounts use strain theory to explain hate crime. Merton's (1949) strain theory is a long-established explanation for criminality, and proposes that criminal behaviour follows on from the strain caused by anomie. Anomie was originally conceptualised by Durkheim (1893) in his influential book *Suicide*. Durkheim was a French philosopher from the nineteenth century who postulated that anomie tends to occur when individuals experience inner conflict if they fail to reach their expectations within society. He argued that individuals can respond in different ways to this anomic experience of conflict and, if their aspirations are not achieved, one of their options is to choose suicide. Merton (1949) adapted this concept to argue that criminality occurs when, in response to their growing anomie, individuals turn to crime as an alternative means of addressing inner conflict.

Merton's concept had longevity within criminological circles and was subsequently adapted by Agnew (1992), who developed this approach into General Strain Theory. In subsequent work (Agnew, Brezina and Wright, 2002), he proposed that strain was linked to criminality through negative emotions such as depression, disappointment and fear, but he concluded that anger was the most critical emotional reaction for the purposes of the general strain theory: "Anger results when individuals blame their adversity on others, and anger is a key emotion because it... creates a desire for retaliation/revenge" (Agnew, 1992, p.60-61).

Agnew's generic explanation that strain leads to anger which leads to revenge-motivated offending is one which has been adopted by some hate crime theorists, particularly in the US (Anderson et al., 2002; Burke and Pollock, 2004). Although strain theory has been less popular on this side of the Atlantic, adaptations of strain theory have also been proposed in the UK (Walters, 2011). However, strain theory approaches have by no means been universally accepted as an explanation for hate crime. Instead, other theorists have

adopted a very different approach. For example, in terms of general explanations for offending, theorists such as David Garland (2001) and Felson (2002), whilst not referring to hate crimes in particular, have argued that crime is simply a 'routine activity' for some individuals in modern society and that there is no special motivation to commit an offence. However, this routine activity approach to crime does not appear to be popular amongst hate crime theorists. For instance, Iganski (2008) appears to position himself in the middle ground, accepting that, although strain theory may be of little relevance, the routine activity type of explanation espoused by David Garland is also flawed in its approach when it seeks to disregard the motivations of hate crime offenders. Iganski argues that, although anger and other individual motivations of offenders may be of little relevance, there is evidence which suggests that those who commit hate crimes share values which are "tightly woven into the structural fabric of society" (Iganski, 2008, p.121). This view is consistent with previous fieldwork findings (Sibbitt, 1997) that the structures within society allow the cultivation and continued existence of bigoted attitudes, which actually then find themselves being promoted within the value systems of hate crime offenders. As will be seen later, it is also consistent with theoretical constructions of disability such as that proposed by the social model of disability (Oliver, 1990). However, rather than taking a materialist perspective, scholars such as Sibbitt (1997, p.35) have interpreted these "separatist attitudes" towards minorities as largely cultural. In a study of racial hatred, she observed that they were characteristic of some sections of the community in which potential perpetrators of hate crime were "providing daily reinforcement for the attitudes and behaviour of actual perpetrators" (Sibbitt, 1997, p.103).

Following on from her definition of hate crime, Barbara Perry (2001) offered a more hybrid explanation. She acknowledged that these types of crime may be committed in response to strain, particularly when perpetrators reside in areas of deprivation and struggle to earn a living. However, she identified the inconsistency of strain theory which would predict that those under the most strain commit hate crimes. This, in turn, would suggest that the deprived minority groups who are under the most strain (such as disabled people, for example) would be the perpetrators of hate crime. However, in fact, the case is almost the opposite in that one of the characteristics of hate crimes is that they

are typically committed against members of deprived minority groups by members of the majority within that community (Sibbitt, 1997). Instead, Perry offered an explanation of hate crime situated within the theoretical framework provided by Messerschmidt's (1993; 1997) Structured Action Theory that all individuals within society conform to nominative expectations of identity. She argued that this then leads to the action of doing difference whereby individuals reinforce this structural order by engaging in the process of identity formation. She then went on to propose that those who are seen as having an identity which is different to the majority are marginalised, feared and resisted and that "hate motivated violence is used to sustain the privilege of the dominant group" (Perry, 2001, p.55).

In contrast to strain theory, Perry's interpretation has the advantage in that it serves to explain why a typical hate crime usually involves majority group-member versus minority group-member and not the other way around. Indeed Chakraborti and Garland (2009) have argued that Perry's conceptualisation of hate crime is valuable in that it emphasises the importance of the group identity of the victim, which thus allows it to be applied not just to minority ethnic groups, but to all marginalised communities. However, although her comprehensive definition does recognise the complexity of hate crime whilst still acknowledging that it is culturally contingent, not all hate crime theorists have been completely convinced by Perry's structural account. For instance, Iganski (2008, p.118) has warned that Perry's work ran the risk of portraying perpetrators as "...automatons, purposively acting out bigotry that pervades the social structure". Iganski is not the only contemporary theorist who has disagreed with Perry. In his critique of Perry's theorising, Walters (2011, p.313) also observed that her theory does not explain why some individuals under strain go on to 'do difference' by committing hate crimes, whilst others do not. Likewise, Hall (2013) suggested Perry's one-dimensional approach of portraying power as the main dynamic in hate crime was too simplistic in that it failed to explain all of the complexities of hate crime. He points out, for example, that Perry's theory is unable to explain the rare occasions when minority group members do visit hate crimes upon the majority.

2.1.4 Contemporary approaches

Given the diversity of these opinions, it is understandable why, in a later work, Garland and Chakraborti (2012, p.48) described the whole concept of hate crime as:

Inherently problematic... with its precise meaning elusive and its parameters vague... There seems little agreement, either theoretically or practically, regarding its constituent parts.

As if to confirm this lack of scholarly agreement, in the same article they suggested that hate crime should be reconceptualised as a form of “targeted victimisation” (ibid, p.38) as they argued that this would assist in achieving a better understanding of hate crime through an individualised rather than a group-based approach. Garland and Chakraborti are not the first scholars to suggest the reconceptualisation of hate crime in similar terms. As long ago as 2001, Stanko (2001, p.318) produced “a conceptual suggestion to use the phrase ‘Targeted Violence’ rather than hate crime” (see para 3.3.4). Stanko (2001) also identified vulnerability as being significant in terms of hate crime offending, choosing to refer to it from the perspective of “relational disadvantage” (ibid, p.318). However, notwithstanding the worthiness or otherwise of these contributions, it would appear that in the UK and Europe both public policy and the academy, still remain committed to the concept and terminology of ‘hate crime’ (Daphne III Programme, 2011).

In another scholarly contribution Chakraborti and Garland (2012) went further in providing an alternative to Perry’s (2001) explanation of hate crime. Based on their observation that some groups, including goths (see above) as well as people with mental health issues and some disabled people, have tended to be side-lined by the more dominant identity groups in hate crime discussions, they argued that the “dynamics and specificities of victimization can be lost through the deployment of generic labels” (ibid, p.505). They thus suggested that, to counter this trend, “vulnerability and ‘difference’ should feature more prominently in the ways in which scholars and policy-makers...think about hate crime” (ibid, p.502). In such a way, they proposed that hate crime should not just be about selected minority groups, but that all “vulnerable communities and social groups” should be regarded as being capable of being subjected to hate

crime. They challenged Perry's notion that all hate crimes are mechanisms of power designed to suppress the other and instead referred to the "ordinariness" of some hate crimes and suggested that:

Victims of hate crime may be targeted not just for their violation of accepted social norms, but because they are stereotypically perceived as 'easy' or 'soft' (Chakraborti and Garland, 2012, p. 503).

Even more recently, Garland (2015) re-affirmed this position and made the observation that hate crime scholarship has:

...begun to take a different turn, moving away from a group identity-based view of hate crime victimization toward one in which the individual vulnerability of the victim, and his or her heightened risk of being targeted, is more significant Garland (2015, p. 8).

Garland cites the case in 2007 of Sophie Lancaster, who was murdered because of her appearance as a 'goth'. This murder had all the typical characteristics of a hate crime, but clearly Sophie was not targeted because of deep-rooted prejudices against her association with one of the historically marginalised and disadvantaged victim groups, such as being a disabled person or being of a different race or ethnicity (Garland, 2010). Instead, it is argued that she and her boyfriend were targeted because of "fear of their difference" (Garland and Hodkinson, 2014, p.627) and were seen as easy targets, whether or not they came from a group with a history of disadvantage.

It is difficult to contradict the notion that that hate crime of any sort (including the Sophie Lancaster case) occurs through some perceived structural power imbalance. In the case of Sophie Lancaster, however, it would appear that the power imbalance was not a result of a history of deep-rooted prejudice against a particular group, but more confined to a specific contemporary sub-culture and occurring as a result of "'localism'...the hostility felt towards the 'other' [which] characterises many such isolated and monocultural communities" (Garland, 2010, p.167). As has previously been noted in other studies (Sibbitt, 1997; McDevitt et al., 2002; Dunbar et al., 2005; Gadd et al., 2005), the available evidence suggests that these types of crime are committed by people residing locally to their victims. In addition, these observations in relation to localism certainly appear to have some relevance to the issue of mate crime, as

will be seen when the concept of *localised knowledge* (see para 6.2.3) is introduced in respect of the fieldwork findings of this thesis.

Although still in an early stage of academic development and seemingly still identity-focused, this latest conceptualisation of hate crime as being linked to perceived vulnerability as well as difference is interesting in terms of hate crime against disabled people. When the findings from the fieldwork are discussed in later chapters, opportunities will be taken to assess the value of this approach as an explanation for hate crime as well as the more traditional approach to hate crime offered by the more structural approach to hate crime as proposed by Barbara Perry (2009).

It would appear from the above that an agreed definition of hate crime is still in the process of development and hence any future scholarly definition might seek to be inclusive of all of the above contributions. In the meantime, however, hate crime also has its own formal administrative definitions. For example, in England and Wales, there is a general administrative definition of hate motivation offered by the police:

Hate crimes and incidents are taken to mean any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised (College of Policing, 2014, p.3)

The above definition refers to itself as "broad and inclusive" (*ibid*) and is seen as providing a straightforward means of facilitating inclusion of what has been discussed above. In the next chapter (see para 3.3.1), this definition is examined in more detail as it is the basis for the College of Policing's definition of disability hate crime. This in turn is then used for the purpose of this thesis as the means for providing a provisional definition of hate crime.

However, before proceeding to discuss these issues in detail, the next section will focus on theorising around the subject of disability itself.

2.2 Theorising disability

In her hate crime definition, Perry (2001, p.10) referred to "stigmatised" groups. In the following section, theorising in relation to disability studies is explored by initially referring to the notion of stigma in the significant work by US theorist

Erving Goffman. The rest of the section then examines how disability is defined before considering the development of contemporary UK and European perspectives on disability.

2.2.1 Stigma and the contextual history of disability

Goffman's (1963) influential work on the study of stigma provides an early interactionist⁴ perspective on the social mechanisms at work in the stigmatisation of minorities. His observations also help to provide an enduring sociological explanation as to how disabled people are oppressed. The contribution of Goffman (who was writing for a predominantly US readership) to the understanding of society's response to disability has been subsequently questioned and seen by some as lacking relevance to the UK social model of disability (Finkelstein, 1980; Abberley, 1987,1991) discussed below.

Notwithstanding this, Goffman's observations do provide some insight into how disabled people might be abused and, indirectly, how hate crimes may occur.

Goffman argued that society dictates the complement of attributes of individuals which are felt to be ordinary and natural. He claimed that, in day-to-day transactions, individuals make use of these anticipations that have been created within society and transform them into normative expectations as to how individuals should be categorised. So, when presented with a stranger, people rely on these pre-formed expectations to establish if there is any evidence of the stranger possessing an attribute that makes him or her different from others in the category of persons available to be. Goffman observed that if the dominant group in society finds a person to be different and of a less desirable kind, then that individual is subsequently reduced in the minds of the majority from a whole and normal person to a tainted, discounted one. It is in such a way, especially when the discrediting effect of the attribute is very extensive, that a form of social construction occurs whereby a person is ascribed a stigma; or, as Goffman observed, sometimes it is also called "a failing, a shortcoming or a handicap" (ibid, p.12). Goffman claimed that once a person is stigmatised, this attributed stigma then allows other members of society to turn away or deal with that person in a certain way. Goffman also went on to postulate how individuals

⁴ Interactionism is a theoretical perspective in sociology that sees social processes (such as identity formation) as arising as a product of human interaction.

might respond to being stigmatised, claiming that stigmatisation often results in feelings of shame, fear and anxiety. Shame was said to arise from the individual's perception that his or her attribute (in the case of disabled people, this would be their impairment) is a "defiling thing to possess" (Goffman, 1963, p.18). An individual could also become fearful merely of the potential of the disapprobation of others which might arise in response to the impairment. Goffman argued that this fear meant that the disabled person was "always insecure in his contact with other people" (ibid, p.24). In other words, the fear of being stigmatised as a disabled person was likely to be manifested in the form of personal anxiety. As Goffman went on to point out, this anxiety could be particularly harmful to an individual's self-esteem, in that the attribute (i.e. the impairment) is not something the individual has the power to rectify. It will be seen that this explanation of Goffman's is very similar to the more disability-focused concepts of internalised oppression and psycho-emotional disability discussed below.

Goffman's observations were made in respect of all stigmatised groups, not solely in respect of disabled people. However, his comments in relation to the significance of difference initiated a theme which may be seen to be reflected in similar comments in the subsequent work of hate crime theorists (Barbara Perry, 2001, Garland and Hodkinson, 2014) discussed above. However, in terms of theoretical constructions of disability, his comments are also pertinent in the context of this thesis regarding the notion of what makes somebody 'normal'. The following is particularly descriptive of how stigmatisation can lead to oppression and abuse and provides one insight into the occurrence of the hostility underpinning hate crimes against disabled people:

Attitudes we normals have towards a person with a stigma, and the actions we take in regard to him, are well known... We believe the person with a stigma is not quite human. On this assumption we exercise varieties of discrimination... We effectively, if often unthinkingly, reduce his life chances... We construct a stigma theory, an ideology to explain his inferiority and account for the danger he represents. We use specific stigma terms such as cripple, bastard, moron in our daily discourse as a source of metaphor and imagery (Goffman, 1963, p.15).

As will be seen, Goffman's above references to the varieties of unthinking discrimination experienced by stigmatised individuals is of relevance to the model used to illustrate the course of mate crime (see figure 8.1), for it is unthinking discrimination which provides both the opportunity and also some of the grounds for offending against disabled people. However, Goffman's observation is also significant in other ways. For instance, his notion that stigmatised individuals are seen as not quite human can be related to the notion of dehumanisation, which has been observed as a feature of disability hate crime, especially homicides (Quarmby, 2008; Equality and Human Rights Commission, 2011; Doherty, 2013). However, it is his reference to who is normal which provides a useful introduction as a good means of understanding disability. Elsewhere in his study, he elaborated:

The notion of 'normal human being' may have its source in the medical approach... Whatever its origins, it seems to provide the basic imagery through which laymen currently conceive of themselves (Goffman, 1963, p.18).

Goffman suspected that the medical approach provided the basis for deciding who was normal, and his work suggests that deciding normalcy is a crucial concept in understanding how those who are seen as not normal then become the stigmatised and oppressed. His recognition that professional medicine was a factor associated with the stigmatisation of disabled people is an issue that was identified by UK theorists also (Oliver, 1990; Barnes, 1991).

Indeed, subsequent theorising has suggested that the position of disabled people within society is perhaps more complex than Goffman's early contributions. In fact, it has been said that any person attempting to categorise disabled people as a section within society would feel obliged to acknowledge that they form a highly diverse group (Traustadóttir, 2006). There is little dispute that disability is linked to the concept of bodily impairment, and there has been a long-running discussion amongst disability studies theorists about how impairment should be conceptualised (Oliver, 1996; Vernon, 1999; Thomas, 2014). However, it has been suggested that society's perceptions and misperceptions of normality and disability have been partly if not wholly determined through learning and the long-established natural transmission of ideology and culture (Barnes, 1991).

In trying to understand society's attitudes to disability, Barnes observed that these attitudes may be difficult to pinpoint and explain as there has been no universal approach either in the way disabled people are perceived or in the way society responds to them. Notwithstanding this, it has been recognised that disabled people have continued to face discrimination and prejudice at least since medieval times and probably since ancient times (Thomas, 1982; Barnes, 1991). This has included examples of extreme prejudices such as the abandonment of babies perceived to be disabled, a practice the origins of which can be traced back as far as ancient Sparta and Rome (Barnes, 1991; Harris, 1994; UKDHM, 2012). Similar historical examples of extreme prejudices have been seen in the medieval practice of identifying and executing disabled people as witches (UKDHM, 2012). In more recent times, consequences of prejudice have been slightly less extreme, but nonetheless oppressive, such as the displays of disabled people in freak shows (Garland-Thomson, 1996) and the segregation of disabled people into institutions (Barnes, 1991).

Given this contextual history of discrimination and prejudice, it perhaps comes as no surprise that disabled people have been perceived in a negative way by society. Some disability scholars such as Barnes (1991) have argued that "the medical profession's domination of all aspects of disability" (ibid, p.18) which has contributed in maintaining negative attitudes towards disabled people. He has suggested that this medicalisation has arisen from a perceived need to separate the "deserving" from the "undeserving" (Barnes, 1991, p.14) and this in turn has led to interpretations of disability being characterised by a heavy focus on bodily abnormality.

2.2.2 Defining disability

Thomas (2007, p.12) has suggested that, given the influence of the medical perspective in English-speaking cultures, the lay or common understanding of a disabled person has come to mean someone whose 'normal' activities are in some way prevented by "a medically certifiable condition". Until recent years this type of construction has dominated official definitions of disability, as exemplified by the *International Classification of Impairments, Disabilities and Handicaps* (ICIDH), introduced by WHO (World Health Organisation, 1980). Likewise, definitions of disability within UK criminal law have adopted a similar

blunt perspective. For example, as recently as the Criminal Justice Act, 2003 (the Act which is currently used to address disability hate crime offending) disability is defined in similar restricted terms: “Disability” means any physical or mental impairment” (Section 146(5) of the Criminal Justice Act 2003).

These types of biomedical definition have been criticised by disability studies theorists because they have located the source of disability primarily within the “malfunctioning of the biological body”, while playing down the effects of broader social and environmental contexts (Imrie, 2004, p.290). Similarly, Barnes (2003, p.9) has argued that the ICIDH is wrong in implying that impairment, disability and handicap are static states and also wrong in its implicit assumption that the human body is flexible and adaptable, whilst physical and social environments are not.

In any event, WHO have more recently replaced the ICIDH with the *International Classification of Functioning, Disability and Health: ICF* (World Health Organization, 2001). This more recent classification acknowledges that disability can result not just from health and personal characteristics, but also can arise from “the impact of the environment and other contextual factors” (World Health Organization, 2001). This biopsychosocial approach, although seen as an improvement on the previous ICIDH, has not been met with universal approval by disability activists. Barnes (2003) has been critical of its persistence in sticking to the medicalised approach to disability, suggesting that the ICF remains “grounded firmly in western scientific concepts and formulations”. (ibid, p.11)

Notwithstanding these concerns, attempts to define disability were subsequently agreed by the United Nations (2006) as part of the *Convention on the Rights of Persons with Disabilities* (CRPD). This definition reflects the more contemporary biopsychosocial interpretation of disability arising from the ICF. As can be seen below, the CRPD definition is one which, although acknowledging the biological nature of disability, is also reflective of the existence of social “barriers” in the lives of disabled people. It defines disabled people as:

Those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full

and effective participation in society on an equal basis with others (United Nations, 2006).

Although the CRPD approach has been influential internationally, it has still not yet been incorporated into UK law (Bartlett, 2012; Kilcommins et al., 2014 Equality and Human Rights Commission, 2017), and there is still no legal or administrative consensus on defining disability. For example, even just from a criminal law perspective⁵, different definitions are used in different contexts. To seek a fuller understanding of how this position has been reached and to understand why the definition of disability is so significant to disabled people, the rest of this section of the chapter examines theoretical interpretations of disability in more detail. It provides an account as to how the concerns raised by Barnes (1991) above, as to the risks associated with interpreting disability as a ‘western scientific concept’ have influenced contemporary theoretical interpretations of disability such that they have come to reject the view of disability promulgated by science and instead sought to interpret disability as a social concept.

The ubiquitous dominance of the medical approach to defining disability and its perceived negative influences for disabled people eventually became a motivating factor in the rise of disability activists and scholars in the UK and Europe. Significantly, as alluded to above, it was this type of view of “the medical profession’s domination of all aspects of disability” (Barnes, 1991, p.18) that helped to inspire UK disability activism in the 1970s. This activism led to the publication of a new, radical interpretation of disability by the Union of Physically Impaired Against Segregation (UPIAS) in 1976 as part of a manifesto, the *Fundamental principles of disability* (UPIAS, 1976, p.14). In this document UPIAS argued that impairment and disability were two separate concepts and that “it is society which disables physically impaired people” (UPIAS, 1976, p.3). Their argument this was helpfully summarised in the following terms:

We define impairment as lacking part of or all of a limb, or having a defective limb, organ or mechanism of the body; and disability as the

⁵ See definition of disability by Section 146(5) of the Criminal Justice Act 2003 above. Examples of other legal interpretations include (amongst others) terms such as “mentally vulnerable” (Police and Criminal Evidence Act, 1984, Code C, 1.7); “a mental disorder impeding choice” (Sexual Offences Act, 2003, Sec 30); and “a person who lacks capacity” (Mental Capacity Act, 2005, Sec 2).

disadvantage or restriction of activity caused by a contemporary social organisation which takes no or little account of people who have physical impairments and thus excludes them from participation in the mainstream of social activities. Physical disability is therefore a particular form of social oppression (UPIAS, 1976, p.3).

In what history has shown to be a significant moment for the disability movement in the UK (Finkelstein, 2007), UPIAS had made a fundamental distinction between impairment and disability. They broadly accepted the meaning of impairment, but the radical reinterpretation of the meaning of disability (as laid out above) broke the “traditional causal link” between the two (Barnes and Mercer, 2010, p.30). As the influence of the UPIAS principles began to grow, this eventually led to the development of a significant sociological model as a means of deepening understanding, subsequently referred to as the *social model of disability* (Oliver, 1983). Oliver, who subsequently claimed “parental rights to disability models” (Oliver, 1990, p.2) also postulated a contrasting but linked complementary model which he referred to as the *individual model of disability*. Oliver (1986) explained that the individual model of disability might be “more emotively called ‘personal tragedy theory’” (ibid, p.6), signalling its use as an explanation for society’s patronising and patriarchal approach to disability. Whereas he suggested in contrast that the social model of disability might be alternatively referred to as “social oppression theory” (ibid, p.6), reflecting the view that disability is something which is imposed on disabled people by society.

Oliver identified that medicalisation was a “significant component” (Oliver, 1990, p.2) of the individual model of disability and that medicalisation had in turn influenced society’s attitudes and responses to disabled people. Indeed, although they are not identical, the individual model is often referred to synonymously as the medical model of disability (Miller et al., 2006; Williams et al., 2008; World Health Organisation, 2011). He cautioned against “the dominance of personal tragedy theory” Oliver (1986, p.12) claiming that a purely medicalised approach contributed to oppressive attitudes to disabled people.

2.2.3 Contemporary disability perspectives

This affirmation that society's disabling culture (Finkelstein, 1998; Hughes, 2007; Beckett, 2013) had been the main contributory factor in developing barriers, negative attitudes and exclusion (purposely or inadvertently) of disabled people is one which has been significant in terms of disability studies. The social model of disability has been widely referenced as the 'big idea' (Hasler, 1993; Shakespeare, 1996; Sheldon, 2010; Beckett and Campbell, 2015) of the disability movement. In the UK, the social model of disability has subsequently been adopted as the dominant reference point for many groups when arguing for the rights of disabled people (Finkelstein, 2007). The following may help to provide a simple contemporary understanding of the social model:

Most people have an impairment, however minor – but they are not disabled unless there is a negative social response to them because of the impairment... Disability describes how society responds to people with impairments; it is not a description of a personal characteristic. A disabled person is not a 'person with a disability' (Miller, Parker and Gillinson, 2004, p.28).

It was argued that the approach represented by the individual model had been one which, rather than recognising the need for social, political or economic action, had instead reinforced dependency and allowed a culture which blamed the individual for perceived inadequacies (Finkelstein, 1991; Barnes, 1992). However, the conceptualisation of the social model subsequently began to lead to an increased understanding and acceptance that disabled people had been suffering material and ideological oppression and that one of the main sources of that oppression has been the continued dominance of the individual model of disability.

Finkelstein (1993) observed that, despite the recognition of the role of the individual model of disability in oppressing disabled people, however, the dominance of the individual model still meant that many disabled people had been forced to accept the 'label' of disability. He argued that individuals' acceptance of labelling may occur for a number of reasons, not least of which being the need to secure state support to face problems which disabled people might experience as a consequence of their impairments. Hence, Finkelstein concluded that the influence of the individual model and its requirement to label

people as disabled had led to the position whereby "...being labelled as disabled is a fact of life for all disabled people in the contemporary world" (Finkelstein, 1993, p.12). Finkelstein observed that the individual model and the consequent process of labelling permitted 'normal' members of society to view disabled people as socially dysfunctional. Indeed, in more expressive terms, Miller and Gwynne (1972, p.80) described being labelled as a disabled person as being regarded as "socially dead". This discriminatory consequence of the individual model of disability is significant in a number of ways for disabled people. The acceptance of a label does not simply lead to institutional dominance regarding impairment-related issues and nor are its effects limited only to internalised personal feelings of oppression and stigma. Once a disabled person has acquired a 'label', then it means that he or she may be subjected to institutional discrimination in a variety of ways, whether wanted or not, as will be seen when the institutional responses to disability are discussed in the next chapter.

In such a way the introduction of the social model of disability as an a explanation of what was happening in the lives of disabled people was seen as emancipatory (Finkelstein, 2007). Shakespeare (1992) – although now one of the academics currently voicing some dissent about the model - perhaps well captured the mood of the time and its significance for disabled people in the following words:

The achievement of the disability movement has been to break the link between our bodies and our social situation, and to focus on the real cause of disability, i.e. discrimination and prejudice (Quoted in Oliver, 1996, p.39).

Since the advent of the social model of disability, it has been suggested that Goffman's contributions on stigma and associated shame have been largely ignored in the UK (Scheff, 2003). Notwithstanding this, Priestley (1998) suggests that it may be what inspired some later disability theorists (French, 1992; Morris, 1992; Crow, 1996; Shakespeare, 1996) to begin moving away from the solely socio-structural approach of the social model of disability. Indeed, Goffman's descriptive analysis of the process of stigmatisation has been described elsewhere as a "highly insightful and yet unparalleled analysis" (Vernon, 1999) and his contributions continue to influence other disability writers (Shakespeare and Watson, 2001; Deal, 2007; Scambler, 2009).

Notwithstanding this, most UK contemporary contributions acknowledge the significance of the social model of disability as the “big idea” (Hasler, 1993, p.280). In terms of the study of hate crime, it is easy to see the relevance of the social model of disability as a means of understanding how disabled people are targeted as victims of this type of crime. Although its significance for UK disability studies is largely undisputed (Hasler, 1993; Shakespeare and Watson, 1997; Beckett and Campbell, 2015), the application of the social model is by no means an uncontested concept amongst UK disability scholars. For example, Shakespeare and Watson (2001) have questioned the applicability of the social model of disability on the basis of its approaches to identity and impairment. They argue that the social model’s conceptualisation of disability would continue to remain problematic if it persisted in arguing for the “denial of difference” (Shakespeare and Watson, 2001, p.14).

Shakespeare's (2006) views have been seen (Hughes, 2014) as reflective of a growth of a contemporary revisionist approach to the study of disability which has been referred to as post-structuralism (Goodley, 2001). Indeed, Shakespeare and others who have adopted a similar perspective have been referred to as adopting a social relational approach (Shakespeare, 2004; Thomas, 2004b), a position which is seen as claiming that “the social model overestimates what can be accomplished by environmental changes” (Tøssebro, 2004, p.5). Something which has particularly featured in subsequent developments since the social model of disability has been the recognition of the significance of personal experience and identity as factors in understanding disability. In this respect, Thomas (2004a) accepted that the social model of disability was correct in its interpretation that “the restrictions, exclusions and disadvantages that people with impairments experience as a result of disability” (ibid, p.39) were socially imposed.

However, whilst accepting that “the social model remains, and should continue to remain, in place as a powerful organizing principle, a rallying cry, and a practical tool” (Thomas, 2004c, p. 581), she also contended that “it is untenable to deny that impairment and illness cause some restrictions of activity” (ibid p.579). Her argument was that the social model still applied in its premise that disability occurs when “restrictions of activity are... socially imposed”, but she claimed that “other restrictions of activity in the lives of people with impairment

do arise directly from their impairments” (Thomas, 2004a, p.29). and that these had “direct and restricting impacts on people’s social lives” (ibid). She proposed that these “imposed restrictions of activity... are, of course, socio-biological in nature” (Thomas, 2004c, p.582) and should be referred to as ‘impairment effects’. She defined impairment effects as:

the direct and unavoidable impacts that ‘impairments’ (physical, sensory, intellectual, emotional) have on individuals’ embodied functioning in the social world. Impairments and impairment effects are always bio-social and culturally constructed in character, and may occur at any stage in the life course (Thomas, 2012, p.211).

In addition to all of the above, Thomas also referred to the significance of the psycho-emotional dimensions of disability: “oppression that disabled people experience operates on the ‘inside’... it is about being made to feel of lesser value, worthless, unattractive, or disgusting” (Thomas, 2004a, p.31). Thomas went on to characterise psycho-emotional disablism as another form of social oppression, similar to the ‘outside’ oppressive experiences of disabled people such as being turned down for jobs or being excluded from mainstream education on the basis of disability. The significance of psycho-emotional effects are discussed in more detail in the next section of this thesis when reference is made to the concept of disablism (Reeve, 2002; Hanisch, 2014). Thomas’ overall approach is appealing in terms of this study as it promotes the social model of disability as the primary means of explaining society’s restrictions on disabled people. However, by also acknowledging the influence of impairment effects and psycho-emotional effects, her approach allows for a more individualised understanding of biological, social and psychological aspects of disability. Thomas has referred to the disabling restrictions (such as oppression, poverty, isolation, etc.) predicated on the social model of disability as “disability effects” (ibid, p.44). As will be seen (see Figure 8. 1), disability effects, psycho-emotional disablism and impairment-specific issues are used to provide a theoretical basis for understanding why some disabled people may become hate crime victims whilst others do not. Hence, it is predominantly Thomas’ perspective which is used as the theoretical basis for interpretation of the data arising from the fieldwork in this thesis. In such a way, an understanding of the complexities of hate crimes against disabled people (and

particularly mate crimes) will include the significance of the social model of disability but will also acknowledge that other more individualised influences may be active.

As was established in the previous section, any understanding of mate crime also needs to be part of a theoretical hierarchy led by hate crime. As this chapter moves towards seeking a theoretical understanding of mate crime, the next section will consider how theorising offers a path between the two fields of study, hate crime and disability studies.

2.3 Intersecting hate crime and disability studies

The limited research on disability within criminology and hate crime studies has meant that most academic contributions on disability hate crime have emanated from the field of disability studies. (Clement et al., 2011; Piggott, 2011; Roulstone and Mason-Bish, 2013). These contributions have tended to approach disability hate crime as another form of oppression experienced by disabled people (Hollomotz, 2012b; Roulstone and Sadique, 2013). It has been suggested (Sherry, 2010; Roulstone et al., 2011) that this has led in some quarters to disability hate crimes being construed less as situations whereby predatory offenders target disabled people as a result of criminal opportunism, but more “as a consequence of entrenched social factors” (Macdonald, 2015, p.357). Of course, as will be seen from this study, the reality is that predatory offenders do take opportunities to commit disability hate crimes, but they do so in a social context where oppression of disabled people may be a significant contributory factor in their offending. As this study progresses towards its stated aim of understanding the nature and extent of mate crime and the effectiveness of institutional responses, it can be seen that hate crime and disability studies both have relevance to the understanding of this recently-identified phenomenon.

In terms of the intersection of hate crime and disability studies, theorists tend to agree that the social context in which victims are targeted often arises on the basis of more than one aspect of their identity (Mason-Bish, 2014; Chakraborti, 2015; Sherry, 2016). In respect of disabled people, it is accepted that differences in impairments may stretch across a wide range, including physical,

sensory and intellectual. Yet, these differences are the source of only one variation. Disabled people belong to all racial groups, and are to be found in all nations and cultures of the world in both rural and urban areas. Diversity in this group is also intensified when factors such as gender, sexuality, social class, stage of life and other modes of identity categorisation are also included. As might be expected, the developing fields of disability studies and hate crime have yet to explore all of this diversity in detail, but there has been increasing use of the concept of intersectionality as a means of explaining social effects which go “beyond conventional singular constructions of identity” (Chakraborti, 2015, p.1745).

Intersectionality is a concept which was originally postulated amongst feminist scholars (Crenshaw, 1991) and is based on “acknowledging the complexity and multi-layering of identities and experience” (Horvath & Kelly, 2007). Thomas (2012, p.223) argues that the concept facilitates understanding of multiple inequalities in a number of ways. For example, by reducing reliance on the way in which a single homogenised identity group might hide differences in power and status between individuals or confine differences to simple reductionism. Intersectionality, on the other hand allows for an appreciation of how different identity attributions can interact in complex ways and have different significance depending on the environment within which the individual is operating.

Chakraborti & Garland (2015, p.153) argue that intersectionality allows for more flexible and evolving criteria for hate crime victimisation. They claim that

It is this process of intersectionality that can increase our perceived ‘difference’, our perceived vulnerability and our chances of being victims of hate crime (ibid).

In simple terms, the greater the number of identities attributed to an individual, the more that person can be seen as different and the more likely they will experience hate crime. For instance, disabled people may become victims of hate crime due to a variety of identity characteristics, including their appearance, ethnicity or faith, their age or their gender or sexual orientation, or it may be due to the type of impairment they manifest (Garland, 2010; Office for Disability Issues, 2011; Balderston, 2013; Chakraborti & Garland, 2015). The significance of intersectionality for victims of hate crime has been clearly manifested in some of the reported brutal killings of disabled people. For

example, the recent cases of Steven Simpson (BBC News, 2013; Roberts, 2013) who had learning disabilities and was gay, and that of Bijan Ebrahimi (Quarmby, 2015; Safer Bristol Partnership, 2017), a disabled man who was Iranian-born and a refugee, demonstrate how the influence of intersecting identities can lead to serious consequences.

Although there has been a burgeoning acknowledgment within hate crime and disability studies of the significance of these multiple identities, it has also been acknowledged that placing limits on the constructions of group identities attached to hate crime “is critical to its operational viability” (Chakraborti, 2010, p.17). To some extent this position was adopted in the approach to the fieldwork in this research in that, whilst accepting the importance of intersectionality as significant in the lives of many disabled people, for similar operational reasons the focus of identity in this study is primarily on disabled people as a group. As will be seen from the evidence gathered by this study, there was little formal acknowledgement of the significance of intersectional factors in the lives of disabled people. This institutional trend has been noted by scholars, with the suggestion that many agencies view hate crime targeting simplistically, bracketing victims into single discreet groups and thereby failing to even consider the intersection of identities. Chakraborti & Hardy (2017) have observed that this has partly been the consequence of a situation whereby:

the time and resource that professionals have available to take part in meaningful engagement is diminishing, and this in turn has led to channels of communication with diverse, “hard to reach” communities becoming increasingly narrow and tokenistic (ibid, p. 151).

Notwithstanding this reluctance by agencies to recognise intersectionality, other studies have noted its presence. For instance, the recent *All Wales Hate Crime Research Project* (Williams & Tregidga, 2013, p.42) observed that “the intersectional nature of identity is a theme that occurred consistently across all protected characteristic groups”. Likewise, despite the fact that there was no formal evidence of its recognition within the case study in this piece of research, there was nonetheless evidence of its influence (see para 6.3.2, for example).

2.3.1 Disablism

Disablism has been defined as “discriminatory, oppressive or abusive behaviour arising from the belief that disabled people are inferior to others” (Miller, Parker and Gillinson, 2004, p.9). It can be seen that the mode of wording of this definition is consistent with the materialistic approach preferred by the social model of disability. Such a definition would suggest disablism is similar to the likes of other exclusionary practices such as racism, sexism and homophobia (Scambler, 2009). Indeed, in similar ways to these other exclusionary practices, disablism is not always overt and can manifest itself in the form of aversive disablism (Deal, 2007). Deal describes this as a common but ubiquitous form of subtle prejudice which right-minded individuals (such as medical professionals or service providers) may adopt unintentionally; they may recognise that disablism is bad, but do not recognise that they themselves are prejudiced. Subtle or not, as is discussed later in this thesis (see para 7.3.3), this type of aversive disablism may perhaps be an explanation for some of the institutional responses to disabled people (Clark, 2012; Bartkowiak-Théron and Asquith, 2015). In addition, as is discussed below, it may also be one of the contributory factors as to why individuals avoid identifying themselves as disabled people (Minow, 1985; Grattet and Jenness (2001).

Notwithstanding the above, however, other disability scholars, whilst accepting the exclusionary, oppressive explanation of disablism, have also sought to define how disablism might operate in a more invidious way as part of the experience of disabled people (Thomas, 2004a, p.39). This more invidious type has been referred to as psycho-emotional disablism (Thomas, 2004; Hanisch, 2014; Reeve, 2014). Thomas' (2014) interpretation of psycho-emotional disablism is different from the more traditional definition of disablism (Miller, Parker and Gillinson, 2004, p.9) in that it also includes reference to potential effects on the “life activities, aspirations and psycho-emotional well-being” (Thomas, 2014, p.14) of disabled people. In a distinction which will be seen to be significant in terms of understanding how hate crimes operate, Thomas (2004, p.31) describes psycho-emotional disablism in the terms of ‘operat[ing] on the inside’.

Thomas (2004) goes on to claim that these 'inside' psycho-emotional experiences can affect disabled people in profound ways and some theorists have suggested that these more internalised, "felt stigma" (Scambler and Hopkins, 1986, p.26) are experienced by many disabled people. One particular example of a psycho-emotional effect is a process referred to as 'internalised oppression' (Mason, 1990; Reeve, 2002). This notion has been used to describe the debilitating psychological and behavioural patterns that develop within an individual as result of living within oppressive contexts (Moane, 1999). Friere (1972) has observed that the self-depreciation which arises from internalised oppression leads to people becoming "convinced of their own unfitness" (Friere, 1972, p.38). Some studies have reported that disabled people begin to feel internalised oppression from a very early age, sometimes reinforced by the behaviour of their parents (Birenbaum, 1970). As Goodley and Runswick-Cole (2011, p.3) note, disabled children "...are enculturated into the violence of disablism" from an age when they should begin to socialise. Indeed, in a recent empirical survey of a large sample (n = 11,928) of teenage youths, Hanisch (2014) concluded that there was a correlation between impairment and psycho-emotional effects. In terms of the understanding of mate crime, Hanisch's study also concluded that having an impairment is significantly associated with violence and bullying and that having an impairment is also associated with low psycho-emotional well-being.

As will be seen, the above is significant for understanding mate crime because it gives an indication of the sort of processes that might be at work in relation to mate crime as a type of offending which occurs specifically in respect of disabled people as victims (Thomas, 2011). For instance, research has shown that one psycho-emotional effect of being a disabled person is the potential to feel lonely (Gravell, 2012; Lafferty et al., 2013; Mason et al., 2013). Indeed, in a survey of disabled people, Laxton and Goldsworthy (2008, p.14) found that forty-five per cent of the 608 disabled respondents believed that disabled people are more likely to be lonely than non-disabled people. Studies have further noted that the isolation that disabled people feel from living solely amongst non-disabled people does appear to carry an increased risk of being targeted (Hough, 2012; Pestka and Wendt, 2014). In sociological terms, this risk could simply be seen solely as a result of the stigmatisation that has been

developed and reinforced within society by processes such as segregated education, negative images, cultural representations and the absence of positive role models (Shakespeare, 1996). However, it would appear that concepts such as internalised oppression and psycho-emotional disablism allow the risk of targeting to be explained in much more experiential terms. As Hanisch (2014, p.224) affirms, psycho-emotional disablism leads directly to disabled people being at a greater risk of “low psycho-emotional well-being... [and] ...violence and bullying”.

To avoid the negative effects of internalised oppression and associated disablism, this may mean that a disabled person may be reluctant to accept the label of disability. However, if they do so, then they may lose access to support such as State benefits and care and health services (Finkelstein, 1993). Hence, disabled people can be seen as being pressurised to conform to an approach which obliges them to opt to be labelled. This in turn leads to the potential negative consequences of “coming out as a disabled person” (Reeve, 2002, p.493) including the aspects of psycho-emotional disablism discussed above.

In a brief, but perceptive account of growing up as a disabled person, Mason (1990) refers to the concept of internalised oppression and how disabled children growing up might compare themselves negatively with non-disabled children. She observes that this then leads to disabled people feeling a pressure to conform, to:

try to merge into the group which is perceived as superior in the hope that the difference will be become invisible... competing with and denying each other, leading many of us to become isolated disabled people living with able-bodied people on able-bodied terms (Mason, 1990, p.3).

These types of dilemmas in relation to the apparently very straightforward decision as to whether to identify oneself as a disabled person were also noted by Garland-Thomson (1996) in her study of *freakery*. In identifying how a disabled person might typically respond to the psycho-emotional disablism of internalised oppression, she observed “...the pressures to deny, normalise and remain silent about one’s disability are both compelling and seductive” (ibid p.xvii). Hate crime theorists, Grattet and Jenness (2001, p.656) have referred to

aspects of this choice as the “dilemma of difference”. Minow (1985) outlined the dilemma as follows:

Are the stigma and unequal treatment encountered by minority groups better remedied by separation or by integration of such groups with others? Either remedy risks reinforcing the stigma associated with assigned difference by either ignoring it or focusing on it. This double-edged risk is the "difference dilemma" (Minow, 1985, p.157).

An example of this dilemma could be the situation whereby some disabled people may choose to try to deny their impairments and thereby fail to secure "special" treatment in the hope that their efforts to normalise themselves (Garland-Thomson, 1996) will have less potential negative consequences than coming out (Reeve, 2002). The crux of the dilemma for disabled people is perhaps best encapsulated by the comment of Blackmore and Hodgkins (2102, p.71): “to be defined as a flawed body is simultaneously to be defined as incapable of adequate social participation”.

2.3.2 Hate crimes against disabled people

In terms of the risk to a disabled person of the acceptance of a label, the consequences may not be immediately apparent. However, the longer-term risks of being labelled can be seen in Hollomotz's (2013, p.54) model of the ‘continuum of violence’. This model demonstrates that labelling can lead to stigma which, in turn, leads to power imbalances, social exclusion, etc. for the disabled person. If events continue along the continuum this can result in dependency and isolation, with the disabled person eventually being subjected to the violence of hate crime. Unsurprisingly, then, In relation to disabled people who are potential victims of crime, Piggott (2011, p.29) concluded that many are left with the stark choice of “...how to achieve social inclusion without drawing attention to oneself”. She suggests that disabled people are not being provided with an effective response to their experience of crime and that, in a disablist culture, it is unreasonable to ask disabled people to choose to define themselves as being hated.

Although the above theorising on disablism emanates mostly from a disability studies perspective, it is notable that the contributions from the fields of hate crime and disability studies do also operate in a complementary fashion. This

complementariness is not just in terms in respect of processes at work in relation to psycho-emotional disablism, however. For instance, from a wider sociological perspective, in many ways the notion of the disablist practice of 'othering' of disabled people (Roulstone et al., 2011) mirrors the similar notion referred to by hate crime theorists as 'doing difference' (Perry, 2001). Indeed, these processes have been recognised not only as issues of disablism in contemporary society generally (Goodley and Runswick-Cole, 2011), but also as a feature of the way crime is targeted against disabled people (Chakraborti and Garland, 2012). Piggott (2011, p.30) has argued that "cultural representations which depict disability as pitiable" may be responsible for some of these responses. She suggests that depicting disabled people as victims of their own bodies - a typical manifestation of the approach of the individual model of disability (see para 2.2.2 above) - invites social condemnation and plays to hate crime's reliance on the identification of a person as different.

In cases of extreme hate crimes, psycho-emotional effects such as those discussed above, including the pressure to "normalise" perhaps provide some contribution to understanding how the hostility and exploitation that some disabled people appear to willingly tolerate can eventually escalate into homicide. For example, in the homicide cases cited by Doherty (2013), it was observed that, in the periods leading up to their deaths, a number of the homicide victims not only enthusiastically engaged with their eventual killers but at the same time also declined or avoided the involvement of support services. One explanation for the decisions made by these victims was that each one acted in this way precisely to mitigate the internalised oppression arising from being identified as a disabled person. Some evidence for this view is provided by the circumstances of the individual case of deceased Gemma Hayter. For example, when she walked willingly to the location of her eventual murder with her killers, her decision to try to "merge into the group which is perceived as superior" (Mason, 1990, p.28) had negative consequences because it was the fact that she was attached to this group which was one of the factors which led to her death. Likewise, her opting to "remain silent" (Garland-Thomson, 1996, p.xvii) about her impairments and thereby avoiding institutional support also put her at increased risk. These factors were made the subject of subsequent comments in the Serious Case Review of her death:

Gemma's choice to disengage with services increased her vulnerability. [She] became more and more isolated and dependent on a community of perceived friends and...exploitation or financial abuse by the people around her (Warwickshire Safeguarding Adults Partnership, 2011).

In respect of Gemma Hayter and some other disabled people who have been victims of homicides (Quarmby, 2011; Doherty, 2013), the precise reasons may never be known as to why the victims chose to reject statutory involvement prior to their deaths, nor why they continued with their apparently friendly relationships with their eventual killers. However, it should be stressed that this study does not in any way suggest that disabled victims bear any responsibility for their victimisation. Indeed, it has been suggested that it is society itself which stigmatises and discriminates against disabled people (Goffman, 1963; Oliver, 1990), providing some of the grounds for othering and doing difference (Perry, 2001; Roulstone et al., 2011) thereby leading to psycho-emotional effects such as internalised oppression and feelings of isolation. These "relational disadvantages" Stanko (2001, p.318) may then act to identify potential victims as 'easy' hate crime targets (Chakraborti and Garland, 2012, p.503) over whom "power and oppression" can be exercised (Perry, 2001, p.10) and thereby provide opportunities for the perpetrators to exploit victims.

What can be observed from the murder of Gemma Hayter is that it appeared that it was the culmination of an escalating process from low-level abuse to dehumanisation. Similar escalation has also been found in other murders of disabled people. Indeed, in his study of mate crime homicides referred to previously, Doherty (2013) found that normalisation of abusive practices (Horvath and Kelly, 2007) was seen as a key factor in most of the cases. Similarly, in her discussion of mate crime in her book *Scapegoat*, the journalist Katharine Quarmby (2011, p.177) lists the names of a number of victims and observes that the deaths were "all of socially isolated people... All tortured, many of them killed by friends". These interpretations of violence suggest the dehumanisation associated with some exploitation does not usually appear in the initial stages of the relationship between perpetrator and victim, but more incrementally as the relationship develops. Ray and Smith (2001) have observed that on occasions the violence perpetrated in hate crime offences is portrayed as 'meaningless' as if the perpetrators have no control over it. Indeed,

the futility of the deaths in the cases referred to by Quarmby (2011) above were sometimes publicly questioned in similar terms. For example, the Judge in the case of Barrie-John Horrell is recorded as saying that the “death was completely senseless” (Sicluna, 2007, unpaginated). However, as Ray and Smith (2001, p.205) go on to claim “...violence is virtually never without purpose and typically (though not always) takes place between people who know each other”. They argue that violence can become embedded in social relations and as such can be used “to keep people in line” (ibid).

This chapter has provided a review of academic literature from the perspectives of hate crime and disability studies and concluded with a summary as to how these scholarly contributions might offer an explanation as to why disabled people are targeted as victims of mate crimes. Some disability hate crimes can escalate to murder. This is significant for this study as it would appear that the context of familiarity between victim and perpetrators found in mate crimes may provide fertile ground for the normalisation of hostility which can eventually escalate into dehumanisation and murder. These issues are further discussed as this thesis develops. In the meantime, Figure 8. 1 (see para 8.2.6) provides an illustration of how the evidence from this study and some of the contributions from the fields of hate crime and disability studies may explain the processes suggested as being at work in the commission of mate crimes.

Chapter 3

Understanding mate crime and the institutional response

The wider fields of hate crime and disability studies explored in the previous chapter provide an understanding as to where mate crime might fit in terms of established theory. In this chapter the discussion narrows down the theoretical focus by reviewing the available literature which is more specifically concerned with mate crime and its conceptualisation. This is then followed by a discussion as to how institutions are responding to this type of offending against disabled people. Consideration is given to academic contributions from other fields, including criminal justice, social work studies and elsewhere.

3.1 Theorising mate crime

By implication it is reasonable to anticipate that mate crimes involve friendship or at least some form of familiarity. However, if mate crime is to be regarded as a form of hate crime, then consideration needs to be given to the paradox of how 'friendship' and 'hatred' might co-exist. This section explores to what extent theory explains how a relationship involving ongoing friendship or familiarity can at the same time involve a form of hate crime.

Even accepting that hate crime is not really about hate but about prejudice (Jacobs and Potter, 1998, p.11), this still prompts the question as to how the prejudice associated with hate crimes can theoretically encompass friendship. Some of the evidence discussed in the previous chapter suggesting that hate crime is a "mechanism of power" (Perry, 2001) directed against those who are seen as different (Craig, 2002; Gerstenfeld, 2013) might tend to indicate that friendship and familiarity do not easily fit into these conceptualisations. Indeed, early hate crime research (Levin and McDevitt, 1993) did suggest that victims and perpetrators of hate crime have tended to be seen as strangers to each other (Lawrence, 1999; Perry, 2001).

However, more recently, commentators have suggested that familiarity between offender and victim is a significant factor in general hate crime offending. For instance, in her research into the policing of hate crimes, Stanko (2001),

stressed the role that familiarity plays, arguing that “little violence is random, most of it is purposeful and much of it is indeed targeted... The significance of this violence is familiarity” (Stanko, 2001, p 317). Indeed, in a comment that supports the positioning of mate crime within the field of hate crime, she argued that “the logic of the stranger” was obscuring “our ability to understand the ordinariness of hate crime” (ibid, p.323). In a similar tone, she also made the pertinent observation that “intimacies and friendships often obscure our ability to see relational advantages/ disadvantages” (Stanko, 2001, p.319). Both of these latter observations are also relevant to this study as the notion of familiarity or friendship obscuring criminal activity helps to explain why some individual mate crimes appear to continue unabated over long periods of time in “a pattern of repeat and worsening abuse” (Landman, 2014, p.362). One example of this type of repeat abuse are the offences leading up to the previously-discussed (para1.1) murder of Steven Hoskin (Flynn, 2010). Likewise, as will be seen in some of the fieldwork findings of this study, the ‘ordinariness’ of some mate crime offending might also go some way to explain why mate crimes remain both unreported by victims and unrecognised by institutions (Landman, 2014).

Findings of familiarity between victim and perpetrator have been reported in other contemporary hate crime studies. (Chakraborti et al., 2014). For instance, In her study of racial and homophobic hate crime in London, Mason (2005) noted that, in the majority of the sample studied, the perpetrator was known to the victim as a relative, someone local to work or, in most cases, someone local to home. Mason subsequently argued that her research had refuted the premise that the absence of a pre-existing relationship was a reliable predictor of hate crime (Mason, 2005a). Similarly, in respect of disabled victims, Horvath and Kelly (2007) observed that perpetrators of violence are most likely to be partners, relatives, friends, and people in positions of trust or care. They suggested that, in some of these types of relationships, violence and abuse are often part of normal home life. They claimed that much violence is often perpetrated when offender and victim are familiar with each other and that familiarity actually allows the normalisation of violent practices. They suggested that this can then lead to the situation where continued familiarity and social interaction between the victim and perpetrator leads to the victim being viewed as worthless and not deserving the same rights as the perpetrator. This

description of what could be described as contempt and its relationship with familiarity was subsequently also recognised by Doherty (2013) as an identifiable aspect of mate crime offending. In addition, in a recent survey (n=1,810) by Williams and Tregidga (2013) in their *All Wales Hate Crime Research Project*, their results suggested that familiarity was a particular feature of disability hate crimes. They observed that, unlike other hate crime strands, the majority of which were committed by strangers, disability hate crime was the exception in that 51 per cent of incidents were perpetrated by somebody known to the victim (Williams and Tregidga, 2013, p.45). Indeed, of particular relevance to this study, they claim that their finding “reinforces increasing concerns about the perpetration of ‘mate crime’” (ibid, p.187).

The above studies do seem to support the notion that offences involving familiarity or friendship between victim and perpetrator can still be construed as hate crimes. Hence, bearing in mind that it is implicit in the concept of mate crime that there will be some element of familiarity between offenders and their disabled victims, these scholarly interpretations help to explain why it does appear that mate crime can indeed be construed as a form of hate crime.

The precise provenance of the term mate crime does not yet appear to have been confirmed. However, the first significant reference to the term appeared in 2009 when the Association for Real Change (ARC), a non-governmental organisation, successfully secured funding from the Department of Health in respect of the *Safety Net Project*, a scheme created to provide support for people with learning disabilities with particular focus on raising awareness of hate crime and ‘mate crime’ (Grundy, 2011). At the inception of their project, ARC defined mate crime as “when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them” (Grundy, 2009, p.20).

As it was originally conceptualised by the Safety Net Project (Grundy, 2011), mate crime was seen primarily as a phenomenon whereby disabled people were being targeted for the purpose of theft of property and cash. For example, ARC refer to the “typical” case of a disabled person being targeted by “Tuesday friends” (Association for Real Change, 2013, p.4). They explained this term as follows:

Tuesday, the day his benefits arrived, saw a particular group of people turn up at his flat, 'help' him to the cashpoint and then on to the pub where they 'help' him spend his money (ibid).

Other studies have supported these notions of mate crime being a form of financial exploitation (Williams and Tregidga, 2013; Landman, 2014). Another example commentators have referred to is the mate crime phenomenon of "cuckooing" (Sykes et al., 2011, p.13), described as the situation where a perpetrator takes up some form of regular occupancy of a disabled person's home, appearing to offer help, but really with the intention of getting access to food, clothes, drugs or benefits. As well as financial abuse, however, the mate crime modus has been associated with sexual offending. In this respect, it has been noted that women with psychosocial disabilities are at higher risk of rape victimisation than women in general (Ellison et al., 2015). Hence, it is perhaps unsurprising that mate crime has also been identified as a factor in the sexual abuse of disabled people (Gravell, 2012 ; Landman, 2014). However, there is still insufficient information available to confirm the frequency of occurrence of these types of offending.

In the year following the inception of the ARC project, though, the term 'mate crime' first appears to have been shared with the UK general public, by virtue of a journalist writing in *The Guardian* newspaper (Williams, 2010). On this occasion, more significantly, mate crime was referred to as a factor in relation to the murder of Steven Hoskin, a man with learning disabilities whose death had occurred some four years earlier in July 2006. Previous studies (Quarmby, 2008; Fyson and Kitson, 2010) had raised concerns about killings of disabled people without referring to them as mate crimes. However, following Williams' (2010) article and its linking of Steven Hoskin's death to mate crime, other contemporary contributors (Grundy, 2011; Quarmby, 2011; Thomas, 2011) began to discuss the significance of this type of offence with particular reference to it being a factor the cause of the deaths of a number of disabled adults. Subsequently, Doherty (2013) compiled a list of nine deaths of disabled people (including Steven Hoskin) attributed as mate crimes by other commentators. This exploratory study suggested that mate crimes, although distinctively involving friendship, shared several characteristics with hate crimes and mate crimes and could also be construed as such.

3.2 The conceptualisation of mate crime

The discussion thus far on the subject would suggest that the target victims of mate crime tend to be specifically those people with learning disabilities rather than disabled people as a whole (Haydon-Laurelut, 2011; Simpson, 2011; Sin et al., 2012; Williams and Tregidga, 2013; Landman, 2014). Recent informal surveys from disabled people's representative groups have suggested that mate crime is seen as more of a problem for people with learning disabilities and/or mental health issues. For example, in a survey by the The National Autistic Society, 2014, p.3), it was found that as many as 48% of respondents (n = 1,344 adults with autism) reported that they had experienced abuse from someone whom they believed to be a friend. Similar results were reported in a more localised survey (Autism Together, 2015). Interestingly, however, in respect of the institutional responses to mate crime, in another recent survey conducted on behalf of Brandon's Trust (a service for people with learning disabilities and autism), only just over 6% of respondents (n = 2000) reported that they had actually heard of mate crime. (Vital Research and Statistics, 2013, p.2).

It has been suggested (Voice UK et al., 2008) that there is a deficit of data generally on crime and abuse affecting people with learning disabilities. Voice UK et al. claim that this is partly due to the difficulties in collecting data on crimes that are often not reported and partly due to an apparent reluctance by the authorities to confront these issues. This view is supported by Macdonald's (2015) recent findings in relation to a study of reported disability hate crimes whereby he found that people with mental health issues or learning difficulties experienced an intensification of disabling social barriers in dealings with the police. He claimed that the police were ill-equipped to collect evidence from individuals who might get more easily confused or struggle to recall and this led to these cases being dropped prior to court. It has been suggested by some theorists (Goodley, 2001) that this apparent discriminatory response to people with learning disabilities who are victims of crime may be because, despite the social model, people with learning disabilities are still being seen as personal tragedies (Oliver, 1990) for whom "victimhood is a symptom of impairment" (Haydon-Laurelut, 2011, p.8).

Notwithstanding this, following on from ARC's first proposition, the concept of mate crime has continued to be a subject of discussion by some scholars. Indeed, an alternative definition of mate crime has since been provided:

The term 'mate crime'... refers to considered actions against disabled people at the hands of someone, or several people that the disabled person considers to be their friends, or they may be relatives (Thomas, 2011, p.107).

Thomas observed that, unlike perceptions of other hate crimes, mate crime offending tended to be calculated rather than opportunistic. She also noted that the conceptualisation of the term mate crime has been used solely in relation to disability and not to describe any of the other strands of hate crime offending such as racism. She suggested that disabled people can be particularly at risk to this type of offending as the nature of their impairment (and society's view of it) means that individuals often feel the need to present themselves to others as vulnerable and dependent in order to get the support they require. She also argued that the disabled person's understandable desire for relationships and friendship (ibid, p.109) was a key feature of mate crime. However, it is Landman (2014), one of the pioneers of the *ARC Safety Net Project* (Association for Real Change, 2013a), who has provided the most detailed interpretation of mate crime so far:

Mate Crime happens when someone 'makes friends' with a person and goes on to abuse or exploit that relationship. The founding intention of the relationship, from the point of view of the perpetrator, is likely to be criminal, but not necessarily so. The relationship is likely to be of some duration and, if unchecked, may lead to a pattern of repeat and worsening abuse. Such a definition points to an act of befriending, which excludes relationships with family members, spouses/partners, and most professional relationships (Landman, 2014, p.362).

Landman's focus on friendship as a significant aspect of mate crime offending is critical in terms of understanding the nature of mate crime, for Landman sees "false friendships" (ibid) as facilitating offending but also allowing mate crimes to appear consensual, to appear not to involve hate and to go unreported. A more precise interpretation of friendship is discussed in the following chapter (see para 4.1.2) and the issue is returned to throughout the thesis.

As a concept, some disabled people's activists such as Brookes (2013) appear to have welcomed use of the construct, suggesting that its references to familiarity and friendship served to emphasise how some disability hate crimes differ from other hate crimes. Likewise comments from other contributors in the field (Sin, 2013; Thomas, 2013) would suggest positive acceptance. However, not all commentators have welcomed its conceptualisation. Some, such as Balderston (2013) have expressed concern that terms such as mate crime may be used prejudicially by institutions such as the police to impart a low-level status to these types of offences against disabled people⁶. Others, such as Joanna Perry (2013), whilst acknowledging that the behaviour that the term describes is important, have suggested that the implications of the concept undermine the notion of discrimination which is inherent in disability hate crime. In addition, Perry (2013, p.48) has claimed that it is likely to be regarded with "bewilderment" by the criminal justice system and for these reasons she suggests that its usage should be avoided.

Bewilderment has been the potential outcome of even the most current CPS publications on the issue of mate crime. In the first instance, the Crown Prosecution Service's (2017a) recently-revised web-pages *Disability Hate Crime and other crimes against Disabled people - prosecution guidance* declare: "'Mate crime' ...It is not CPS policy to use this term, as it is potentially confusing to people with learning disabilities" (ibid, unpaginated). However, despite this policy, in an accompanying public statement appearing to contradict the above guidance, "mate crime" is described as one of the "examples of types of crimes committed against disabled people" (Crown Prosecution Service, 2017b, p.3). The explanation for this contradictory situation appears to have been on the basis that the CPS are suggesting that mate crimes should be categorised not as hate crimes, but as "crimes against disabled people" (ibid, p.2). The CPS do not make it clear why they have chosen to make this distinction, but the position seems contrary to one of the recommendations implemented following the Macpherson (1999) report (see para 3.3.1 below) that, in determining whether an incident is a hate crime "the perception of the

⁶ The term 'mate crime' is used throughout this thesis to ensure consistency of understanding of such a new concept. However, given concerns as to the appropriateness of this informal terminology, the alternative 'exploitative familiarity' is proposed for future formal use (see para 8.5)

victim, or any other person, is the defining factor” (College of Policing, 2014, p.5).

Given all of the above, the bewilderment appears to be self-inflicted by the CPS. In addition, the comments run the risk of being construed at the least as somewhat patronising towards disabled people. In contrast, the College of Policing’s reference to mate crime in its latest operational guidance on hate crime (College of Policing, 2014, p.25), whilst still not embracing the concept, is not as contentious. The guidance declares that “a category of mate crime is not recorded nationally”, but that “police officers need to understand the term if a victim uses it”. However, in a further contradiction to the suggested approach of the CPS in respect of mate crime, it also observes “that such a report is likely to be a disability hate crime or incident” (ibid, p.25).

Notwithstanding the contention over its usage, it would appear that, since its first significant reference in the UK via the third sector responding to the concerns of disabled people as part of the previously-mentioned *Safety Net Project* in 2009, awareness of the concept of mate crime has now spread much wider. Apart from the CPS, its relevance was acknowledged by the Equality and Human Rights Commission (2011) in their report on disability-related harassment. Similarly, the Social Care Institute for Excellence (the government’s national body to improve social care services) has accepted the concept (Faulkner and Sweeney, 2011; Social Care Institute for Excellence, 2014). Likewise there also seems to be increasing piecemeal reference to the concept in the literature of individual local authorities, health trusts and police forces, for example Warwickshire County Council (2012), NHS Trafford Clinical Commissioning Group (2014), and Surrey Police (2013). In addition, some groups representing disabled people have also shown interest in the subject. In addition, there have been administrative examples of mate crime references at a relatively localised crime-prevention level (The Money Friends and Making Ends Meet Research Group, 2012; Autism Together, 2015).

3.3 Responses to offences against disabled people

The notion that friendship and familiarity might lend themselves to the potential normalisation of abusive practices (Stanko, 2001; Horvath and Kelly, 2007) is

significant as it might explain how disability hate crimes can escalate and sometimes lead to homicide (see para 2.3.2). In the context of mate crime, the potential for friendship to lead to normalisation means that low-level abuse might be tolerated in the first instance and then sometimes the relationship might allow the potential risk to escalate even further. Examples of this type of escalation were provided by the Serious Case Review (SCR)⁷ into Steven Hoskin's murder (Flynn, 2007). The SCR produced a list of "police interventions" (Flynn, 2007, p.7) arising from the escalation in the abusive treatment of Steven by the 'friends' who would eventually become his murderers. This list reveals that, two years prior to his murder, Steven was reporting small-scale thefts, criminal damage and threats and "pestering" (ibid) by his eventual killers. To many people, "pestering" may seem to be a minor inconvenience. However, the evidence from the SCR suggests that it was a significant factor in the build-up to Steven Hoskin's murder.

The murders of Steven Hoskin and other victims of mate crime have provided significant grounds for mate crime to be viewed as a serious issue and for it not to be represented as a low-level inconvenience. However, despite institutional involvement in cases, it appears that low-level pestering of disabled people still escalates to extreme levels, viz. recent homicides of Angela Wrightson (Bell, 2016, unpaginated) and Lee Irving (BBC News, 2017a). In the rest of this section, the role of the police in relation to recording crimes and addressing offences against disabled people and the response of the criminal justice system are examined with a view to providing some context as to how this might be the case. The section concludes with a review of the literature in relation to how interpretations of vulnerability might play a significant role in influencing justice for disabled people.

3.3.1 The role of the police in the recording of crimes

There are currently no available official figures in relation mate crime offending. However, the police are the responsible institution in terms of receiving reports

⁷ ADASS (Association of Directors of Social Services) guidance states that local multi-agency procedures should detail the circumstances in which a serious case review will be undertaken. "For example: when an adult experiencing abuse or neglect dies, or when there has been a serious incident, or in circumstances involving the abuse or neglect of one or more adults" (Association of Directors of Social Services, 2005, p.10)

and recording and collating figures in relation to virtually all crimes and they are expected to categorise and record crimes based on an application of the Home Office (2015c) *Counting Rules*. These rules offer scores of different crime categories based on statutes, and their application often requires some technical understanding of the application of criminal law. It is said that these strict rules on crime recording exist because in the past there had been recognised “measurement error problems” (Macdonald, 2012, p.103) in figures relating to the recording and detecting of crime⁸. Adherence to the rules is encouraged by the associated scrutiny of an inspection regime (HMIC, 2014). Essentially, one of the principles of the counting rules is that a crime should be recorded if an incident is “more likely than not the result of a criminal act” (Home Office, 2015c, p.3). However, if a crime is not immediately recorded then, to maintain transparency and confidence in crime recording practices, the Home Office requires that an auditable record be kept of the incident “to enable effective review of the attrition between initial reports and the subsequent recording of a notifiable crime” (ibid, p.3).

Crime statistics are important to the police (Macdonald, 2012) as performance is often judged primarily on the outcomes of those cases that have been identified as crimes (Home Office, 2015b). However, there is an old adage which may be familiar to some: “if it isn’t written down, then it didn’t happen” (Carpenter and Fulton, 2007, p.89). In terms of police under-recording of crimes, there is recent survey evidence from Her Majesty’s Inspectorate of Constabulary that police officers have reported professional pressure to avoid a crime being “written down”. Twenty-one per cent of officers in the survey reported that they had been pressured in the previous six months not to report crimes, with the most common reported sources of pressure identified as local supervisors or managers (HMIC, 2014, p.84).

Ex-senior police officer and academic Tom Williamson (2003) has made the point that success within a police culture can be demonstrated by falling levels of recorded crime and improved clear-up rates. He suggests that one way the

⁸ This was probably as a result of crime figures being the most often quoted data in relation to demand on the police and their associated performance which, prior to the introduction of the counting rules, led to media comments such as “crime statistics are proof positive that, with a bit of art, you can fool all of the people all of the time” (Jenkins, 2000)

police can keep crime rates down is to ensure that information which comes to the attention of the police is logged as an 'incident' on a Command and Control system but never then transferred to the crime-reporting system. He cites figures which suggest that the attrition rate as a result of this activity alone could amount to between 7 per cent and 22 per cent of all incidents that should have been recorded as crimes (HM Inspectorate of Constabulary, 2000). He further claims that this type of incentive has led to practices that encourage the 'cuffing'⁹ of crimes to facilitate the minimisation of the true level of their commission and thereby ensure that any incident which is not recorded as a crime, is unlikely to be subject to performance scrutiny. Recent initiatives, such as the previously-mentioned Home Office (2015c) *Counting Rules For Recorded Crime* have been raised with the attention of addressing this type of issue. However, as recently as 2012, another ex-senior police officer turned academic, Rodger Patrick (2012) was providing written evidence to Parliament's Home Affairs committee alleging that "fiddling the figures" (ibid, unpaginated) was still negating the potential benefits of any reforms in crime recording.

When police receive a report of a crime against a disabled person, they are also provided with guidance to aid decision-making as to whether to categorise it as a disability hate crime or incident. The *Hate Crime Operational Guidance* proffered by the College of Policing (2014) provides two definitions. Both hate crime and incident are defined similarly. The first is of a disability hate incident (i.e. where a crime is not immediately recorded):

Any non-crime incident which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's disability or perceived disability (ibid, p.3).

Similarly, a disability hate crime is defined as:

Any criminal offence which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's disability or perceived disability (ibid, p4).

⁹ "Cuffing: The under-recording of reported crimes, the term being derived from the magician's art of making objects disappear up the sleeve or cuff" (Young, 1991)

On the face of it these definitions would appear to be quite inclusive¹⁰, particularly when considered alongside the stipulation that “disability” should be interpreted as “any disability, including physical disability, learning disability and mental health” (College of Policing, 2014, p.3).

Paradoxically, however, in terms of the recording of hate-related issues, the decision as to whether an incident or crime should be recorded as a hate incident or hate crime is one which can require little or no technical knowledge by the reporting officer. The reason for this goes back to the inquiry and subsequent report by Lord Macpherson (Macpherson, 1999) who investigated the response to the well-known case of the murder of Stephen Lawrence. At the time of his murder, the police had initially taken the view that the murder was not related to Stephen’s race. However, in his report, Lord Macpherson rejected this position and accused the Metropolitan Police of institutional racism. He subsequently made significant recommendations in response to the perceived intransigence of the police who, despite the evocations of Stephen Lawrence’s family and friends at the time and subsequently, failed to recognise the obviously racist nature of the attack. Hence, following these accusations and the recommendation made by Lord Macpherson in his report, the police were obliged to re-examine their approach to hate crime and, as a result, subsequently adopted an approach to the recording of hate incidents which was much more inclusive and expansive than previously. Essentially the ethos of the post-Macpherson approach for the recording of hate incidents was that the police were no longer the sole arbiters of the decision to record hate incidents but instead, as the latest College of Policing *Hate Crime Operational Guidance* states:

For recording purposes, the perception of *the victim, or any other person, is the defining factor* in determining whether an incident is a hate incident, or in recognising the hostility element of a hate crime. The victim does not have to justify or provide evidence of their belief, and police officers or staff should not directly challenge this perception. Evidence of the hostility is not

¹⁰ However, although the intention may be one of inclusivity, the choice of language is perhaps not as a social model of disability (Oliver, 1990) approach to the subject would suggest the term *impairment* would be preferred to *disability*.

required for an incident or crime to be recorded as a hate crime or hate incident (College of Policing, 2014, p.5, my emphasis in italics).

Interestingly, the guidance goes on to say that any other person includes virtually anybody including a police officer¹¹. Effectively this meant that, following the Macpherson report, the police no longer had the right to veto claims of hatred. Instead, the police guidance obliged them to record and respond to any claims of hatred, as well as according a role for the police themselves to categorise a report as a hate incident or hate crime even if it had not previously been cited as such by any of the parties involved.

3.3.2 Offences against disabled victims

The implications of the Macpherson report meant that not only was a police officer's discretion limited as to deciding whether an incident was hate-related or not, but that the officer was also obliged to record the incident whether a *prima facie* 'crime' or not, (Chakraborti, 2015, p.15). One might expect that such an initiative would have led to a flood of new hate incidents and hate crimes being recorded. However, Lord Macpherson's report (Macpherson, 1999) was very much seen as related to racial hatred and perhaps occurred too long in the past to appear to have any influence on recorded disability hate crime. By the time official annual figures of disability hate crime were first published for the year 2009 (Association of Chief Police Officers, 2011, unpaginated), some police forces were still reporting a zero annual return of disability hate crimes. However, since that time, national figures have shown a trend of increasing numbers of reported disability hate crimes (True Vision, 2016).

Nonetheless, despite the above, others have continued to claim that disability hate crime is being under-reported by the police (Sin et al., 2009; Sheikh et al., 2010; Sin et al., 2012). For instance, the Disability Rights Commission (2004) showed that of the forty-seven per cent of their respondents (n = 158) who claimed to have experienced hate crime because of their disability (ibid, p.13), less than half (forty one per cent) actually reported the incident to the police (ibid, p.27). Similar issues relating of under-reporting of disability hate crime

¹¹ Essentially the guidance appears to seek only to exclude people who have no knowledge of the victim, crime or the locality and who may be responding to media stories

were also identified in a report by Sheikh et al. (2010) conducted on behalf of MENCAP, the learning disability charity. Quarmby (2008) has suggested that under-reporting may be due a lack of confidence in the criminal justice system by disabled people in general, although she acknowledges that another reason why disabled people may not report crime may be due to difficulties in accessing criminal justice services. Others such as Voice UK et al. (2008) have suggested that under-reporting may be a result of some disabled people not knowing that what is being done to them is wrong. In terms of mate crime, this view is consistent with the observation of Stanko (2001) reported above, who suggested that familiarity between offender/victim had a tendency to obscure reporting.

Notwithstanding the difficulties in establishing a full picture of crimes against disabled people, the available data suggests a context of annually increasing rates of reporting of all disability hate crimes. Hate crimes figures in England and Wales for the year 2015/16 (Corcoran and Smith, 2016, p.4) reveal that there were a total of 62,518 hate crimes recorded by the police, an increase of nineteen per cent compared with 2014/15. Of these, seventy-nine per cent were racially motivated, with only six per cent of hate crimes being related to disability, a total of 3,629 recorded crimes (ibid, p.3). However, this was an increase of forty-four per cent on the previous year. Interestingly, with reference to attitudes to disabled people and the observation that perpetrators of hate crime opt for victims whom they see as 'easy' targets (Chakraborti and Garland, 2012, p. 503), the Home Office introduction of a new data hub (Creese and Lader, 2014, p.9)¹² has revealed for the first time that hate crime experienced by disabled people is the only strand of hate crime where offences of violence are proportionately the most common type of offence.

More informal figures suggest an even greater proportion of victimisation of disabled people. For example, a survey of people with learning disabilities conducted by MENCAP (2000, p.4) highlighted that two thirds of respondents (n=904) claimed that they regularly experienced bullying at least once a month.

¹² Introduced in 2013/14, the data hub gathered data from eighteen police forces (23% of total hate crime). For the other four strands of hate crime (race, faith, sexual orientation and transgender), public order offences are proportionately the most commonly experienced type of offence.

Likewise, another recent survey (Gravell, 2012, p.1) of adults with learning disabilities discovered that more than 90% of respondents (n=67) had experienced some sort of harassment. Further to this, a recent survey of disability hate crimes in the north east of England revealed a similar picture to the above (Macdonald, 2015). Compared with other groups of hate crime victims, disabled people were revealed as the most likely to be subjected to threatening behaviours and intimidation, and slightly more prone to be victims of physical violence (Macdonald et al., 2017). However, what was also interesting about Macdonald's study was that it revealed that nearly two thirds of all the disability hate crimes examined were found to be committed against people with learning difficulties (Macdonald, 2015, p.362) . Interestingly, Macdonald (2015, p.365) also discovered from his study that if a person had a learning difficulty, then the police were much less likely (sixteen per cent of cases) to gather intelligence or investigate a reported incident than if the disabled person had a physical impairment (thirty per cent of cases).. The precise reasons for this finding are unknown. However, it would appear that, despite being identified as disabled people the finding suggests that these individuals did not receive the "special treatment" referred to by Grattet and Jenness (2001, p.654) in their study of "the dilemma of difference". This suggestion that disabled victims of crime might experience a lesser service as a consequence of the nature of their impairments will be explored further as part of this study see (para 8.2.2). This apparent discrimination against people with learning disabilities might be explained by the fact that some theorists have argued that even amongst some supporters of the social model, learning disabilities are tacitly conceived of as a biological deficit, (Chappell et al., 2001; Goodley,2001). Thus, there is a tendency amongst some to view causes of incompetent behaviour amongst people with learning disabilities as being the sole result of physiological factors. Goodley (2001, p.211) has suggested that, in this respect, people with learning disabilities may still be viewed as "personal tragedies of their unchangeable 'organic impairments'". However, even though this might support the view that disability identity is not an "homogenous package" (Hughes, 2014, p.55), it is still worth noting that disabled people around the world appear to share similar experiences in terms of experiencing crime and hostility. For example, a recent meta-analysis conducted by Hughes et al. (2012) on behalf of the World Health

Organisation confirmed that twenty-six studies from several different nations support the premise that disabled people are at an increased risk of violence compared with non-disabled adults.

3.3.3 Access to justice

In terms of access to justice for disabled people, although there are some specific hate-related offences in relation to race and faith, there are none in relation to hate crime and nor indeed is there any specific offence of hate crime towards a disabled person. Instead, if a disability hate crime is reported to the police and there is a successful prosecution, the law offers Section 146 of the Criminal Justice Act 2003. This is the only significant piece of current criminal legislation concerning disability hate crime¹³. It provides an enhanced sentencing power if it can be proven that:

the offender demonstrated towards the victim of the offence hostility based on... a disability (or presumed disability) of the victim, or that the offence is motivated (wholly or partly)... by hostility towards persons who have a disability or a particular disability (Criminal Justice Act, 2003).

Unfortunately, however, although the police keep records of the number of recorded disability hate crimes, up until recently, there have been no available comparison figures as to how many individuals have received an enhanced sentence by virtue of this Act. The recent *Joint Disability Hate Crime Data Review* conducted by the Association of Chief Police Officers and Crown Prosecution Service (2014) confirmed that “data relating to the use of sentence uplift is still not robust enough to publish” (ibid, p.25). This further example of lack of information in this under-researched field (Equality and Human Rights Commission, 2011; Emerson, 2014) has been redressed to some extent by the first publication of such figures in relation to disability hate crime by the CPS (Crown Prosecution Service, 2016). The figures for 2015/16 show an improvement on 2014/15. However (as can be seen Table 7. 6 following), the numbers of cases that lead to an enhanced sentence at court are only a tiny

¹³ Although also Schedule 21 paragraph 5(2)(g) of the same Act was amended in 2012 to provide a starting point of 30 years (rather than 15 years) for the minimum term for a life sentence for murder aggravated on the grounds of the victim’s disability (or transgender identity). This amendment brought the sentence for murder in line with similar provision for murders racially or religiously aggravated or aggravated by sexual orientation.

proportion of the 70,000 cases of disability hate crimes estimated to occur on average each year (Corcoran et al., 2015, p.21). Indeed, the gap between the estimated number of disability hate crimes and the number actually recorded (see Table 7. 6) is concerning in itself. In this context, particularly given the findings of the survey conducted as part of the empirical work for this study (see Chapter 5) it is difficult to avoid reaching the conclusion that disability hate crime is a topic in respect of which there is little robust UK data (Miller et al., 2006; Williams and Tregidga, 2013; Emerson and Roulstone, 2014). The proportion of cases receiving sentence uplifts is small – of the 503 convictions identified by the CPS as disability hate crimes in 2014/15, only 5.4% of them received the recognition of a sentence uplift (Crown Prosecution Service, 2016, p.31) - supporting the suggestion that there has been a recent history of under-recognition of the issues by the statutory agencies. For example, disability hate crime data for England, Wales and Northern Ireland issued by ACPO as recently as 2009 (Association of Chief Police Officers, 2009, unpaginated) showed that, whilst one police force recorded a high of 117 cases, three forces recorded a return of nil disability hate crimes for the whole year. This has caused commentators, such as Sin (2013) to question the meaningfulness of these figures and the police recording methods which contribute to them.

However, there is some recent evidence that the significance of disability hate crime is now beginning to be recognised by public sector agencies. For example, a joint review of the criminal justice response to disability hate crime conducted by Her Majesty's Inspectorates of CPS, police and probation (HMCPSP et al., 2013) produced a list of recommendations for improvement. However, rather significantly, it also directly acknowledged the low base from which improvements could be made, referring to disability hate crime as “the hate crime that has been left behind” (HMCPSP et al., 2013, p.5).

Notwithstanding the relatively strict post-Macpherson guidelines around the recording of disablist hate crimes, it is significant that HMCPSP et al., (2013) did not really speculate as to why they considered that disability hate crime had been left behind. If they had chosen to do so, they may well have identified a significant body of scholarly opinion which would suggest that interpretations of vulnerability may be at work. For instance, the tendency for CPS and the courts to opt for the legal alternative of increasing a sentence because “an offender

targets a vulnerable victim” (Sentencing Guidelines Council, 2004, p.5) may explain the low proportion of sentence uplifts for disability hate crime. There are no figures available for this sentencing option (see para 3.4.1 below).

Sherry (2010, p.131) argues that an “identity politics” approach has led to a conflation of disability and vulnerability. He suggests that there is a tendency to categorise all crimes against disabled people as forms of abuse, rather than hate crimes, and argues that it is a flawed approach to automatically assume that someone is vulnerable just because he or she is a disabled person. Indeed, as long ago as 1991, in a commentary on violence against disabled people, Waxman (1991, p.191) observed that “hatred is the primary cause, and vulnerability only provides an opportunity for offenders to express their hatred”. Commentators such as Joanna Perry (2008) have suggested that the reason why disabled people receive treatment which is supposed to cater for their needs but actually appears to discriminate against them, is because of an over-dependency on identity-based remedies. She claims such responses can have damaging consequences for disabled people by offering approaches which rely on an institutionalised approach of “*protection* instead of rights and justice” (ibid, p. 20, my italics). As some evidence of this differential treatment, Hollomotz (2013, p.53) offers an example of how it may begin with criminal justice services using the softer term “abuse” to describe violence against disabled adults, but “violence” to describe the experience of non-disabled adults. She argues that such an approach then allows for subsequent acceptance of violence against people who are labelled as disabled.

Brown (2012) shares a similar view and suggests that there has been a preoccupation with the vulnerability of disabled people as victims and the associated connotations of weakness. He also takes the view that administrative dependence on the notion of vulnerability may be one reason for the disparities in investigating and recording of hate crimes against disabled people. Sin (2013) has characterised this approach to crimes against disabled people as ‘diagnostic overshadowing’. This is a term borrowed from health professionals, interpreted as the tendency for the outcomes for disabled people to be explained solely or primarily by reference to their impairments. It has been argued that diagnostic overshadowing is at work in the criminal justice system

when “the victim’s disability overshadows the crime that has been committed” (Sin et al., 2009, p.54).

3.3.4 Interpretations of vulnerability

The significance of interpreting disability in terms of vulnerability and its effect on justice is perhaps best exemplified by reference to the Joint Committee on Human Rights’ comment in relation to people with learning disabilities:

There is a risk that sometimes services including the criminal justice services see someone has a learning disability and think that it is their learning disability that has to be dealt with rather than the crime (Joint Committee On Human Rights, 2008, p.69).

Similarly, Roulstone, Thomas and Balderston (2011) have been critical of the use of the notion of vulnerability being used in a disablist way. They refer to the hypothetical difference between the vulnerability of an unprotected home to burglary and a blind man in a quiet, darkened subway: they argue that the interpretation of a disabled person’s inherent vulnerability in such a scenario should be dismissed alongside similar disablist notions of tragedy, pity, etc. By way of explanation, they suggested that vulnerability was being interpreted in a “pernicious” way by the criminal justice system, “akin to saying someone was ‘asking for it’” (Roulstone, Thomas and Balderston, 2011, p.357).

The implication of all of these contributions suggests that the conflating of disability and vulnerability may (perhaps, in some cases, contrary to best intentions) actually be having a deleterious effect on the service provided to victims of hate crime and other crimes against disabled people (Hollomotz, 2012; Hough, 2012; Sherwood-Johnson, 2012; Macdonald, 2015). Beckett (2006) has proposed that the disabling aspects of this type of interpretation could be overcome by recognising that everyone is vulnerable in some respect; disability is just one of a wide range of risks. She advocates a model of universal vulnerability (Fineman, 2008; Satz, 2009) which avoids notions of competency/ability and instead advocates for a recognition of the “fragile and contingent nature of personhood” (Beckett, 2006, p.3).

The “layers of influence” model proposed by Sin (2014) is in many ways similar to Beckett’s approach. This model construes vulnerability not as an intrinsic characteristic of the disabled person, but as a combination of social layers, with

the disabled person in the middle and the different layers then expanding to include layers for family, institutions and finally society and its attitudes. Although the layers are separate, they are seen by Sin as interdependent such that there is opportunity for them to react with each other dependent as circumstances might dictate. Sin argues that in the recent past there has been a tendency to conflate the meanings of disability and vulnerability, which has led to an institutional concentration on the disabled person being seen as vulnerable and thereby the sole focus, ignoring the influence of the other layers. Sin suggests that this has led to the situation whereby the unyielding focus on the disabled person's impairment has served to "reinforce an entrenched 'charity model' of disability where disabled people are depicted as victims of circumstances and deserving of pity" (Sin, 2014, p.103). It may be noted that Sin's recent concerns are consistent with the much earlier comments of Oliver (1986, p.16) when he first identified what he referred to as the "personal tragedy" approach to disability.

However, notwithstanding the concerns over the use of the concept of vulnerability, there has been a recognition that the promotion of independence needs to be balanced carefully against the duty of statutory services to ensure that vulnerable adults are adequately protected from abuse (Fyson, 2009). As noted earlier, in practice, victims of hate crime may be targeted not just because they are different, but also because they are stereotypically perceived as 'easy' or 'soft'. Indeed, Chakraborti and Garland (2012) suggest that the term vulnerable truly encapsulates the way that perpetrators view their victims and they argue that concepts of vulnerability and difference should be the focal point of hate crime scholarship as they claim this would assist in recognising the intersectional nature of the identity of hate crime victims.

Although Chakraborti and Garland (2012) made it clear that they were not promulgating notions of inherent vulnerability, contributors within the field of disability studies have continued to resist any references which impute a discriminatory view of disabled people. In this respect, commentators such as Mason-Bish (2010) and Roulstone and Sadique (2013) have argued that disabled people are bottom of the list in terms of hate crime policy. Sin (2014) argues that, for too long, the focus of disability hate crime has centred around the characteristics of disabled people themselves, leading to the current

position whereby disabled people are viewed as inherently vulnerable and the best that can be done is to protect them rather than offer justice. He suggests that such an approach has contributed to a paternalistic approach and a resultant “aggregation” of disabled people whereby, for example, by virtue of being poorer than non-disabled people, disabled people are accommodated in hard-to-let areas and treated with a “fatalistic acceptance” that they should not expect to live fulfilling lives. He concludes by proposing that, instead of viewing disabled victims as inherently vulnerable, consideration should be given to querying how attitudes to them are influencing services which appear to be designed in a way which isolates them.

Previously, Stanko (2001) adopted a position which replaced allusions to vulnerability with the notion of “relational disadvantage”, whereby:

Vulnerability to violence does not refer to any individual weakness of the victim per se. It is defined relationally in terms of an individual victim’s or assailant’s social context and resources (Stanko, 2001, p.315).

Although Stanko was not referring specifically to disability hate crime, nonetheless there are clear merits in her proposal, as this notion would potentially encourage a bespoke approach to understanding vulnerability in the context of hate crime offending. Thus, vulnerability in each case could be assessed not just on the basis that the victims were disabled people, but also on factors individual to each victim, such as psycho-emotional or other effects, the extent of support for the victim within the context of any presented risk, and the perceived influence of the perpetrator. As stated in the previous chapter, Stanko went on further to suggest that the issue of violence against specific groups should be re-conceptualised and the term hate crime should be disregarded and replaced with the expression “targeted violence” (ibid, p.309). She suggested that this type of approach would avoid the difficulties presented by traditional views of hate crime. Her proposal was that offenders choose to harm an individual on three grounds: because of who the victim ‘is’; because the assailant can rely on a collectivity of historical, social and economic culture which permit such harm; and because the assailant is supported by popular discourses that may legitimise and justify such actions in the view of some sections of the population. It will be seen that Stanko’s work is influential in the

model of the course of hate crime proposed at the conclusion of this thesis (see Figure 8. 1)

However, the implementation of an approach formalising vulnerability as situational, differential or universal, is likely to be resisted by representatives of hate crime victim groups. The reasons for this have been touched upon above. In addition, acceptance of the vulnerability label may then lead to the abandonment of disability-related labels which, as Finkelstein (1993) pointed out, often are the most efficient and effective means of securing services. Jenness and Grattet (2001, p.2) noted this effect in the totality of hate crime (although not primarily in relation to disability) whereby some victim groups promoted their inclusion as hate crime victims because they considered that to do so evoked “drama, passion, and righteousness, and...an attendant demand for a response”. The effect has also been noted more recently by Mason-Bish (2010) in her research interviewing campaigners and criminal justice representatives, whereby she observed that hate crime policy creates a “competition for suffering” (ibid, p.63) between victim groups.

3.4 Assessing the institutional response

As can be seen, from a number of perspectives the notion of vulnerability is a contentious topic and it is an issue which is returned to later in this thesis (see paras 7.2.4 and 8.2.5). In the following sections, an examination will be conducted of the types of responses being provided to disabled people, and it will be seen how some of the practices discussed above may be influencing these responses.

3.4.1 The response of institutions

The above section would suggest that interpretations of vulnerability have some influence on the institutional responses to hate crime. Hence, in this section an examination will be conducted on the enactment of those responses. It begins with a brief contextualisation of the relationship between societal approaches to disability and institutional perspectives.

In terms of discrimination, some similarities can be drawn between the treatment of disabled people and the discrimination visited upon other hate

crime groups. However, as noted earlier, Abberley (1987) asserted that disabled people are more oppressed than other groups. He argued that in oppression of other groups (e.g. sexual or racial), biological differences served only as a qualificatory condition of a wholly ideological oppression, but for disabled people the biological difference (albeit a consequence of social practices), was itself a part of the oppression. Abberley's (1987) theme of oppression and the role of officialdom was developed further by Bogdan (1996) in her freakery discourse on disability. Bogdan (1996) exhorted researchers as follows:

Whenever we study deviance we have to look at those in charge – whether self-appointed or officially... In the end the freak show has much in common with human service agencies... We have to understand their place in the world as it is presently constructed (Bogdan, 1996, pp. 35-36).

Indeed, in respect of the application of criminal justice, concerns have been expressed in the recent past that those in charge (i.e. the CPS) have declined to pursue enhanced sentencing for disability hate crimes (Roulstone et al., 2011). To some extent the justification for this approach was provided by CPS *Guidance on Prosecuting Cases of Disability Hate Crime*, published in 2007, which proclaimed that the decision not to pursue enhanced sentencing should be on the basis that “some crimes are committed because the offender regards the disabled person as being vulnerable and not because the offender dislikes or hates disabled people” (Crown Prosecution Service, 2007, p.9).

Subsequently, however, the Director of Public Prosecutions (DPP) Sir Ken MacDonald, was dismissive of this “widespread mind-set that doesn't perceive disabled people as targets of hostility” (Macdonald, 2008, unpaginated). In a stirring speech, just prior his retirement as head of the CPS in October 2008, he went on to say:

Because it means we aren't marking the crime for what it is. We aren't acknowledging its gravity. We are making excuses and we are not protecting the victims of crime. A mistaken and misplaced focus on vulnerability risks enhancing an already negative image of disabled people as inherently 'weak', 'easy targets' and 'dependent'. This approach is wrong. It means that the opportunity to condemn the prejudice and hostility of the offender is missed (Macdonald, 2008, unpaginated).

Indeed, Perry (2008, p.19) pointed out that the enhanced sentencing provision would simply remain as symbolic if it failed to address "...the complex and deep rooted causes of violence and oppression in modern society". Roulstone and Sadique (2013, p.26) went further, however, and claimed what they described as the "legal misunderstanding of hostility and vulnerability as opposites" was leading to a "deep and avoidable confusion and potential injustice" to disabled people.

By way of response to these types of concerns, in a recent public statement the (Crown Prosecution Service, 2017b, p.5) appear to have adopted a new approach towards the issue of vulnerability, stating:

We will avoid the use of the term "vulnerable" where possible and we will always avoid any use of the term which may suggest disabled people are inherently weak or dependent.

However, notwithstanding this, the most recent *Disability Hate Crime and other crimes against Disabled people - prosecution guidance* (Crown Prosecution Service, 2017a, unpaginated) demonstrates the difficulties in proving hostility against disabled people. For, according to the CPS, "the evidence that will be necessary or useful" to satisfy the criteria necessary for the imposition of an increased sentence under Section 146(a) must prove five things. It must prove that the victim had an impairment, that the offender knew about the impairment, that the offender's hostility was based on the impairment and that the hostility happened at the time of the offence. However, most significantly it stipulated that there should be "particular" evidence of an "utterance" or other "indication of hostility towards the victim" (ibid). It would seem from this that the law requires the offender to make known to others his or her intent that the offence was being committed in pursuance of hostility towards a disabled person. This may explain the low conviction rate and the lack of progress that has been made on this issue, despite the DPP's valedictory pleas back in 2008.

However, even if the CPS do eventually successfully prosecute a case at court which they believe warrants an enhanced sentence as a disability hate crime, authority then passes to the court itself to determine sentence. The *Sentencing Guidelines* issued by the Sentencing Guidelines Council (2004) provide "definitive" guidance on sentencing (ibid, p. i) and are issued for the information

of courts as part of statute. The guidelines provide information on the statutory sentence enhancement for crimes involving hostility against disabled people as provided by Section 146, Criminal Justice Act, 2003. However, the Guidelines also provide for increased sentences where an offender is regarded as culpable of deliberately targeting a vulnerable victim, or where there is seen to be a more serious degree of harm because the victim is vulnerable. If a court decides to increase a sentence because of this latter vulnerability factor then, unlike the imposition of an enhanced sentence under Section 146, Criminal Justice Act, 2003, there is no requirement for a formal record to be made. Hence, there is no data available to determine how frequently courts opt for the vulnerability factor as opposed to Section 146. Chakraborti & Garland (2015, p.84) have suggested that opting for this “easier’ course of action” instead of utilising Section 146 contributes to a diminishing of the significance of disability hate crime within wider society. Furthermore, in respect of murders of disabled people, there have been comments from disability activists that the vulnerability factor is used in preference to Section 146, thereby leading to unduly lenient sentences (Pring, 2015; 2017).

The suggestion from the above is that the individual model of disability may still be influential at an institutional level and indeed a further contemporary example of the institutional disregard for a socio-structural interpretation of disability was provided in a recent consultation on amendments to the legislation governing disability hate crime. In that consultation, The Law Commission (2014) declined to accept recommendations that the definition of disability under Sec 146 (5), Criminal Justice Act, 2003 (see para 3.3.3 above) should be changed to reflect an interpretation in compliance with the social model of disability. Significantly, this decision was made on the following grounds:

For hate crime purposes it should be irrelevant whether a particular impairment or that condition makes it impossible or difficult to live a normal life. We therefore do not see any grounds to [change] the section 146 definition (The Law Commission, 2014, p.157).

Whatever the legal or other grounds for this stance, justifiable or otherwise, this decision to reject the socio-structural interpretation of disability is likely to be viewed negatively by those disabled people who are supporters of the social model of disability. However, disability advocates could take solace in the fact

that the Commission did call for an “in-depth review of the aggravated offences and sentencing regime” (The Law Commission, 2014, p.13). Yet, at the time of completing this thesis, this review has still not commenced.

3.4.2 Safeguarding Adults procedures

The identification of the vulnerability of disabled people has not just been shown in the way allegations are managed by police, the CPS and the courts however. Recent years have seen the creation of another quite separate route for the reporting of concerns about the abuse of disabled people, in the form of Safeguarding Adults procedures.

Local authority Social Services departments were set up in the UK in 1970 and their work involved supporting children, older people and disabled people, as well as others. However, although the need for formal mechanisms for safeguarding children were identified as early as 1974, it was not until the year 2000 that there was any identifiable attempt to establish similar formal mechanisms to protect adults who might be at risk from abuse. At that time, the Department of Health (2000) published *No Secrets: Guidance on developing and implementing multiagency policies and procedures to protect vulnerable adults from abuse* (often referred to simply as *No Secrets*). Commentators have subsequently described this document as “a landmark in setting up a framework for adult safeguarding” (Faulkner and Sweeney, 2011, p.2). As may be readily identified, the *No Secrets* notion of adult protection appeared to closely follow the conceptualisation of child protection, even mirroring administrative practices such as multi-agency conferences and serious case reviews, opting for Social Services as its lead agency and encouraging the development of local Safeguarding Adults procedures (Association of Directors of Social Services, 2005). In terms of its impact, it led to the introduction of local Adult Protection Committees and associated Adult Protection policies and procedures¹⁴.

The procedures were intended to apply specifically to vulnerable adults and the term vulnerable adult was part of the nomenclature of the original *No Secrets* guidance. However, in subsequent years, following consultation it was recommended by the Law Commission (2011) - amongst others - that the term

¹⁴ *Adult protection* was subsequently re-branded as *safeguarding adults*.

be replaced with the expression 'adult at risk'. Notwithstanding the terminology, the concept of how an adult at risk (ex- 'vulnerable adult) can be defined has remained fairly constant. Most recently, the definition has been provided by the Care Act, 2014 as:

Adults who have care and support needs (regardless of whether they are currently receiving support, from the local authority or indeed anyone); and who are at risk of or experiencing neglect or abuse, including financial abuse; but are unable to protect themselves (Care Act, 2014, sec. 274).

The critical part of the definition in respect of disabled people is the reference to "care and support needs". Since the introduction of *No Secrets*, every local authority in England and Wales¹⁵ has instigated procedures which offer the facility for allegations of abuse against adults who have care and support needs (i.e. predominantly disabled people and some older people) to be reported and investigated. Section 273 of the Care Act, 2014 now places a legal duty on local authorities to make enquiries or to ask others to make enquiries where they reasonably suspect that an adult is at risk. Similarly to national child protection procedures, local authorities have been nominated as the lead agency to implement and manage these processes. In terms of policy within the UK, allegations of abuse can be accepted and investigated at the discretion of persons within the local authority without any involvement from the police.

Evidence as to the relevance of Safeguarding Adults procedures to disabled people is provided by the national statistics on Safeguarding Adults which are collected by the Health & Social Care Information Centre from local authorities in relation to their recording of Safeguarding Adults cases. For the year 2014/15, based on Safeguarding Adults data submitted by all the local authorities in England and Wales, this showed that in more than three quarters (77 per cent) of cases the "primary support reason" for individual safeguarding referrals appeared to be impairment-related - i.e. physical, sensory, memory and cognition, learning disability or mental health (Health & Social Care Information Centre, 2015, p.14). It is clear from this that impairments of some kind have been key elements of Safeguarding Adults cases. Thus, the bulk of local authority Safeguarding Adults cases would appear to relate to disabled

¹⁵ Similar procedures exist in Scotland.

people. It could be hypothesised from this that police safeguarding records might refer to disabled people in a similar proportion. However, as will be seen when the survey aspects of the fieldwork are discussed later in this thesis, although this study attempted to focus on Safeguarding Adults referrals as a source of evidence, many police forces were unable to provide any data in relation to cases referred to local authorities as part of the Safeguarding Adults procedures.

Significantly for this study, one of the pieces of guidance which emanated from *No Secrets* was that agencies (including the police) should adhere to the following in relation to incidents involving vulnerable adults:

Record keeping. Whenever a complaint or allegation of abuse is made *all agencies* should keep clear and accurate records... Records should be kept in such a way that they create statistical information as a by-product (Department of Health, 2000, p.30, original bold type, my italics).

Although the original *No Secrets* guidance was not published as statute, the police issued subsequent *Guidance on Safeguarding and Investigating the Abuse of Vulnerable Adults* (Association of Chief Police Officers, 2012) which reaffirmed the obligation to make and keep clear, auditable records of alleged abuse involving vulnerable adults. In addition, since then an even more recent development has been the Care Act, 2014. This Act is accompanied by *Care and Support Statutory Guidance* which also reaffirms the obligation to keep records of safeguarding cases:

Whenever a complaint or allegation of abuse is made, all agencies should keep clear and accurate records... Records should be kept in such a way that the information can easily be collated for local use and national data collections (Department of Health, 2017, unpaginated)

Supporters of Safeguarding Adults approaches see them as being protective and therapeutic, having the advantage of engendering society-wide reassurance whilst, at the same time, ensuring resources are distributed in a proportionate, blame-avoiding manner (Brown, 2012). As might be expected from the previous comments above on the interpretations of vulnerability, the Safeguarding Adults procedures have not, however, been universally acknowledged as an effective means of supporting disabled people who have been victims of crime. Roulstone, Thomas and Balderston (2011, p.352) point

out that the adoption of these procedures “unhelpfully ensures that safeguarding and adult protection measures often take precedence over criminal justice responses”. Similarly, it has been noted that, by effectively giving local authority Adult Social Care Teams the lead in safeguarding, this has led to the situation whereby:

The message the police gets is that social care professionals should “protect vulnerable adults from abuse” rather than the police needing to support people to take action against offenders (Perry, 2004, p.44).

Brown's (2012) view is that the safeguarding approach and its initial reliance on notions of vulnerability has merely distracted attention from the State's responsibility to address inequality and injustice and, in addition, led to connotations of weakness and further stigmatising of disabled people.

In practice, it could also be that the alternative reporting routes offered by safeguarding procedures may be a contributory factor to the low reporting rates of disability hate crime. However, in terms of accurate recording, there are no official or national figures available to demonstrate how many safeguarding allegations are recorded as hate crimes and vice-versa. Nor is it clear whether there is any duplication between the two processes. However, as will be seen, the fieldwork evidence from this study suggests that a number of police forces understandably keep the investigation of hate crime offences quite separate from their involvement in local authority Safeguarding Adults investigations.

3.4.3 Understanding institutional responses

The response to the abuse of disabled people which is provided under the Safeguarding Adults procedures could perhaps be seen as well-meaning. However, as supporters of the social model of disability might argue, the fact that an approach is intended as well-meaning from an institutional or medical perspective does not necessarily mean that it benefits disabled people; (Young, 1990; Barnes and Sheldon, 2010; Gravell, 2012). Indeed, Young (1990) suggested that oppression is not simply coercion by the state, but moreover it is manifested in the structure of some of the well-intentioned policies initiated by the state to address disabling issues. The contention that some state policies designed to help and support disabled people actually have the opposite effect is an issue which has troubled disability commentators for some time and could

be regarded as pivotal to the thinking around the social model of disability (Oliver, 1990) discussed in the previous chapter.

It may be noted that this concept of a misplaced, well-meaning attitude is similar in kind to the notion of aversive disablism referred to by Deal (2007) earlier in this chapter. He argued that “well-intentioned services or even social policies may in reality create forms of oppression towards disabled people” (Deal, 2007, p.104). Indeed, in the UK, an example of a well-intentioned move that has impacted particularly on people with learning disabilities and other cognitive impairments has been the relatively recent introduction of the Mental Capacity Act, 2005 (MCA), statute which has actually boosted the legal powers of medical professionals in relation to their control over disabled people. The MCA formalised the notion that best interests decisions can be made on behalf of an individual who is judged as lacking the capacity to make his or her own decision (Mandelstam, 2011). However, there have been concerns that the Act might be adding further oppression to disabled people (Williams et al., 2012). Indeed, it has been observed that the decision as to whether to “empower or protect” disabled people (Dunn et al. 2008 p.234) has proved difficult to answer and the application of the Act may in fact be undermining the independence of disabled people.

Significantly, the issue of whether to empower or protect could also be said to lie at the heart of other commentators’ concerns over the efficacy of institutional safeguarding responses to crimes against disabled people (Sherwood-Johnson, 2012). As will be seen when the fieldwork findings arising from interviews with key stakeholders are discussed later, it was also a concern for the disabled people’s representatives in the interview cohort. Dunn et al. (2008) single out the interpretation of vulnerability as an area of concern, particularly in relation to the differing notions of the inherent vulnerability of the individual in contrast to the risk posed by the situational vulnerability being considered by the court. These references to the perceived vulnerability of disabled people and the recent statutory developments such as the Mental Capacity Act 2005 have been construed in institutional discourse as positive interventions in the lives of disabled people (Department of Constitutional Affairs, 2007; Series, 2015). Indeed, these new statutory interventions have been relied upon in respect of responding to disabled people as victims of crime and abuse. Manthorpe et al.

(2009) noted that the MCA carried special significance for adult safeguarding in terms of addressing concerns about difficulties in taking action or securing justice in relation to victims of abuse who had forms of cognitive impairment. In their survey of local authority Safeguarding Adults coordinators, they found that the MCA was considered to be a useful resource. However, it is unlikely that the Act was primarily intended to ease the professional lives of practitioners and (as discussed above with reference to the introduction of Safeguarding Adults procedures) the implementation of the Mental Capacity Act has been shown to be questionable in terms of its validity when referenced against contemporary interpretations of disability such as the social model. This is a significant area of concern for disabled people, as the nexus of living in a disabling society in the first place and then being a victim of crime, followed by experiencing the potentially disabling aspects of the administrative response, effectively means that a disabled person can be victimised in more than one way.

Indeed, whilst provisions such as Safeguarding Adults procedures and the Mental Capacity Act 2005 may have been considered to be ground-breaking and visionary (Manthorpe et al., 2008; Manthorpe et al., 2009; Series, 2015) when they were introduced over a decade ago, more recently they have come under scrutiny precisely because of their perceived groundings in the individual model of disability. In a recent study of Safeguarding Adults cases, Fyson and Kitson (2012, p.93) noted that there was “a failure to actively involve alleged victims in the safeguarding process”. Likewise, in a recent General Comment, the United Nations Committee on the Rights of Persons with Disabilities (2017, p.7) was critical of the “substituted decision-making” approach to addressing capacity in the UK. The committee noted that legislation (such as the MCA) signified a failure to understand the implications of Article 12 of the CRPD (United Nations, 2006). They suggested such types of legislation should adopt a more human rights-based model of disability which is based on “supported decision-making” (United Nations Committee on the Rights of Persons with Disabilities, 2017, p.7). In fact, as recently reported (Martin, 2014, p.1), a panel of distinguished legal experts in the UK recently came to the “broad and disturbing consensus [that]...in its current form, the MCA is not compliant with the requirements of the CRPD”. This finding is supported elsewhere by other legal commentators (Bartlett, 2012; Richardson, 2013; Series, 2014) and has

prompted negative inferences in relation to “the inadequacy of the binary between capacity and incapacity” (Clough, 2017, p.1). These observations are particularly concerning for, as will be seen later in this thesis, institutional “substitute decision-making” could be said to be occurring in a much more informal way than the way stipulated under the MCA. As will be seen later in this thesis, this has led to the situation where disabled people who are victims of crime may be put in a situation of double jeopardy (Sin et al., 2009), whereby they are initially disadvantaged by their cases being diverted into Safeguarding Adults procedures and then further disadvantaged in terms of substitute decision-making (see para 6.4.1). Satz (2009) has referred in general terms to double jeopardy as being a situation occurring whereby:

individuals are disadvantaged by the realization of certain vulnerabilities, and they are consequently denied or provided limited assistance because their needs are viewed as exceptional.

Other cases of double jeopardy arising from the fieldwork evidence are discussed later and it will be seen, for example, how the presence of friendship can lead to a potential deprivation of justice through the blurring of consent (see para 8.2.3).

In terms of mate crime, although these policies and practices may be well-intentioned, there is a risk that they fail to benefit disabled people as victims. These types of institutional response are relevant to this research as they have the potential to impact on the lives of disabled people in both a direct and an indirect way (Reeve, 2014), and their significance will be explored as this thesis progresses.

3.5 Summary

Both this and the previous chapter have outlined how the negative social connotations and oppression associated with disability can marginalise and stigmatise disabled people and provide the grounds for prejudice and hostility. However the evidence also suggested that influences such as psycho-emotional disablism and the effects of impairment can then contribute both to an increasing desire for familiarity, help and friendship from the victim. Suspects can then feel empowered by this situation and, as well as possibly adding

further motivation for exploitation, familiarity and friendship can be used to exploit the situational vulnerability or relational disadvantages of the disabled person. As can be seen from the model in Figure 8.1, the combination of familiarity and hostility then may ultimately lead to mate crime.

However, the previous discussions have shown that, as well as being a contended issue amongst scholars, the concept of mate crime has still not been fully accepted by the criminal justice sector. Indeed, the marginalised position of disabled people in society appears to have been reflected to some degree by a similar lack of recognition in the field of criminal justice. The police and CPS appear to have access only to limited published data on their involvement with disabled people. In addition, the legislation in relation to disability hate crime appears restricted in its scope. Furthermore, the Safeguarding Adults procedures have offered an avenue whereby incidents involving disabled people can be diverted away from criminal justice remedies. In respect of mate crime, it appears no formal records have been kept and both the police and CPS appear to have been distancing themselves from the concept.

Notwithstanding the above, there is some evidence that mate crime may be significantly affecting the lives of disabled people. From a scholarly perspective, the evidence also suggests that mate crime can be construed as a genuine subset of hate crime. As the thesis unfolds, attempts will be made to inductively develop a picture of mate crime which can be modified as dictated by the data gathered in relation to this phenomenon. Hence, as the boundaries of mate crime are more firmly established, further consideration will be given as to where it may fit within current theorising in relation to hate crime and also how theorising about disability might contribute to further understanding. Particular attention will also be given to the contribution provided by the academic discourse around the concept of vulnerability.

In the following chapters, this thesis researches the phenomenon from a number of perspectives, not only in relation to the extent of mate crime as a potential acquisitive crime, but also into its potential significance in sexual offences and serious assaults and murder. As the thesis progresses, subsequent chapters will examine how safeguarding services and the criminal justice sector respond to the risks that this type of crime presents.

Chapter 4

Designing the research study

So far, the evidence suggests that, although little is known about mate crime, it can be construed as a form of disability hate crime which appears to have received scant formal attention from criminal justice agencies. In this chapter, consideration is given to gaps in knowledge in relation to institutional responses as well as to the nature and extent of mate crime, as identified in the previous two chapters. The chapter begins by outlining the aim of this research and its constituent questions, including a description of the means of addressing the aim, and a discussion as to the justification for the chosen methodology. It then moves on to specify in turn the methods that were used to answer each of the research questions before concluding with a description of how the research methods were structured and how ethical issues were addressed.

4.1 Personal reflections on the research aim and methods

In terms of this study, my previous experience and employment (see para 1.1) had made me aware of the existence of mate crime (although, initially, it didn't have a name and I didn't recognise it when I first came across it). Then, when I began to take a scholarly interest in the subject and discuss it with colleagues, it was precisely the subject matter of the three research questions (see Box 4. 2) which stood out as uncharted areas of knowledge. In my discussions about mate crime, one or all of the three research questions came out in terms of how much of it is going on, what exactly is it, and what is being done about it. As can be seen, these are precisely the questions (in more formal terms) that form the basis of this thesis. As regards the first question, my previous experience led me to believe that there would be very few official records in relation to the extent of mate crime offending and hence, by introducing this as part of my research aim, I was potentially posing an unanswerable question. However, I was very much aware that, without some means of assessing the prevalence of mate crime, then this could considerably reduce the potential impact of any other research findings by allowing others to suggest that mate crime may be

insignificant in the lives of most disabled people (see para 4.1.2). Hence, I considered that an attempt needed to be made at assessing the extent of mate crime with a view to abrogating these concerns.

My professional background was not only instrumental in the choice of questions, however, it also played a part in the choice of methods. I am mindful that my contacts as a police officer allowed me to gain access to police records in a way that non-police researchers might not find so easy. Likewise my previous police experience allowed me to understand the appropriate ways to explore the records and be familiar with police technology and terminology. All of this facilitated the case study method as a means of exploring the nature of mate crime. Likewise, my professional background allowed me access to some contacts within criminal justice and safeguarding who I identified as key stakeholders for the interviews within this study.

Given the above and the evidence in the previous chapters, there appeared to be a convincing need for research to help further understanding of mate crime and institutional responses to it. To address this need, the study set itself an aim in the form of a question, the wording of which gave acknowledgement to the exploratory nature of the research. In addition, however, the aim was also intended to ensure that the study concerned itself with mate crime being perpetrated against disabled people:

Box 4. 1 The aim of the study

What is the nature and extent of mate crime offending against disabled people and how effective are institutional responses?

Three questions were then developed to address this aim. They are listed below in the order in which they are discussed in this chapter:

Box 4. 2 The research questions

1. What is the extent of mate crime offending against disabled people?
2. What is the nature of mate crime?
3. How effective are institutional responses to mate crime?

4.1.1 Multiple methods

As discussed previously, the above questions make the hypothetical assumption that mate crime exists and that disabled people are its victims. It was also further hypothesised that mate crime exists as a sub-category within the social construct of disability hate crime. These hypothetical assumptions were made in advance as very little was known about this under-researched area of study and these assumptions provided a good starting point. Thus, the study worked on the deductive hypothesis that mate crime can be said to exist. As will be seen, by attempting to secure responses to the research questions, it then tested that hypothesis. In so doing, inductive techniques were used where appropriate and these contributed more directly to addressing the research questions.

Once the above research aim and questions had been developed, the next thing to consider was the method which best addressed the questions. Although it was tempting to create one singular all-encompassing method, the diverse and exploratory nature of the questions meant that the most direct way of attempting to produce a comprehensive response to them was to ascribe a specific method as the main means of attempting to address each question. In this way, it was decided that three distinct methods were needed to respond to the three research questions. By this use of multiple methods, it was ensured that there was a clear effort to afford opportunities to answer all three questions. Indeed, outcomes arising from the application of each method also provided the opportunity to cross-fertilise lines of enquiry for the other research questions.

In terms of methodological typology, this sort of approach (particularly where there is a paradigm combination of quantitative and qualitative methods) has been described as mixed-method or multiple methods (Greene et al., 1989; Moran-Ellis et al., 2006). Mixed methods research has been described as:

Research that involves collecting, analyzing, and interpreting quantitative and qualitative data in a single study or in a series of studies that investigate the same underlying phenomenon (Leech and Onwuegbuzie, 2009, p.265).

Up until the latter part of the twentieth century, researchers tended to have been singularly loyal to either quantitative or qualitative methods, to the exclusion of

the other (Bryman, 1984). Many did so, not based on pragmatism, but from an epistemological perspective¹⁶. Indeed, scholars, such as Walby (2001, p.485), have referred to the “epistemological chasm” which existed between the quantitative and qualitative paradigms. However, in recent decades, the use of a multiple methods approach has gained sufficient methodological respectability to be referred to by some commentators as a “third paradigm” of social research (Johnson et al., 2007, p.129), with its own distinctive ideas and practices which mark it out as a viable alternative to solely quantitative or qualitative paradigms.

There are a diversity of ways in which social researchers have used mixed methods (Collins et al., 2006) but, whichever way, it has been argued that “the primary philosophy of mixed research is that of pragmatism” (Johnson et al., 2007). Denscombe (2008, p.272) has suggested that a mixture of methods helps “produce a more complete picture by combining information from complementary kinds of data or sources”. This was the case in this study and combining methods in a pragmatic way did prove to be a good way of studying the under-researched area of mate crime. In addition, such an approach allowed for the potential to discover mechanisms lying below the obvious data which might not have been revealed from the position of a single paradigm. Hence, a multiple methods approach allowed the study to achieve its aim through a combination of a spectrum of techniques ranging from survey data to data gathered from interviews thereby enriching understanding (Moran-Ellis et al., 2006) of mate crime and institutional responses to it.

By implication, hypothesising that mate crime existed also implied that it could be defined and potentially observed. Prior to the commencement of this research, mate crime had already had been socially constructed to some degree and this situation then facilitated this study to develop a testable hypothesis. Mate crime was constructed as a form of hate crime offending committed against disabled people. However, at the time of the commencement of this study there did not appear to be an agreed definition of any sort (see para 3.2). Notwithstanding this, in order to understand its nature some initial

¹⁶ Epistemology has been referred to as “a theory of knowledge...how we know what we know” (Blaikie, 1993, p.18).

boundaries needed to be set as to what might constitute a mate crime. These boundaries were drawn from previous commentary and can be considered as the fundamentals of mate crime. Essentially they were based on the common administrative criminal justice definition of what constitutes a disability hate crime agreed by the police (College of Policing, 2014, p.3) and the Crown Prosecution Service (2016, p.6) in that disability hate crimes involve hostility or prejudice towards somebody with a disability. However, apart from prejudice/hostility and disability, in order to reflect the conceptualisation of 'mate' as well as 'hate' this definition was adapted to include two more fundamentals drawn from the sources mentioned in the previous chapter. The first of these additional fundamentals was that mate crimes involved some form of befriending or familiarity between the offender and the victim and the second additional fundamental was that there was some element of taking advantage or exploitation involved.

Once the four fundamentals - impairment/disability, prejudice/hostility, friendship/familiarity and exploitation - were established, they were then reformulated back into a criminal justice administrative definition of a mate crime using the police/CPS agreed definition (ibid) as a template:

Box 4. 3 Provisional administrative definition of a mate crime

A mate crime is any criminal offence which exploits apparent mutual friendship or familiarity and which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's disability or perceived disability¹⁷.

Likewise, in a similar fashion, it was also deemed necessary to develop a provisional working definition of a mate crime incident as follows:

Box 4. 4 Provisional administrative definition of a mate crime incident

A mate crime incident is any incident which involves the exploitation of apparent mutual friendship or familiarity and which is perceived, by the victim or any other

¹⁷ Although the social model of disability would imply that these definitions should refer to impairment rather than disability, the phraseology was adopted to reflect that of the police/CPS administrative definition of a disability hate crime.

person, to be motivated by a hostility or prejudice based on a person's disability or perceived disability.

As will be seen, this development was intended as a preliminary act in the process of studying this phenomenon. The worthiness or otherwise of the provisional definitions of mate crime will be discussed as part of the conclusion of this thesis. However, once these provisional definitions had been adopted as part of the methodology of this study, it was in the interests of consistency to include some provisional specifications as to the interpretation of each of the four fundamentals within the definition. It was these specifications which helped, particularly in the selection of cases for the mate crime incident sample (see para 4.3.2).

4.1.2 Approaching the research

Taking each of the fundamentals in reverse order, disability is probably the concept which has received the most scholarly attention. The Criminal Justice Act, 2003 is the current piece of legislation in relation to disability hate crime offending, and it may be recalled that disability is defined under Section 146(5) of the Act from a purely biological perspective as “any physical or mental impairment”. Police guidance on this interpretation also reflects a similar biological imperative, stating that this includes “any disability including physical disability, learning disability and mental health” (College of Policing, 2014, p.3). Hence, given the working hypothesis that mate crime is a form of hate crime, it was this interpretation of impairment which was used as the basis, for example, to select cases to form the mate crime incident sample (see para 4.3.2) by way of any references to disability within the individual case records.

However, the police reports tended to use the term ‘disability’ simply as an alternative to ‘impairment’ with no reference to any other effects. Hence, in an attempt to recognise the significance of breaking the “traditional causal link” (Barnes and Mercer, 2010, p.30) between disability and impairment, this study interprets findings from the perspective discussed previously (see para 2.2.3) which is founded on the social model of disability but which also recognises factors including psycho-emotional effects and effects of impairment as potential influences.

Similarly, including the term prejudice in the definitions as well as hostility reflected precisely the terms used in the agreed police/CPS hate crime definitions (College of Policing, 2014) and had the advantage of incorporating contemporary theoretical interpretations of the significance of prejudice in relation to hate crime (see para 2.1). It may be recalled however, from a legislative perspective that the only current piece of UK statute which specifically addresses disability hate crime, the Criminal Justice Act, 2003, refers solely to the ‘hostility’ of the offender towards the victim. Yet, in providing guidance on the application of the above-mentioned Section 146 of the Criminal Justice Act, 2003, the CPS offered the following advice, linking the two terms:

In the absence of a precise legal definition of *hostility*, consideration should be given to ordinary dictionary definitions, which include ill-will, ill-feeling, spite, contempt, *prejudice*, unfriendliness, antagonism, resentment, and dislike (Crown Prosecution Service, 2014, unpaginated, my emphasis in italics)¹⁸.

Hence, the wording of the provisional definitions included the term ‘prejudice’ as well as ‘hostility’. Given the variety of meanings of hostility covered within this definition, it was found helpful within the fieldwork to consider these various meanings of hostility as being spread within a prejudice-hostility range. Hostility was regarded as being positioned at one end of the range as a signifier of overt behaviour, and prejudice was positioned at the opposite end of the range, seen as a more implied form of conduct. Antagonism, ill-treatment, contempt, etc., were then positioned somewhere in between, but there was no attempt to arrange them in any sort of hierarchy.

In terms of the understanding of familiarity adopted as part of the provisional definition for the purpose of this study, this concept had received only limited previous consideration. However, Landman’s (2014) interpretation of mate crime (see previous para 3.2) provided a sound basis for considering familiarity in three key aspects. The first was in respect of “makes friends” (Landman, 2014, p.362), suggestive of the notion that familiarity is mutual (albeit

¹⁸ NB The most recent CPS guidance (Crown Prosecution Service, 2017a, unpaginated), published after the completion of the fieldwork in this study, promulgates an almost identical interpretation of hostility, although the word “contempt” has been removed. The guidance offers no reason why.

sometimes an illusory mutuality), in that both victim and perpetrator are expected to be familiar with each other. The second aspect of Landman's interpretation was the suggestion that "the relationship is likely to be of some duration" (ibid). Landman provides no fixed rule about what is meant by duration. However, in terms of this study, this was interpreted as implying some history of engagement between the victim and the suspect. The final aspect of mate crime friendship prompted from Landman's (2014) definition was in relation to the type of relationship. He proposed that the friendship would typically exclude family members, spouses and professionals. In respect of this latter part of Landman's definition, although accepting of his view that spouses and professionals should not be included, this study was mindful of alternative options which did include some family members. For instance, Grundy (2009, p.20) has suggested that "'mate' covers a wide number of people including friends, family and supporters". Similarly, Thomas (2011) has referred to perpetrators of mate crime as "people that the disabled person considers to be their friends, or they may be relatives" (ibid, p.107).

Hence, in accordance with the exploratory nature of this study and the spirit of the 'mate' implied within its terminology, this study took the view that cases involving professionals, child abuse or abuse between intimate partners could not usefully be construed as mate crimes. However, for the purposes of the study, those involving other relatives could. This decision to include these types of cases on the margins of the definition was done so as it has been argued that it these type of liminal cases which assist in "expressing the range, scope, and boundaries of the complex" (Todres and Galvin, 2005, p.24). For the familiarity criterion to be fulfilled, these relationships would usually be mutual and would typically occur over some duration of time. However, within the final mate crime incident sample It transpired that only four (three cases involving nephews and one involving an adult son) of the sixty-two cases involved family members as suspects. Hence, it may be that in any future administrative definition of mate crime the involvement of family members as potential suspects could be re-examined, particularly in terms of its overlap with domestic abuse.

As regards exploitation, similarly to the CPS approach to defining hostility, interpretation of this particular mate crime fundamental was also achieved by

first referring to common dictionary definitions¹⁹. These definitions usually refer to individuals using a situation to gain unfair advantage and it was this notion that was adopted when cases were being selected in relation to the exploitation aspect of the mate crime incident sample (see para 4.3.2). Once the cases were identified, to aid analysis, the various examples of exploitation within the cases were then narrowed down by the researcher using the four categories of abuse (Health & Social Care Information Centre, 2015, p.18) as discussed in para 4.3.3.

When it came to considering the extent of mate crime, whilst acknowledging that there is a likelihood that a considerable number of mate crimes are not reported to anyone (Disability Rights Commission, 2004; Voice UK et al., 2008; Sheikh et al., 2010; Landman, 2014), it has nonetheless been suggested by recent small-scale surveys that mate crime is experienced by the wider community of disabled people (Vital Research and Statistics, 2013; Autism Together, 2015). However, there are currently no official or national statistics on the occurrence of this recently-identified crime and it remains unclear just how prevalent mate crimes are in England and Wales. Without such information, it could be argued that previously reported references to mate crime (Grundy, 2011; Quarmby, 2011; Thomas, 2011) may refer to isolated cases and, as such, this could lessen the social significance of this phenomenon. Hence it was decided that this study would focus its attention on those cases which had been reported to the police.

However, given that there is no formal administrative category of mate crime, it was considered that neither the provisional definition, nor the fundamentals of mate crime would be likely to assist in persuading police forces to trawl institutional records and produce lists of mate crimes (as the findings in Chapter 5 show, this did in fact prove to be the case). Yet, it was also similarly assumed (based on their provenance and characteristics) that a likely place to find cases which might comply with the definition of mate crimes would be within police records of disability hate crime. As the lead institution in terms of the recording of crime, it was accepted that the police would be the most likely organisation to

¹⁹ By way of justification, It may be recalled that this was the method used by the CPS (Crown Prosecution Service, 2014, unpaginated) as a means of interpreting *hostility* (see previous para 4.1.2)

receive details of these types of crime, even though the police were not (and, at the time of completing this thesis, are still not) under any obligation to categorise any allegation as a hate crime (College of Policing, 2014, p.25). However, as is discussed in the next section, it was also known that police forces kept records in relation to several related areas including calls received from the public and recorded crimes, including disability hate crimes. Hence, along with other police records, cases of disability hate crimes were seen as one potential source of evidential material for assisting in estimating the extent of hate crimes

4.2 Method re research question one

When attempting to evaluate the extent of hate crime, it was felt that this particular research question anticipated some empirical response. There is no national crime nor incident database within the police and there is no real-time inter-linking of crime and recording systems between police forces. As discussed in the previous chapter, in the interests of crime recording consistency, individual police forces are obliged by the government to comply with certain 'counting rules' in terms of what type of incident should be recorded as a crime and what might not (Home Office, 2015a). However, there is currently no insistence within the rules that data is kept in relation to the numbers of disabled people contacting the police. Yet, given the relative independence of force recording systems, it was surmised that some police forces may unilaterally have kept some records in relation to whether victims of crime were disabled people. On this basis, it was decided to try to access the statistical information stored in the records of each force in England and Wales as a means of attempting to gain some indication of the extent of hate crime.

4.2.1 The survey

To achieve this, it was decided that the most efficient method would be to adopt "the common-sense approach to doing social research" (Greener, 2011, p.38) by proceeding by way of a survey, and that the most effective way of conducting the survey would be by means of a single identical questionnaire (see Appendix A) sent to each force in England and Wales.

However, knowing that mate crime is not a formal recording category and that mate crimes are not recorded *per se*, it was anticipated that police forces would be unlikely to be able to provide definitive answers. Hence, the questions in the survey were designed to be focused on providing indications about the extent or otherwise of mate crimes rather than being in a position to focus on a specific recording category.

There was also a second part to this survey, though. For, as well as the above, it was recognised that previous research had suggested that mate crime offending has been influential in the cases of a number of homicides (Quarmby, 2011). However, it was speculated that, given the guidance of the College of Policing (2014, p.25) in relation to the recording of mate crime, individual forces would be unlikely to record whether an offence such as homicide was a mate crime. Indeed, of the sample of nine mate crime homicides considered by Doherty (2013), none of them were even recorded as disability hate crimes, let alone mate crimes. Notwithstanding this, it was known that (unlike most other crimes) details of homicides in England and Wales are recorded and stored nationally as well as in each force. Hence, in addition to the questionnaire to each force, it was considered appropriate to send a different separate questionnaire to the national homicide index at the Home Office to attempt to establish if any information could be garnered from them about mate crime homicides.

The survey was initiated by sending an e-mail containing a list of questions to the Freedom of Information mail address of every territorial²⁰ police force covering the land area of England and Wales. The e-mail was accompanied by an attached supporting glossary document which included, amongst other definitions, the provisional definition of mate crime (see Box 4. 3 above). The purpose of this glossary was to assist each of the respondent police forces in the survey to understand the concept of mate crime offending to be able to be able to determine whether it was something that they did actually identify and record separately. It was anticipated (correctly, as subsequent returns

²⁰ That is, police forces whose boundaries were coterminous to local authority areas. The conception of mate crime was one which meant that it was felt inappropriate to survey constabularies such as the British Transport Police, Ministry of Defence Police, Civil Nuclear Constabulary, etc.

demonstrated) that the response of most forces would be that they did not routinely identify and record this data as a category. However, it was considered that even confirmation of this negative assumption would be helpful in terms of the overall research aim of understanding institutional responses. The questionnaire also requested each police force to provide data on other police contacts with disabled people, including cases where a disabled person was an individual victim of crime or victim of suspected abuse or hate crime. The questionnaire was in the form of a short series of questions sets to each force requesting figures in respect of four categories of recording for the most recently completed fiscal year, 2014/15. Apart from being asked for statistics re mate crimes, the four categories of police recording were: incidents, crimes, hate-related records and adult safeguarding concerns. In each category, where appropriate, forces were asked how many of these cases involved disabled people.

The survey of all territorial police forces then concluded with the fifth question set, which was a separate request asking each force to provide a breakdown of their recorded disability hate crimes specifying the types of crime in each case (i.e. thefts, assaults, sexual abuse, etc.). This request was intended to thus produce a list of all offences (including serious cases such as rapes and homicides) which had been recorded as disability hate crimes. More specifically, however, in relation to disability hate crimes, police forces were also asked to provide data in relation to how many of these involved familiarity between victim and perpetrator. This request was also made in the anticipation that there would be an absence of specific data in relation to the occurrence of mate crimes. Instead, it was hoped that indicative evidence of the existence of mate crimes could be secured by assessing which disability hate crime cases involved some degree of familiarity.

In an attempt to ensure consistency of response across all police forces and thereby establish an overall picture of the potential extent of mate crime, it was decided to administer the survey as a formal request under the Freedom of Information Act, 2000 from all police forces within England and Wales. The Freedom of Information Act, 2000, has the advantage of obliging institutions to supply certain data free of charge to requesters. However, reasonably, the Act also allows certain exceptions to the obligations of institutions. In particular, if

the estimated costs associated with supplying the information amount to more than the limit of £450 (interpreted as eighteen hours of staff time) set by the Secretary of State, (Information Commissioner's Office, 2016), then Section 12 of the Act negates the requirement of the public institution to supply data without charge. This study did not have access to any funds which might support the additional costs which might occur if a force declined a request under the provisions of Section 12 and hence, if a force stated that the cost of acceding to a specific question was likely to exceed the limit, then the request in relation to that particular question was withdrawn.

In terms of this study, several police forces referred to this exemption, typically when asked to supply data which did not form part of their routine statistical canon. For instance, some forces cited the exemption when they were asked to sub-categorise the different types of crimes in their recorded disability hate crimes or signify the occurrence of familiarity in each of their recorded disability hate crimes. However, the view taken in this study was that, if any force could not produce such data without incurring costs of £450 or more, then that data could not be considered to be readily accessible in terms of a force being in a position to assess its own performance and hence such data gaps were recorded as a nil return.

The survey was sent to all forty-three territorially-based police forces within England and Wales. Unsurprisingly, given the legislative grounds in relation to this method, the questionnaire did not raise any significant ethical issues. Bespoke replies containing some form of data were received from all but one²¹ of the sample. Having said that, the amount of data returned in response to the questionnaire differed from force to force. The results of the analysis of the data arising from the survey are discussed in chapter 5.

4.3 Method re research question two

The nature of mate crime could be characterised in terms of how, to whom, and in what circumstances mate crimes occur and it was conceived that the type of response required by this second research question could be best addressed

²¹ Essex Police declined to provide bespoke data, but did provide web-links which provided some detail for the survey.

by means of a case study (involving multiple cases) within an individual police force.

4.3.1 The case study

Case study methods have been described as a reliable and robust framework for data collection (Remenyi et al., 1998). Indeed, Flyvbjerg (2006, p.26) has argued that “the case study is a necessary and sufficient method” for research in the social sciences. In terms of this piece of fieldwork, the purpose of the case study was to seek out documentary evidence from within police records in relation to mate crime. The case study method was settled upon as it was recognised that an understanding of the nature of mate crime implied that consideration needed to be given to the detail of mate crimes and this sort of detail was only likely to be secured by a deeper exploration of records, rather than simple statistical information. Similarly, a multiple case study method was chosen as it was thought it may potentially increase the explanatory power and generalisability of the data collection process (Miles and Huberman, 1994). Using a multiple case study method to explore cases allowed factors such as the types of individuals against whom this crime is targeted, the circumstances in which the offences occur, and the typical *modus operandi* to be revealed.

It was expected that gathering a sample of mate crimes from any police records was likely to involve a considerable amount of time, effort and intrusion. Understandably these considerations, particularly, in a time of restrictions on police budgets and resources, were likely to be significant factors in securing cooperation from a police force in respect of this part of the study. With the above in mind, of the forty-three geographically-based²² police forces in England and Wales, Alpha force²³ was chosen. This was on the basis that the intrusive scrutiny of an individual force’s records required as part of this piece of

²² The forty-three police force areas are based on county and similar administrative geographical boundaries. However, there also exist a small number of police forces whose responsibilities are non-geographic (e.g. British Transport Police and the Civil Nuclear Constabulary). These were not considered as it was thought that they contained largely non-residential populations and hence may have been unrepresentative.

²³ It was agreed that, to further reduce the likelihood of identification of any of the parties involved in individual cases, the precise location of the fieldwork site would not be disclosed (see previous chapter). Instead, it is referred to throughout as Alpha Police.

fieldwork would be facilitated by a level of cooperation which would be unlikely to be gained by a random request. The author of this research had previous personal trusted involvement with senior police representatives from Alpha Police, and hence, in furtherance of the pursuit of the research aim, Alpha Police force was approached in the first instance as it was felt that a request for help to that particular force was considered most likely to be accepted. Selection of Alpha also had the additional advantage of efficiency in terms of time that may have been used up in a potentially fruitless quest to secure the cooperation of a randomly-selected force.

In methodological terms, the manner of selection of Alpha Police as a fieldwork site for the case study is referred to as convenience sampling. Convenience sampling has been defined as “choosing settings, groups, and/or individuals that are conveniently available and willing to participate in the study” (Onwuegbuzie and Collins, 2007, p.286). Convenience sampling has been used effectively in other social research studies (Grattet and Jenness, 2005; Eisner and Nivette, 2013), including research into abuse of disabled people (Sin et al., 2009; Rowsell et al., 2013). As a means of gaining access to the fieldwork site, personal contacts within Alpha Police appeared to be helpful in that Alpha did agree to provide access to police records in the manner outlined above. Alpha Police acknowledged the fact that the research was to be conducted within the ethical standards laid down by the Faculty Research Ethics Committee of the University of Leeds and hence were willing to cooperate. However, representatives of Alpha made the decision that they were unable to justify using their own resources to secure the information requested. Instead, the view from Alpha was that they would allow access to their records on the assumption that their staff would not be significantly diverted from their allocated tasks to assist with the project. To this effect, they suggested that they would provide permission specifically for the researcher (suitably identity-checked and vetted and with appropriate security arrangements) to access Alpha’s records as required. In addition, in pursuance of this approach, representatives of the legal services department from within Alpha force also made approval for the research conditional upon the production and acceptance of a written information-sharing protocol jointly agreed by the researcher and a senior representative from Alpha Police. This protocol was to be completed and

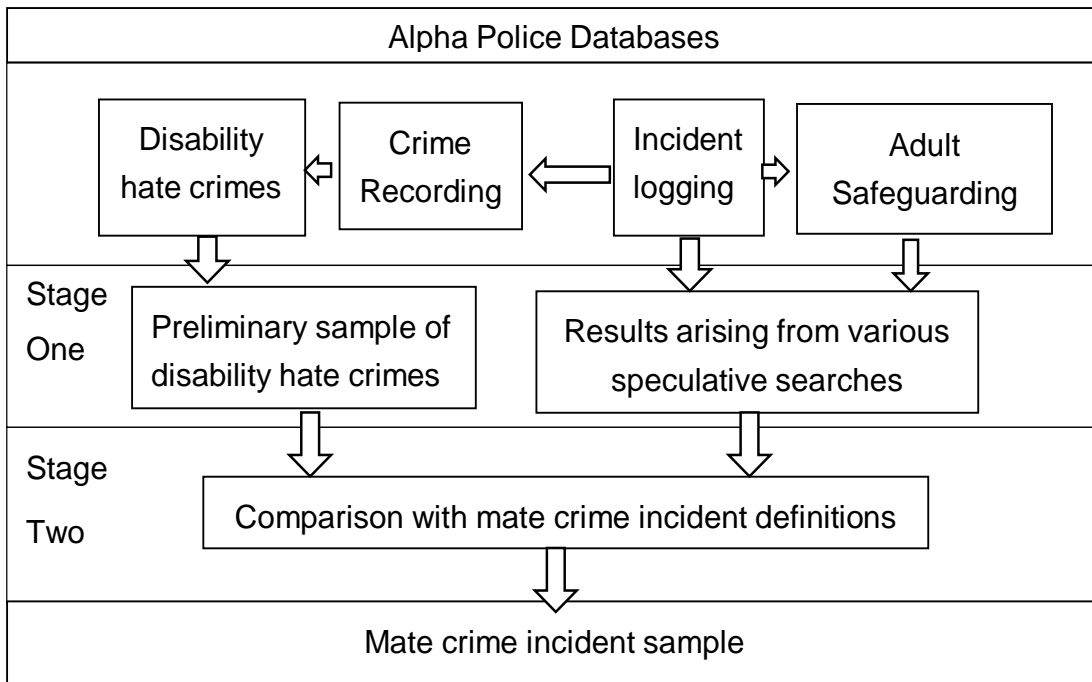
signed prior to any research occurring; the purpose of this document was to ensure that there was a written information-sharing agreement in place and to confirm some details about what data was likely to be needed for the research and how the data would be used, shared and stored. It may thus be noted that, in many respects, the contents of the protocol reflected some of the parts of the application for ethical approval for this study. Indeed, the contents of the draft protocol were submitted for ethical approval (see para 4.5.2 below) alongside other associated documents prior to the protocol being jointly signed by the researcher and a senior officer from within Alpha Police.

Once ethical approval had been granted (see para 4.5.2 below) and the agreed protocol signed and counter-signed, there was a further short delay to fieldwork whilst arrangements were made for the researcher to be vetted. It had been established in advance that the cases which the study expected to scrutinise were likely to be found in Alpha's command and control system which contained Alpha's incident logging database and crime recording database²⁴. The latter database gave access to Alpha's recorded disability hate crimes and, given the evidence that mate crime is a form of disability hate crime (see para 3.2), it was anticipated in advance that these particular crimes could be a productive source of potential mate crimes. However, as well as the above two databases, one other alternative database, was Alpha's safeguarding database, which was of particular relevance to this research (see para 3.4.2 re Safeguarding Adults).

The different databases within Alpha Police meant that different sampling tactics were needed as a means of efficiently gathering the cases to form the mate crime incident sample. In practice, the scale of the task meant that cases for the final sample had to be gathered by means of two different stages. The first stage involved identifying potential mate crime incidents and the second stage involved narrowing down which of the potential cases could actually join the mate crime incident sample. An illustrative overview of the stages and processes used in gathering the sample are shown in Figure 4. 1 below.

Figure 4. 1 A diagrammatic overview of the processes involved in gathering the mate crime incident sample

²⁴ Each incident also provided a digital link to its associated crime record, where one existed



As can be seen, the first stage required two different collection processes. The first of these processes involved gathering a preliminary sample of disability hate crimes. In respect of disability hate crime records, all police forces have been obliged to recognise, record and submit statistical information on all hate crimes including disability hate crimes since 2009. Alpha's database of disability hate crimes was relatively few in number and comparatively easy to access. The study set out to gather cases which were as contemporary as practicable, as it was thought that the more recent was the commission and recording of the crimes, the more accurately representative of current trends the sample would be. Hence a stratified sample (Teddlie and Yu, 2007) of disability hate crimes was gathered by searching in reverse date order, beginning with the 31st August 2015²⁵, a date that was just a few months prior to the commencement of the fieldwork (to allow for the closure and completion of records). Once a reasonably sized preliminary sample of fifty-five disability hate crimes had been gathered (Small, 2009), it was then ready to be subsequently analysed by comparison to the definition (see stage two above) with a view to identifying which crimes from within the sample could be identified as mate crimes.

²⁵ The precise date ranges and associated numbers of disability hate crimes have not been specified in this thesis, as to do so might facilitate identification of Alpha force. Likewise, elsewhere in this thesis, efforts have been made to avoid any references which may distinguish Alpha from other forces.

4.3.2 The sampling process

One of the additional benefits of gathering a preliminary sample of all disability hate crimes across a given time period was that it allowed for an assessment to be made of the proportion of hate crimes within the preliminary sample. As will be seen, this proportion proved to be useful later in the analysis (see para 5.4).

However, in terms of approaching this study with the suspicion that there might have been institutional under-recognition of hate crimes, (Dunn et al., 2008; Roulstone et al., 2011; Brown, 2012; Sin, 2013), it was also thought that a further deeper level of analysis would need to be conducted to examine incidents not categorised as disability hate crimes. Hence, the search for incidents was confined not only to recorded disability hate crimes, but also efforts were made to trace incidents by means of a second process involving searching elsewhere in Alpha Police's databases including incident logging, safeguarding and crime recording. Unlike the small number of disability hate crimes in Alpha's databases, however, there was no means of identifying in advance where potential hate crimes might be found within these databases. With respect to this part of the sample, even though the fieldwork was narrowed down to one particular force, it was impractical, within given time constraints, to examine every incident recorded in a whole day, let alone any longer sampling period²⁶. Hence the study adopted a purposive sampling method as a means of identifying individual potential cases. Purposive sampling has been defined as a type of sampling in which

particular settings, persons, or events are deliberately selected for the important information they can provide that cannot be gotten as well from other choice (Maxwell, 1997, p.87).

Although purposive sampling is not random and hence is not statistically generalizable (Merriam, 1998), it had the advantage over random sampling of allowing for the selection of cases to be based on the specific purpose of addressing this particular research question (Teddlie and Yu, 2007). This allowed for the production of sufficient cases to enable the case study to have "a logic and power - and provide rich information" (Patton, 1990, p.169). Indeed,

²⁶ As an extreme example, the Metropolitan Police in London claim to record approximately 21,000 incidents per day on average (Metropolitan Police, 2016)

given that there existed no advance precedent to indicate how else to effectively secure an adequate sample of these types of incidents, the exploratory nature of this research topic justified this type of sampling.

Once potential mate crime incidents had been identified, the decision as to whether any of them were qualified to join the mate crime incident sample was dependent on the second stage of the process - applying the criteria for selection. This involved checking if the circumstances of a case fitted the mate crime incident definition (Box 4. 4). However, the process of checking whether a case's circumstances fitted the definition also depended on where the case details were contained. In all the cases, it was found in practice that information could be spread across more than one database (see Figure 4. 1).

Notwithstanding this, each case and any associated record usually contained a narrative of the circumstances of the incident, typically (but not always) alongside detail such as who reported the matter as well as some information about the victims and suspect. Once this information had been found, it was then compared to the mate crime incident definition (see Box 4. 4) to establish if its specifications matched the criteria for selection for the sample. Those that did not match the definition were discarded and those that did match were earmarked to join the mate crime incident sample. This process necessarily involved a subjective assessment being made as to the characteristics of each potential case. As a means of assisting judgement in this final selection process, reference was made to the four fundamentals of mate crime within the mate crime definitions; impairment/disability, prejudice/hostility, friendship/familiarity and exploitation.

This second stage of gathering the final cases for the mate crime incident sample was effectively a further application of the purposive sampling approach discussed above. In respect of the fifty-five disability hate crimes that had been gathered from Alpha's databases, purposive sampling was relatively straightforward and involved checking each of them against the definition. Once this had been done, it was found that thirteen of the cases (24%) within the preliminary sample of disability hate crimes were found to be mate crimes.

However, the process of checking the potential cases gathered by using the speculative searches within Alpha's incident logging and safeguarding

databases was not as straightforward. It was estimated correctly in advance that an adequate sample (Small, 2009) might be gathered by checking Alpha's databases for a period of single year. Hence, these speculative searches were conducted for records of incidents for the most recently completed fiscal year, from 1st April 2014 to 31st March 2015. Combinations of several search fields and bespoke search terms with disability connotations such as 'disab', 'learning dif' and others produced hundreds of search hits²⁷. However, many of these hits were in relation to completely unrelated matters (e.g. parking, access, toilets, etc.) and it proved administratively impractical to record each hit or produce a preliminary sample. Instead, search hits were assessed in the field. Many could be summarily discarded whilst more likely cases were subject to the same above process of reference to the definition of a mate crime incident.

This process then did eventually yield a total of fifty-one mate crime incidents drawn from Alpha's incident logging and safeguarding databases. As the subsequent analysis showed, not all of these cases had been recorded as crimes. However, they have been included in the sample along with the eleven²⁸ mate crime cases identified from within Alpha's records of disability hate crimes as the circumstances in each case complied with the definition. This led to a total of sixty-two cases forming the mate crime incident sample. This meant that only eleven of the sixty-two incidents in the mate crime incident sample were recorded by Alpha Police as being disability-hate-related. However, as will be seen when the cases are explored in more detail in Chapter 6, the fact that most of these incidents were not recorded as hate crimes did not undermine the potential for them to be considered as examples of mate crimes.

4.3.3 Preparing the sample for analysis

One further issue to note is that, despite the relatively detailed and time-consuming nature of the process, there was no guarantee that this sample was exclusive. The speculative search process was not intended to be exhaustive and hence it should be borne in mind that there may well have been more mate

²⁷ Meaning the instance of identifying an item of data which matches the requirements of a search.

²⁸ Out of the original sample of fifty-five disability hate crimes, thirteen had been identified as mate crimes. However, one incident can lead to more than one crime being recorded. It was found that the thirteen crimes had been drawn from only eleven incidents.

crime incidents recorded by Alpha over the year in question but which were not identified through this exercise. Eventually, however, cases selected from Alpha's disability hate crime records and incidents selected from elsewhere in Alpha's systems were purposively gathered together for this study using the mate crime incident definition as the criterion for selection. This sample became known as the mate crime incident sample. Once the sample of mate crime incidents had been collected, the gathered data from each case was transferred from its handwritten format into a form that would assist in subsequent analysis. This meant in the first instance that details were first tabulated into 'Microsoft Excel' and then subsequently coded and transferred into 'IBM SPSS' statistical software.

In respect of this sample, each individual case was accompanied by a hand-completed case research form containing narrative detail of each case. The case research form contained some quantitative demographic details as well as subjectively-defined variables in relation to impairment, risk, familiarity between victim and suspect, etc. It also contained other data such as the type of person who referred the incident, the nature and type of accommodation in which the victim was residing and details of its location. Perhaps most significantly, the handwritten forms also included "rich" (Bryman, 1984; Patton, 1990) narrative information extracted verbatim from the police reports which it was hoped would add to the understanding of the nature of mate crime.

In terms of coding the data, it became clear in the first instance that some of the data needed to be assessed and categorised to support subsequent analysis. Where available, details of the sex, ethnicity, age and number of victims and perpetrators/suspects could be recorded verbatim. However, some of the other aspects of the data first needed a subjective analysis. For example, in the case of the category of risk experienced by each victim, there were potentially scores of possible criminal offences, reference to which would have been of little value given the small sample size. Hence, the main offence alleged to have been committed in each case was narrowed down to a selection from a choice of four risk types; emotional, financial, physical and sexual. These four categories were subjectively-defined for the sample for two reasons. The first was that they were identical to the first four broad categories of risk used by the Health & Social Care Information Centre (2015, p.18) when producing statistical reports in

connection with Safeguarding Adults. The second reason was that the number of categories was sufficiently small to be able to have some meaning when being used in respect of such a small sample. Categorisation was a subjective process conducted by as part of the study based on the circumstances of each case. Some cases appeared to involve more than one category of exploitation. In these circumstances, to ease subsequent statistical analysis, the category of risk which the narrative suggested was most prominent was used to code each case, such that only one category of risk was allocated to each case.

Similarly, a subjective assessment by the researcher was required when categorising the type of impairment of each individual. In many cases the impairment type was relatively clear within the case reports. However, in other cases, the researcher was required to make decisions based on the description offered within the case. This proved not to be as definitive an approach as might be desired in terms of precise boundaries of types of impairment. For example, in some cases the record might not specify a victim's impairment but might refer to a mobility scooter. In which case, the impairment would be recorded as physical. Likewise, in ten of the sixty-two cases, the type of impairment was ambiguous or multiple impairments were suggested. In these cases, a subjective decision was also made to select the impairment as the one which the evidence within the case study narrative suggested was the most prominent. For example, case MCI/27, in which the police report described the disabled person as "very vulnerable. She suffers from mild learning difficulties, has mental health issues and self-harms". Likewise, the police report in case MCI/16 describes the victim as being "mentally and physically disabled". In these cases, the primary category of impairment was selected for the purposes of the study based on the evidence that may have been available in the narrative.

A similar process was adopted in relation to prejudice/hostility whereby, if any of the descriptors in the prejudice-hostility range (see para 4.1.2), were present, then the case met the criteria for selection for the sample. However, in practice, precise coding of cases within the range became unsustainable as nearly all the cases involved more than one descriptor. For example, if a perpetrator showed contempt then he might well also be considered to be demonstrating ill-will, unfriendliness, etc. The difficulties that this presented and the relationship and

the validity of the terms prejudice and hostility will be elaborated upon further as this thesis progresses. Studying the evidence available within the sample, a similar decision was made in respect of the familiarity between the suspect and victim (if any). In conclusion, a summary of the circumstances of each incident was also completed.

Details of the analysis of the mate crime incident sample are included in Chapter 6. There, it will be seen that, in order to set about achieving the research objective of understanding the nature of this type of crime, the exploration of the data was both quantitative as well as qualitative. In respect of the quantitative data, most of the statistical presentation is provided in the form of frequency tables. However, as an aid to understanding any correlations in the data, it will be seen that some of it is also presented in the form of cross-tabulated contingency tables. Data from the latter was subjected to statistical hypothesis-testing. However, as the expected counts in many of the cells in the contingency tables were low, a chi-square test of independence was considered to be inappropriate. This was due to the fact that the chi-square test is an approximate method and, given the small sample size, it could not be assumed there was enough data to fall randomly across the contingency tables produced from the sample (McDonald, 2014). Instead, in respect of the contingency tables, Fisher's Exact Tests of independence were conducted as a more accurate method of assessing the significance of findings (Ruxton and Neuhäuser, 2010). These were accompanied by residual analysis, which calculates the difference between each observation and the mean of its group (McDonald, 2014); typically, any residual value above 2 is unexpected and above 3 is very unexpected. As will be seen (for example in Table 6. 11), this assisted in providing an indication of those figures which made a particularly strong contribution to the relationships depicted in the tables.

Notwithstanding the above, however, given the small size of the mate crime incident sample, all of the statistical findings should be treated as descriptive rather than inferential.

4.4 Proposed method re research question three

The third research question was intended to assess the extent of the effectiveness of institutional responses to mate crime and consider how they might be more effective.

4.4.1 In-depth semi-structured interviews

To address this question, it was decided that the study would seek the views of identified key stakeholders who may be in positions not only to provide evidence as to the effectiveness of institutional responses to mate crime but also to provide other rich data in relation to the issue. A stakeholder has been defined as "...any person, group, or organisation that is affected by the causes or consequences of an issue (Bryson and Crosby, 1992, p. 65). An anonymised list of the key stakeholders and their professional roles can be found in Table 7.1.

An approach to the research involving the use of in-depth semi-structured interviews was seen as potentially allowing for much more engagement with participants. As Greener (2011, p.77) has identified, the use of interviews as a research method allows participants to "speak for themselves...giving voice to people who might otherwise be overlooked or excluded". In this respect, Punch (2005, p.172) has observed that "... a successful in-depth interview has many of the characteristics of a long and intimate conversation". It was anticipated that this degree of closer personal engagement provided by the in-depth interviews would facilitate a better understanding of the context in which the participants operate. This method was chosen as it was hoped the interviews would provide access to a pool of "rich" data (Bryman, 1984, p.79) in relation to the institutional responses to mate crime. This notion was relevant in respect of all interviewees, but particularly so in the case of those four stakeholders who were representatives of disabled people. It was anticipated that the interviews would give the opportunity for these representatives to assist the study to understand the position that disabled people face within society (Priestley, 1997; Walmsley, 2001; Barnes and Sheldon, 2007) and how the impact of mate crime might be influenced by other disabling factors in the lives of victims.

Given the dynamic nature of interviewing, it was also anticipated that, as well as addressing the research question in each case, the question set could be combined with other questions emanating from the ongoing dialogue during each interview culminating in “emerging understanding” (DiCicco-Bloom and Crabtree, 2006, p.317) during the process. It was intended that this combination of a more deductive initial “organizing framework” (Bradley et al., 2007, p.1761) together with a progressive inductive focus would hopefully generate new theoretical insights rather than simply test hypotheses.

As regards selecting the sample of key stakeholders, efforts were made to reduce the potential for stakeholders to merely reflect the values of the researcher. In order to abrogate this risk to some degree, in an attempt to increase representation by those who may have a legitimate interest in this subject area, a range of three broad stakeholder groups were identified as those who may have a stake in the causes or consequences of mate crime. These stakeholder groups were identified following the literature review and included the following: representatives of disabled people; criminal justice professionals (e.g. police, the Crown Prosecution Service, the Police and Crime Commissioner); and social care professionals (e.g. local authority, care providers, Safeguarding Adults representatives). In all groups, it was expected that participants would have some knowledge or expertise in dealing with crimes against disabled people.

The so-far-unexplored nature of mate crime meant that there was no way of producing a random sample which could be considered to be truly reflective of members of all stakeholder groups. Hence, purposive sampling seemed the most appropriate method of gathering participants for this particular aspect of the research. Purposive sampling has been defined earlier in this chapter (Maxwell, 1997) and again, given the tight resource limits of this study, purposive sampling appeared to be an efficient way to select the members of the stakeholder groups. With no knowledge of how difficult it may have been to access participants, however, a purposive sampling method also had the advantage of allowing for the use of “snowball” sampling (Mo, 1978). This technique, associated with purposive sampling, was used in the selection of a small number of the participants as, in the absence of sufficient volunteers accessed directly through representative groups, it allowed the research to be

able to attempt to reach an expanding network of respondents. It worked on the basis that contact with one interviewee may then lead to that person sharing details of another, who in turn may share the details of the next participant, etc. As Denscombe (1998, p.16) points out the “snowball technique is completely compatible with purposive sampling” as it still allows for the others participants to be selected on the basis of conditions related to the research project.

Notwithstanding issues related to identifying potential participants, consideration also needed to be given to when to stop recruiting, to put an indicative limit on the number of interviews that were considered adequate to meet the needs of this research. When asked this question, in a recent survey by Baker and Edwards (2012), many researchers cited saturation as being central to qualitative sampling. Saturation was conceptualised by Glaser and Strauss, (1967) as the process whereby cases continue to be sampled until no new relevant theoretical insights can be gleaned from the data. However, an uncritical adoption of this approach in advance may have rendered it impossible to specify the number of interviews at the inception of this research, as saturation can only fully be understood once a number of interviews have been collected and analysed. Fortunately, more recent research by Guest et al. (2006) has given some advance indication as to the number of interviews that might be appropriate. Guest et al. (2006) demonstrated that, in a number of fieldwork interviews conducted for a piece of research, 94% of important themes were identified in the first six interviews and the first twelve interviews elicited 97% of the important codes. This finding was subsequently similarly replicated by Francis et al. (2010). Hence, given the exploratory nature of this research into mate crime and its professed wide aims and objectives, it was proposed that recruitment of participants would stop when estimated saturation was reached. In practice, this proved to be a total of eleven interviews with a total of twelve participants (two participants were interviewed together at the same time).

4.4.1 Conducting the interviews and Integrating the research

Although this size of sample may not be representative in a statistical sense, an overall sample of twelve participants was considered a reasonable number and, by this choice of sample size, it was hoped to secure an indicative/illustrative

sample with some room for variation. Indeed, the purposive sampling approach secured a representative sample (Yuksel et al., 1999) but purposive selection also meant that participants could be chosen on a number of grounds, one of which was, for example, that a number of them had some knowledge of the strategic issues in relation to this type of crime. This was helpful in that, in the subsequent interviews, they were able to articulate understanding at both a policy level as well as an operational level. In this way, the study sought to understand how these key stakeholders assessed not only the impact of mate crime, but also the effectiveness of institutional responses and an indication as to the effects those responses might be having on victims.

It is noteworthy that all four of the members of the sub-group representing disabled people had previously identified themselves as disabled people also. None of the other eight interviewees identified themselves as disabled people.

As regards the actual interviews themselves, these were conducted either in person or by phone/Skype, depending on convenience. All of the interviewees had been identified as key stakeholders and hence, as might be expected, they appeared to be able and willing to confidently engage in the interviews from the outset with very little additional prompting. Topic areas for the interviews had been pre-prepared in advance (see Appendix B) and exploration of each topic area typically involved open questions. However, given that participants were from a range of stakeholder areas (criminal justice, social care and disabled people's representatives), the depth of response varied accordingly. In addition, although pre-prepared topic areas meant that there was some consistency in terms of making each interview as thorough as the previous one, variations in consistency may also have been influenced by the chronological order in which the interviews were conducted. If interviewees introduced lines of enquiry that had not been previously considered, then these were typically followed up within the interview. Nearly all of the interviews lasted more than an hour (one interview was slightly shorter) and some were nearer two hours. With the prior consent of the participants, all interviews were audio-recorded in a digital format.

When it came to subsequently analysing the interviews, coding was completed by means of template analysis (King, 2004), an approach which is consistent

with the exploratory nature of this research as well as being appropriate to the practical skills of the researcher in this project (Ryan and Bernard, 2003). Template analysis involved developing a list of codes (a 'template') representing themes identified arising from the data. Codes were assigned to identified parts of the transcribed interviews as part of a process which helped catalogue key concepts while preserving the context in which the concepts occurred (Boyatzis, 1998). The coding of the transcripts of the interviews of the key stakeholders was influenced by the choice of questions prepared in advance for the semi-structured interviews. These questions had been prompted, in turn, from some of the issues arising out of previous scholarly comment around this subject area, as well as the researcher's own observations arising from the earlier fieldwork studies in this piece of research - the case study and the survey of police forces. This largely deductive provisional coding structure (Miles and Huberman, 1994; Bradley, Curry, et al., 2007) was then supplemented by additional coding categories which were identified in a more inductive *ad hoc* manner as the interviews progressed until a final coding structure was produced.

To prepare the data for subsequent analysis (see Chapter 7), codes were then entered for each identified theme together with the extent of evidence onto a table using Word software. Specific codes were then grouped together within that structure so that particular aspects of the research questions could be considered thematically. This approach helped concentrate on the broad commonalities of views within the interviewee group rather than individual differences. In addition, it also allowed attention to be focused on the broad clusters of themes which could have linked or divided the different stakeholder groups.

4.5 Data management and ethics

This section first provides an overview of the chronological order in which the various methods were conducted together with an explanation as to how the findings from the three methods were integrated into a coherent response to the research aim. This is then followed by an examination of the ethical considerations in relation to the study .

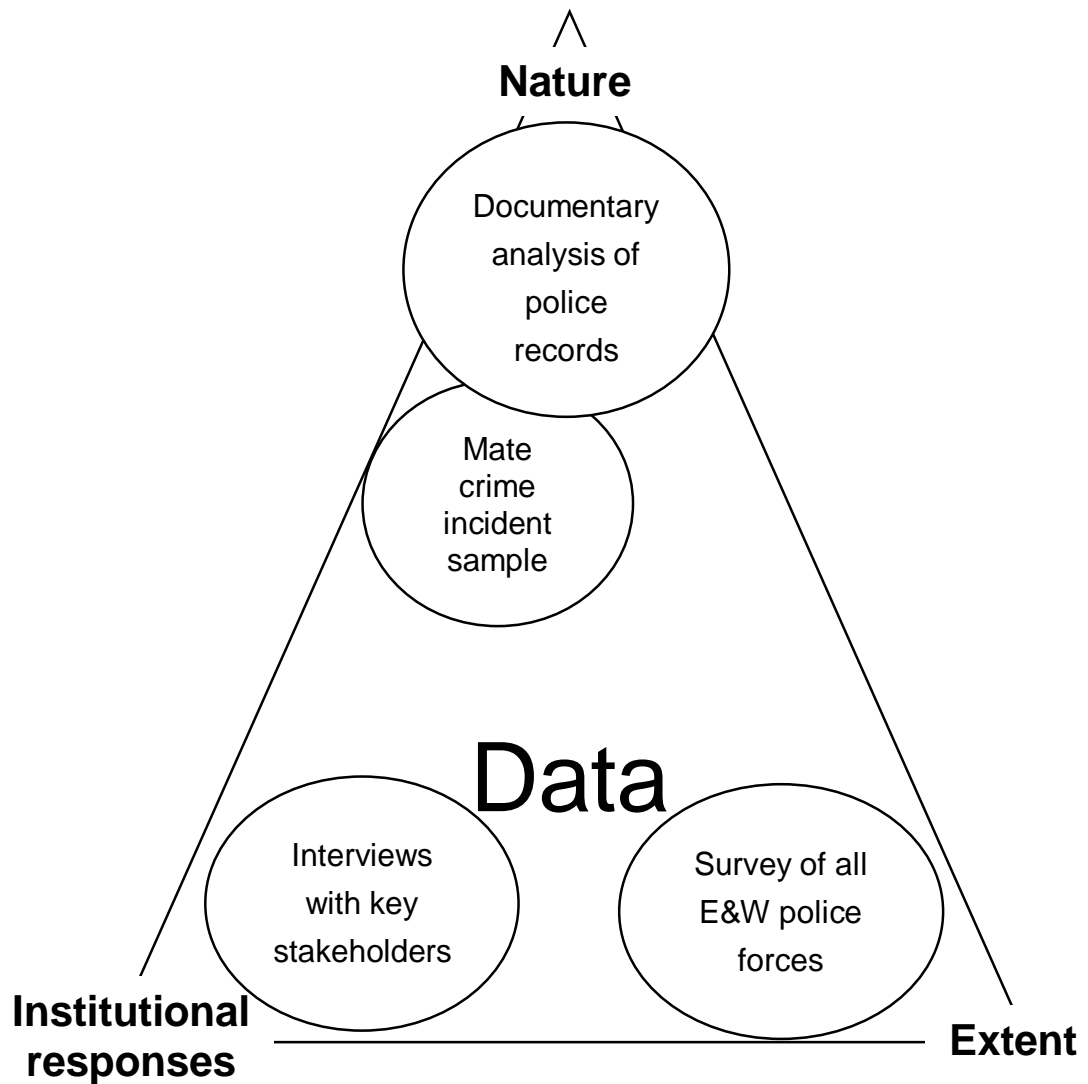
4.5.1 Chronology of methods and integration of findings

The interviews were the last method to be conducted in the fieldwork. By doing this, it allowed questions to be raised in the interviews in relation to relevant themes which became known in either the case study of Alpha Police or the survey. The interviews were the most dynamic of the three methods, in that they involved a process which, rather than being a passive exploration for information, instead required active engagement with the participants. Hence, the more information that may have been available from other data sources (i.e. the survey and the case study), the more productive the interview process had the potential to be.

The documentary analysis of police incidents was conducted first as it was expected that this would be more likely to identify the realities of the nature of this type of offence in terms of potential impact on victims (Bryman, 1984) as well as provide some potential insight into institutional approaches as perhaps offering potential lines of enquiry for the subsequent survey questionnaire but more so for the interviews. The survey was conducted second as it was anticipated (correctly, as it transpired) they may raise issues which could be explored further in the interviews.

Clearly when developing the use of these methods, one major factor to consider was the extent to which the findings from the methods could be integrated to provide a synthesised response to the research aim. This was a particular consideration in respect of attempting to integrate the more qualitative methods – the documentary analysis and the interviews – with any quantitative data gained from the survey. As can be seen from the descriptions of the methods above, the methods were planned so that results from one data-gathering method might assist in improving or developing the application of the next method. So, for example, findings from the documentary analysis of police incidents acted to inform some of the prompts for the semi-structured interviews. The integration of data can be seen pictorially in Figure 4. 2 below:

Figure 4. 2 A pictorial representation of how the study integrated the data arising from the methods used to enquire into the nature, extent and institutional responses to mate crime



However, as can also be seen from the above, the use of multiple methods in this study was intended not strictly as an “integration of methods”, but more an “integration of data” (Moran-Ellis et al., 2006, p.55). Moran-Ellis et al refer to this approach whereby data generated by different means are brought together to produce an overarching response to the research question at the analysis or theory stage as “analytic or interpretive integration” (Moran-Ellis et al., 2006). Given the exploratory nature of this research and the lack of predictability of findings, the above type of integration seemed to be the most sensible route to follow. As will be seen, data was integrated by using a technique referred to as ‘following a thread’ (Moran-Ellis et al., 2006; Cronin et al., 2008; O’Cathain et al., 2010). This involved selecting a theme or question and following it across all of the qualitative data collected. Full details of the analysis of the data are provided in subsequent chapters.

4.5.2 Ethical considerations

Ethical issues were identified in advance and ethical vigilance was maintained throughout the research process, with particular attention being given to prominent ethical issues relating to confidentiality, anonymity, informed consent and data protection.

In terms of the survey, use of the Freedom of Information Act was advantageous in that the process involved no significant ethical issues as the Act obliges institutions to comply with data protection and privacy laws, etc. before supplying information to requesters

However, the ethical issues in relation to the documentary case study with Alpha Police were more complex. One of the main ethical issues that this part of the study needed to address was to ensure that any incidents catalogued during this method of data collection did not contain any personal identifying details. In order to ensure that individual officers were in no doubt as to the nature of the research, the case study within Alpha force was given the short title, the *Mate Crime Research Project*. As well as the protocol requested by the legal services department of Alpha Police (see para 4.3.1 above), the police representatives were provided with a brief overview of the aims and objectives of the whole research study as well as a similar overview of the part of the study occurring within the police station. In addition to these documents, the representative signing on behalf of Alpha Police was provided with a pre-prepared written consent form, which also gave a concise overview of the research. The content of all of these forms had been previously approved by the Faculty Research Ethics Committee of the University of Leeds.

To ensure compliance with data protection and ethical guidelines, it was agreed that all personal identifiers would be removed when recording details from police records and the anonymity of participants would be secured by using codes and / or pseudonyms where necessary. In addition, it was ensured that any records of incidents made by the researcher did not contain narrative identifying detail such as addresses, descriptions, or other similar distinguishing information. Instead, as and when necessary, such information was codified and recorded alongside demographic details. It was also recognised that the duty of confidentiality was not just in respect of the public, but also with the

employees of Alpha Police. Hence, as agreed in the protocol and the ethics application, no details of any member of staff of the police force were recorded.

In a further aid to the security of the information gathered, it was agreed that the anonymised data relating to the incidents would initially be collated at the police station. To limit the chances of peripheral data breach, Alpha Police already had a policy of disabling any means of facilitating external data transfer on the police computers. This meant that data could not be copied by way of USB, CD or wirelessly. In the field, it became clear that this meant that the most accurate, efficient and practical means of anonymising and transcribing data from Alpha's databases was to initially record it on paper using a pen and then subsequently transcribe it directly on to Excel spreadsheets. The handwritten notes were recorded on pre-prepared hard copy case research forms, one for each case. The anticipated side-effect of this was that the hand-completed forms containing the details of each incident, although anonymised, were still of a potentially sensitive nature and hence the security of this information needed to be considered. This issue was addressed by ensuring that, at an early opportunity, the forms were electronically scanned and then held in a digital format in the researcher's personal file on the secure drive of the Leeds University computer network where it was subject to password-protection. The original paper forms were then destroyed to maintain security. Once the study was complete, it was intended that the scanned forms would be retained securely for the potential use of other researchers for a period of three years as per ethical guidance (Research Councils UK, 2015).

As regards the interviews with key stakeholders, once potential candidates had expressed a willingness to volunteer to be interviewed, they were then sent a participant information sheet outlining details of the study, information about ethical issues including the commitment to participant anonymity, and other associated information. Individuals were only allowed to participate in the research if they provided fully informed written consent.

The audio recordings of interviews were initially stored securely in password-protected files on the on the researcher's portable password-protected computer. They were then subsequently anonymised and transcribed (with appropriate omission of irrelevant or trivial information) by the researcher and

each summarised transcript was then returned to the interviewee for agreement as to its content. At this stage, the original audio files were transferred to the researcher's personal file on the secure password-protected drive of the Leeds University computer network for any potential later ethical scrutiny. Throughout the process, measures were put in place to maintain the confidentiality of all participants by ensuring that all other forms of data apart from the original audio files were anonymised and all references to interviewees were replaced by pseudonyms. Original interviews and their transcripts were secured in password-protected data files in accordance with professional ethical guidelines. Once this had been done, then the interview transcripts were considered ready for coding.

Prior to commencing any fieldwork, ethical approval was granted by the appropriate authority overseeing the research, in this case the relevant Faculty Research Ethics Committee of the University of Leeds. The process of securing ethical approval involved a written submission to the Faculty Committee containing a full outline of the ethical issues arising from the research, together with proposals as to how each of the specific ethical issues were to be addressed.

Chapter 5

Findings from the survey of police forces and estimating the extent of mate crime

This chapter reveals that the survey of all territorially-based police forces in England and Wales was only partially successful in assessing the extent of mate crime. Yet, what the survey did succeed in doing was to provide some initial understanding about the context of mate crime, the police response and offer some explanations as to why mate crimes are not being recognised and recorded. These are issues which are returned to later in the thesis when similar findings arise elsewhere in the fieldwork (see para 6.4.2).

The first two sections of the chapter provide a wider analysis of the findings of the survey of police forces in England and Wales in respect of police recording of their involvement with disabled people. The next part of the chapter then attempts to narrow down the analysis by first focusing on forces' records of disability hate crimes. This data is serves to give some indication about the presence of familiarity and its influence in the various types of hate crime offences. The remainder of this part of the chapter then discusses the findings of the survey in respect of homicides of disabled people.

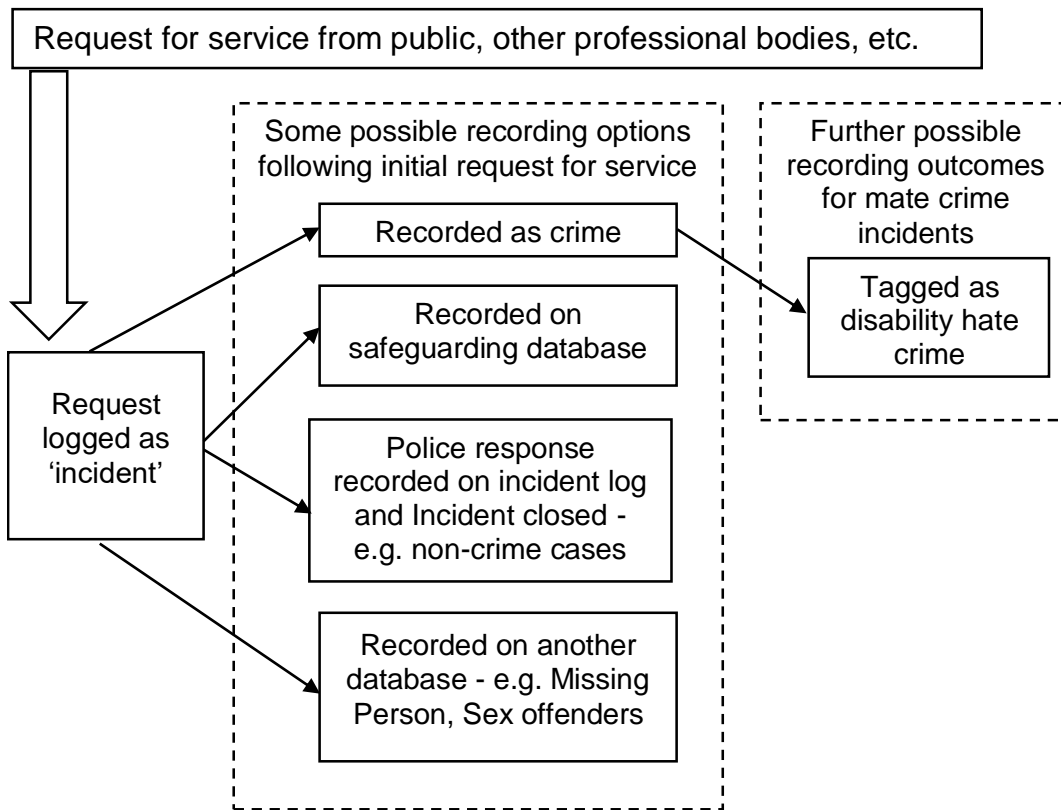
The chapter then concludes with a brief discussion of some of the findings arising from the case study of Alpha Police. It will be seen that the preliminary sample of disability hate crimes gathered as part of the case study did offer the means to provide a very tentative estimate into the extent of mate crime offending.

5.1 Analysing the data from the survey of police forces

It was known in advance that the police were not obliged to formally identify or record mate crimes. Hence, the survey focused not just on mate crime but also on other data sources where it was anticipated that mate crimes might be documented but uncategorised. These included four key areas of record-keeping: incident logging, crime recording, safeguarding adult records and disability hate crimes. For ease of understanding, Figure 5. 1 below shows how

information might typically flow between these records following a report of a mate crime incident.

Figure 5.1 An informal overview of some of the potential recording routes a mate crime incident might take following a report to the police.



Requests for service are typically logged as 'incidents' and then allocated a further recording status as considered necessary. Some incidents are closed at source. Others, for example, may be recorded on a missing person database, sex offenders' database, etc., or safeguarding and be recorded elsewhere in police systems. In respect of allegations of crime, police are obliged to keep separate records (Home Office, 2015c). These records will typically show the offence(s) alleged, details of the victim and suspect and the outcome, including whether the crime was detected. In the relatively small number of cases where the police consider the allegation amounts to a hate crime, usually the crime can be 'tagged' to this effect to ensure statistics in relation to hate crime can also be gathered. If police consider an incident amounts to a safeguarding adults issue, then this may also be recorded separately, as per guidance (Association of Chief Police Officers, 2012).

One question which the survey sought to address was in relation to how many of these records featured disabled people as their subjects. As this first part of

the chapter develops, the significance of that question will be discussed and reference will be made to statistical data arising from the survey - including references to percentages where appropriate, particularly in relation to the proportion of forces providing responses. However, although all forty-three land-based in England and Wales were surveyed, it should be borne in mind that forces vary in size, not just in relation to geographical area, but also in relation to population and rates of reporting.

5.2 Findings in relation to the police response to disabled people

Table 5. 1 below shows the number of forces responding to each of the four data set requests. Despite the fact that the police have no formal requirement to categorise hate crimes, the survey also sought to identify whether any forces might nonetheless still be choosing to use hate crime as a form of categorisation. Hence this question was also posed as part of the survey.

The table also shows the associated return rate for each of these questions. The questions identified in Table 5. 1 (apart from the hate crime question) relate to data which it was anticipated that forces would be able to produce as a matter of course - as these types of returns are linked to their monitored performance in relation to their general policing responsibilities.

Table 5. 1 The number of forces who provided responses to the Freedom of Information data request and associated data returns

Data request	Number and % of forces responding from a total of forty-three forces surveyed ²⁹		
	No. of forces responding with data	% of all forces surveyed	Total reports from all force returns
Mate crimes	2	5%	14
Incidents	41	95%	16,935,007
Crimes	42	98%	3,455,376
Safeguarding adult records	24	56%	158,223
Disability hate crimes	43	100%	2,369

²⁹ All percentages in this table are to nearest whole number.

In relation to the number of hate crimes, only two of the forty-three forces ventured to cite the number of cases recorded in their areas and they were very low returns (see para 5.2.3). However, most of the forces were able to supply basic data in relation to the number of incidents, crimes and hate crimes - adult safeguarding proved to be the exception. Of the forty-one forces who submitted both crime and incident returns, the Crime/incident ratio (i.e. the proportion of recorded incidents to recorded crimes) was shown to be 20.05%³⁰.

As regards Safeguarding Adult cases, just over half of all forces (56%) were in a position to state the number of cases with which they had dealt. Further analysis of the returns in relation to each of these four areas of police record-keeping are provided below, along with a discussion as to the significance of some of the findings.

5.2.1 Incidents involving disabled people

Recent years have seen an attempt by ACPO (2005) and, more recently, by the National Policing Improvement Agency (2011) to attempt to create more consistency across forces in relation to the recording and sorting of identified requests for the services of the police. Incoming requests are referred to as 'incidents', defined as "a single distinct event or occurrence which disturbs an individual's, group's or community's quality of life or causes them concern" (National Policing Improvement Agency, 2011, p.4). This attempt at creating consistency across forces has benefited this study in that it has meant that reasonable comparisons can be made between forces in terms of numbers of what is being recorded as an incident and what is not. Of the submitted total of 16,935,007 incidents (see Table 5. 1), the survey found a huge range between forces in terms of how many incidents were recorded per year - as low as 7,654 incidents in the City of London force and 4,625,246 incidents recorded over the year 2014/15 in the Metropolitan Police area (over six hundred times as many incidents) – as can be seen from these two extreme examples, these differences could be attributed mainly to the size of the local populations.

However, in the first instance it is useful to draw out some observations about the data itself, particularly in relation to disabled people. In Table 5. 2 below, it

³⁰ The relevance of the crime/incident ratio will become clearer when it is discussed later in this chapter

can be seen that only nine (22%) of the forty-one forces who returned figures in relation to the logging of incidents were in a position to provide any data at all in relation to how many of these incidents involved disabled people.

Table 5. 2 Records kept by forces in relation to disabled people

Data request	Number of forces and data reports involving disabled people			
	No. and % of forces returning data	Total of all reports	Total of reports relating to disabled people	% of all reports relating to disabled people
Incidents	9 (22%)	6,498,474	31,125	0.18%
Crimes	13 (31%)	1,698,103	41,365	1.20%
Safeguarding	3 (13%)	n/a	n/a	n/a
Disability hate crimes	43 (100%)	2369	2369	100%

Most forces accepted that they did not actually routinely record whether somebody was a disabled person, whilst others claimed that they did record it, but then were unable to supply accessible³¹ accurate data. For example, in the covering letter in relation to this part of the survey, South Wales Police replied by stating “Yes staff will update occurrences and record if they are aware that victim / reporting person is disabled”, but then they were not able to supply any data in relation to the involvement of disabled people. They justified this position by claiming that this was one of the questions which, taken together with some of the other questions in the survey, would require an estimated 3,046 hours of work to complete.

Of the nine forces who were able to supply data, subsequent analysis showed that the total of 31,125 incidents involving disabled people represented only 0.48% of the total of 6,498,474 incidents dealt with by these nine forces during the course of the year. However, there was also a questionable range of

³¹ ‘Accessible’, in this sense, is used as meaning data can be readily sourced without incurring the costs in resources and time implied by Section 12 of the Freedom of Information Act – currently £450 / 18 hours staff time.

responses evident in relation to the nine forces who acquiesced to the question. For instance, one of the nine forces stated in their reply to the FOI request “Wiltshire police routinely records whether or not the parties involved in incidents and crimes are disabled people”, but then went on to claim that disabled people were involved in only 25 (0.07%) of the 36,661 incidents that they had recorded over the year.

Wiltshire Police was not the only force to produce a figure involving such a small representation of the proportion of calls involving disabled people, and this study would not seek to suggest that the respondents in this survey were doing anything other than attempting to respond as helpfully as they could, given the time and information at their disposal. However, it is suggested that this figure is likely to be a clear under-estimate, given that official figures for the population at large for the year in question suggest that 12.9 million (twenty per cent) of people “reported a disability” in 2014/15 (Office for National Statistics, 2013, p.7), a figure which has “remained relatively constant over time” (Papworth Trust, 2014, p.5). Yet, this under-estimate was not confined to Wiltshire Police. Indeed, of all of the nine forces who returned data in relation to the involvement of disabled people in recorded incidents, only one of the respondents (Derbyshire) produced a figure of more than 1%. Indeed, Derbyshire Constabulary acknowledged that its figure of 8,830 incidents involving disabled people (2.82% of Derbyshire’s total incidents for the year), was not reflective of all disabled people contacting the force, but only in respect of a specific group of disabled people, whom they identified with the “qualifier”, *Mental Health*.

The significant conclusion that can be drawn from this data in relation to the recording of incidents is that, in general, each police force in England and Wales has little or no means to adequately reflect on the numbers of disabled people to whom they provide a service. The reluctance or inability of the police to record whether a caller is a disabled person is contrary to recommendations that have been made in the past. Significantly, *Hidden in plain sight*, the comprehensive report of the inquiry by the Equality and Human Rights Commission [EHRC] (2011) into disability-related harassment made it one of their seven core recommendations that public authorities should have access to data which would enable them to monitor their own performance. Specifically,

the EHRC stated: “we recommend that all data systems in these agencies are able to record whether the victim is a disabled person” (Equality and Human Rights Commission, 2011, p.167).

It is evident from this survey that, in terms of the logging of first contacts with disabled people, it would appear that none of the police forces in England and Wales are meeting this recommendation. This in turn would suggest that the police have little accurate information as to the nature of incidents in which disabled people are involved and hence, as demonstrated by this part of the survey, are not in a position to produce responses to potentially significant phenomena such as mate crime. Whether this was necessarily the case, was something that the rest of the survey sought to discover. For the police also record data in relation to disabled people elsewhere in their systems. The next sub-section will deal with the second question set within the survey, by analysing the results of how accurately police forces in England and Wales have been monitoring the extent to which disabled people are the victims of crimes.

5.2.2 Crimes

As stated previously, the limits of discretion in respect of how and when police record crimes have become more explicit (Home Office, 2015a) in recent times. However, in advance of understanding the results of the survey, it is important to note how crimes are categorised. This is done, not based on who the victim might be, but solely in relation to the alleged offence that has occurred. There are some crimes which exist because they specifically relate to crimes against disabled people. However, these tend to be offences which relate to victims who may have impaired decision-making (such as the ill-treatment of people with diminished mental capacity or of hospital in-patients). Hence, a disability hate crime is not a crime category in itself as there is currently no specific offence of committing a hate crime against a disabled person. Instead, the crime is recorded in terms of what is alleged to have occurred – a specific assault, a specific sexual offence, a deception, a public order offence, etc. It is these types of offences which this survey sought to identify as potential areas where mate crimes may be occurring. However, as Table 5. 2 above also

shows, the survey was unable to establish a full picture in respect of crimes against disabled people.

Although the return rate in respect of the recording of whether victims of crime are disabled people was not as low as that for incidents, it was noted that only thirteen (31%) forces were able to provide some form of data. For these thirteen forces, the 41,365 crimes involving disabled people were found to be only 2.44% of the total number of 1,698,103 crimes dealt with by these thirteen forces during the course of the year. However, if the Metropolitan Police and Greater Manchester police were excluded from the thirteen, then the other eleven returned figures which revealed that disabled people were victims of crime in less than 1% of the total crimes for each of the eleven forces.

In respect of the Metropolitan Police, their return of 16,883 crimes involving disabled people represented 2.38% of their total crimes, whilst Greater Manchester Police produced a higher proportion of 11.39% (22,825) crimes. Greater Manchester Police was the force which produced the only figure which came significantly near to the proportion of twenty per cent of disabled people estimated within the population at large (Office for National Statistics, 2013, p.7). However, although this figure has been included in the survey, its accuracy is also questionable as Greater Manchester Police acknowledged that this figure related to cases where the "victim intimidation/vulnerable reason field" was completed. They went on to say that cost prevented them from assessing whether the vulnerability reason was because of disability, and they also acknowledged that the figure produced did not include disabled people who were not considered "vulnerable".

Like the data re the recording of incidents, there were also concerns over the completeness of the data supplied. Three of the thirteen forces had an identical figure for this submission as they did for the submission regarding disability hate crimes. These figures are unlikely to represent all crimes against disabled people as this which would imply the unlikely scenario that, in each of these forces, the only crimes that involved disabled people all happened to be disability hate crimes.

Hence, in relation to recording of crimes against disabled people, the survey was not able to provide clear evidence of the extent of victimisation of disabled

people. However, in terms of the objectives of this study, the responses to this question and the previous one would suggest that the institutional responses to hate crime are likely to be hampered by the lack of accurate information held by police forces as evidenced in the responses to this part of the survey.

5.2.3 Disability hate crimes

In respect of disability hate crimes, all the forty-three forces surveyed could provide data. One of the things that stood out from this data was confirmation of the very low numbers of recorded disability hate crime cases. As identified in Table 5. 2 above, the survey received notification of a total of 2,369 disability hate crimes for the year, not far short of the official figure of 2,508 crimes (Home Office, 2015c) but this number is relatively insignificant compared with the official figure of 42,930 for racist hate crimes for 2014/15 (ibid). As stated previously, the under-reporting of disability hate crime has been recognised by scholars (Davies et al., 2006; Sin et al., 2012 Tyson and Hall, 2015) and criminal justice representatives (Association of Chief Police Officers, 2013; HMCPSP et al., 2013 The Law Commission, 2014). More recently, however, it has also been recognised by Home Office statisticians, who, by reference to the Crime Survey for England and Wales (Office for National Statistics, 2013b), have suggested that the combined 2012/13 to 2014/15 CSEW dataset estimates that “there were 70,000 disability motivated hate crimes per year on average” (Corcoran et al., 2015, p.20). In the same document, Corcoran et al. acknowledged that the number of unrecorded disability hate crimes could be even higher if the estimate was based on the figure produced in the Life Opportunities Survey (Office for Disability Issues, 2011), which asserted that two per cent of all adults interviewed had been a victim of hate crime in the past 12 months, rather than the lower CSEW estimate based on 0.4 per cent of interviewees.

As part of the question set relating to crimes, the survey also asked forces about their recording of hate crimes. As expected, most forces confirmed that they did not identify and record hate crimes separately. In fact, only two forces produced any data in relation to hate crimes. Cambridgeshire Police claimed that they did record hate crimes, in respect of which they stated that they had recorded a total of two in 2014/15. Leicestershire, on the other hand, asserted

that they did not specifically record mate crimes. However, elsewhere in response to the survey, they obligingly confirmed that they had recorded 12 cases which matched the criteria (although they went on further to say that only five of those cases were recordable crimes).

The above provided very little information about the extent of mate crime offending in England and Wales, as was the case with the general recording of crimes against disabled people. Indeed, although the first four questions in the survey and their analysis above provided an indication as to the police recording of its response to disabled people as victims of crime (including mate crime), as anticipated they were only able to provide limited information as to the extent of mate crime or to its nature. At the outset of the survey, previous studies had suggested that crimes against disabled people were being under-recorded (Sheikh et al., 2010; Corcoran et al., 2015; Ellison et al., 2015) and hence this outcome was anticipated. However, it was also anticipated on the basis of previous contributors that much of what happens to disabled people is recorded under the heading of safeguarding adult issues. (Voice UK et al., 2008; Roulstone et al., 2009; Sin et al., 2009). Hence, the following sub-section will seek to analyse the question set in the survey which related to police recording of safeguarding adult concerns.

5.2.4 Safeguarding adult records

As has been stated in previous chapters, Safeguarding Adults procedures are relevant to adults who have needs for care and support (Department of Health, 2000; Care Act, 2014), and thus cases arising under these procedures are more likely to relate to disabled people and, hence have the potential to be mate crimes.

The situation revealed by the survey in relation to the recording of safeguarding adult incidents was significantly different from that in respect of the findings shown above in relation to incidents and crimes. For, whilst nearly all of the police forces in England and Wales were able to readily provide data in relation to their recording of incidents and crimes respectively, this was not the case in relation to safeguarding adult records. In fact, as Table 5. 2 shows, only twenty-four (56%) of the forces surveyed were able to provide even a simple count of

the number of safeguarding incidents recorded within their force area for the year in question.

Those forces unable to supply data would appear to be acting contrary to the original *No Secrets* (Department of Health, 2000) document providing guidance on Safeguarding Adults procedures. It may be recalled that the reason why this particular piece of guidance is significant is that if police forces were following this guidance issued to all agencies, then they should be in a position to provide data regarding safeguarding adult incidents. The fact that almost half of the police forces who responded to the survey were unable to readily provide data would suggest that they are failing to keep these records in the way envisaged by the Department of Health. In addition, the same forces would appear to be in breach of similar draft³² *Guidance on Safeguarding and Investigating the Abuse of Vulnerable Adults* issued by the Association of Chief Police Officers (2012, p.108-9):

When the police receive an alert or referral that a vulnerable adult is at risk of abuse, regardless of the source, it should be recorded...Police information technology systems should have the capability to record incoming information with details of decisions made and subsequent action taken, thereby facilitating an audit process.

Despite this guidance being issued as recently as 2012, many police forces in the survey were still unable to provide even a simple count of safeguarding adult incidents³³. Of course, the concern regarding incomplete data is not just one of police forces failing to meet their bureaucratic requirements. The point in terms of this study is that, if these incidents are not being recorded, then this is another area where there is potential under-recording of incidents involving disabled people.

Of the twenty-four forces who did supply data in relation to safeguarding adults, only three of them were able to specify how many of their safeguarding adult cases involved disabled people, only two forces were able to specify how many

³² Although issued as draft guidance in 2012, it “remains current until further notice” (College of Policing, 2015, unpaginated)

³³ This survey was conducted prior to the full implementation of The Care Act, 2014, which now carries *Statutory Guidance* obliging all agencies to keep easily collatable records. It will be interesting to see what influence, if any, this legal development makes.

cases involved people with learning disabilities and only six forces could specify the number of safeguarding adult cases involving people with mental health issues.

As Table 5. 3 below shows, the survey also asked forces to provide data on how many safeguarding adults cases had led to crimes being recorded.

Table 5. 3 A breakdown of crimes arising from within forces' safeguarding adult records 2014/15

No. of police forces providing data re how many safeguarding adults cases were reported as crimes	10
Total number of safeguarding adult incidents from these ten forces	93,136
How many of these safeguarding incidents were reported as crimes?	15591
Of the ten forces, what was the proportion of safeguarding adult incidents which were recorded as crimes?	16.74%

A representative figure of the crime/incident ratio (see earlier in this chapter) for safeguarding adults is provided if an examination is made solely of the ten forces who were able to provide data on the number of safeguarding incidents which were recorded as crimes. In respect of these ten forces, a crime/incident ratio of 16.74% is obtained. This figure is lower than the crime/incident ratio figure of 20.05%, which was the proportion arising from the survey comparing the number of all reported crimes with all reported incidents (see above).

Unfortunately, there are no available national figures in relation to this ratio.

However, when comparing these two proportions, it should be borne in mind that the 20.05% figure is based on all incidents reported to the police – hence this figure will include traffic issues, lost property, missing persons, neighbour disputes, etc. Many of these incidents are not crime-related at all. On the other hand, the criterion for reporting a safeguarding adult incident is one that is founded on the initial *No Secrets* guidance that safeguarding cases relate to “vulnerable adults, who are at risk of abuse” (Department of Health, 2000, p.6). More recently, this has been reaffirmed by Section 42(1)(b) of the Care Act, 2014, which states that enquiries should be made when an adult who has needs for care or support “is experiencing, or is at risk of, abuse or neglect”.

Hence, the implication is that, as safeguarding adult incidents relate to risk of

abuse and neglect, it could be expected that they are much more likely to translate into criminal matters in comparison with the less-focused general nature of calls received from the general public routinely by the police. The fact that contacts initiated specifically about abuse are less likely to be recorded as crimes than contacts of a general nature is an unexpected one. One explanation for this discordant finding is that there are some processes at work which mitigate against the recording of crimes in relation to safeguarding adult cases. Of course, this would be consistent with the suggestion that the extent of offending against disabled people is under-reported (Disability Rights Commission, 2004; Sin et al., 2009; Sheikh et al., 2010).

This significant potential of this finding could be explained by reference to Sin et al.'s (2009) concept of diagnostic overshadowing in that the results from the survey would appear to support the notion that the police may be 'criming'³⁴ safeguarding adult incidents at a lesser rate than general incidents on the misapprehension that disabled people should receive therapy at the expense of justice. Corroborative support for this assertion in relation to the lesser position of disabled people is provided by the information revealed by the survey in the previous paragraph as regards the limited number of forces who were able to even provide any accessible safeguarding data. In addition, it may be recalled that, of those forces who could supply safeguarding data, only a handful were in a position to identify to what extent disabled people featured at all in recorded safeguarding incidents (see Table 5. 2). Indeed Sin et al. (2009) have suggested that diagnostic overshadowing can sometimes be pre-empted by a lack of police awareness as to how to recognise and respond to the needs of some disabled people leading to double disadvantage for the disabled people involved. This is an example of the "double jeopardy" (ibid, p.56) sometimes faced by disabled people and its significance has been identified by other commentators (Satz, 2009). Double jeopardy is perhaps best explained by reference to the following example from an earlier study of the role of the police in relation to victims of crime with learning disabilities:

³⁴ For ease, police terminology has been used. Police officers tend to use crime as a verb as well as a noun. Hence, to '*crime*' an incident is to make a formal record of a crime.

On the one hand, police are unlikely to identify whether people have LDs³⁵, and therefore are unlikely to provide appropriate support to assist them in reporting crime and harassment. On the other, the police may become aware that the person has learning disabilities through the reporting process and then not follow through with the report as they would with another person (Sharp, 2001, p.90).

Although Sharp's observation was made solely in relation to people with learning disabilities, given the knowledge that previous evidence suggests that crimes against disabled people are under-reported (Sheikh et al., 2010; Corcoran et al., 2015; Corcoran et al., 2015; Ellison et al., 2015), the process which he identifies may help to explain why the crime/incident rate is lower for safeguarding adult cases.

5.3 Other findings

Apart from attempting to establish the extent of mate crime, the survey also sought to provide further understanding of its nature. As part of this, in addition the survey attempted to assess the significance of its effects by seeking to identify whether it had any influence in homicides of some disabled people. These findings in relation to these issues are discussed in the following paragraphs, beginning with what the survey revealed about the nature of mate crime.

5.3.1 Findings in relation to the nature of mate crime

As was noted in the previous section, the survey demonstrated that mate crimes are not being identified by the police as a discrete type of crime against disabled people. However, prior to survey being conducted, data from the case study within Alpha Police had already been gathered. This data provided an indication that, even though mate crimes were not being recorded as an identifiable and discrete form of offending, there was some evidence that mate crime incidents (see Chapter 6) were being logged by police but being tagged under some other administrative category. Hence, with this in mind, the survey

³⁵ Acronym for learning disability

set out to attempt identify potential mate crimes from within the records of each police force.

Part of this objective was addressed by the survey in relation asking forces to provide data in relation to the presence of familiarity within records of cases of disability hate crimes. However, it was felt that the provisions of Section 12 of the Freedom of Information Act, 2000 would render it unlikely that any data would be returned if the survey simply supplied a definition of a mate crime and asked forces' Information Officers to identify any cases to which the definition might apply. Instead, it was decided that a more circumspect approach was required. Hence, forces were not asked to attempt to apply the definition of mate crime to every case, but were merely asked to identify those disability hate crime cases which involved some degree of familiarity between victim and alleged perpetrator. Although this type of data would be expected to have been more easy to access, however, still about a third of the forces surveyed exempted themselves from providing this information based on time required to complete the task. The initial results are shown in Table 5. 4 below.

Table 5. 4 Recorded incidence of familiarity within forces' disability hate cases 2014/15

A. No. of police forces able to provide data on both disability hate crimes and familiarity	27
B. Of these twenty-seven forces, total no. of disability hate crimes	1501
C. Of these twenty-seven forces, total no. of disability hate crimes involving familiarity	611
D. Overall ratio of disability hate crimes involving familiarity compared with total no of disability hate crimes (C/B)	40.71%

It can be seen from Table 5. 4 above that the proportion of 40.7% cases in this survey involving some degree of familiarity between victim and perpetrator was less than the 51% found in the recent research into hate crime in Wales (Williams and Tregidga, 2013, p.45). Notwithstanding this slightly lower percentage, however, the evidence that familiarity was a factor in just over 40% of this part of the sample is still strongly supportive of the influence of familiarity in mate crime offending and consistent with the recognition of the perceived inaccuracy of past portrayals of hate crime as a form of "stranger-danger" (Mason, 2005, p.585).

In addition, it is the presence of familiarity which may also help to explain one of the more significant findings of this survey - that crimes against disabled people including hate crime have been overlooked by the police. For, as Stanko (2001) has argued, it is the knowledge gained through familiarity which provides an offender with information about the “vulnerability of his/her intended target” (ibid, p.323). Hence, many disability hate crime offences occur among people who know each other (or know of each other). However, she also postulates that is a risk that the very “logic of the stranger... obscures our ability to understand the ordinariness of hate crime” (ibid, p.323). Hence, the implication to be drawn from both of these observations is that familiarity is a regular feature in offending against disabled people, but that it may be the very presence of familiarity which contributes to these types of crime being unrecognised and under-recorded by police.

However, as well as providing statistical data on the overall influence of familiarity, forces were also asked to provide a breakdown of the types of offences which were recorded as disability hate crimes:

Table 5.5 Number and proportion of the differing types of forces' reported disability hate crime (n=25)

Type of hate crime offences	A. Recorded Hate crime offences	B. Those involving familiarity	C. % involving familiarity (B/A)
Emotional (public order, harassment, threats to kill, criminal damage and racially/religiously aggravated offences)	739	301	40.7%
	54.9%	52.81%	
Financial (Including theft, burglary, robbery and fraud)	134	38	28.3%
	9.96%	6.67%	
Physical (including all violence, attempted murder, kidnap and arson)	408	194	47.5%
	30.31%	34.04%	
Sexual (Including rape and other sexual offences)	35	25	71.4%
	2.6%	4.39%	
Other (including miscellaneous offences such as neglect)	34	12	35.2%
	2.41%	2.11%	
Total³⁶	1346	570	42.3%
	100%	100%	

³⁶ The totals in this table are lower than those in Table 5. 4 (n=27) because two of the forces were unable to produce data on offence type

A summary of the results, including the types of offences found in each descriptive category, is shown in Table 5. 5 above. As the table shows, twenty-five of the forty-three forces were able to provide a breakdown of the types of crime and whether familiarity was involved in the offences. Once this data was received, for comparison purposes the occurrences of each offence type were then clustered into one of the four descriptive categories of abuse – emotional, financial, physical, sexual (the same descriptive categories that were also used as part of the analysis of the mate crime incident sample from the case study of Alpha Police (see para 4.3.3).

These figures in relation to the types of crime being committed under the category of disability hate crime are not inconsistent with the Home Office's recent attempts to provide a breakdown of types of hate crime offences (Creese and Lader, 2014, p.11). Although the figures from the Home Office are arranged in a slightly different way, they have, similarly to the figures in the above table, also demonstrated that public order and criminal damage combined are the most prevalent group of offences. In Creese and Lader's (2014) figures for the Home Office, financial and sexual offences were combined within 'other offences'. This group represented about twenty percent of cases, only slightly higher than this sample. However, the Home Office data (ibid, p.11) was able to demonstrate that the 'other' offences of theft, sexual assault, etc. formed a significantly higher proportion of the total of disability hate crimes than it did compared to most other hate crime strands³⁷. For instance, 'other' offences (including theft and sexual assault) represented less than five per cent of racist hate crimes. This disparity between the different representation of types of offences across the strands of hate crime is supportive of the notion that the hostility manifest in disability hate crime can present itself in a different way to other forms of hate crime. It is the contention of this thesis that this observable difference could be due, amongst other things, to the significance of mate crime as an unrecognised form of hate crime offending committed uniquely against disabled people.

³⁷ Only transgender hate crimes showed a similarly high proportion of 'other' (i.e. sexual offences, theft, etc.) types of hate crime offending.

The data from this survey would also suggest, however, that familiarity has very little influence over the type of disability hate crime offending for, as can be seen in Table 5. 5, the proportions of the different types of offences are broadly similar for familiarity-related cases as they are for all disability hate crimes in general. However, given the previous references to the notion that mate crime incidents (whether intentionally or otherwise) may be routed away from being formally recorded as hate crimes and are more likely to be subject to some alternative categorisation, such as adult safeguarding (Perry, 2004; Roulstone et al., 2011; Shah, 2015), then perhaps this finding is not so surprising. Indeed, Shah (2015, p127) refers to the “blurred lines’ that exist to separate safeguarding from hate crime”, whilst others such as Roulstone and Sadique (2013, p.36) go further, arguing that “notions of vulnerability are still being used to negate claims of disablist hate crimes”.

5.3.2 Findings in relation to homicides

In addition to conducting the Freedom of Information survey with all police forces, information in relation to homicides was also requested by way of a separate survey (Table 5. 6 below) sent directly to the authority responsible for maintaining the Home Office Homicide Index.

Table 5. 6 Survey questions raised with the Home Office Homicide Index

1. Total no. of Homicides
2. In how many of the total number of homicides were the victim and the alleged offender previously known to each other?
3. How many of the total number of homicides involved disabled people as victims?
4. In how many murders involving a disabled person as a victim were the disabled person and the alleged offender previously known to each other?
5. How many of the total number of homicides were recorded as disability hate crimes?
6. How many of the total number of homicides were identified as mate crimes?

As part of its attempt to establish the extent of mate crime, the survey specifically sought data in relation to homicides involving disabled people in which there was a friendship/familiarity between victim and perpetrator(s). It was thought that this additional effort in attempting to gather data in relation to the extent of mate crime-linked homicides was justified not only by the potential

impact such information might make, but also by observations such as that of George and Bennett (2005, p.80) who noted that “crucial” cases served the purpose of theory testing particularly well.

Compared with the survey of territorial police forces, this questionnaire was relatively straightforward and contained only six questions. However, the Home Office response to this request was limited in that they were only able to provide data in relation to the first two questions. Unsurprisingly, given that the “category of mate crime is not recorded nationally” (College of Policing, 2014, p.25) by the police at this time, the Home Office were not in a position to provide any information in relation to question six. However, the negative responses to questions three, four and five (see Table 5. 6) were less anticipated. In respect of these, the Information Rights Team at the Home Office replied “The Home Office Homicide Index does not have fields for whether the victim was disabled or whether the homicide was a disability hate crime or ‘mate crime’, and so we are unable to provide this information”

In respect of the first two questions, the Home Office letter referred to Homicide Index figures which revealed that 518 deaths were recorded in total as homicides by the police for the year ending March 2015 (Office for National Statistics, 2016, p.4).

As regards the second survey question relating to familiarity between victim and suspect, the figures showed that 68% of female victims and 52% of male victims were said to have been acquainted with the principal suspect. As domestic abuse research has previously noted (Westmarland, 2015), women are far more likely than men to be killed by partners/ex-partners; 44% of female victims compared with 6% of male victims. However, figures also showed that men were far more likely than women to be killed by friends or acquaintances; 32% of male victims and 8% of female victims³⁸ (Office for National Statistics, 2016, p.9). Hence, the figures clarify the presence of familiarity as a factor in homicides but, unfortunately, because of the absence of information about disabled people, they have virtually no other significance for mate crime.

³⁸ Strangers were involved in the death of 31% of male victims compared with 12% of female victims.

However, what is revealing is that there appears to be no way of finding out whether any disabled people were victims of murders in the year 2014/15 (or any other year). This finding adds to the concerns in attempting to provide a realistic measure of not only the extent of hate crime, but also of offending against disabled people in general. As stated earlier in this chapter, only thirteen out of all the forces in England and Wales were able to supply accessible data in relation to the number of victims of general crime who were disabled people, but it was expected that, for such a serious crime as homicide, official records would show whether disabled people were victims. The lack of centralised information in relation to disabled people as victims of homicide perhaps explains why disabled people have been described as “the forgotten victims of violence” (Fuller-Thomson and Brennenstuhl, 2012, p.1573). This situation was further acknowledged to some extent in 2013 by Her Majesty’s Inspectorates of CPS, police and probation who declared disability hate crime as “...the hate crime that has been left behind” (HMCPSI et al., 2013, p.5). Yet, despite this and a subsequent review of disability hate crime in the following year (Association of Chief Police Officers and Crown Prosecution Service, 2014) the situation does not appear to have improved.

This surprising finding is suggestive of political indifference to the fate of disabled people. Unfortunately, in the absence of official data, in terms of this research, the question remained to be answered as to whether any disabled people were victims of homicides in 2014/15 and, if so, whether any of these homicides could be considered to be disability hate crimes.

To provide some indicative insight into these questions, following the above response to this survey, an alternative informal method of evidence-gathering was chosen by this study. The response produced was to conduct a search of digital media using the internet as a means of gathering some evidence in relation to the existence of murders of disabled people for the year in question. Gekoski et al. (2012) observed that not all murders are considered to be newsworthy and that perceived newsworthiness declines in respect of those cases “involving ‘undeserving’ victims in commonplace circumstances” (ibid, p.1212). Hence, given the previous references to the tendency for disabled people to be sometimes conceptualised as ‘undeserving’ (Barnes, 1991; Shakespeare, 1996; Brown, 2012), searching digital media for stories of

murders of disabled people was by no means a fool-proof method of identifying all the cases for the year. However, the opportunity was taken to collect a purposive sample (Onwuegbuzie and Collins, 2007) of homicides based on the potential for each case being identified as a disability hate crime.

5.3.3 Observations in relation to homicides

The cases uncovered during the search have been assembled together in Table 5. 7 below. However, they should not be seen as an attempt to represent all of the homicides during the year that could be construed as potential disability hate crimes. Indeed, the data in the table is intended primarily to illustrate the fact that, based on media reports, some murders of disabled people did occur in the year of the survey but that the fact that the victims were disabled people appears to have not been worthy of statistical note.

Table 5. 7 A sample of media coverage of cases relating to homicides from April 2014 to March 2015

<p>1. April 2014 Terry Oldham</p> <p>Three people... tormented and exploited a frail and vulnerable man before sexually assaulting and murdering him... They completely took over 63-year-old Terry Oldham's life and viciously attacked him in his Cornish home. They moved into his house, threw him out of his own bedroom and forced him to sleep on the sofa. They abused him for fun, forcing him to eat dog faeces and urinating on him. Then they began to sell off his possessions and took his bank card and pin number so they could steal from his account. The group discovered that he was a registered sex offender and carried out a sexual assault with a broom handle that left him with horrific internal injuries from which he later died (Morris, 2015, unpaginated).</p>
<p>2. June 2014 Teresa Ryan</p> <p>Ms Ryan, who died as a result of smoke inhalation, was a "vulnerable" woman due to Huntington's disease. [It was alleged in court that] the defendant came to see her an easy means to funding his [drugs] habit. He preyed on her... and "referred to Ms Ryan by the nickname 'Wobbly' - no doubt a reference to her disability". [On the night of her death] ...a struggle over Ms Ryan's bag commenced. During the course of that struggle... Teresa Ryan was rendered unconscious... The defendant decided to do his best to eradicate any evidence of what was done [and] he set fire to her bed in the dining room, leaving her helpless and unconscious on the sofa in the living room knowing she would die in the ensuing fire (Woodcock, 2015, unpaginated).</p>
<p>3. December 2014 Angela Wrightson</p> <p>Angela Wrightson killers: A friendship that ended in murder.</p> <p>Angela Wrightson was a vulnerable alcoholic who lived in [Hartlepool]. Her house was known locally as a place where underage drinkers could hang out... Both girls had been there before and Ms Wrightson would buy the alcohol for them...</p>

[On] the night of 8 December 2014 some terrible alchemy led to a brutal, bloody and sustained attack, culminating in murder. Ms Wrightson was left dead - having been tortured with a variety of weapons over a prolonged period. (Bell, 2016, unpaginated)

4. March 2015 Nick Beattie

On March 20 last year... when Nick Beattie won £300 in a betting shop, he had no idea it was the drugs he bought with his winnings that brought him into the path of James Russell, the addict who beat him to death less than an hour after they met... He accused Mr. Beattie, who has learning difficulties and hearing loss, of not giving him his fair share of drugs. He became violent, punching, kicking, elbowing and biting the stranger, leaving him with fractured ribs and a punctured lung... Mr. Beattie died from his injuries (Geddes, 2016, unpaginated)

In two of the cases, the media coverage refers only to vulnerability, not a specific impairment. However, one possibility is that some of the victims may not have been recognised as disabled people or possibly did not identify themselves as such. Issues in relation to identification and recognition of disabled are discussed later (see para 7.1.2). However, given the context of the narrative in each case, and the information arising from the survey that there has been little recognition of disabled people in police records, these cases have been included in the list. Indeed, the subsequent Safeguarding Adults Review into the death of Angela Wrightson (Teeswide Safeguarding Adults Board, 2017, p.7) confirmed that she had a long-term impairment in that she had “a long history of alcohol addiction and personality disorder.. and was primarily under the care of an integrated mental health team”. In addition, the offence of causing or allowing the death of a vulnerable adult, contrary to Section 5(6), Domestic Violence, Crime and Victims Act, 2004 specifies clearly links the vulnerability label to impairment:

“Vulnerable adult” means a person aged 16 or over whose ability to protect himself from violence, abuse or neglect is significantly impaired through physical or mental disability or illness, through old age or otherwise.

Given the above it is unsurprising that none of these cases were identified during the survey as being recorded as disability hate crimes by any of the police forces involved. This is despite the fact that the definition of a disability hate crime is wide-ranging and includes “any criminal offence which is *perceived*, by the victim or *any other person*, to be motivated by a hostility or prejudice based on a person’s disability or perceived disability (College of

Policing, 2014, p.4, my italics). On this basis, there are grounds for inferring that at least some of the cases in Table 5. 7 could have been perceived to have been motivated by prejudice or hostility towards the victim's disability.

5.4 Summary and observations on the extent of mate crime

Summarising the findings of the survey, it confirmed that mate crimes have not been categorised as such within police records. However, it also showed that the majority of police forces appear to keep very few records as to any of their dealings with disabled people. This position appears to be contrary to the police's own internal administrative recommendations as well as recommendations from elsewhere. The dereliction appears to extend not only to day-to-day requests for service from disabled people, but also to disabled people who are victims of crime. In addition, there seem to be no reliable official means of ascertaining how many disabled people have been victims of homicide, associated with an apparent reluctance to recognise that some murders of disabled people may be *prima facie* disability hate crimes.

Pointedly, however, the survey provided little information about the extent of mate crime and this study was obliged to look elsewhere to address this issue - in the form of the evidence arising from the mate crime incident sample secured during the fieldwork conducted within Alpha Police. As will be seen in detail in the following chapter, the mate crime incident sample was a small sample taken over a limited time period within only one of the forty-three police forces in England and Wales. Having said that, however, in the absence of any other data on the extent of mate crimes, this sample data combined with other available official statistics would seem to be the only current means of estimation, and provides a starting point, given the exploratory nature of this study.

When gathering cases for the mate crime incident sample, it may be recalled that the first step in terms of identifying cases involved scrutinising a preliminary sample of fifty-five disability hate crime cases extracted over a specific time period from the records of Alpha Police (see para 4.3.2). Analysis of this preliminary sample by reference to the definition of a mate crime subsequently revealed that thirteen of the cases (24%) could be identified as mate crimes. If a

similar proportion of mate crimes were found on average in all the police records within England and Wales then, based on the (Home Office, 2015c) official total of 2,508 disability hate crimes for 2014/15, then the number of mate crimes within those records would amount to 593 for the year. However, as has been stated previously, most disability hate crimes go unrecorded and it has been suggested that a more likely figure of the actual number of disability hate crimes for the year is 70,000 (Corcoran et al., 2015, p.21). Again, based on the proportion of mate crimes found in the sample of Alpha Police's disability hate crimes, if a similar proportion (24%) of this estimate were mate crimes, then the number of mate crimes throughout the country could amount to 16,545 mate crimes per year on average. Obviously, this estimate is quite speculative, particularly given that the preliminary sample of disability hate crimes was so small. However, based on the pragmatic position that there is no reliable alternative, there are grounds for adhering to it as a starting point in assessing mate crime. As already stated, the police, who are expected to keep reliable records in relation to crimes, have so far declined to categorise mate crimes. Yet, even if they did, the evidence from the survey would suggest that they would be unlikely to produce a reliable figure. Hence, a starting point of 16,545 mate crimes per year in England and Wales is the current best estimate. If this figure is anywhere near an accurate estimate, then clearly this information is significant as it provides an indication of the prevalence of mate crimes. Given this level of prevalence, the evidence gathered from the rest of the fieldwork of this study, laid out in the next two chapters, becomes particularly relevant in providing an understanding of this topic.

Chapter 6

Findings from the mate crime incident sample

Unlike the survey, the cases in the mate crime incident sample gathered from the records of Alpha Police provided a considerable amount of evidence in relation to the phenomenon of mate crime. This chapter begins with an examination of the context of mate crimes, suggesting how isolation and poverty may contribute to the targeting of disabled people in their own homes by suspects acting in groups. This is then followed by an evaluation of the evidence in relation to the process of mate crime offending, including particular references to the significance of psycho-emotional effects, familiarity and friendship in mate crime offending, the impact of localised knowledge and the role that prejudice plays. In the penultimate section, evidence is reviewed in relation to the various forms of mate crime exploitation and the tendency for mate crimes to escalate. The chapter then eventually concludes by examining the way in which institutional responses to mate crimes appear to be influenced by issues such as blurred responsibility, 'diagnostic overshadowing' (see para 3.3.3), and informal judgements over issues such as capacity and consent.

6.1 The context of mate crime incidents

In this section consideration is given to what the evidence from the sample reveals about the initial referral of mate crime incidents, including what the data indicates about victims, suspects and some of the situational aspects of mate crimes. Overall, in relation to this type of information, it was found from the sample that there were no significant references by Alpha Police to the influence of intersectionality (see para 2.3), either directly or indirectly, in relation to the incidents within the sample. This is consistent with the observations and findings discussed previously (Williams & Tregidga, 2013; Chakraborti & Hardy, 2017). Disregard of intersectional influences may have partly arisen as a result of a lack of diversity within the sample itself. For example, where ethnicity of victims was noted on Alpha Police databases, all of the victims happened to be white and, with such a small sample, it is difficult to

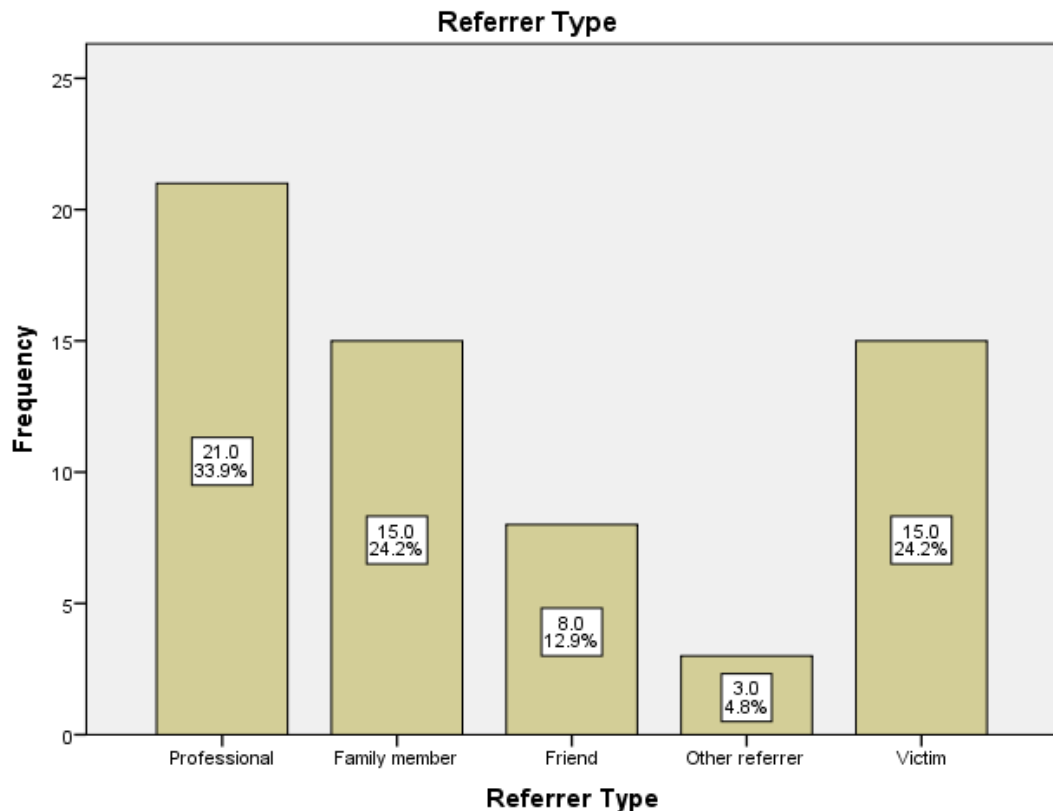
draw any conclusions in relation to this finding. However, despite the fact that some of the cases in the sample involved sexual activity within sexes as well as between sexes, there were no references to the sexual orientation of any of the victims. On the other hand, as can be seen in the sub-section below, identity characteristics such as victim age and gender did appear to be influential in terms of victimisation. However, these different overlays of identity did not appear to be the subject of any significant comment, categorisation or noticeable alternative response by Alpha Police.

6.1.1 Initial referral and victim details

As well as details of who made the initial referral, victim details including, impairment type, age, ethnicity and sex of victims were all extrapolated from Alpha Police's reports for the purpose of this study. In all of the cases in the sample, the narrative record of the initial referral began in the form of a request for service (see Figure 5. 1). It might be anticipated that most calls from adults to the police of this nature would emanate from the complainants themselves. However, in respect of the mate crime incident sample, as the bar chart in Figure 6. 1 shows, in only fifteen of the sixty-two cases (24.2%)³⁹ did the victim actually contact the police personally in the first instance.

Figure 6. 1 Bar chart showing the frequency of the type of caller who made initial contact with the police in the mate crime incident sample

³⁹ All statistical interpretations of the data from the sample are provided for descriptive purposes and should not be considered as inferential *per se*.



Further to this, in twenty-one of cases (33.9%), the initial call to the police was made by a professional, meaning that less than a quarter of these calls were made by the victims themselves. There are no comparative national figures on referrer type. However, estimates suggest that 42 per cent of all calls to the police are resolved over the telephone at the time of the call (College of Policing, 2015, p.8). It could be tentatively construed that these 42 per cent of cases would only be likely to be resolved if the telephone conversation involved the aggrieved party. Hence, the proportion of this sample in which initial contact with police was made by victims would seem to be a relatively low figure of less than a quarter of cases.

There are a number of potential explanations for this apparent lack of victim engagement. It may be that victims lack the resources or are otherwise unable to make personal contact and have simply requested help. However, previous research has indicated that victims in this situation might be less likely to report because of the stigma attached to being identified as disabled people (Minow, 1985; Petersilia, 2001, Sin et al., 2009; Sheikh et al., 2010) and it could be that they are being patronised by the persons reporting on their behalf. Alternatively, it could be that victims are simply unwilling to make contact personally because

they have a lack of confidence in the police. This is a somewhat speculative explanation as there was no direct evidence of this arising from this part of the fieldwork. However, as will be seen later, this explanation is supported by evidence arising elsewhere in the fieldwork (see 7.3.2) which also suggests a lack of confidence in the police.

Once referral details had been gathered, Alpha Police's databases required a number of fields to be completed. In relation to the sex of the victim, from this field it was established that male victims were in the majority, representing thirty-nine of the sixty-two victims, almost two thirds of the sample of mate crime incidents. This disparity is consistent with national statistics in relation to the increased likelihood of males becoming victims of violent crime (Rossetti et al., 2016, p.6). The significance of gender in relation to exploitation is discussed further in para 6.3 below.

However, in respect of the impairments of victims (one of the fundamental criteria of selection for all of the cases in the sample), Alpha Police databases did not appear to have any mandatory fields to note the type of impairment and hence identification and coding of impairment was a researcher-defined process (see para 4.3.3), relying in most cases on the references by officers within their reports which, on occasions, appeared to be quite informal (see para 6.4.1 below). In addition, for data integrity reasons, only part of the sample could be used to give an overall indication of the proportion of impairment type because, in respect of a number of the cases, impairment type had been used as a factor for selection (i.e. the search terms 'learning dif' and mental health – see previous chapter). Table 6. 1 below shows data from the filtered sample (n = 37) as well as the whole sample.

Table 6. 1 Frequency of the type of impairment in the total sample and the filtered sample of mate crime incidents

Impairment type	Total sample (n=62)		Filtered sample (n=37)	
	Frequency	Valid Percent	Frequency	Valid Percent
Unclear ⁴⁰	3	4.8	2	5.4

⁴⁰ These were cases in which disability was indicated or implied but the precise type of impairment was unspecified.

LD	29	46.8	16	43.2
Physical	12	19.4	11	29.7
Sensory	3	4.8	3	8.1
Mental Health	15	24.2	5	13.5
Total	62	100.0	37	100.0

The table shows that, consistent with recent studies (Simpson, 2011; Williams and Tregidga, 2013; Landman, 2014), people with learning disabilities were most represented as victims, featuring in sixteen (43.2%) of the thirty-seven cases. The next most frequently represented impairments were disabled people with physical impairments (29.7%). However, people with mental health issues were represented in only five (13.5%) of the thirty-seven cases within the sample. The reasons for this are unclear, although it could be related to the under-recording of crimes against people with mental health issues (MENCAP, 2010; Sin et al., 2012).

As regards the age range of victims, this is shown in Table 6. 2 below.

Table 6. 2 Frequency of victim age bands in the mate crime incident sample

Victim age	Frequency	Valid Percent
<18	4	9.8
18-24	4	9.8
25-29	0	0
30-39	5	12.2
40-49	6	14.6
50-59	11	26.8
60-69	5	12.2
n/k	6	14.6
Total	41	100.0

The table shows, there was a clustering of 41.4% of victims around the age range 40-59 years⁴¹. This finding that victims in the mate crime incident sample

⁴¹ In the interests of accuracy, this analysis was conducted on a sample (n = 41) in which the 'adults only' cases (i.e. those gathered directly from the Alpha safeguarding database) had been filtered out.

tended to be older than victims of other types of crime may be due to the fact that the prevalence of impairments rises with age. Official figures from the *Family Resources Survey United Kingdom 2012/13* (Office for National Statistics, 2014, p.3) estimate that the number of disabled people in the UK has remained at around nineteen per cent for a considerable number of years. However, in the same document (ibid, p.3) the Office for National Statistics cites that within that population a relatively low proportion of seven per cent of children were disabled (0.9 million) compared to sixteen per cent of adults of working age (6.1 million), and forty-three per cent of adults over state pension age (5.1 million).

However, although it is accepted that the reported onset of new impairment increases rapidly as adults approach pension age, it is unclear whether the victims in this sample had unrecognised long-standing impairments or newly acquired ones. In any event, the sample findings in relation to victim age were contrary to national trends for all crime in that the likelihood of adults becoming victims of personal crime does decrease with age. Ministry of Justice (2013, p.24) figures show that in 2013/14, 11.4 per cent of men and 11.3 per cent of women aged 16-24 reported being a victim of personal crime compared with only 0.8 per cent of men and 1.5 per cent of women aged over 75. This may be due to increasing levels of impairment as people age as suggested by the above figures from the *Family Resources Survey*. However, the fact that the victims in the sample tended to be older than typical victims of crime may be as a result of personal circumstances of disabled people changing over their life courses including changes in the management of their impairments, or an increasing dependency on others, or a reduction in family support as they grow older (e.g. the death of parents, etc.). In such a way, potential perpetrators can identify victims not just because they are disabled people, but also because a victim's individual situation may present an easy opportunity to target and exploit them (Stanko, 2001; Chakraborti and Garland, 2012; Garland, 2015).

From the disabled person's point of view, hate crime victimisation may be seen as representative of the type of oppression that they and other disabled people have experienced in their day-to-day lives (Abberley, 1987). However, in terms of hate crime theorising, the slow process of recognition of the status of older adults who are disabled people is consistent with evidence which suggests that

those who commit hate crimes share opinions which are “tightly woven into the structural fabric of society” (Iganski, 2008, p.121). Hence, the process of “othering”, which is seen as significant by disability studies scholars (Traustadóttir, 2006; Goodley and Runswick-Cole, 2011) as well as by hate crime theorists (Perry, 2001; Ahmed, 2001; Chakraborti, 2015) can take some time to occur in respect of some individuals, particularly those who are intent on avoiding the stigmatisation associated with being labelled. It is perhaps no surprise then, that a likely target of hate crime may attempt to put off the potential negative consequences of “coming out as a disabled person” (Reeve, 2002, p.493).

6.1.2 Suspects

Findings in respect of the age range of suspects are as in Table 6. 3 below:

Table 6. 3 Frequency of the age ranges of suspects in the hate crime incident sample

Suspect age range	Frequency	Valid Percent
<18	7	14.0
18-24	8	16.0
25-29	9	18.0
30-39	13	26.0
40-49	5	10.0
50-59	7	14.0
70+	1	2.0
Total	50	100.0
Missing	12	
Total	62	

Studies in terms of crime in general (Hirschi and Gottfredson, 1983) suggest that perpetrators are more typically frequently represented in the lower age range. Indeed, the idea that desistance from crimes falls with age has been referred to as “one of the few certainties in criminology” (Farrall, 2010, p.11) and it is accepted by many criminologists that offending continues to rise quickly during the early teenage years before falling sharply as young people reach

their early twenties (Bateman, 2015). However, although the sample⁴² broadly reflected the general trend that offenders tend to desist from crime as they age, the data shows that less than half of the suspects in the sample (48%) were under the age of thirty and only 14% were under the age of eighteen.

One explanation for this more disparate age range of suspects in this sample could be by way of reference to Sibbitt (1997) and her ethnographic study of hate crimes in a deprived urban neighbourhood. The comments she made in relation to her observations could be applicable to the mate crime incidents in this sample in that she observed that people of all ages engaged in hate crime. She suggested that this may be a result of a social and economic environment resulting in prejudice which “permeates entire communities” (Sibbitt, 1997, p.77).

In respect of the sex of suspects, however, as Table 6. 4 (below) shows, there was a noticeable difference between the proportion of male as opposed to female suspects.

Table 6. 4 Sex of the suspects in the mate crime incident sample

Sex of suspects	Mate crime incidents	
	Frequency	Valid Percent
Female	8	14.0
Male	36	63.2
Both - several suspects	13	22.8
Total	57	100.0
Missing	5	
Total	62	

Of the fifty-seven cases in the sample where the gender of the suspect was known, in thirty-six of those cases (63.2%) the perpetrators were male. This result is consistent with figures in relation to general crime, both nationally and internationally (Kanazawa and Still, 2000) and with overall hate crime trends (Craig, 2002). Only eight of the fifty-seven cases specified commission solely by

⁴² A considerable number of these cases involved more than one suspect and, consequently when selecting the age range of the suspect for each case, a modal age range was chosen. In the absence of a clear modal age range, then the age of the main or first suspect identified in the police report was used.

female suspects. However, almost a quarter of the cases (thirteen cases) involved commission by a group containing a mixture of both sexes. This was probably related to the fact that over half of the cases in the sample (50.8%) involved co-offending by more than one suspect (see Table 6. 5).

Table 6. 5 Number of suspects involved in each mate crime incident and their frequency

Number of suspects involved in incident	Frequency	Valid Percent
1	30	49.2
2	17	27.9
3	4	6.6
4	2	3.3
5	3	4.9
6 or more	1	1.6
Group (>1) of unspecified size	4	6.6
Total	61	100.0
Missing	1	
Total	62	

These findings are consistent with previous work in relation to hate crimes and their tendency to be committed by “multiple offenders” (McDevitt et al., 2002, p.302). However, a subsequent cross-tabulation demonstrated that there was also a correlation between co-commission (i.e. more than one suspect) and exploitation type (see Table 6. 6 below). In respect of the data in the contingency table, a null hypothesis would suggest that the tendency for incidents to involve more than one suspect would be independent from the type of exploitation risk alleged. To test this hypothesis, a Fisher’s Exact Test of independence was conducted (see para 4.3.3). This showed that the probability of the two sets of variables being independent of each other was less than 1% ($p \leq 0.01$). This level of probability provided significant support for the alternative hypothesis that the variables were not independent.

Table 6. 6 Contingency table showing the cross-tabulation between co-commission and exploitation type in the mate crime incident sample

Type of exploitation	Suspect group or individual		Total
	Individual	More than one suspect	
emotional Count	1	10	11

	% within Suspect group or individual	3.3%	32.3%	18.0%
	Adjusted Residual	-2.9	2.9	
financial	Count	16	16	32
	% within Suspect group or individual	53.3%	51.6%	52.5%
	Adjusted Residual	.1	-.1	
physical	Count	1	2	3
	% within Suspect group or individual	3.3%	6.5%	4.9%
	Adjusted Residual	-.6	.6	
sexual	Count	12	3	15
	% within Suspect group or individual	40.0%	9.7%	24.6%
	Adjusted Residual	2.7	-2.7	
Total	Count	30	31	61
	% within Suspect group or individual	100.0%	100.0%	100.0%

Indeed, the Table shows that, in respect of those cases categorised as emotional exploitation (see para 6.3.3 below), ten of the eleven cases of emotional abuse involved co-commission by more than one suspect. The subsequent residual analysis of 2.9 revealed that this difference was unexpected (see para 4.3.3), suggesting that this type of abuse is typically conducted by groups. Likewise, in the case of sexual exploitation, the adjusted residual of 2.7 was also significant but in the opposite direction, with twelve out of the fifteen cases involving a suspect acting alone.

It was unclear from the sample whether it was the type of risk which attracted or discouraged offenders to act alone or in groups or whether the dynamics of group activity tended towards certain types of exploitation. Alternatively, it could be, for example, that emotional exploitation committed by one person acting alone is frequent but under-reported or that sexual exploitation by groups is somehow also overlooked (see the last case example in Table 7. 4). In any event, however, these findings would suggest that emotional abuse as a type of mate crime is committed by groups, whilst sexual abuse as a form of mate crime is committed most often by individuals acting alone.

Although there have been studies which seek to explain motivations for sexual abuse (Soothill et al., 2000), there appears to be little evidence in relation to the proportion of cases involving more than one offender at one time, although

studies suggest co-offending is in the minority in terms of detected crime (Van Mastrigt and Farrington, 2009) and that it is more likely to involve younger offenders. However, it is known that women are more likely to be victims of sexual offences than men (see para 6.3.2 below) and, although sexual abuse is conceptualised as a crime of violence (Walby et al., 2012; Westmarland, 2015), it is still seen (particularly by many survivors) as a very personal and intimate crime (Jordan, 2008). It may be that perpetrators feel at liberty to manipulate this 'private' aspect of sexual abuse as a means of avoiding detection and (as discussed in para 6.3.2), thereby obscure the issue of consent (McCarthy, 2010; Barker, 2013). Hence sexual abuse is typically perpetrated by a solitary offender whereby no other witnesses are present.

As regards the emotional abuse, however the correlation may be because most of the cases of emotional abuse in this sample involved forms of anti-social behaviour (see para 6.3.3). For example, case MCI/38:

He states he is being bullied by [S] and does not want [S] to come to his house any more but does not feel strong enough to prevent him attending as he will kick off. [S] is attending [V]'s house daily with friends and using it as a place to get drunk. Today [S] caused damage to a window (Case MCI/38).

The intimidation and minor damage exhibited in this case is typical of the anti-social behaviour which has long been previously associated with groups and gangs (Caddick and Porter, 2012; Phillips et al., 2013 Mantovani and Wallis, 2014) and some psychologists have suggested that there is a correlation between groups acting together and risky behaviour (Pruitt, 1971; Clarke and Cornish, 1985; Herring, 2015).

More significantly, however, although this type of behaviour seems relatively minor when examined in isolation, it can escalate. For instance, the progress of abuse in a number of mate crime murders, such as those of Steven Hoskin, Keith Philpott, Raymond Atherton and others (Fyson and Kitson, 2010) often involved similar emotional abuse to that identified in this current study - including exploitation involving unrestricted access to a victim's home described above. Doherty's (2015) subsequent research suggested that there was no evidence that the groups of perpetrators in these cases set out to kill their victims in the first instance - a more likely interpretation being that the

homicides occurred as a consequence of the increasing contempt in which the perpetrators held their victims and the fact that the precipitating emotional abuse was not curtailed.

6.1.3 Situational aspects

Most of the cases within the mate crime incident sample provided an indication of the locus⁴³ of where the mate crime incidents occurred. As can be seen from Table 6.7 below, the majority of mate crime incidents were committed out of public view, with only two of the sixty-two cases identified as occurring in public. In addition, quite significantly, it can be seen that in almost three quarters of all the cases (71%), the mate crime incidents occurred within the victim's home.

Table 6.7 Frequency of locus of mate crime offending in the mate crime incident sample

Locus	Frequency	Valid Percent
Victim home	44	71.0
Victim and Suspect Joint home	3	4.8
Suspect home	6	9.7
Internet	4	6.5
Other	3	4.8
Public outside	2	3.2
Total	62	100.0

This finding is consistent with the postulation that mate crime is considered to be exploitative of familiarity and friendship. The fact that, for the majority of these incidents, disabled people were targeted in their own homes is perhaps expressive of the "ordinariness" (Chakraborti and Garland, 2012, p.503) of this type of hate and provides more evidence of its targeted nature in that, when a disabled person is in his or her own home, there is little opportunity to avoid the perpetrator. In such a way friendships can develop which "obscure our ability to see relational advantages / disadvantages" (Stanko, 2001, p.319) allow a greater opportunity for the normalisation of violent and abusive practices

⁴³ The term 'locus', meaning the *effective or perceived location* of the abuse (e.g. the 'victim's home' or 'in public'), is used in a descriptive sense in an attempt to avoid any confusion with the *geographical/neighbourhood* location of the incidents.

(Horvath and Kelly, 2007) and thus for these type of cases to continue unabated.

The above finding is particularly pertinent when considered alongside the findings in relation to the living arrangements of the victims in these cases (see Table 6. 8 below).

Table 6. 8 Frequency of living arrangements of the victim in the mate crime incident sample

Victim Living Arrangements	Frequency	Valid Percent
Alone	33	55.0
Residing with other(s)	13	21.7
No fixed address or not known	4	6.7
Supported living	10	16.7
Total	60	100.0
Missing	2	
Total	62	

It can be seen that the majority of mate crime victims in this sample lived alone (55%). Indeed, in only 21.7% of the cases was there evidence that the victim shared their accommodation with anyone else. This is significant as the sample revealed that, in respect of the thirty-three cases where a victim lived alone, thirty-two of these actually occurred in the victim's home (see previous Table 6. 7). In other words, the data from the above two tables suggests that mate crime incidents tend to occur in the homes of isolated disabled people. This again provides additional evidence about the manner in which mate crime is perpetrated. The indication that mate crime is more likely to be targeted (Stanko, 2001) at people who live alone is an interesting finding. It perhaps provides more evidence for the view that it is the "individual vulnerability" (Garland, 2015, p.8) of a victim's situation which influences the targeting of mate crimes. In such a way it supports the position that, in terms of mate crime, vulnerability does not need to be seen as a characteristic of the disabled person *per se* (Waxman, 1991; Beckett, 2006; Roulstone et al., 2011; Brown, 2012; Sin, 2014), but more as how a potential perpetrator might perceive the victim's situation or relational disadvantages (Stanko, 2001).

As well as providing the above descriptive information in relation to the location of the incident, when the sample was collected it was also noted that the

geographical location of each incident was the means by which Alpha Police allocated it to a territorial responsibility⁴⁴. Thus, any incident in a particular street was allocated to a *beat* – a small area attached to a wider geographical area which eventually would include a base police station. The need for anonymity prevents these areas being identified in this study. However, it was noted that the beat areas tended to coincide with traditional council ward areas. In such a way, the location of each incident could be linked to a limited amount of generic data for the council ward in question. Thus, it could then be established if the particular neighbourhood was classified as urban or rural and an indication given on its ranking within the UK in terms of the *Indices of Multiple Deprivation for Wards*⁴⁵ (Office for National Statistics, 2007).

The results of the analysis of this sample showed that over 80% of the incidents occurred in urban areas and less than 5% occurred in rural areas.

Table 6.9 Frequency of cases occurring in a rural/urban location in the mate crime incident sample

Rural / Urban Area Classification	Frequency	Valid Percent
Urban -less sparse	50	80.6
Rural - Village Hamlet and Isolated Dwellings - Less Sparse	3	4.8
Rural - Town and Fringe - Less Sparse	9	14.5
Total	62	100.0

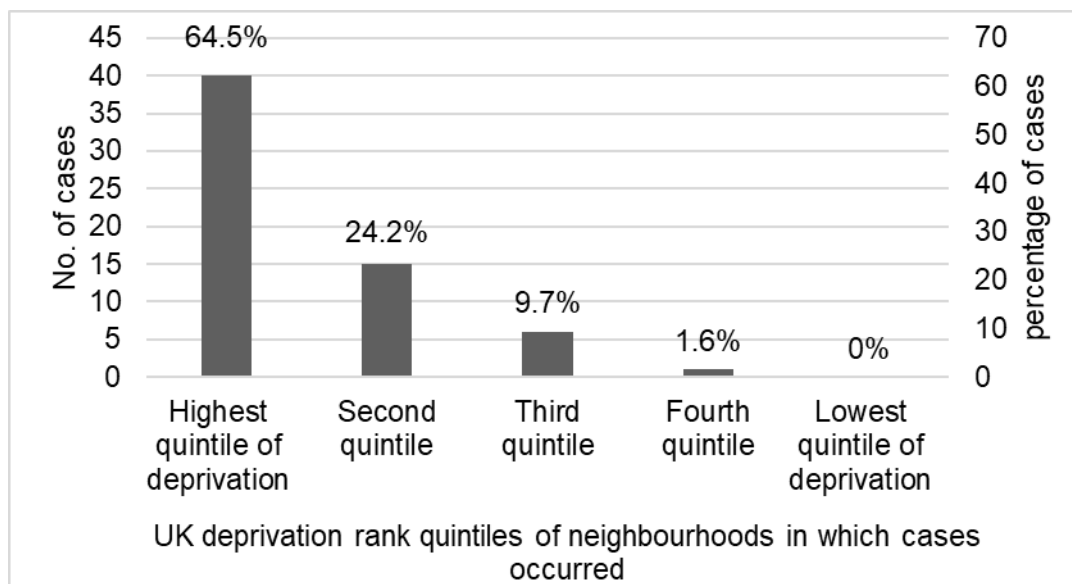
This finding is not unexpected as most of the country's population actually resides in urban (as opposed to rural) areas. Likewise, it is not inconsistent with figures produced by the Department for Environment (2013) which confirmed that average crime rates are lower in rural areas than urban areas. However, given the evidence that "disability and poverty remain locked in a fatal embrace" (Roulstone and Prideaux, 2012, p.147), the concentration of mate crimes in

⁴⁴ In practice, where the geographical location of an incident was ambiguous (e.g. internet abuse, or more than one location), then the incident would typically be allocated to the beat area of the report.

⁴⁵ In more recent years, the Office for National Statistics (2007) appears to have forsaken wards as a local geographical entity upon which to base statistical analysis in preference for 'Super Output Areas'. Hence, as the police beats were based on wards, comparisons were made between them and the most recent ward-based data, the *Indices of Deprivation 2000 for Wards* (ibid).

urban areas could also be considered as related to the social and economic environment of the areas in which disabled people typically reside. Sibbitt (1997) argued that prejudice permeated these sorts of urban communities and it is this piece of information is particularly pertinent when considered together with the related findings from this sample in relation to deprivation:

Figure 6. 1 Bar chart showing the frequency of the deprivation ranking bands of the locations of incidents in the mate crime incident sample



It can be seen from Figure 6. 1 that, within this sample, forty (64.5%) of the locations of the sixty-two mate crime incidents were situated in the top twenty per cent of deprived wards in the UK, whilst there were no locations at all which occurred within the twenty per cent of least deprived wards. These findings would suggest that mate crimes are linked to deprivation and are supported by recent studies in relation to disability hate crimes in general (Macdonald et al., 2017). Disability scholars have suggested that there is a correlation between poverty and disability (Crow, 1996; Calderbank, 2000; Emerson and Roulstone, 2014). In such a way, disabled people are more likely to be poor and hence more obliged to live in deprived areas where they are then more likely to be targeted. Indeed, Gravell (2012) has suggested that disabled people are sometimes housed in deprived areas in order to save local authorities on rent costs. This type of observation has led scholars such as Roulstone and

Prideaux (2012, p.151) to further observe that poverty is “a long term companion of many disabled people where employment, education and community barriers remain largely intact”⁴⁶.

However, criminologists might also point to the fact that a considerable amount of research has demonstrated a wider, general correlation between poverty and crime (Webster and Kingston, 2014). This small sample cannot justify drawing any causation conclusions either way. However, what can be said is that the finding that deprivation is linked to mate crime is consistent with the findings from both fields of scholarship.

6.2 The process of mate crime

The above section has provided mainly quantitative information in relation to the cases within the mate crime incident sample. In this next section, more qualitative data from the sample is introduced with a view to gaining some understanding of the processes of how mate crimes occur. Beginning with a look at the psycho-emotional issues of victims, it then moves on to examine familiarity and friendship, before discussing findings in relation to localism and hostility and prejudice.

6.2.1 Psycho-emotional and related issues

Thomas’ assertion that society’s attitudes to disabled people can affect “psycho-emotional well-being” (Thomas, 2014, p.14) is significant in terms of this study as the evidence from the mate crime incident sample would suggest that these effects might play a part in the targeting of mate crime victims in that the isolation and levels of deprivation identified in the sample could have led to victims experiencing loneliness. Previous research has identified loneliness as a concern expressed by some disabled people, particularly those with learning disabilities (Gravell, 2012; Lafferty et al., 2013; Mason et al., 2013), and this type of finding might explain why friendship is used as a means of exploitation

⁴⁶ Indeed, the *Index of Multiple Deprivation*, from which the deprivation rankings were gathered for this sample, uses a combination of 6 domain indices: Income (including child poverty) 25%, employment 25%, health 15%, education 15%, housing 10%, geographical access to services, 10% (Office for National Statistics, 2007).

in mate crime. For example, in case MCI/9⁴⁷ involving a teenage male with learning disabilities, it was the possibility of losing friendship which was used by the perpetrator as a direct means of attempting to conceal sexual exploitation:

[V] is invited to [S]'s house for a sleep over... [S] inserts his penis into anus of [V]. [S] then tells the [V] not to tell anyone and tells the victim he won't be his friend any more if he does⁴⁸.

Having said that, within the mate crime incident sample, loneliness was specifically identified in the police reports in only four cases. One of these was case MCI/34 which involved a woman in her forties with learning disabilities whose home was being used by young people as a place to congregate and smoke cannabis. The police report stated:

[V] states that she would rather the youths do not come in but they give her very little choice as they walk straight into the house... [V] states she lets them in because she is lonely and she has someone to talk to.

Interestingly, this case gives an indication as how mate crimes might develop. It appears from the narrative that the victim originally initiated the friendship because she was lonely, but then the people she befriended assumed power and control of the relationship (Thomas 2013; Yardley et al., 2013).

Understandably, this type of controlling relationship can then also have its own psycho-emotional effects. Indeed, significantly out-numbering references to loneliness, feelings of victim fear were alluded to in eleven of the sixty-two cases. However, unlike loneliness, it would appear that fear emerges as a consequence of the exploitation rather than a cause. For example, in case MCI/1 involving a man in his fifties with physical impairments who had been financially exploited, the police report stated:

[V] has been feeling depressed and does not like to stay at home because he feels lonely and scared suspect is going to come to his house.

⁴⁷ For consistency, when referring to the individual cases, each of the sixty-two mate crime incidents in the sample is referred to by a unique individual sample reference (MCI/1-MCI/62).

⁴⁸ To preserve anonymity and avoid confusion, [V] and [S] (sometimes followed by a number if referring to more than one suspect) are used throughout to replace any Alpha Police terms or names used for the victim or the suspect(s) respectively. Occasionally, square brackets are also used to denote other text edited to preserve anonymity (e.g. local place names, dialect, etc.)

Although victims experienced other emotions also (for example, in case MCI/18 the victim was reported as being “angry and hurt” at her friend taking her credit card and fraudulently using it), it would appear that fear was the most common psycho-emotional effect. For example, in case MCI/41, a sexual exploitation case, the police reported that the perpetrator attempted to initiate physical fear: “He told [V] if he told anyone he would kill him”. Of course, given their oppressed position within society, it is not surprising that some of the victims in the sample showed signs of succumbing to these fears. For example, in case MCI/54, involving the assault and financial abuse of a man in his fifties with learning disabilities, the police report stated the following:

[V] was admitted to hospital yesterday following an incident that left him with a head injury... [V] visits [this address] to see friends... Every time he returns he is either injured or has no money left. [V] is buying food and drink for these friends after they invite him to come over. [V] has stated he sustained his head injury after a can of beans was thrown at him... [V] is too scared of losing his friends to press charges. He has no other company/friends... [V] refused to give a statement as he feared repercussions from his so-called friends.

The above report of the initial call from a professional carer provides an example of how, in respect of “the violences experienced by... people with disabilities..., the most likely perpetrators of such violence are familiar” (Horvath and Kelly, 2007, p.4). It can also be seen that the effect of the victim’s fear in this case was to assist in undermining any case against the perpetrators. The circumstances would also suggest that it was this fear of “repercussions” (ibid) combined with the victim’s concern about “losing his friends” which paradoxically allowed the perpetrators to persist in acting in a particularly unfriendly manner. Cases such as this help to explain how some disabled people become and remain victims of mate crime - their desire for friendship is seen by some as an opportunity to initiate abuse and then abuse persists through a combination of the victim’s fear and misplaced loyalty.

“Crime, violence, harassment and fear have clear roles to play in the spatial and social exclusion of marginalised social groups” (Pain, 2000, p.372) and, as this study has established, disabled people are no exception. The significance of psycho-emotional effects on disabled people is difficult to estimate but, in terms

of hate crime, it could be argued that the fear generated in victims serves to remind them of their place in the social hierarchy (Perry, 2001) and likewise the stigma of being put in fear reinforces the role of a disabled person to be “always insecure in his contact with other people” (Goffman, 1963, p.24). All of these factors could also then contribute to internalised oppression and its associated effects (Shakespeare, 1996; Thomas, 2004; Reeve, 2014).

In respect of associated effects, given the links between poverty and alcohol-related problems (World Health Organization, 2004; McKinney et al., 2012), it is not surprising that the use of alcohol (and, on occasions, the use of other substances) also appeared to feature as a situational factor in the mate crime sample. Alcohol was found to be referenced in nineteen of the sixty-two cases. Typically, the cases involving alcohol were of the nature whereby the victim was being visited at his home by groups of people, who would congregate and drink. It is not clear from the sample why alcohol featured so regularly, although in a number of the cases it was suggested in the police reports that the victims themselves were drinking excessively. The reporting officers in some of these cases, albeit casually, tended to link the victim’s drinking with their impairments. For example, case MCI/54 stated that the victim “has moderate learning difficulties and drinks alcohol excessively on occasions”. MCI/47 stated that the victim “suffers from mental health problems and drinks alcohol”. MCI/36 stated that the victim had an issue “with his physical and mental health. He is also an alcoholic and is very vulnerable”. It was not clear whether this linking was done as a means of brevity in supplying information, or whether there was an implied suggestion of criticism, which a reader may detect, of the victim being a co-author of his or her own misfortunes. This latter type of interpretation is consistent with the view that the disabled people should not be seen to be in breach of their ‘sick role’ (Parsons, 1951) and, if accurate, this view could of course be influential in terms of any subsequent institutional response (see para 6.4 below).

6.2.2 Familiarity and friendship

Friendship/familiarity is a fundamental aspect of mate crime incidents (see para 4.1.1) and hence was one of the grounds for selection of the incidents in the sample. As with impairment (see para 6.1.1), its identification and coding was

researcher-defined as it was not a required field within Alpha Police records. Likewise, the grounds for coding were based on the narrative recorded within each incident. Table 6. 10 below provides an overview of how each incident was identified within the sample.

Table 6. 10 Frequency of the different types of relationship between victim and suspect(s) in the mate crime incident sample

Relationship of suspect to victim	Frequency	Valid Percent
Friend	26	41.9
Acquaintance	20	32.3
Adult son	1	1.6
Other adult family	3	4.8
On-line	4	6.5
Neighbour	4	6.5
Locals	4	6.5
Total	62	100.0

The term 'friend' (or its derivatives 'befriend', etc.) was referred to directly by name to describe the relationship between the victim and suspect(s) in the Alpha Police reports in twenty-six of the sixty-two cases in the sample. However, it became clear from scrutinising some of the cases that the fact that the police report did not specifically use the term 'friend' did not necessarily mean that there was no previous relationship and, in these cases, the evidence of the relationship was categorised as 'acquaintance'. Although this was essentially a semantic distinction for the purpose of this study, it also perhaps provides additional evidence of how mate crimes might be even less likely to be identified in police records. An example of this distinction was provided in case MCI/4 involving alleged financial abuse of a disabled man in his thirties whereby the police report states: "[The two Ss] have been asking if he could lend them money and they have been doing this on a daily basis". This reference to "a daily basis" implies that it was likely that there was some duration to the relationship. Similarly, in case MCI/45 involving alleged physical abuse of a woman with learning disabilities in her forties, the familiarity of the relationship was implied by the fact that the suspect had been staying at the victim's address:

[V] resides alone. However, [S4] has been residing with her in recent weeks. In that time his associates have been regularly attending the address”.

As can be seen from the above, sometimes familiarity in a case appeared to be a constituent part of the alleged exploitation. Examples of this were found in the cases in the above categories of ‘friend’ and ‘acquaintance’. These cases formed the substantial bulk of the sample, along with the four cases which involved family members (see para 4.1.2). In some of these cases, notwithstanding the observation that the suspects purported to be helping the victims, there was evidence of concern over the falseness of the friendships. Sometimes that concern was expressed by the referrer, but then obscured on the subsequent police report. For example, case MCI/4 involved a man in his thirties with physical impairments who, according to the police report, had informed his health worker that he was “being harassed...for money”. The officer’s subsequent report, however, provided an alternative angle on this alleged harassment, noting that the suspect was now acting in a friendly manner, assisting the victim with housework:

[Ss] have been asking if he could lend them money and they have been doing this on a daily basis. Spoke to [V] at his address. [S1] was at the address. He said in private that he was happy with [S1] being at the address as she was tidying up for him. He said he was going to give her £10 for this and that he was lending her a further £10.

In other cases, however, it was the victim who had initially demonstrated friendliness towards the suspect. For example, the case of MCI/13 involved a man in his thirties with mental health issues who had been allowing an acquaintance to reside and use a bedroom at his address. This act of friendliness was exploited by the suspect as described in the police report of the call received from the victim’s mother:

Her son left his address to visit his mother. At this time, [S] was using a rear bedroom at the address. When [V] returns his £220 TV has been taken from his bedroom by [S]... There appears to be an issue over things disappearing – [S] may have been responsible for taking a tumble drier a few days ago.

The above examples provide evidence of how friendship and familiarity is expressed in the ordinariness of acts of help and support, etc. (Chakraborti and Garland, 2012) but mate crime incidents occur when this friendly ordinariness is found to be merely superficial and a means to “obscure our ability to see relational advantages / disadvantages” (Stanko, 2001, p.319). Indeed, the notion of the intertwining of friendship/familiarity with exploitation was sometimes proactively referred to by reporting officers. For example, in case MCI/21 involving alleged financial abuse towards a woman in her thirties who had learning disabilities, the police report stated: “[S1] appears to have taken advantage of [V]'s vulnerabilities to get her to pay for things and lend her money since they became *friends*” (my italics). Another case involved the emotional abuse of a man with mental health issues who lived alone and reportedly “befriended female on a bus”. The police report continued by detailing: “a few weeks ago she moved into his home as she stated to him she was homeless”. However, the officer went on to report concerns about this relationship, observing that the “community have witnessed bullying” (case MCI/33).

The remaining two categorisations of familiarity, ‘neighbours’ and ‘locals’ in are discussed in the following sub-section. However, one category referred to in Table 6. 10 above which has not yet been discussed is that in relation to ‘on-line’ relationships. The misuse of social networking has received much public attention in recent times. However, the four cases in this group represented only 6.5% of the total. All four of these cases involved people with learning disabilities who experienced some form of sexual exploitation whereby each victim had met a person on-line who had then gone on to engage or attempt to engage the victim in sexual activity. Although contributors to the police reports did describe victims in ways such as “gullible...very impressionable and could be taken advantage of” (case MCI/2), there was insufficient information in the reports to establish the extent of the friendship. Having said that, there is some evidence that the cognitive functioning and associated capacity for decision-making of the victims may have been obvious once familiarity had been established and before the alleged sexual activity occurred. For example, case MCI/23 states:

[V] has disclosed that she had sexual intercourse with [S]. It is not clear at this stage if this was consensual or forced as mum states [V], with her mental age, is not believed to fully understand what has occurred.

There is no obvious reason why mate crimes cannot arise from relationships formed on-line. However, given the limited information available from the case study, this study did not attempt to draw any specific conclusions in respect of this particular means of forming friendships.

6.2.3 Localism and localised knowledge

It may be noted that the above cases are suggestive of a mutual familiarity of the sort implied by Thomas (2011, p.109) in her observation that “a key feature of ‘mate crime’ is the disabled person’s desire for relationships and friendship”. However, in the four (6.5%) cases in the self-explanatory sub-category ‘neighbours’, the mutual friendship was not so apparent. Neighbours fit into this study’s notion of friendship in that there is typically a durable familiarity between individuals. However, in the cases in the sample, the duration of the neighbour relationship was not always clear and some of the cases appeared to be brought to the attention of police without any reference to previous good relations between victim and neighbour. Take the following cases for example:

[V] has been harassed by a neighbour [S]. [S] repeatedly knocks at [V]’s flat asking for money (Case MCI/40)

[V] attended front office to report she is being harassed by her neighbour... Has been telling her that he loves her and asking for money (Case MCI/30).

A neighbour of [V] has asked her to go to his flat. He has locked the door on her and she has seen adult magazines in the flat. He has then begun rubbing himself and touching himself inappropriately (Case MCI/14).

In each of the above cases, it is not clear how the relationship has developed up to the point of the incident. However, it is clear that these neighbours were much more than nodding acquaintances.

The contention of this study is that in these cases (just like most of those referred to in the previous sub-section) the suspects may have felt able to act in such ways because of the fact that the victims were disabled people (Shakespeare, 2004; Sykes et al., 2011) and the neighbours felt enabled to use

their physical proximity as a means to exploit their positions in the social hierarchy (Young, 1990; Grattet and Jenness, 2001; Perry, 2001).

Further examples were demonstrated in the four (6.5%) cases that were referred to as *locals*. These cases were distinguished from the others because they typically involved the disabled person's home being dominated by groups of people. For example, case MCI/31 involved an eighteen-year-old woman living alone who was "being targeted by local youths who want to come to her house and they let themselves in and continue to smoke and drink alcohol". Likewise, case MCI/39 involved a woman in her thirties with learning disabilities and mental health problems, about whom the police officer reports:

I believe [V] is being taken advantage of by these males, who have befriended them and use her house as a gathering place... During the visit, [three youths] were present and kept coming in and out... and seem to have free run of the property. I got the impression that [V] does not really want them there, but may be too afraid to tell them.

A final example of the involvement of locals in mate crime is provided by case MCI/11 in which a mother telephones the police about her daughter, who lives alone and has learning disabilities:

Caller reports 5 youths harassing her daughter. They are 14 years, asking her to buy cigarettes and alcohol. They have been banging on the door and climbing on the roof.

In the final case above, the reporting officer went on to comment that the young woman was "allowing" the youths into her home. It may be that the officer's comment was an example of institutional disavowal (see para 6.4.2 below). However, it could be that the victim was "allowing" the locals to visit because she felt pressurised to conform by trying to "merge into the group which is perceived as superior" (Mason, 1990, p.28). Indeed, this means of addressing internalised oppression (Mason, 1990; Aspis, 1997; Reeve, 2002) may be a contributory factor to the situations in which disabled people fall victims of mate crime. In addition, the cases above also offer support for the view that "little violence is random, most of it is purposeful... the significance of this violence is familiarity" (Stanko, 2001, p.317).

Indeed, the actions by the groups in the above three examples could be seen as a form of “localism” (Garland, 2010, p.167), recently observed as a characteristic of some hate crimes. This was also a characteristic of many of the mate crime homicides referred to in Doherty's (2013) previous research. The above examples would support the suggestion that the personal circumstances of the victim might somehow draw local people in to target individual victims. Thus, for instance, if information circulating within the locality suggests an individual is pliable and willing to indulge others, then this may be a factor in subsequent targeting. For example, case MCI/42 involved a man in his fifties with mental health issues who was targeted by a couple. Another friend of the victim made the original call to the police, as detailed in the following extracts from the police report:

Reporting on behalf of [V]... They have come into the address and begun demanding money. [V] has gone to ring for help. However, [S1] has pulled the cord out of the wall and broken the phone. [V] has then handed over £10.

Caller advised that [V] is very kind-natured... She is aware that this is not the first time the pair have done this. The last being approx 10 days ago, when £2 was given.

[V] has decided that he wants nothing more to do with the pair. He will tell them he no longer wants to be their friend (case MCI/42).

The suggestion from this report is that the suspects have repeatedly targeted this particular victim. The police report refers to the fact that he no longer wishes to be “their friend”, but this incident demonstrates the opposite of friendliness by the suspects; it would appear they merely attended the address to get money out of the victim, in the knowledge that they had been able to do so previously.

Likewise, case MCI/12 provides an example whereby the police report stated that a caller had referred concerns about her uncle who was in his sixties and had learning disabilities. His niece stated “they know he is soft and will let them in the house”. Similarly, case MCI/24 involved a man in his late twenties with learning disabilities who, according to the report, was “vulnerable and a repeat victim at the hands of these people”.

The repeated exploitation of disabled people in such a way is a characteristic of mate crime and it appears that that it may be facilitated by previous knowledge circulating within a neighbourhood which predators might then exploit to their own advantage. This circulation of *localised knowledge* could be construed as a form of the “localism” identified by Garland (2010, p.167) and further evidence of its effects in mate crime incidents is provided in para 6.3.2 below and in the following chapter (see para 7.2.4) as well as its influence being discussed in the concluding chapter (para 8.2.5) of this thesis.

6.2.4 Prejudice and hostility

Some of the cases discussed above suggest that familiarity not only provides information in relation to the opportunity for exploitation in the first place, but it is familiarity which may also fuel prejudice and hostility.

Prejudice is one of the fundamentals of mate crime (see para 4.1.1) and cases were selected for the sample provided there was some evidence of the existence of one of the descriptors on the prejudice-hostility range (see para 4.1.2). Within the sample, the presence of prejudice-hostility appeared to be less obvious in some cases than it did in others, with some cases providing examples of overt hostility, whilst in others prejudice appeared to be manifested in a less overt way. Cases where the hostility was more obvious were easier to identify for the sample. However, the majority of the cases occurred towards the less overt end of the range and selection was subjective, typically based on the case narrative in relation to the manner of targeting of victims. Behaviour at this end of the prejudice-hostility range generally consisted of perpetrators acting in ways which it appeared that they would have been unlikely to act if the victims had not been disabled people, such as acting contemptuously or spitefully towards victims.

In terms of more overt hostility, case MCI/57 involving a woman in her forties who had spina bifida and a prosthetic right leg. She was receiving visits in her home by the suspect and the following records the hostility involved:

[S] has asked for £4 [for cigarettes] from [V] who has declined as she was sick of lending him money and him never paying it back. During the following 3 hour period [S] has then tipped over a wooden coffee table... calling her 'brain dead' and a 'cripple'. Grabbed [V] by both arms and

pushed her onto a settee... [S] got a "2" blade, ran it over his arms stating he was going to kill himself. She has tried to calm him but eventually has asked him to leave... He pushed her with both arms hard to the chest. She has fallen to the floor".

In terms of understanding the nature of mate crime, this case is interesting as it provides an example whereby "prejudice erupts into violence" (Green et al., 2001, p.480). It lends supports for the view that violence is often perpetrated when the offender and the victim are familiar with each other and that this can lead to a situation where the victim is seen as worthless and violent practices become (Horvath and Kelly, 2007). This case was selected as an example of overt hostility in that it was accompanied by direct offensive references to the fact that the victim was a disabled person. From a prosecution perspective, these impairment-related hostile "utterances"(Crown Prosecution Service, 2014b, unpaginated) suggest that the case may thus pass the evidential test necessary to seek the imposition of an increased sentence under Section 146(a) of the Criminal Justice Act, 2003 (see para 3.4.1).

At the other end of the prejudice-hostility range, an example where hostility was less overt was provided in case MCI/61, involving a man in his forties who had Multiple Sclerosis, poor vision and mobility:

Caller is a care assistant for [V]. Reporting he has told her a man and woman sometimes together sometimes by themselves keep coming to his house and taking money... [V] is distressed and has no next of kin.

They return on several occasions together and also individually over a period of time. [Ss] have gone back to the [V]'s home and cut his hair, shaved his beard and made him some food, then demanded £250 from him. He refused to pay... but handed over £140 (Case MCI/61).

In this case, there was no violence or reported threat or even name-calling and, as such, the hostility was much less obvious than the previous case and hence, in the terms of this study, at the prejudice end of the range. In this case, it is suggested that the perpetrators were contemptuous as to whether the victim wanted their involvement. It could be argued that a small element of overt hostility was exemplified in the form of intimidation implied by the use of the word "demanded" in the report. Barbara Perry (2001) referred to the significance of intimidation when phrasing her conceptualisation of hate crime

(see para 2.1.2 previously). Perry's approach suggests that hierarchies of power exist within the social order and that the practise of hate crime is facilitated by the existence of these hierarchies. In this case, the perpetrators appeared to assume social dominance over the victim and little overt hostility was required in order for them to reaffirm their dominant position.

A further example of even less overt hostility was provided in case MCI/1, which involved a man in his sixties who lived alone and was a wheelchair user, having had his left leg amputated:

[S] barged into the house. Told [V] his flat was a mess and made out he was cleaning. [V] realised [S] was up to something and told him to get out. Discovered £80 cash and wallet was gone. [S] has taken [V]'s wallet about 3-4 times since he has known him (Case MCI/1).

In this case, there was little overt hostility. Indeed, as the police report points out elsewhere, in his relationship with the victim the suspect had "made out he was trying to help [V] by pushing him around in his wheelchair". In terms of understanding the nature of mate crime, this case acts as a good example of how hostility does not need to be overt in order for a mate crime to be committed. As in the previous example, there was a hint of more overt hostility implied by the reference to the fact that the suspect "barged into" the victim's house. However, what the perpetrator did do was demonstrate a contemptuous disregard for social norms in the way he entered the victim's home and the extent of this contempt was further evidenced by the information in the police report that he had actually taken the victim's wallet on at least three previous occasions.

This notion that the contempt arising out of prejudice fuels some of the motivation for mate crime is referred to later as part of the proposal for a mate crime model. Likewise, the idea that mate crimes can involve repeated exploitation is an issue which is re-considered at the end of the following section (see para 6.3.4).

6.3 Exploitation

Exploitation is a fundamental ingredient of mate crime and hence formed part of the selection of all of the sixty-two cases. Exploitation type was researcher-

defined based on the narrative of the case. Twelve of the cases indicated more than one exploitation type but, to assist analysis (see para 4.3.3), each case was categorised on the basis of the most significant risk exhibited. Table 6. 11 below shows a distribution of the frequency of occurrence of each type of risk as well as a cross-tabulation of how exploitation risk differed depending on the sex of the victim:

Table 6. 11 Contingency table showing the cross-tabulation between the sex of the victim and the type of risk in the mate crime incident sample

Risk		Victim sex		Total
		Female	Male	
emotional	Count	5	6	11
	% within Victim sex	21.7%	15.4%	17.7%
	Adjusted Residual	.6	-.6	
financial	Count	7	26	33
	% within Victim sex	30.4%	66.7%	53.2%
	Adjusted Residual	-2.8	2.8	
physical	Count	2	1	3
	% within Victim sex	8.7%	2.6%	4.8%
	Adjusted Residual	1.1	-1.1	
sexual	Count	9	6	15
	% within Victim sex	39.1%	15.4%	24.2%
	Adjusted Residual	2.1	-2.1	
Total	Count	23	39	62
	% within Victim sex	100.0%	100.0%	100.0%

It might be expected that both sexes would be equally at risk of different types of exploitation. However, as with the data in the earlier contingency table (para 6.1.2) a Fisher's Exact Test of independence was conducted (see para 4.3.3). This indicated that sex and exploitation type appeared not to be independent ($p \leq 0.05$). In respect of this, a subsequent further examination of the contingency table by way of residual analysis (ibid) revealed that it was the data in relation to sexual exploitation and financial exploitation which appeared to be most significantly correlated with victims' sex. These results are discussed in the rest of this section, along with some of the more qualitative findings in relation to the four categories of exploitation.

6.3.1 Financial exploitation

In respect of financial exploitation, the thirty-three cases represented just over half of the sample and demonstrated that it was the most frequent form of exploitation in the sample. Of these cases, twenty-six involved male victims compared with only seven female victims. The adjusted residual score of 2.8 showed this difference to be significant (see para 4.3.3) but the reasons why are as yet unclear. However, an examination of the narrative of some of the narratives in the case study showed this type of exploitation presented some of the clearest examples of unfair advantage. The range of the extent of exploitation varied widely, although the degree of financial advantage was typically relatively low. For example, case MCI/20 referred to a man in his sixties with learning disabilities who received repeated requests for money when he went out:

[V] is being pestered by people when he goes to town. He is being asked for money. [V] often goes to town and has the same routine. [V] has given them a £1 on a few occasions. Last night he was approached by the same 2 people... saying that they lent him £5 before and they want it back.

Similarly, in case MCI/40 involving a man in his forties with mental health issues, the police report states:

[V] has been harassed by a neighbour [S]. [S] repeatedly knocks at [V]'s flat asking for money. [S] shouts through the door threatening [V] that if he doesn't answer the door he will harm him. [V] has said that he is unable to say no as he is frightened. [V] has given £10 on [date]. S knocks most days. [V] is also approached by [S2], asking him for money. [V] gave her £40 in just over two weeks.

However, cases did not just involve minor financial gain. Much larger gains appeared to be involved in case MCI/44 which involved a Deaf Person in his sixties who was befriended by two others:

[V] was assaulted on at least 4 occasions by [S1] slapping him around the head for no reason. S2 kept [V]'s cash point card... and PIN... Use on nearly a daily basis and draw money out without [V]'s consent... £27000 severance pay has now gone.

In the case of MCI/44 the potential financial gain was substantial for the suspects. However, it is the contention of this study that, although the gain was relatively low in the two previous cases, the financial loss to the victim could still have been significant owing to the position of initial poverty of many disabled people (Crow, 1996; Calderbank, 2000; Emerson and Roulstone, 2014). This is particularly so in the above case examples, given that financial abuse was ongoing.

In some of the cases, however, financial abuse was not the only form of exploitation. For example, case MCI/26 involved a man in his fifties with learning disabilities who was at risk of sexual exploitation. According to the police report, the same suspect who was allegedly sexually abusing him had also taken his money in the past. The report states:

Police have been involved in the past with this [S] taking advantage of [V] by getting money from him... [V] has financial protection⁴⁹ in place to protect his money from abuse.

However, in other cases, financial exploitation was less obvious as criminal intentions could be obscured by the fact that money changed hands in the form of loans, as in MCI/20 above, payments or gifts. One explanation for this is that this type of arrangement was that it was another means of suspects controlling their victims as it allowed them to blur the exploitative nature of their activities. An example of this is provided by case MCI/47 which involved a man in his fifties with mental health problems. The police officers' comments are reported as follows.

[V] suffers from mental health problems... It is extremely difficult to get any sense out of [V] due to his diminished mental capacity... One minute he is saying that he has given [S] money and the next that he has been taking money.

This type of blurring of lines over gifts, loans and payments was identified in a number of the cases in the sample. For example, case MCI/35 involved a man in his thirties with mental health problems. The police report reads as follows.

⁴⁹ Local authorities offer legal protection for people who are unable to look after their own affairs and those who may be vulnerable to financial abuse

[S] asked to borrow £50. He went along to the cashpoint with him...[S] continued to borrow money from [V] and the sum started to increase to £300-400 per time... Gave the [S] his debit card and PIN number and told him to take the money out himself... No money left in his account.

The suspect in this case could be seen to be acting in a similar way to “Tuesday friends” (Association for Real Change, 2013, p.4), in that the friendly relationship between suspect and victim appeared to continue until the source of money dried up.

In the above cases, the apparent acquiescence of the victims at the time in seemingly freely handing over cash or cards would suggest difficulties in progressing such cases. This was demonstrated in case MCI/36, the final example of financial exploitation, which could be considered to be an example of “cuckooing” (Sykes et al., 2011). It involved a man in his seventies with mental health issues befriended by a group of men and women of varying ages:

[S1] has befriended [V] and is now using this friendship to take advantage of him... police attended and found [S2] moving into a property owned by [V]. She had a handwritten note from [V] saying she could do this... It is believed [V] will have been coerced into writing this note. [Info received that] after a visit last week [S4] took [V]'s car after a visit for some days and she is also taking advantage of him.

The police officer offered no immediate solution to the issue that the victim appeared to be motivelessly parting with valuable property. In fact, the report somewhat resignedly concluded with a suggestion that responsibility might lie elsewhere: “[V] is in need of help to prevent [the Ss] and others taking advantage of his vulnerability”.

Institutional responses such as this are discussed further in para 6.4 below. However, what these cases do show is how familiarity and friendship are used by perpetrators as a vehicle for the subsequent financial exploitation that occurs. For, ostensibly, what could be considered wrong about two friends lending each other money? This view would be understandable if the relationship was an equal one. However, as the above cases have shown, it could be said that mate crimes are targeted against “flawed able-bodied people” (Hevey, 1993, p.118) and these flaws can be seen as relational disadvantages (Stanko, 2001) which empower potential perpetrators to exploit their victims and

suppress them (Perry, 2001; Chakraborti and Garland, 2012), whilst at the same time deflecting the attentions of the authorities by minimising the criminality of their exploitative activities (see Figure 8. 1)

6.3.2 Sexual exploitation

Returning to the data in Table 6. 11 above, sexual abuse was seen as the dominant form of exploitation in fifteen (24.2%) of the cases. Even though there were more male victims in the sample, an adjusted residual of 2.1 indicated that there was a significant correlation between being female and experiencing the risk of sexual exploitation. This is consistent with the influence of intersectionality reports such as that of Walby et al. (2012, p.96), who confirmed the existence of distinct sex differences in terms of crimes of sexual abuse, noting that in the UK in 2008-09 there were 12,165 rapes recorded by police involving female victims, and only 968 involving males. This trend is a persistent finding which has been long recognised by scholars, particularly feminist writers (Brownmiller, 1975; Westmarland, 2015). Disability writers have argued previously that disabled women are even more likely than non-disabled women to experience sexual abuse (Brown and Turk, 1993; Brown, 2004; Balderston, 2013; White, 2015). White (2015) points out the potential for disabled people to experience stigma, discrimination, ignorance about their needs, lack of social support and communication difficulties are some of the reasons why they may be targeted by sexual predators. Balderston (2013) reports that disabled women are up to five times more likely to experience sexual violence than non-disabled women and that this increased risk is caused by the intersection of being victimised in two ways - once for being a woman and the second for being a disabled person.

Whilst the figures from this sample do not provide any direct additional evidence in relation to this assertion, it could be said that disabled women are more likely to be the victims of sexual exploitation by means of mate crime because they are seen as “easy” or “soft” targets compared with non-disabled women (Chakraborti and Garland, 2012, p. 503). Indeed, it has been suggested that “it is now generally accepted that people with intellectual disabilities are particularly vulnerable to sexual abuse” (Bruder and Kroese, 2005, p.13).

Apart from four cases which were facilitated on-line, cases of sexual exploitation from the sample typically followed some initial contact 'grooming' (Department of Health, 2000; Landman, 2014). For example, Case MCI/53 involved a man in his fifties with a learning disability, whose niece reported the following:

[Niece] returned home to find her disabled uncle upset... A young man has come to the house and told him to go into the garden..., take down his trousers. [S] has then stuck his penis up his bum.

This might not have been categorised as a mate crime incident in terms of the sample as there appears to be little evidence of familiarity. However, the subsequent follow-up entry in the police report stated:

[V] stated that maybe a year ago was when the first incident happened... the side of his house...[S] rubbed his penis with his hand. [V] stated he was scared to tell anyone about this.

Although this tenuous evidence of familiarity might suggest that this might case lies on the limits of the definition (see Box 4. 4), it is interesting in that, like many of the other mate crime cases, on both occasions the abuse occurred within the victim's home. Furthermore, the police report also stated:

[V] ...has been described as having childlike intelligence and having a ,,fetish which all of the local people are aware of and they take the mickey out of him because of this (MCI/53).

"All of the local people" is suggestive of the influence of localised knowledge (see para 6.2.3 above) in the targeting of the victim in this case and might have led to the victim in this case being seen as an easy target (Stanko, 2001; Chakraborti and Garland, 2012; Garland, 2015).

In terms of this study, the details within the police reports did not always provide definitive evidence to establish whether sexual activity was truly non-consensual or otherwise. For example, case MCI/30, which involved a woman in her forties with a learning disability:

[V] Attended [police station] to report she is being harassed by her neighbour... Has been telling her that he loves her and asking for money. [V] has been giving [S] money on a regular basis... Believes it is for drink and drugs. [S] is verbally abusive to her on a regular basis, just walks into caller's flat without permission with other males. [S] has told caller that if

she loves him she will do things to his mates... Caller has felt pressurised to have sexual intercourse and perform sexual acts on these males

[S] convinced her to have sexual relations with friends of his. Although she acted of her own accord, she states that [S] had said that she could show her love for him by having sex with his friends. She did this on one occasion.

This case helps to illustrate the difficulties in “drawing a line between consented and abusive sexual experiences” (McCarthy, 2010, p.34). For, although the report states that the victim “acted of her own accord” in this case, the fact that she attended the police station to report the matter would suggest that she was concerned about what was happening to her. The actions of the perpetrator and his associates suggest significant exploitation, whether consent was freely granted or not. In this respect, McCarthy (2010) has argued that consent itself can be manipulated:

The result of this, what we might at best call ‘insensitive sexual behaviour’ from their partners towards women with learning difficulties, is that the women’s expectations of what sex is and what it has to offer them get lower and lower. This contributes to a vicious cycle in which it becomes increasingly difficult for them to distinguish what is abusive from what is not (McCarthy, 2010, p.40).

McCarthy’s observation on the difficulties in distinguishing abuse could be common in many of the different types of exploitation referred to in this study. For example, as exemplified in paras 6.3.1 above and 6.3.3 below respectively, victims appeared to acquiesce to parting with their cash or allowed others to have unrestricted access to their homes (case MCI/39). Hence these cases suggest that this type of offence obscuration could be said to be a characteristic of all mate crime offending, not just sexual exploitation.

6.3.3 Emotional exploitation

Emotional exploitation was seen as a primary risk in eleven (17%) of the cases (see Table 6. 11). Two of the incidents involved emotional abuse over the internet. However, all the other cases involved more than one suspect visiting the victim’s address and causing sufficient concern to warrant phone calls to the police. For example, in the case of MCI/39 (see 6.2.1 above) involving a woman

in her thirties with learning disabilities and mental health problems, it was reported that the victim and her partner were being verbally abused and sworn at by local youths who used her house as a “gathering place”. According to the report, the youths seemed to have “free run of the property” (MCI/39). The exploitative gain here may have perhaps initially been a simple one of taking advantage of the victim’s hospitality. However, on the basis of the police report, that initial gain appeared to develop into verbal abuse and threats. This type of “thrill-seeking” behaviour was previously identified by McDevitt, Levin and Bennett (2002, p.308) in their study of hate crimes as evidence of an “immature desire to display power”. In addition, this case, along with other similar ones in the sample also provided further evidence of the “localism” that Garland (2010, p.167) had previously referred to as being evident in some hate crimes.

In addition, the officer in this case made the observation: “I got the impression that [V] does not really want them there, but may be too afraid to tell them”. This innocuous remark by the officer is quite revealing in that, as well as providing evidence of psycho-emotional effects, it appears to be implying that the perpetrators were in control. As such, it is consistent with Perry's (2001, p.55) definition of hate crime as involving acts of intimidation “intended to reaffirm the precarious hierarchies that characterise a given social order”, in that the youths appear to have felt sufficiently confident to gather at the property even when the police officer was there.

In other cases, emotional abuse was not so obvious. For example, the case of MCI/46 involved a woman in her forties with mental health issues. It was similar to the above case in that the suspects, some aged in their thirties, were congregating in her flat. However, although this time there were no allegations of threats or verbal abuse, the officer visited and reported as follows.

[V] resides on her own. She... appears to be very nervous when spoken to. Most of the other flats in the building were unoccupied. All were intoxicated and were drinking in the flat... [V] appears intimidated and unable to control the people who are taking advantage of her... They seemed reluctant to allow [the officer] to speak to speak to [V] in private and kept butting in.

Notwithstanding the fact that there were no obvious allegations of any crime, the above comment in relation to “taking advantage” implied a belief by the officer that the suspects were exploiting the victim. This notion is supported by

the additional observation, similarly to the previous case, that the victim was no longer in control. Also, similarly to the previous case, the exploiters' confidence in their position of control was demonstrated by the fact that they acted in a way which appeared to be intended to disrupt the victim's cooperation with the police officer. This apparent reluctance to engage with the institutional response was noted elsewhere in other cases in the sample and was a frequent factor in the previously-mentioned mate crime homicides (Doherty, 2013).

Apart from the two on-line cases of emotional abuse, most of the other cases of emotional abuse followed a similar pattern to the above. The cases discussed so far, however, do not give an indication as to how emotional exploitation begins. On the other hand, case MCI/33, perhaps provides an indication as to how this type of emotional exploitation might occur. It involved a man in his thirties with mental health problems who befriended a woman [S1] on a bus and allowed her to move in:

Believing this was a short-term arrangement, [V] slept on the couch at first. Then about a week ago, [S1] invited a male [S2] to stay with her at [V]'s home without [V]'s consent... [V] has confided in his friends that he was scared and frightened to ask them to leave his property as [S2] has apparently been aggressive and hostile towards him. [V] stated he did not wish to stay there any more whilst the two had control of it.

This case provides a good example of how abuse begins with the initial friendship between the victim and the female suspect. However, what might be considered as a genuine compassionate gesture by the victim progressed into a situation of exploitation whereby the female suspect took advantage of the victim's hospitality by introducing her male associate. He then escalated the emotional abuse using aggression and hostility, until the situation existed whereby the victim acknowledged (as with the previous two cases) that "the two had control" (ibid).

Although all the above cases were categorised as emotional exploitation, there is evidence that the suspects in each case were also receiving some material benefit (a place to sleep, to shelter, to eat and drink, etc.). However, although it was recognised that there were material gains for the suspects, the decision was made to classify these cases as emotional rather than financial exploitation as by far the biggest impact on the victim appeared to be the fear and anxiety

generated by the emotional impact of the abuse. Some might say that the cases above suggest that the victims were engaging with others in the community in what might be considered to be a reckless manner. However, although the reasons may be complex as to why disabled people might choose to 'make friends' in the ways described in the above cases, it could be a response to feelings of internalised oppression (Shakespeare, 1996; Thomas, 2004; Reeve, 2014). One consequence of experiencing this type of oppression is that a disabled person may "try to merge into the group which is perceived as superior" (Mason, 1990, p.28). Paradoxically, however, in the above cases, these attempts at merging into the community appeared to have had a negative effect on the "psycho-emotional well-being" (Thomas, 2014, p.14) of the victims involved.

In addition, although emotional abuse was not regularly identified or acknowledged in all of the cases within the mate crime incident sample, there were some cases where it was present as a secondary factor accompanying other forms of exploitation. For example, case MCI/40 involved a man in his forties with mental health problems who was regularly harassed for money by his neighbour and this case was categorised as a risk of financial exploitation (see para 6.3.1). However, the police report also referred to repeated shouting through his door, calls and threats to harm him and the report confirmed that the victim claimed that this was causing him to be frightened. Indeed, in the context of some of the cases discussed above, emotional abuse could be seen as potentially present in all mate crimes because friendship/familiarity, one of the fundamentals of all mate crimes, may involve some level of emotional connection and mate crimes as a concept suggest some sort of betrayal of that friendship.

6.3.4 Physical exploitation and repeat victimisation

As regards physical abuse, in only three (4.8%) of the sixty-two cases (see Table 6. 11 above) did the study classify it as the primary risk factor (although physical violence or the threat of it was also noted in cases such as MCI/44 and MCI/40 discussed at the start of para 6.3.1 above). It may be that, unlike the other risk categories, physical abuse is less likely to be tolerated within what is supposed to be a friendly relationship. Whilst financial abuse can go unnoticed

or hidden in the form of borrowing or lending, and intimacy and teasing can be portrayed as friendly-related acts, violence rarely can.

In respect of this, there was some evidence from the police reports which suggested that violence tended to occur after a relationship had been established. For instance, in case MCI/44 (see para 6.3.1 above), the police report stated that the victim “was assaulted on at least 4 occasions” at the same time as the suspects were using his cash card on a number of occasions to take money from his account. This case not only demonstrates how familiarity and violence can go hand in hand (Horvath and Kelly, 2007), but also lends support for the view that mate crime violence might tend to occur when perpetrators are secure that a level of physical exploitation will be tolerated by the victim. A further example of this was provided by case MCI/54 discussed above (para 6.2.1), which related to a man in his fifties with learning disabilities. In this case the victim appeared so keen to maintain his ‘friends’ that he chose to visit them despite the fact that he had previously been assaulted on more than one occasion. Indeed, he declined to press charges against his assailants despite the fact that the latest assault had led to his hospitalisation.

The above example and that of case MCI/57 (see para 6.2.4) could be construed as showing how such violence could be used predominantly as a means of keeping people “in line” (Ray and Smith, 2001, p.205), thereby facilitating other forms of exploitation. It may be that the violence associated with mate crimes is not an exploitative advantage in itself, but more a means to secure another type of gain for the perpetrator and this could be why it does not appear until later on in the relationship between victim and perpetrator.

Alternatively, perpetrators may have been motivated by “thrill-seeking” (McDevitt, Levin and Bennett, 2002, p.308). This notion was exhibited in some of the cruelty in a number of previously-reported mate crime deaths (Fyson and Kitson, 2007; Quarmby, 2011; Doherty, 2013) and it may have been a further motivation for some of the cases of violence in the sample. For example, the actions of the perpetrators in case MCI/45, involving a woman in her forties who had learning disabilities, appeared to support the notion that putting this woman at risk of serious physical harm may have been a form of ‘thrill-seeking’ in itself. In this case, the police report stated that the victim normally lived alone, but

then a friend moved in a few weeks prior to the report and this was followed by his friends regularly visiting the address. An incident occurred as follows:

Fire brigade reporting a house fire, possible persons trapped... Three of [S4's associates] came to the address. [S3] suggested that they get rid of the furniture and rubbish in the rear yard... by starting a fire. [V] agreed to let them, however has not appreciated the risk. She returned to the living room and remained there until a neighbour knocked on the window and informed her that the house was ablaze... She climbed out of the window to escape. [Ss 2 and 3] had made off from the scene.

In this case, the 'thrill-seeking' (ibid) actions of the perpetrators in leaving the victim at the scene of the fire could have led to serious and significant harm to the victim. One explanation for the thrill-seeking activity of the suspects is that it may have been a response to the relative "worthlessness" (Horvath and Kelly, 2007) of the victim and a manifestation of their "immature desire to display power" (McDevitt, Levin and Bennett, 2002, p.308).

Although the above example was a serious case, it was not clear from the report what previous steps there may have been in the process of exploitation to progress to that level of escalation. However, the evidence so far suggests that opportunities for escalation may occur following exploitation of victims' desires for friendships (see para 6.2.2) and their subsequent reluctance to report matters to the authorities (para 6.1.1). If each instance of exploitation goes unchecked, then this allows perpetrators to repeat exploitation and possibly escalate it, if they choose to do so. In this respect, Landman (2014) has characterised mate crimes as being associated with repeat victimisation. Likewise, Walters et al. (2016) have also noted that mate crimes may be unlikely to be one-off incidents.

In terms of repeat or persistent cases in the sample, the narrative within the cases did not facilitate determining precisely what might have occurred prior to the report of each case. However, as can be seen from Table 6. 12 below, what the study did establish was that in forty-two of the sixty-two cases (67.7%), there was some indication of previous hostility either by reference to a previous police report or, more commonly, by reference to previous activity in the narrative notes of each individual case, or sometimes both.

Table 6. 12 Frequency of cases which contained some indication of previous victimisation in the mate crime incident sample

Indication of previous victimisation	Frequency	Valid Percent
Nil refs to previous abuse	20	32.3
Previous incidents indicated	35	56.5
Ref to previous police reports	4	6.5
Previous incidents and previous police reports	3	4.8
Total	62	100.0

In some of the cases, the previous activity was referred to only indirectly. For example, in case MCI/11, the report and its context implied ongoing activity of the “being caused by her daughter allowing youths into her flat”. Likewise, the language of case MCI/17 stated: “this would appear to be a regular occurrence”. However, in other cases, the repeat nature of incidents was much more obvious. For example, case MCI/1: “[S] has taken [V]’s wallet about 3-4 times since he has known him”. Similarly, case MCI/44: “[S2] kept V’s cash point card ...use on nearly a daily basis and draw money out without [V]’s consent”.

Of course, there is also the possibility that in the remaining twenty cases in the sample, repeat victimisation might have occurred but it has not been reported to the police or the police have not recorded it in their report. This study did not routinely check police archives for previous reports from the same victims. However, in any event, these findings do provide some support for the notion that mate crimes cannot typically be readily dismissed as one-off incidents.

6.4 Institutional responses

This section begins with an examination of the recording of decisions in relation to the outcome of cases and then considers evidence in relation to institutional responsibility with particular reference to Adult safeguarding.

6.4.1 Outcomes

Home Office (2015c, p.3) guidance stipulates that a crime should be recorded if an incident is “more likely than not the result of a criminal act”. As Table 6. 13 below shows, twenty-three of the total of sixty-two cases (37%) were recorded

as crimes, whilst in thirty-three cases (53.2%), the administrative outcomes⁵⁰ on Alpha's incident logging database included some alternative response other than recording a crime. In the remaining six cases (9.6%) there was no clear record as to the outcome of the incident.

Table 6. 13 Contingency table showing the correlation between the type of exploitation risk and whether cases from the mate crime incident sample were recorded as crimes

Crime recorded Yes / No		Exploitation risk				Total
		emotional	financial	physical	sexual	
No	Count	10	21	0	8	39
	% within Risk	90.9%	63.6%	0.0%	53.3%	62.9%
	Adjusted Residual	2.1	.1	-2.3	-.9	
Yes	Count	1	12	3	7	23
	% within Risk	9.1%	36.4%	100.0%	46.7%	37.1%
	Adjusted Residual	-2.1	-.1	2.3	.9	
Total	Count	11	33	3	15	62
	% within Risk	100.0%	100.0%	100.0%	100.0%	100.0%

In respect of this data, it might be expected that the likelihood of an incident being recorded as a crime would be independent from the type of exploitation risk alleged. However, as with the data in the earlier contingency table (para 6.1.2) a Fisher's Exact Test of independence was conducted (see para 4.3.3). This indicated that whether an incident was recorded as a crime appeared not to be independent from the type of exploitation ($p \leq 0.05$). In respect of this, a subsequent further examination of the contingency table by way of residual analysis (ibid) revealed that whether an incident was recorded as a crime appeared to be most significantly correlated with the data in relation to emotional exploitation and physical exploitation.

⁵⁰ These administrative categories are maintained locally by individual police forces. Where an incident has not led to the creation of a crime report, they can result in incidents being classified as *anti-social behaviour*, *civil disputes*, *concerns*, etc. In order to try to maintain the anonymity of Alpha Police, the precise administrative categories have not been divulged in this thesis

In respect of the latter, there were only three cases which were attributed as a physical risk in the sample and they were all recorded as crimes. It is difficult to justify drawing any conclusions in relation to such a small part of the sample.

However, as regards emotional abuse and the likelihood of a crime being recorded, there were eleven cases which were categorised by this study as presenting risk of emotional exploitation, only one of which was recorded as a crime. The adjusted residual of -2.1 suggested that there was a significantly less than expected chance of an emotional exploitation case being recorded as a crime. Given the small sample size, no wider inference can be drawn from this finding and it could be alternatively explained on the basis that there is much less criminal legislation available to the police to address emotional abuse and hence there were less alleged offences to record. However, an analysis of the narrative data suggests that the institutional response may be more complex.

When gathering cases for the sample and considering factors influencing institutional responses, the narrative in each case had to be scrutinised to gather detail as there was no check-box or other denotation that the victim was a disabled person. In a few cases, it appears the police reports were able to access and include what might be described as relatively objective references as to the level of the impairment such as “social worker advises she does have learning difficulties and an IQ of 46” (case MCI/62). In other cases, the reference to an impairment was vaguer, although sometimes coming from the victims themselves. For example, in case MCI/41 the police report states: “[V] alleges he has the mental age of a 12-year-old”. Case MCI/25 is similar, but making a less objective reference to impairment: “caller identified himself as vulnerable due to learning difficulties”. However, in other cases, police appeared to take on a much more diagnostic role. For example, “caller sounds like he has learning difficulties and was not even sure of his address” (case MCI/29). If the processes in other forces are as similarly informal in relation to the recording of impairments, then this might explain some of the large data gaps in the findings arising from the fieldwork survey discussed earlier.

It was found that in twenty-two of the cases in the sample, the police reports specifically referred to the term ‘vulnerable’ (or one of its derivatives, such as vulnerability) when referring to the victim. However, in only one of the eleven

cases of emotional exploitation was the term *vulnerable* used. Although the proportion of cases referring to vulnerability was relatively small⁵¹, it could be speculated that this finding is indicative that the police tended to regard those who experience emotional exploitation as less ‘vulnerable’ than those who experience other forms of exploitation.

The decision as to how a case might be progressed also appeared to be influenced by other factors. Some of these factors were similar to those which the police might experience elsewhere. A victim’s reluctance to pursue a criminal allegation, for example, by declining to make a formal statement is an issue which the police may come across with any victim of crime. However, in some of the cases within the sample, there was also a suggestion that the reporting officer’s perception of the victim’s impairment, rather than the facts of the case, might be influencing the decision as to whether the case should be progressed. For example, in the case of sexual exploitation of a man in his fifties with learning disabilities (MCI/26), the police report states as follows.

Officers spoke with [V]. It was almost impossible to hold a conversation due to learning difficulties... The sexual acts were with consent according to [V].

This case was recorded as a crime but finalised as “no further action” on the grounds of “lack of co-operation”. There was no reference within the police report to any assessment of mental capacity. Some theorists have suggested that the institutional response to the thought of disabled people, particularly those with learning disabilities, engaging in sexual activity is a patronising one founded on patriarchal and disablist attitudes (Laxton and Goldsworthy, 2008; Hollomotz, 2013). This may explain why, in the comments above, the victim’s impairment in this case, was paradoxically first used as grounds for implying that he could not give an understandable account but then contrarily was not seen as an impedance when the issue of sexual consent was introduced. These types of situations have been previously identified (Sharp, 2001; Sin et al., 2009) and this type of disadvantage has been referred to as a situation of “double jeopardy” for the disabled person (Satz, 2009, p.526).

⁵¹ The finding in relation to the negative correlation between emotional exploitation and the police use of the term *vulnerable* had an adjusted residual score of two. However, it was not significant at the 5% level.

6.4.2 Institutional responsibility

A similar response was observable in respect of case MCI/47, where the case notes record: “[V] suffers from mental health problems... It is extremely difficult to get any sense out of [V] due to his diminished mental capacity”. This approach, which appeared to involve an informal mental capacity assessment being conducted by the officer, is indicative of a form of substitute decision-making (Committee on the Rights of Persons with Disabilities, 2014, p.1) referred to earlier (see para 3.4.3). and could be construed as indicative of a patriarchal approach to disabled victims of crime (Oliver, 1990).

These effects were demonstrated in other ways also, such as the occasional tendency for the outcome of a case appearing to be influenced by the informal opinion of others. For example, the victim in case MCI/6, who was a woman in her fifties and had learning disabilities, stated that she had been subjected to unwarranted sexual demands from a male friend. The police report stated that the attending officer spoke to staff at the supported accommodation in which she lived: “Spoke with staff...[they] explained [V] has a propensity to lie in order to gain attention”. Armed with this damning information, unsurprisingly Alpha Police categorised the report as “crime not occurred”. In a similar case, MCI/27, involving the alleged sexual exploitation of a woman with learning disabilities, the effect of the perceived significance of the victim’s impairment could be construed as even more remarkable in that the officer recorded a moral judgement of the victim’s sexual conduct:

There is a suspicion that she is promiscuous. Staff state that she regularly gets into a number of different vehicles with numerous unidentified men and often stays out overnight.

It may be that the informal observations in the above cases are accurate and there was clear evidence elsewhere to support them. However, as appears to be the situation in this case, if the officer makes decisions on the outcome of a case based on the casual moral judgements of staff, then this would suggest that the victims are receiving a lesser, tainted institutional response in cases such as these.

However, other police reports also contained more casual interpretations of information which, contrary to the above, suggested an approach of institutional

disavowal whereby responsibility for the situation appeared to be delegated back to the alleged victim. For example, in case MCI/8 involving a man with a physical impairment whose friends had allegedly stolen from him, the wording of the report is dismissive: "This is not as reported. There has been no theft. [V] is a self-confessed alcoholic". Similarly, case MCI/11 related to a mother calling about her daughter with learning disabilities who was being subject to emotional exploitation by local youths calling at her flat. The police report stated:

Spoke to the caller who... now realises the problem of anti-social behaviour is being caused by her daughter allowing youths into her flat which then causes anti-social behaviour. Advice given.

Following this, the report then went on to say that the case was closed. It could be argued that the institutional disavowal and delegation of responsibility evidenced in the above two cases had the consequence of minimising the abuse by confining it to a low-level (Garland, 2011; Sykes et al., 2011). Indeed, the actions of the police could be construed as contributing towards a form of victim-blaming (Oliver, 1986; Nunkoosing, 2000; Edwards, 2013).

However, one other significant concern about the effectiveness of the response in the above cases is that the risk to the victim appeared to be left unresolved and potentially allowed to continue. Unresolved risk also arose in other cases such as case MCI/5 involving a man in his twenties with learning disabilities whose friend refused to return his property or pay him £150 he was owed. The unresolved risk was demonstrated in the delegated police response: "This is not a theft. This is a civil dispute". In other cases, risks were not pursued due to evidential difficulties, particularly evident in relation to the non-pursuance of cases involving risks of sexual exploitation, where the issue of consent was a factor. For example, in case MCI/10, involving a man in his late teens with learning disabilities whose mother was concerned that he was being asked to share naked photos of himself to on-line friends, the police report stated "these messages have been between consenting adults and therefore there have been no offences". This response was given even though the police report stated that the victim had an IQ of 67. Similar issues in relation to sexual consent were noted in previously-mentioned cases MCI/26 and MCI/30 (see paras 6.3.1 and 6.3.2 respectively).

Confusion over the institutional responsibility for addressing risk appeared to be one reason why cases were being peremptorily closed and a number of instances of this were found within the sample, particularly within Alpha Police's safeguarding database. For example, case MCI/31 was referred directly into the safeguarding database within Alpha Police as it related to a young woman who was being subjected to emotional exploitation by local youths. However, this was a case where the type of impairment was unclear. Hence, the incident was not pursued, as demonstrated by the recording in relation to the incident which stated: "No mental health, no disabilities. Does not meet criteria". There was no suggestion that any further action was taken in relation to the incident. Even though the reporting officer had stated that it involved a young woman in her late teens who lived alone and was described by the officer as "very young and naïve for her age" (Case MCI/31), it appeared that no agency was willing to take responsibility to address her concerns.

This type of confusion over institutional responsibility was also demonstrated in case MCI/49, which related to a man in his fifties and was reported as follows.

Caller reports [S] has been using [V]'s bank card to top up her mobile phone. Caller also alleges [S] has been taking money out of [V]'s wallet... [V] is registered blind and caller believes [S] is taking advantage of [V]'s disability

The police spoke to the victim and the response was recorded on the safeguarding database as follows:

When [V] was spoken to, he said he was not reporting anything about the phone, but said that [S] was visiting him too often and was always wanting him to lend her money which she never paid him back.

There is a history of vulnerability... Various people have befriended [V] so that they could take money from him.

Having made these comments about the history in respect of the exploitative risk to this victim, and confirmed that the suspect denied the allegations, the police report then concludes: "Shared with Adult Services. No action under safeguarding". Effectively this comment appeared to signal the end of police involvement in the case. However, despite the recognised ongoing risk, it is not clear in this case what action, if any, was taken by Adult Services.

In a small number of the cases, the response from Adult Services was noted but still the risk was not addressed. For example, case MCI/34 involved a woman in her forties with a learning disability who was unable to prevent 'cuckooing' (see para 7.2.2) by local youths who reportedly gave "her very little choice as they walk straight into the house". The subsequent recording within Alpha's safeguarding database reported that an e-mail was sent to the local authority's Adult Services department and the response was: "Closed case to Adult Services. Previously assessed and does not have learning disability". Again, this response effectively closed the case without the responsibility for the ongoing risk being accepted by either organisation. Similarly, in case MCI/33 it was noted on the police report that the response of Adult Services was as follows: "Case closed to learning disability team following assessment which determined he does not have LD. No other role for adult services at this time". From an institutional perspective, the above responses may be consistent with procedures. However, although the responses to these and similar unresolved cases elsewhere in the sample may help keep crime figures low, they may also help to explain under-reporting and how disabled people may be falling between the cracks (Sin et al., 2009; MENCAP, 2010) in terms of accessing justice.

6.5 Summary

In summary, this chapter has provided some idea of the nature of mate crime in that it happens to disabled people who are typically living alone in deprived areas of towns. It is often perpetrated by local people, some acting in groups, who may extend friendship to gain access to the victim's home based on localised knowledge about the victim's circumstances. Familiarity is then typically used as a means of facilitating exploitation of the victim, including thefts, damage, harassment and sexual abuse. If left unchecked, exploitation can escalate into forms of serious violence. Institutions such as the police have tended to provide informal responses, with a focus on the impairment of the victim at the expense of providing solutions to the reported concerns. Apparent informal judgements over issues such as capacity and consent appear to have led to an obscuring of the recording of offences and a tendency to delegate

responsibility to agencies such as adult safeguarding. Some of these issues will be explored further in the next chapter.

Chapter 7

Findings from the interviews with key stakeholders

This chapter begins with a brief introduction to the participants in the interviews. It then analyses interviewees' observations by addressing them within three broad topic areas. The first of these, the section on participants' views on disabled people, reveals that there was broad agreement that disabled people are marginalised in society and treated as second class citizens. The second section on mate crime begins with some of the interviewees expressing concerns over the value of the concept. Notwithstanding this, interviewees identified that the targeting of mate crime may be influenced by factors such as prejudice, isolation and deprivation. Interviewees' thoughts about how institutions are responding to mate crime are examined in the next two sections of this chapter. There was evidence that confidence in the police was an issue and participants questioned the effectiveness of the responses of other relevant institutions, including the CPS, Safeguarding Adults and the courts.

A brief overview of the interview participants is shown in Table 7. 1 below.

Table 7. 1 Anonymised list of the interview participants in their sub-groups, providing a brief overview of their backgrounds

Group	Name	Role	Sex
Disabled people's reps	Andrew	Network Co-ordinator for Disability Hate Crime victims	M
	Audrey	Policy Director of support agency for disabled people	F
	Adam	Head of disability and diversity for advocacy service	M
	Alice	Senior Officer in equality organisation	F
Criminal Justice reps	Peter	CPS commentator	M
	Patrick	HM Government hate crime representative	M
	Phillip	Police Superintendent	M
	Paul	Police and Crime Commissioner	M
	Pamela	Police Inspector (aide to Police and Crime Commissioner)	F

Group	Name	Role	Sex
Social Care	Simon	Strategic Manager for Safeguarding	M
	Stephen	Adult Protection Manager	M
	Scott	Training and Development officer in social care	M

As an aid to anonymity, each participant was allocated a pseudonym. For ease of reference, the pseudonyms also act as an aid to identifying the group of key stakeholders to which each interviewee was allocated. Thus: disabled people's representatives were allocated names beginning with the letter A; criminal justice representatives were allocated names beginning with the letter P; and social care representatives' names begin with the letter S.

As this was a purposive sample focused on the positions held by the participants, there was little opportunity to randomise the demography of the group. It can be noted that all of the interviewees were in the age band 40-70 years and all of them were white, apart from one interviewee who was of Asian ethnicity. However, as a further means of protecting the identities of the interviewees, individual demographic details have not been shown.

7.1 Disabled people

In the pursuit of understanding the nature of mate crime and institutional responses to it, this section includes interviewees' responses in relation to society's treatment of disabled people. It then examines participants' views in relation to the extent to which disabled people can be regarded as an identifiable group.

7.1.1 The treatment of disabled people

With the exception of one or two in the sample, all of the participants' responses seemed to accord with the notion that society's treatment of disabled people was unfair. Phillip and Stephen were the participants who saw an improving picture for disabled people, although Stephen recognised some deficiencies:

I think it's a difficult one to answer if you're not disabled yourself... I'd say we were getting better in that we are dealing with people and their disabilities better than we ever have done (Phillip).

Generally, I think it is better than it ever was. It's getting better all the time. Even if it's just for drop-down kerbs and getting on buses... but there is still a long way to go really. There certainly is within the criminal justice process (Stephen).

Although both of the above referred to the oppressive experiences of disabled people elsewhere in their interviews, neither of them chose to link those experiences to the wider treatment of disabled people. However, the other key stakeholders who were not disabled people did demonstrate some degree of awareness of how disabled people are treated within society.

I think they aren't treated as equals. I think that is plain to see. It is very rare they are treated as equals (Paul).

There have been changes over a number of years but disabled people generally are probably not perceived to have the same value as people without disabilities in general terms (Simon).

Their comments are consistent with the views of some disability theorists who have referred to the disabling effects of society and how disabled people are faced with barriers (Oliver, 1986; Finkelstein, 1991). Some of the other non-disabled participants were prepared to be more specific as to how society's treatment of disabled people has a practical impact. For example, awareness of the risk of the stereotyping (Calderbank, 2000; Reeve, 2002) of disabled people was demonstrated by Peter:

As a society we're still learning going forward about how people with disabilities should fit in... Sadly one of the key parts holding this back is the media, and their portrayal. Where you are not talking about Paralympians, you are talking about scroungers and you're talking about benefit cheats.

His recognition that disabled people might be labelled as scroungers has been recognised by scholars as being of growing concern in recent times (Garthwaite, 2011; Briant et al., 2013). However, Peter's detachedness from the issue was in contrast to the comments of Scott who presented a personal view of how disabled people might feel in society:

I think they are second class citizens. I don't think that is an unreasonable thing to be saying. I think people are treated differently and people don't have a clue what goes on... They don't have a clue what goes on in those

people's lives until it's their family member. Well, if society doesn't care, doesn't care enough, then that's more likely for these things to happen.

Similarly, all four of the disabled people's representatives were able to articulate examples of the diminished social position of disabled people. Table 7. 2 shows some of their comments arranged in a quasi-hierarchical order as to some of the effects of being identified as disabled person. The ordering of the effects in the hierarchy is reflected in the shading of the first column in the table. In respect of each comment, a theoretical reference has been drawn providing a scholarly interpretation of the effect on the lives of disabled people.

Table 7. 2 An effects hierarchy, demonstrating some of the range of effects of being identified as a disabled person

Scale of effect (low to high)	Participants' comments (my italics to highlight evidence of effect)	Type of effect
	The majority of <i>disabled people just put up with daily discrimination</i> , not just in goods and services, but physical environment, public environment public realm. It's within opportunities, jobs, education. You...just don't get the same service and it's kind of like "you should be glad you're here" kind of thing (Adam).	Discrimination, stigma (Goffman, 1963)
	So many people are used to the fact that being disabled you are considered less and you are therefore fair game... We're tolerated. There is legislation, the Disability Discrimination Act, <i>but we're still a nuisance</i> and I think that sums it up (Andrew).	Internalised oppression (Friere, 1972)
	The stereotypes still hold and the stigma has got worse with austerity... <i>People are really, really, scared</i> . It's really, really difficult. And the violence, for me, is just a symptom of that (Audrey).	Psycho-emotional effects (Reeve, 2002)
	I think most of us during our lifetimes have had <i>experience of seeing a disabled person being bullied or abused</i> and done nothing about it, perhaps...because it's been seen as acceptable and normalised behaviour (Alice).	Targeted violence (Stanko, 2001)
	[It's] the dehumanisation element. So if you can see <i>somebody as not human</i> , not just as other, but as not human, you can execute levels of violence on them that it's not possible to do with other people that you see (Audrey).	Dehumanisation, contempt (Murphy, 1987)

Once the interviews had begun to focus on the position of disabled people in society, this then allowed questions to turn to a particularly contested area, the construction of the concept of vulnerability in relation to disabled people. As may be recalled from the review of the literature earlier in this thesis, the controversial nature of this topic has been manifest in the writings of many disability studies scholars, who appear to have rejected the vulnerability label in relation to disabled people (Roulstone and Sadique, 2013; Sin, 2014), largely on grounds associated with the view that “vulnerability is a socially constructed entity that oppresses people with disabilities” (Burghardt, 2013, p.556).

This dismissive view of the relevance of vulnerability in relation to disabled people was reflected amongst the disabled people’s representatives in the sample, as exemplified in the following comments:

Putting disabled people into the vulnerable category and therefore all disabled people are perceived as being vulnerable and therefore in social services need... That is a distinct worry and that is the reason why to me that the ‘v’ word in terms of disability, ‘vulnerability’, is a no-no. I am vulnerable to situations. I’m not a vulnerable person per se (Andrew).

Certainly the feedback we got from the very diverse number of communities amongst disabled people..., they were clear that they did not want to be prescribed as vulnerable people. They did not see themselves as vulnerable people... You can’t prescribe it and I don’t think it’s just a panacea to label people. (Adam).

These interviews were certainly not the first time these types of opinions have been expressed. Indeed, it was views such as these which, as long ago as 2005, appear to have led national Safeguarding Adults policy-makers to abandon the term ‘vulnerable adult’. In their guidance *'Safeguarding Adults' A National Framework of Standards*, the Association of Directors of Social Services (2005) stated the following:

Whilst the phrase "vulnerable adults" names the high prevalence of abuse experienced by the group, there is a recognition that this definition is contentious... In recognition of the changing context, previous references to the protection of "vulnerable adults" and to "adult protection" work are now replaced by the new term: 'Safeguarding Adults' (Association of Directors of Social Services, 2005, p4-5).

Later, when Safeguarding Adults procedures were finally given a statutory basis by virtue of the Care Act, 2014, all references to vulnerable adults had been removed. This development would suggest that a battle had been won. However, whilst accepting the discomfort associated with the notion of vulnerability, a number of the non-disabled participants still saw the relevance of the term:

I think people who are going to do this sort of thing will pick on the weakest, most vulnerable people. That tends to be their modus operandi... I don't know anybody who thinks that sort of thing does not happen in disability services... I don't like the term 'vulnerable' but we will have to go with it. People will target (Scott).

The more disabled you are, the more likely you are to be vulnerable... You just are more vulnerable in reality. And unless you have a society where everybody is good, and everybody has other people's best intentions at heart and just wants to do the best for everybody, then these things are always going to happen, sadly (Simon).

These comments are in somewhat stark contrast to the empowering sentiments exuded by Crow (1996) in her commentary on the social model of disability. However, in some respects, the "reality" of vulnerability to which Simon refers in his observation above, could be understood in terms of the scholarly disputes over the social model of disability itself. It may be recalled that Shakespeare and Watson (2001) have argued that the social model's conceptualisation of disability is problematic precisely because it persisted in arguing for the "denial of difference" of disabled people (Shakespeare and Watson, 2001, p.14). The reality of vulnerability referred to by Simon could be construed as a form of plea for acceptance of difference.

Obviously, there is no suggestion that any of the interviewees were consciously adhering to a particular theoretical position. Notwithstanding this, the pragmatic approach to vulnerability signalled by Simon was even more evident in the comments of the police superintendent, Phillip:

It's important rather than thinking is it mate crime or is it not, that we understand vulnerability... You could be disabled with a physical disability and not be vulnerable and or not want to be called vulnerable. But you need to understand that at least a police officer needs to consider any

disability and decide whether these people are vulnerable as a result of it... The fact is the assessment needs to be done. You should always give consideration to vulnerability in my view. When somebody is disabled, you should at least be asking the questions to establish whether they are vulnerable or not.

Despite the above, some of the other interviewees were aware of the sensitive nature of applying the notion of vulnerability to disabled people as a group, best expressed by Patrick:

The relationship between vulnerability and victimisation is one of those really hot topics that people keep getting offended when you talk about it because they say it rolls back on the social model commitment and actually means that the victim is the problem and not the perpetrator (Patrick).

Patrick's reference to the social model of disability as a means of explaining how some interpretations of vulnerability may undermine the position of disabled people in society reflects the views of commentators on the issue. For instance, Calderbank (2000, p.533) has argued that it is "social indifference at the root of vulnerability", whilst Brown (2012, p.49) has suggested that "labelling groups as vulnerable can be stigmatising". In addition, his suggestion that this type of labelling also facilitates victim-blaming is a concern which has also been previously expressed in academic circles (Brown, 2012; Roulstone and Sadique, 2013).

What came out from the interviews was that the use of the term vulnerability was a contentious one. It would appear that institutions such as the police might see it as a useful concept for addressing risk, whilst some disabled people see it as an oppressive term. The influence of interpretations of vulnerability specifically in relation to the targeting of mate crime victims is further discussed below (see para 8.2.5).

7.1.2 Disabled people as an identifiable group

Although it was not a pre-planned topic in the semi-structured interviews, the issue over the extent to which disabled people can be construed as a homogenous group was alluded to by participants on a number of occasions. This helped raise the significance of this issue as it became clear that lack of clarity about who disabled people are may potentially be contributing to under-

recognition of the phenomenon of mate crime and thus potentially undermining any institutional response. As the following paragraphs show, however, the evidence from the interviews suggested that there were complexities which affected the extent to which disabled people can be viewed as a homogenous group. However, what was also interesting amongst the comments was the evidence arising in relation to why this might be the case. The evidence from the interviews suggested explanations could be seen from three different perspectives: consensus difficulties; intra-group conflict and identification.

The general difficulties in discerning the consensus of such a disparate group of people were reflected as follows:

One thing I've learned in twenty years is that trying to get a consensus across disability is sometimes nigh on impossible because there are so many differing experience in needs within that (Adam).

You can't rely on one single message reaching something as diverse as people with disabilities. As you'll know, it's such a diverse section of society you can't really just put a note on a web-site or make a statement, you've got to work at it and target (Peter).

These views are consistent with some academic perspectives on this issue. The heterogeneous nature of disabled people has been commented upon previously (Mason et al., 2013 Hughes, 2014). Indeed, it has been suggested that, as a group, disabled people are so heterogeneous as to be collectively indefinable on a social theoretical level (Danerphillip and Gellerstedt, 2004).

However, further evidence of the potential heterogeneity of disabled people was demonstrated by some references to some deeper intra-group differences. For example:

I get very twitchy when certain organisations such as MIND or wheelchair user groups claim disability as only their territory (Andrew).

There is a lot of infighting. There are a lot of people who self-proclaim themselves to be the person we should be engaging with and don't get recognised by others. There is actually some animosity picked up on occasions when people will say "Oh, you are only interested in learning disability or mental health, but you're not interested in sensory impairment or you're not interested in physical disability". So you get that kind of

attitude. Sometimes less subtle than others. But you do kind of get that (Patrick).

It is particularly interesting that this type of internecine disagreement was noticed by both disabled people themselves as well as others in the sample. In some ways, however, it would seem that these differences between disabled people have been apparent at what could be termed a sub-political level since the early days of the disability movement. For example, in the original Policy statement of the *Union of Physically Impaired Against Segregation*, “people who are called mentally handicapped, or those mentally ill” were classed as “other oppressed groups” (UPIAS, 1975, p.7) That is not to say that UPIAS’ distinction was not an understandable one to make. However, some would argue that these clear divisions still exist in some respects. For instance, it has been argued that the study of learning disabilities is often overlooked in research and writing about the social model and elsewhere (Chappell et al., 2001; Goodley, 2001; Hughes, 2014).

Other comments from amongst the interviewees referred not just to intra-group differences but the notion that some disabled people were choosing not to identify themselves as such. In terms of identification, representatives of all three sub-groups referred to the difficulty. For example, Pamela noted that “some people don’t like to declare their disability” and Scott remarked similarly: “some people don’t like to see themselves as disabled”.

There is no obligation on anybody to declare themselves as a disabled person. However, there was a suggestion amongst the interviewees that identification as a disabled person was not just an issue for disability hate crime victims, but also might be an issue at an institutional level. This discovery led to the notion that identification could be used as a means of explaining some of the attrition which occurs in relation to the reporting and recording of hate crime against disabled people (Disability Rights Commission, 2004; Sin et al., 2009; Sheikh et al., 2010). Hence, examples of some of the interviewees’ concerns regarding institutional responses were configured together in a tabular format (see Table 7. 3). Beginning with the comment of Adam, who provides an explanation as to why disabled people might choose to avoid referring to impairments they may have, the table shows how not being identified as a disabled person can

contribute to the lack of recognition of this type of offending against disabled people.

Table 7. 3 Issues in relation to identification as a disabled person and outcomes

	Participants' comments	Identification outcomes
Personal	Some people don't want to see themselves as disabled but clearly they would meet the definition of disability... I don't think it's just a panacea to label people. Some people would respond in a very inappropriate way, "don't give me that label" (Adam).	Self-denial
Institutional	If people see disability equalling wheelchair, all those other forms of disability, mental ill-health, learning disability, somehow don't fit the category. People don't see it as obvious. (Scott).	Inadequate understanding
	Because we are very good at capturing physical disabilities, you know, but learning disabilities is not something we're very good at. It's difficult when someone rings, because you don't know, there is confusion sometimes, have they got learning disabilities? (Pamela).	Inadequate recognition and recording
	I get it that you won't initially see it, but agencies are getting better and better and more attuned to recognising mental health issues. I think, from a policing perspective..., where it becomes more difficult is when you go into mental health arenas and start to talk to mental health professionals themselves and then you start talking about whether somebody has a personality disorder or whether they have psychotic issues or whatever it might be. It seems from a police officer perspective, a lot more difficult to identify the particular health issue and also the particular department or organisation within mental health, that are best suited to deal with it (Phillip)	Inadequate response

Adam's comments suggesting that disabled people might take it upon themselves to choose not to be identified would imply that some people might opt to deny their disability presumably because they do not wish to reinforce the stigma that goes with it. Given what has been discussed previously in relation to stigma and its associations (Goffman, 1963), from the perspective of a disabled person, this is perhaps perfectly understandable. Indeed such denial could be

seen as a pragmatic response to the “dilemma of difference” (Minow, 1985; Grattet and Jenness, 2001) referred to previously.

There was no evidence from the interviews that there was a conscious institutional effort to deny recognition of disabled people, but Table 7. 6 would nonetheless suggest that there may be attritional processes at work in terms of institutional responses to mate crime. In her interview, Alice proposed what she thought might lie at the root of this problem:

This isn't a one size fits all and it can never be and the solutions will be very different. And I think that is what confounds service providers, so “where do I go with this? This is my policy on disability but this doesn't fit for this particular person?”.

Alice's comment on the inadequacy of a “one size fits all” approach referenced just one area where interviewees raised questions as to the effectiveness of institutional responses. In the following section interviewees' views on the subject of mate crime itself are explored.

7.2 Mate crime

Acceptance of the usefulness of the concept of mate crime was not unanimous in the group of interviewees. Despite this, some of the interviewees were able to provide examples of their own experiences of incidents coming to their attention involving disabled people who might be victims of mate crimes:

Table 7. 4 Illustrative examples of mate crime provided by key stakeholder interviewees

<p>1. Somebody who had befriended a guy in town and he had gone shopping with them. They had allegedly run out of money and asked for a loan of the guy's card, which he lent to them. He went away and got some money out of the bank and told them it was so much and when he gave him it back it was double that. This went on a couple of other occasions..., then a whole host of other things, smaller things, around the house where the guy's mum found them in the house at different times. They were taking advantage; they were using the house as their own (Peter, CPS).</p>
<p>2. Two vulnerable individuals, one with a learning disability, both with mental health problems, were picked on or befriended by the local drug gang. They had moved in and at that point they were intercepting payments, benefits payments. They took the house over, they were living in the house and this couple, they didn't really know what to do about it... So, it was a kind of ready-made recipe for some form of victimisation to take place (Adam, Advocate)</p>

3. Local youths... had somewhere to go in and out of freely, without constraints of adults... One of the things he allowed to happen...was for them to tattoo a [graphic image] on the inside of one of his legs, which was clearly about ridicule, etc. He allowed that to happen in exchange for a small sum of money (Simon, Safeguarding Manager).

4. The two individuals concerned ended up just trashing the flat, with the graffiti sprayed all over the walls, doing pretty disgusting things to the individual, so they kind of... killed the golden goose because they got so far in exploiting him and essentially living with him, but then one night, for whatever reason, that came into their heads, they just went totally overboard and did cross the line into criminality (Peter, CPS).

5. I was interviewing... a serving police officer... and I was flabbergasted by his response but his response was she had a relationship with somebody before, so therefore they were friends, therefore they had a relationship, therefore it didn't matter that he had brought another nine of his mates to rape her. And that's an extreme case, clearly... He was trying to say she wasn't preyed on because of her learning disability because she'd had a relationship with one of the perpetrators (Alice, Equality Officer).

These five examples have been included unedited, in the words of the interviewees, as a reminder of the real personal impact of mate crime. The selection of cases is primarily illustrative of what can constitute a mate crime, the differing shapes mate crime might take and how institutions might respond to them. They also provide some indication as to the varying degrees of significance that mate crimes might have on the lives of disabled people. These issues are discussed in more detail below and in the concluding chapter.

This section begins with an examination of the contention around the subject of mate crime. It then moves on to discuss interviewees' understanding of the phenomenon, before analysing their views on how mate crimes and why mate crimes are committed.

7.2.1 Contention over mate crime

This lack of consensus was most clearly demonstrated amongst the disabled people's representatives. For example, Audrey described the concept of mate crime as "problematic" and spoke about it in the following terms:

If we're going to say it's aggravated by hatred or somebody abuses the trust and power that they have in a victim, then there is nothing friendly about that.... And that's why I resist the use of the term because it sounds nice and it sounds low level...For me for they're old fashioned crimes – it's

theft, it's fraud, it's rape, it's grievous bodily harm, it's breaking and entering, it's vandalism - we don't need another name for this.

The implication of Audrey's comments was that acknowledging mate crime's significance was tantamount to trivialising disability hate crime and thereby the experiences of disabled people. This particular scholarly position can best be understood by referring to Perry (2013):

The term 'mate crime' fails... [By] putting the focus on what is 'going on' between two people, it suggests an equality of power and agency that is, of course, absent. It is likely to be regarded with bewilderment by the criminal justice system (Perry, 2013, p.48)

Perry's criticism of mate crime in relation to its bewildering effects on the criminal justice system was reflected to a large extent in the comments of the criminal justice representatives. For example, Peter, the Crown Prosecution Service (CPS) commentator stated:

[The] more people started talking about mate crime...I was thinking this is really going to add more confusion... It's still crime, so there's no new category called mate crime... As a way of explaining it, the behaviour, I think it's fine but I think the official position of the CPS is that it can lead to confusion.

Although there is recent evidence that the position may be wavering (see para 3.2), Peter was indeed reflecting the official position of the CPS (Crown Prosecution Service, 2014). Likewise, Patrick demonstrated a similar, although more under-stated position in relation to mate crime:

For me, it's a little bit unfortunate in that it muddies the waters I think... We have got lots of disabled people who advise us. They agreed that it wasn't necessarily helpful certainly for criminal justice processes... so we don't use it (Patrick).

Patrick's reference to not using mate crime is also reflected in police procedures which declare that "mate crime is not recorded nationally" (College of Policing, 2014, p.25). However, interestingly, the evidence from the subsequent interview with Phillip, the police superintendent, provided a good example of how perceived restrictions on the use of language (Danescu-Niculescu-Mizil et al., 2012; Hollomotz, 2012) appeared to have led to increased ambivalence in the police:

Q; What do you know of mate crime?

Phillip: Only what you've told me. I've never heard of it before...

Q: Is it something you've come across in the police?

Phillip: Yes. Yes. You do see that. You see particular locations being targeted...

Q: How common do you think it is?

Phillip: I think it's fairly common. I think we've got people in our communities...who are vulnerable and allow people to walk into their homes thinking it's because they want to be their best friends, when really, it's about wanting to use their home for other purposes

Phillip readily accepted that he had no previous knowledge of mate crime. However, as the above dialogue also demonstrates, once he understood the concept, he also readily accepted that mate crime was "fairly common". Of course, this response suggests that, if something is fairly common, then it would be acceptable practice to give it a name. However, Phillip's view on this can be garnered by referring to his response when the subject was again raised towards the end of the interview, and he was advised that the concept of mate crime was not readily accepted by CPS and police nationally:

Q: Are you aware of any weaknesses within the current response to mate crime?

Phillip: I mean that might be one weakness. If it's classed as... mate crime..., it hasn't been promoted that well. I've certainly not heard of it as a safeguarding officer for three years. I think the first weakness is how well is it publicised nationally...

Q: I think the College of Policing advice is to be aware of what mate crime is but...not encourage use of the term and likewise the CPS don't encourage use of the term either

Phillip: Well that's my view as well, to be honest. So, if we are getting told that, then it's in contradiction... If agencies are being told not to call it such, then forget my first two comments...

Phillip's *volte face* is perhaps an understandable example of putting policy-compliance before pragmatism. However, it also provides quite evocative evidence of how crime can be culturally constructed. As can be seen by

returning to the comments of Boeckmann and Turpin-Petrosino (2002) on the theme of the culturally contingent nature of crime:

There is no consensus... Part of the reason for this lies in the fact that cultural differences, social norms, and political interests play a large role in defining crime in general and hate crime in particular (ibid, p.208).

Applying the spirit of the above, it would appear that “political interests” (ibid) in the form of institutional policies such as that of the police and the CPS may have influenced Phillip’s acceptance or otherwise of mate crime. However, such interests would have been unlikely to have influenced those disabled people’s representatives who expressed concern about the concept of mate crime. Instead, it appears that some of their concerns related to the terminology itself. As others have noted (Clark and Marsh, 2002; Rix, 2006; Hollomotz, 2013) language and labelling are significant influences in society’s approach to disabled people. Indeed, in his interview on the subject, Andrew noted “people get very twitchy about the term mate crime” and went so far as to describe the definition of mate crime as “dangerous”:

Mate crime as a concept is an important one. As a definition, I think it’s a very dangerous one. If an incident happens, it is not recorded by the police as a mate crime. It is recorded as a hate crime. End of story and I think that’s as it should be (Andrew).

Although the underlying context of Andrew’s comments were that he held these views in the best interests of disabled people, his position was somewhat paradoxical in that he acknowledged that mate crime was important, but then argued that it should not be defined. However, given how the response by the CPS above can be viewed through the lens of the socially constructed nature of crime (Muehlenhard and Kimes, 1999; Boeckmann and Turpin-Petrosino, 2002), Andrew’s response is again a good example of how cultural values such as his may play a role in actually defining this type of crime.

7.2.2 Conceptualising mate crime

As has been noted by academics such as Titchkosky (2001), language can be used as a means of patronising disabled people and can also be used effectively to remove the possibility of understanding disability as a complex social phenomenon. In their comments above, the disabled people’s

representatives Andrew and Audrey were concerned that accepting the concept of mate crime might undermine disabled people. However, the comments of the other disabled people's representatives implied a different view. For example, Alice observed that there had been "an increase in mate crime" and Adam commented: "it's still as relevant as anything, mate crime". Indeed, Alice not only accepted its existence, but was also able to elaborate:

It's known about now more broadly...mate crime, but certainly financial, certainly sexual, this 'cuckooing'⁵² thing about taking over young people's accommodation and online mate crime as well (Alice).

Likewise, the key stakeholders from social care broadly supported the notion that mate crime should be acknowledged as a distinct phenomenon. For example, Simon, the Safeguarding Adults manager, stated that "people befriend under false pretences, don't they? That's what they do, they take advantage... I get it".

More pointedly, Stephen made an observation which suggested that recognition of the existence of mate crime was simply a matter of choice:

If you suddenly tag something with mate crime, suddenly it becomes something else. It's not just the lads they knock about with borrowing money all the time, never paying it back. Giving him a clip. Pushing him round. Getting him to do stupid things. Getting him to do dangerous things for a laugh. It's not that if you tag it. Suddenly, with mate crime it becomes something else... We probably don't address it because we don't recognise it as readily as we should (Stephen).

Indeed, Andrew, having elsewhere in his interview refuted the idea that mate crime should be distinct from other disability hate crime, made a related point. He argued for acknowledging the existence of mate crime as a form of disability hate crime, but ensuring that acknowledgement of its existence did not detract from the latter:

It's not about denying mate crime exists, it's about accepting it does exist, accepting the rationale for it and making sure that what procedures exist

⁵² 'Cuckooing' has been described previously as a situation where a perpetrator moves in to a disabled person's home, appearing to offer help, but really getting access to food, clothes, drugs or benefits (Sykes et al., 2011).

are applied... Bringing mate crime into the regime of disability hate crime, not separating it from it (Andrew).

Notwithstanding this, it should be noted that the four disabled people's representatives were divided in terms of their acceptance of mate crime as a useful concept. Indeed, as can be seen from the above, much of their concerns appeared to be in relation to the issue of terminology and its impact on disabled people. Given these concerns, Adam's comments as one of the disabled people's representatives provide a middle way between overt recognition and all-out rejection of mate crime:

I think organisations, including the police, need confidence sometimes to let the wording, wrong language and terms evolve. Because it's such an equality based terminology, that sometimes when somebody says something like "wheelchair bound" or "wheelchair user", people can get torn to bits just for using wording... I don't think it's the right word. I don't think mate crime does it justice. I don't think cuckooing does it justice. These are terms that people use because it gives that context. I think the potential of looking at something else specific for a prosecution for mate crime would be helpful. I think it's hate crime in its essence and it's what defines that (Adam).

Of course, it would appear that the views of Andrew and Adam are not too far apart in relation to acceptance of the concept of mate crime. The truth may be that both ensuring the use of respectful terminology and facing the evidence in relation to what might be happening to some disabled people are positions which need not be mutually exclusive.

As can be seen from the above, there were differences of opinions between some of the key stakeholders as to the recognition of mate crime as a distinct phenomenon. However, interviewees were nonetheless still able to adequately contribute to discussions around the nature and context of mate crime. For example, Audrey, the Policy Director when being asked about why mate crimes occur against disabled people, stated:

Because of isolation. Because of lack of services. Because they have very few people in their lives who aren't paid to be there. Because of the segregation of disabled people.

The theme of isolation was identified in the case study fieldwork (see para 6.1.3) and discussed in the previous chapter in respect of the large proportion of disabled people in the sample who lived alone in deprived areas of towns (see Table 6. 8 and Figure 6. 1). Indeed, the increased risks associated with living solely amongst able-bodied people and being isolated has been identified previously (Hough, 2012; Doherty, 2013; Pestka and Wendt, 2014; Chakraborti and Hardy, 2016). The isolation of disabled people was also recognised by a couple of other key stakeholders as a factor. For instance, the Police and Crime Commissioner (Paul), provided a similar response to this question:

It is around their personal circumstances, and it may be alcohol dependency, it may be mental health issues, etc. It may be living alone without clear family and friends and supporting structures, etc.

At a society level, social isolation has long been a concern amongst disability activists and has been interpreted as being a significant factor in the oppression of disabled people (UPIAS, 1976; Murphy, 1987). However, Landman (2014) has argued that community isolation in itself can lead to a risk of mate crime.

People with learning disabilities are living independently in the community with reduced support from services. This can lead to isolation and make people more vulnerable to offers of 'counterfeit friendship' (Landman, 2014, p.360).

Indeed, in terms of the significance of social isolation as an issue, in the chapter on mate crime in the book *Scapegoat*, Katharine Quarmby noted the following:

The worst murders, many of which I had investigated over the last three years, were all of *socially isolated people* with learning difficulties or mental health conditions - Keith Philpott, Sean Miles, Michael Gilbert, Barrie-Peter Horrell, Raymond Atherton, Steven Hoskin, Steven Gale... The ordinary desperate need for human contact proved fatal (Quarmby 2011, p.177, my italics).

However, isolation is unlikely to be the sole cause of mate crime. In this respect, other interviewees were able to provide more detail on what they saw as the social context of isolation. For example, Simon, the Safeguarding Adults Manager:

And those things are more likely to happen in certain types of environment than they are in others. So, probably there is a class issue there, there is an issue around social backgrounds and the environment people reside in. If you have got an area where you do have people who have got low levels of ability, who are living independently as... single people in social housing... you are more likely to come across such individuals. They are capable enough to get a tenancy, capable enough to possibly claim benefits independently, but don't really have much contact with friends and family, that sort of thing, for whatever reason. Isolated.

His interpretation of the relationship between deprivation, isolation and mate crime is something which was identified in the case study in the previous chapter (see para 6.1.3).

7.2.3 Befriending and motivation for offending

Of course, as implied in Simon's comment above, isolated people might still desire friendship. Although the 'befriending' aspect of mate crime was not something which was subject to direct questioning in the interviews, it was an issue which was referenced directly by some of the interviewees. For example, the advocate Adam made a direct link between isolation and friendship: "Somebody is trying to befriend them...I think it can happen to anybody... It's circumstances, it's people being isolated".

Similarly, Stephen made a reference to the inevitability of the need for friendship:

You can see a progression, can't you? Picked on at school. Well, they will always want to have mates. Everybody wants to have mates, don't they?

However, distinguishing true friendship from counterfeit friendship (Landman, 2014) is central to understanding the mate crime paradox and mate crime as a concept. Misinterpretation of 'befriending' as part of mate crime is one of the factors which appears to have served to undermine institutional acceptance of the phenomenon. For example, in her interview, Alice referred to a case whereby a young woman with learning disabilities befriended a man and had consensual sex with him (see Table 7. 4). Alice reported that the police officer dealing with the subsequent case of alleged rape of the woman by nine of the man's associates seemed to consider that this initial 'friendship' somehow

undermined the nature of the allegations of rape made against the man's nine other associates. Hence, it was useful to be reminded by Peter, the CPS commentator, that it is the false nature of friendship that lies at the heart of mate crime exploitation:

Our starting point shouldn't be "well this was your friend". Very often it's not a friend, it's a false friend. It's criminal and we should be keen to unpick that where it's appropriate.

As can be seen from the above, and as was noted in the case study discussed in the last chapter, befriending forms part of the exploitative nature of mate crime but can also be used to mitigate against accusations of exploitation. In some cases, it appears that this exploitative relationship between perpetrator and victim can be sublimated and appear to be reversed. Pamela, a police officer employed within the office of the Police and Crime Commissioner, made this observation:

Turning it on a different head as well, there has been an incident in the past where youths are going drinking in someone's house, who potentially is vulnerable. He gets the name of being a paedophile because there are young children going into the house... They are probably taking more advantage of him than this person is taking advantage of them.

As has been noted (Fyson, 2009; Gravell, 2012; Mantovani and Wallis, 2014), these type of false accusations have been associated with disability hate crimes in the past. However, the befriending aspect of mate crime is not merely a perpetrator's means of diverting away the attention of the police and other criminal justice agencies. As Adam pointed out in his interview:

You get people who tend to be looking out for opportunities for vulnerabilities - a classic mate crime and befriending somebody, you get to know them and then kind of like the manipulation starts.

It can be seen from Adam's description of the "classic mate crime" that his implied explanation for the motivation to exploit disabled people is that perpetrators appear to be "looking out for opportunities". However, when other interviewees were questioned as to why some people commit mate crimes against disabled people, responses varied both within and across the three stakeholder groups. Hence, it is difficult to draw substantive conclusions from

the interviewee's opinions. Indeed, Patrick made the observation that there "may be a thousand reasons why". Answers also ranged from the view that mate crime could be construed primarily as simply opportunistic to the essentially opposite position that it was a crime of hostility against disabled people. The equality officer (Alice) demonstrated her awareness of these diverse explanations:

Most people think motivation for hate crime comes from a right-wing sentimentality which clearly isn't the case... Mostly it comes out of boredom and opportunity and actually it is very hard to quantify.

Alice's perception that motivation is very hard to quantify proved to be an accurate reflection in respect of the interviews. For example, within the disabled people's representatives group, Andrew was of the opinion: "it's quite simple, financial gain... or some sort of criminal gain". Andrew's singular explanation is supported by the observation that disability hate crime does involve high levels of property offences as well as sexual violence (Walters et al., 2016). However, Andrew's view only explains acquisitive mate crime and does not provide any insight into other forms of mate crime offending. On the other hand, Adam, from the same group, took the following view:

The motivation could be many fold. It possibly comes back to that broader issue of how disability is viewed within society... That possibly feeds that element that disabled people are less deserving... But I think it's more complicated than that.

Adam's acknowledgement of the complexity of motivation was more indicative of the views of the wider sample on this particular topic. This way of thinking is also reflective of established scholarly output (McDevitt et al., 2002; Roberts et al., 2013; Walters et al., 2016) on the subject of hate crime motivation.

However, one explanation for motivation which was mentioned by participants from both the criminal justice group and the social care group was the possibility that mate crime could be understood by reference to a perpetrator's desire to demonstrate power or control over others. For example (all my italics):

If you can almost build your self-esteem by violence or *by being powerful over somebody else*, it's easy to do that to build your self-esteem. That is a part of human character (Patrick).

I think the people who tend to do that have particular problems and issues themselves. They want, really want to exploit individuals and it becomes much more of a power relationship. That they can really impose their power on an ongoing basis... *to exercise that on-going power that they have over an individual, get a degree of enjoyment out of that...* And I think that's part of motivation (Paul).

It's not that unusual that people want power over somebody else. If I have very little power over somebody else, then I will pick on people who have got even less power than I have. You go to the lowest of the low... I can target those people easier. They are less able emotionally, psychologically, physically, verbally, to fight back. *I have power. Even if I have not, I have control* (Scott).

These views, consistent with Perry's (2001, p.55) notion that hate crime "is a mechanism of power and oppression", were implied elsewhere by the interviewees:

Because it's not necessarily down to poverty or class or education or any of those matters. It's down to attitudes and prejudices as to whether somebody values that person or not (Alice).

If you think somebody is disabled, therefore almost deserves to be the victim of crime or you will single them out because they are disabled, then obviously that forms part of a motivation as well (Peter).

Indeed, the explanation offered by these participants coincides with Perry's position that hate crime serves "to reaffirm the precarious hierarchies that characterise a given social order" (ibid, p.55).

7.2.4 Disability, vulnerability and exploitation

However, the significance of these type of attitudes may be best demonstrated by reference to the brief case example provided by Stephen when reflecting on his previous career as a police officer (my italics):

I know from my time as a beat officer, if you want to know where there is a family with disabilities, just ask the kids. *Because they will be making their lives a misery*, chucking eggs at their windows, getting them to chase them down the street. There is one in every village... Every village has a family that gets picked on. They might have more than one family. The kids get

picked on at school, you know. That will carry on if they are still living in the same village and the same people are. It is with you for life.

Stephen's case example provides an indication of the early age at which non-disabled people may begin to 'do difference' (Perry, 2001). His observation that "every village has a family ["with disabilities"] that gets picked on" also provides additional support for Garland's (2010, p.167) notion of the hostility of "localism". In terms of understanding some of the processes of mate crime, it is perhaps a further example of how localised knowledge circulates within some communities. However, it also provides a reminder of the regular, unwarranted harassment that disabled people often experience (Gravell, 2012; Social Care Institute for Excellence, 2014; Macdonald, 2015) and an insight into the barriers that disabled people have to overcome to become accepted members of society (Miller et al., 2006; Lewin, 2007).

Table 7. 5 lists some interviewees' comments arranged hierarchically exemplifying how this harassment and relatively low-level exploitation can escalate into more serious mate crimes. The last column in the table also provides a simple reference to how some manifestations of mate crimes have been characterised.

Table 7. 5 Mate crime exploitation hierarchy showing how participants' observations can be used to demonstrate increasing levels of exploitative activity

Scale (low to high)	Participants' comments - arranged to show increasing degree of exploitation (my italics)	Exploitation descriptor
	Local people will look at what those people have to hand, whether that be a warm house, whether that be financial, whether that be food, and they will look to take advantage of that - Police Superintendent (Phillip).	"Tuesday' friends" (Association for Real Change, 2013; Disability Wales, 2014)
	There are lots of people who probably <i>have their houses overrun</i> by people. They become drink and drugs dens effectively. Everybody hangs out there, trashes the place, takes the benefits. I think there is a lot of it, we just don't see it – Adult Protection Manager (Stephen).	"Cuckooing" (Equality and Human Rights Commission, 2011; Gravell, 2012)
	Some people get to the stage and think I can do anything. I have <i>the power to do anything</i> in this situation, and they will – CPS commentator (Peter)	"Targeted" victimisation (Stanko, 2001;

Scale (low to high)	Participants' comments - arranged to show increasing degree of exploitation (my italics)	Exploitation descriptor
		Garland and Chakraborti, 2012)
	Because, to be honest, a lot of this is not getting a million miles away from modern day <i>slavery</i> in many regards - Police and Crime Commissioner (Paul)	Dehumanisation (Equality and Human Rights Commission, 2011; Kilcommins et al., 2014)
	It's my belief generally that it's exploitative. There is an element of opportunity there... You get carried away and it gets out of control and it gets to the point in some situations where you get some heinous crime committed – Safeguarding Adults Manager (Simon)	Rape (Ellison et al., 2015); Homicide (Quarmby, 2008) Extermination (Allport, 1954)

The final two rows of Table 7. 5 relate to the extremes of mate crime offending. Paul's comment that mate crime "is not getting a million miles away from modern day slavery" is reflective of how the escalating dehumanising effect of mate crimes can creep in with very little notice.

The above table gives an indication of how exploitation can escalate. From her perspective as a disabled person, Alice was able to provide a view on how disability may act as a form of motivation for this type of offending:

Whether somebody is targeted because they are a disabled person and therefore seen as more vulnerable or whether they are targeted because of hatred or hostility towards their disability? And that nuance between the two has been...long and difficult.

Alice's reference to the notion of vulnerability was also something which was discussed by other disabled people's representatives. For example, with respect to perpetrators, Adam stated: "You get people who tend to be looking out for opportunities for vulnerabilities". Similarly, when discussing a particular case Andrew stated; "the fact is, it was targeting of that person's own vulnerability or their own disability which made it easier for the crime to happen".

These views on the significance of vulnerability appear to fly in the face of the perspective promulgated by social model of disability adherents that disability is “wholly and exclusively social” (Oliver, 1996, p. 32). As has been discussed earlier, there is concern amongst disability studies scholars over the tendency to conceptually conflate disability and vulnerability (Sherry, 2010; Brown, 2012). This type of view was expressed by Audrey, stating: “I don’t think it’s vulnerability at all. I think it’s proper segregation and it’s proper targeting and it’s properly aggravated”. In fact, in comments discussed above (see para 7.2.2), both Andrew and Adam had rejected conceptualising disability in terms of vulnerability. However, their tacit acknowledgement of the influence of vulnerability demonstrated in the above comments in some respects also reflects similar developments in contemporary hate crime theorising. It may be recalled that scholars such as Perry (2001) have suggested that hate crime was a means of doing difference. This perspective could be construed to be consistent with the social model of disability which suggests that disabled people are targeted because they are seen as different, not because they are seen as weak. However, Garland (2015) has argued that there is evidence to suggest that hate crime is perpetrated against a victim, not because of traditional prejudices in respect of group identity, but moreso because of the “individual vulnerability of the victim and his or her heightened risk of being targeted” (Garland, 2015, p.8). Indeed, Chakraborti and Garland (2012, p.499) have suggested that hate crime should actually be reconceptualised “through the lens of vulnerability and ‘difference’”. It became clear from the interviews of Andrew and Adam that it was this separation of disability identity and vulnerability which allowed them to reject the conflation of disability and vulnerability whilst, at the same time, allowing them also to acknowledge that individual vulnerability was a factor in offending. Chakraborti and Garland (2012, p.507) explain this type of interpretation of vulnerability as stemming from “a broader range of factors than singular conceptions of identity”.

Elsewhere in the interview sample, others appeared to adopt a similar pragmatic position. For example, Scott from social care reiterated the ‘easiness’ aspect of targeting when he noted: “I think people who are going to do this sort of thing will pick on the weakest, most vulnerable people”. However, he went on to qualify his interpretation of ‘easiness’, suggesting that it was not necessarily a

personal perceived deficit of the target victim, but involved other external factors. Scott suggested that perpetrators are likely to seek to avoid detection and hence their thought processes might be along the lines of “I’ll do it with people with a disability because I’m more likely to get away with it”. Phillip, the police superintendent, was able to provide a three-point list which provided a more elaborated interpretation of this perspective:

I think people are targeted through hate crime and through mate crime... one, their own biases, their own personal bias...to target that type of group. And I think the second one is that these people are vulnerable, so it makes them an easier target... And the third one is that often it is a difficult offence to prove so, depending on the background of the victim and their history, so how reliable they would be as a witness, whether they are willing actually to proceed on an investigation, how they would come across in court, whether we are able to put the right measures in.

Phillip’s eclectic selection of reasons as to why disabled people might be targeted appears to include the ‘doing difference’ perspective as well as the ‘easiness’ factor, by way of indirectly encompassing the potential inadequacies of the criminal justice system. Phillip’s personal interpretation of the processes at work in mate crime in part reflects Stanko’s (2001) three-point explanation of targeted violence discussed earlier (see para 3.3.4) whereby she suggested referring to vulnerability as a form of “relational disadvantage” (ibid, p.318). This implied view that an individual’s vulnerability is relational rather than inherent came from a number of the participants. For example, Phillip’s observations on targeting being partly related to the perceived ability of the criminal justice system to respond appropriately to mate crime offences were echoed by the Adult Protection manager, Stephen. When speculating on the motivation of potential perpetrators, Stephen stated:

I think there is a sinister element that might be thinking “well, if it does get reported or I get found out, they are not going to have any credibility in the criminal justice process. So, who are they going to believe...?” So, there will be some people who target them just for that extra bit of insurance.

The issue of the relational disadvantages associated with vulnerability and how these provide the situational opportunities associated with the perpetration of mate crime is discussed further in the closing chapter of this thesis (see Figure

8. 1). However, the next two sections will focus on the participants' observations in relation to the institutional responses to hate crime.

7.3 Criminal Justice responses

The institutional response to hate crime was a specific topic raised as part of the semi-structured nature of the interviews. The direction of the interview questions meant that most of the interviewees' comments were in relation to the response of the police and safeguarding services, although the Crown Prosecution Service, the legislature, the courts and other agencies were also commented upon to a lesser degree.

However, some comments from the interviewees also provided the background to an insight into the attrition of cases as they progress through the criminal justice system. The comments from interviewees, together with the relevant statistics have been arranged in a quasi-hierarchical format in Table 7.6 below to show the progressive development of the attrition of cases. The data is supported by scholarly or other references to provide supporting evidence of the progress of attrition of much disability hate crime.

Table 7.6 Data for the last two years, demonstrating the statistical attrition of disability hate crimes, illustrated by the observations of the interviewees

Identified area of attrition, together with key stakeholders' comments	No. of cases p.a., showing intensity and direction ↓ of attrition		
	2014/15		2015/16
<u>Estimated no. of disability hate crimes committed:</u> "The review of policy is dominated by the fact that last year people said there was 70,000 ^a disability hate crimes" (Patrick).	70,000 ^a	↓	70,000 ^a
<u>Estimated no. of disability hate crimes coming to police attention:</u> "What the survey also tells us is that about 48% ^b of hate crimes in general came to the attention of the police" (Patrick).	(33,600) ^b	↓	(33,600) ^b
<u>No. of Disability Hate Crimes recorded by the police:</u> "What the crime survey tells us is that, of seventy thousand, we recorded two and a half thousand ^c ." (Patrick).	2,515 ^c	↓	3,629 ^d
<u>Police referrals to CPS for charging:</u> ^e	849	↓	930

Identified area of attrition, together with key stakeholders' comments	No. of cases p.a., showing intensity and direction ↓ of attrition	
	2014/15	2015/16
"The Crown Prosecution Service, certainly the police, do everything they currently can... but when you look at attrition and everything else, the actual numbers are quite insignificant" (Adam).		
<u>CPS - Completed prosecutions:</u> "Just under a thousand prosecutions*. That's really gone up. That's gone up about 40% in the last year or so, so that's the positive – getting more through and ... prosecuting more (Peter).	666	*941
<u>CPS - Convictions:</u> "The courts are lagging behind a little bit now in this kind of criminal justice pipeline... I think the courts are still lagging behind in getting it" (Alice).	503	707
<u>CPS - Convictions with sentence uplifts:</u> "More sentence uplifts but it's still only a tiny proportion to what it should be. The figure from 15/16 is something like 12%" (Peter).	5.4% (27)	11.9% (84)
<p>NB Figures in brackets were calculated for the purposes of this thesis based on published percentages. Superscript references in the first column are cross-referenced with available published data:</p> <p>^{a, b} Corcoran et al. (2015, p.1), <i>Home Office Statistical Bulletin 05/15</i>, based on combined data from recent successive years of CSEW</p> <p>^c There were 2,515 disability hate crimes in 2014/15 (Corcoran et al., 2015)</p> <p>^d 3,629 disability hate crimes in 2015/16 (Corcoran and Smith, 2016, p.4)</p> <p>^e All of the figures in the table from this point onwards refer to CPS performance in relation to disability hate crimes and are from the Crown Prosecution Service (2016, p.30) <i>Hate Crime Report 2014/15 and 2015/16</i>.</p>		

The above table, the contents of which are discussed in more detail in para 8.3.3 in the next chapter, help to set the scene for the discussions below. This section begins with an examination of participants' observations in relation to the police response to hate crime and mate crime and then considers other institutional aspects before concluding with an examination of responses in relation to safeguarding adults.

7.3.1 The police response

As has previously been established, mate crime has not been routinely categorised by the police. Hence, many of the interviewee's observations

recorded in this section are related not just to hate crimes, but to interviewees' experiences in connection with all types of incidents and crimes reported to the police involving disabled people. In general, the common view amongst participants was one which was critical of the inconsistency of the response provided by the police.

Of the disabled people's representatives, only Adam expressed broad satisfaction with the police response. However, his experience was mainly as a long-term advocate at a local level and he was unwilling/unable to compare responses outside his own police area. The other three disabled people's representatives, on the other hand, did comment in wider terms about police effectiveness. In reference to consistency between forces, some of the comments were as follows:

The difference in forces is palpable (Audrey).

As far as police effectiveness is concerned..., sadly that is very much a postcode lottery.... Police forces who get it right, get it very right. Police forces who get it wrong, get it so wrong it's appalling (Andrew).

I think, for me, the biggest issue, the wider issue, is the postcode lottery. So, you will get those... police services that make it a priority and do it. And I absolutely know it's down to individual officers who are committed and keen and want to steer the ship at a local level and make things move in a direction, particularly with the leadership behind them. But, you know, if you live in one area, you don't get that kind of response (Alice).

It is interesting that two of these three participants chose (unprompted) to use the expression *postcode lottery*. Although something of a modern cliché, it does quickly and simply express the notion of random performance associated with the police response across England and Wales. This perspective would suggest that an effective response is to be expected throughout some police force areas, but not in others, an observation which may have been anticipated from the earlier survey (see chapter 5). These comments might be expected given the observation made in the recent joint police and CPS inspectorates report that disability hate crime is "...the hate crime that has been left behind" (HMCPSP et al., 2013, p.5).

However, the additional responses from participants suggested that inadequacies in responses to disabled people could not be attributed solely to implementation of policies in individual police areas. For example, as a consequence of the issues raised above, the question about the relevance of the 'postcode lottery' was put to Phillip, the only serving operational police officer in the sample. In reply, he suggested that the adequacy of responses is not just a result of which police force area in which an individual resides, but can also depend on which police officer responds to the individual's call.

Q: One of the people I spoke to described the police response in terms of effectiveness as a 'postcode lottery'...So what do you think...?

Phillip: I wouldn't describe it as a postcode lottery but I would say that it would be very different *not only which* force deals with it but potentially also *who* in a particular force deals with it (my italics)

This perception of the police response was reiterated by other interviewees:

It varies by force... I do think the police response has been predicated, where it's successful, on one or two individuals and it's not yet systematised across the forces (Audrey).

There have been some key officers that...took retirement. The knock on effect is that you are constantly reinventing those contacts, so you lose that continuity which is critical to having that knowledge base to actually understanding the complexities of hate crime and specifically mate crime (Adam).

I think if you get hold of the right police officer...who is maybe on the vulnerable victims unit, safeguarding team, whatever it is calling itself, I think you will probably get a good response. I think, if a frontline officer knocks on your door today, you might not get that same response (Scott).

From the above comments, it would appear that the effectiveness of the police response can vary depending not only on the identity of an attending officer, but is also linked to the team or neighbourhood area from which the officer is deployed. Obviously, differences in response are to be expected. However, if these differences are as significant as seem to be suggested by the interviewees, then this might imply problems in police practice throughout the police response in England and Wales.

It could be argued that the overall apparent sporadic effectiveness of the police response could best be addressed through clear leadership. Significantly, however, as long ago as 2005, the sporadic nature of the police response to hate crime was recognised. In their good practice guide *Hate Crime: Delivering a Quality Service*, ACPO themselves identified the risks associated with gaps in leadership in relation to the management of hate crime, suggesting it led to "...inconsistencies in service delivery from BCU to BCU⁵³ and leaves victims at the mercy of a postcode lottery" (Association of Chief Police Officers, 2005). However, it appears from the interviewee's comments above that the postcode lottery effect is still active. Indeed, in his comments, Andrew laid the responsibility for the inconsistent response to disability hate crime firmly on leadership within the police:

We've got enough evidence now of where forces get it right and it does work. And, where it doesn't work, it's because of total lack of engagement of senior officers.

Having said the above, Andrew also made positive comments about the response of his local force, as did one of the other disabled people's representatives, Adam. However, the other two representatives of disabled people saw the problems of inconsistency as evidence of a deeper cultural malaise, as evidenced by the comment of Alice, for example:

Some of it is about the culture in the police, about what policing is and what it isn't. And we still have problems there... Talking to disabled people... can be difficult because if it's not something you are comfortable or used to doing and you can feel out of your depth and very quickly, very easily. And it's easy to put it in the 'hard to do' box (Alice).

Previous commentators have identified that police culture can be a strong influence on officers' actions (Williamson, 2003; Burke and Pollock, 2004; Chakraborti, 2015), and that the influence of this culture can extend towards dealings with disabled people (Sin, 2013; Tyson, 2013). As regards the causes of the development of this culture in respect of disabled people, the interviewees expressed a range of opinions as to why they thought this might

⁵³ A 'BCU', a Basic Command Unit was the term used to describe the largest unit into which a police force may be divided. It may be known by some other name, such as Division, Area or neighbourhood.

be occurring. For example, Audrey was quite direct in her reference to police ineffectiveness:

A lot of the problems that we saw there that you might class as mate crime came about because the perpetrators knew that the police wouldn't take somebody seriously... So, it was more about the perpetrators knowing how rubbish the police were then it was about thinking they would target somebody because it was an easy target

There was a suggestion from Simon that some of these failings were caused by a corporate unwillingness "to do something about it", whilst Stephen likewise thought that there was "lots more that they could do". However, Paul raised the more significant possibility that the poor performance in relation to disability hate crime might be a consequence of "unconscious bias". Paul did not provide any specific evidence to support this observation. However, if it did prove to be an accurate reflection of the reality of police practice, then this would be concerning as it would be suggestive of a form of institutional disablism (Vernon, 1999; Miller et al., 2006; Quarmby, 2008), reminiscent of the institutional racism identified by Lord Macpherson in his report following the death of Stephen Lawrence (Macpherson, 1999).

7.3.2 Confidence in the police

Having said that, in respect of mate crime, Alice was able to provide an insight into the reason why mate crime incidents may not be appropriately categorised by the police. In an earlier comment (see para 7.3.1), Alice referred to the police culture which sometimes puts complex items in the "hard to do box". Her following comment relates this notion specifically to the police response to mate crime:

I think that thing about recognising mate crime and being too difficult, actually is the thing that we need to unpick. Because, clearly, if somebody is being preyed on and it's happening repeatedly, they absolutely need to pick up on it as early as possible in order to prevent damage to lives, crimes happening and missing opportunities to get the perpetrators.

As Alice observes, the fact that mate crime is complex may be a reason why officers with other demands on their time might provide a less than adequate response to mate crime. This notion is concerning in itself, but then it appears

that officers are encouraged in this view by national policy guidance (see para 3.2) which steers them away from actually addressing hate crimes, leading to the potential for under-reporting by disabled people and under-recording by the police.

Likewise, the findings of the survey of police forces discussed in chapter 5 suggested that, despite recommendations to the contrary (Equality and Human Rights Commission, 2011), police do not appear to be recording the involvement of disabled people in incidents or crimes. Hence, it is unsurprising that, amongst the interviewees, there was almost general agreement that disability hate crime, including hate crime, was being under-recorded and under-reported. A number of the interviewees were aware of the empirical evidence to support this view. For example, Patrick made the comment in relation to police figures for England and Wales: "Policy is dominated by the fact that last year people said there was 70,000 disability hate crimes, yet we only had recorded 2,500". However, a number of interviewees also chose to draw on their own experiences when referring to under-reporting. For example, Scott suggested that under-reporting may simply be due to the fact that some disabled people "don't know it's wrong". On the other hand, in an indirect acknowledgement to the dilemma of difference (Grattet and Jenness, 2001), Andrew suggested that reluctance to report may be due to the fear of being labelled as 'vulnerable': "vulnerability is a no-no. It drives some disabled people into "well I'm not going to report it because I'll be seen as a weak idiot". However, the most common cause suggested for under-reporting was lack of confidence in the response of the police. This response was provided by interviewees from within all three of the groups within the interview sample (disabled people, criminal justice, social care):

There is still significant mistrust of the police and lack of confidence in them taking it seriously... So, there will be significant numbers of people who won't come forward (Alice).

I completely agree that hate crime will probably go under-reported... By nature of the fact that we are dealing with vulnerable people who might not have the confidence in the police to report it, might have a fear of the police in reporting it, and don't actually understand the processes by which a

report can actually be made. All of those areas suggest to me that it will be under-reported (Phillip).

People with learning disabilities talk to each other. If it happens to one person and nobody listens to him, it happens to everybody. Because they feel they are not being listened to. And, if people know that, then people go “I can’t go out because people are getting at that person and nobody believed them when they said it, so there’s no point in me saying it” (Scott).

This lack of confidence in the ability of the police to take disability hate crime seriously reflects findings in previous studies in relation to general hate crime (Garland and Chakraborti, 2012; Chakraborti et al., 2014), as well as in studies specific to offending against disabled people (Nixon et al., 2007; Sykes et al., 2011; Ellison et al., 2015). However, an even more interesting finding from this piece of fieldwork was that the interviewees were able to refer to anecdotal examples of police practice which might actually lend substance to the grounds for lack of confidence in the police. In particular, one significant example was provided by Phillip the operational police officer in the sample. In reference to the past operational practices within a police safeguarding adult team, Phillip did provide an interesting insight into one way in which this under-recording might be occurring:

What used to happen was, you could have an investigation that came straight from adult services, local authority, and it would go into an adult protection team or a safeguarding team. They could look at it and decide “we are doing nothing with that” and write a paper record out, file it, or not even write a paper record.

This practice described by Phillip of avoiding the formal recording of an incident on an official database would appear to be a means of allowing the police to informally close an initiated enquiry. This is concerning in terms of its potential impact on disabled people, particularly as Simon, the Safeguarding Adults manager from adult services, was able to corroborate knowledge of this type of practice. When referring to the police, he stated the following:

We found there were some variances in practice between the likes of detective sergeants... Lead officers believed some of the police practitioners were effectively putting things in their back pockets, “don’t fancy that one so it isn’t really going anywhere”. Or yes, they will go out,

have a conversation with them and have a 'woe betide' type discussion. It wouldn't go anywhere.

Similarly, the adult protection manager Stephen felt obliged to take specific action in respect of police recording because he was so concerned that matters were being reported informally to local police but then allowed to simply "go away":

The bottom line is, some time ago as a result of my frustrations, I now insist that all safeguarding that we get through from [Social Services call logging centre], where it is a suspected crime, is reported through the 101 system so it can't go away⁵⁴.

In his comments, Phillip made it clear that he believed this method of bypassing police digital recording systems no longer occurred and likewise Simon and Stephen also referred to these concerns as matters which had been addressed in the past. However, what is particularly interesting about this example is how the relationship between the two agencies (police and social services) actually facilitated the provision of a reduced service to disabled people. There is an irony in this in that, the 'joint agency' (police and Social Services) approach to addressing offending against disabled people was originally ostensibly intended to provide a better quality of service for disabled people (Department of Health, 2000), yet in the example provided by Phillip it can be seen to be doing the exact opposite. Notably, these examples are consistent with the evidence arising from the earlier fieldwork in respect of the results of the documentary case analysis (see para 6.4), which showed incidents of mate crime and disablist hate crime which had not been recorded as crimes.

7.3.3 The response of the CPS, the law and the courts

As a matter of practice, the CPS do not deal directly with the public in the same way as the police. In fact, much of what they do is actually relayed to victims of crime through the medium of the police. Hence, this lack of direct contact with the CPS may have been influential in terms of the responses of the interviewees. Having said that, although none of the social care sub-group

⁵⁴ The 101 system is reference to the telephone number for non-urgent calls to police call centres where calls are logged.

within the interview sample had current professional relationships with the CPS, most of the rest of the group did. Indeed, some of the disabled people's representatives had worked in some advisory capacity with the CPS. The CPS' willingness to consult with disabled people's representatives was remarked upon positively by Alice:

I suspect that is where the CPS have had greater success because they have worked with groups of disabled people to define their policies and define their recent guidance. It was a struggle for them. It wasn't easy because it went against all the systemic barriers when disabled people said "you need to think like this. You need to not use the word vulnerable. You need to use this". And so there were lots of challenges for them on the way but they have learned hugely, and why wouldn't you? Because there is the experience and if you tap right in to that, you are going to get the right answers, rather than guessing.

In terms of "nothing about us, without us" (Charlton, 1998), this approach is to be applauded. However, although other interviewees were supportive of this consultative approach of the CPS, questions were raised in terms of the actual outcomes for disabled people. For example, Adam talked about his experience as a disabled people's representative working with the CPS:

I'm involved in the CPS and I think... it's the case that there is a lot of monitoring going on around hate crime, but there is nothing that seems material that is about getting it properly prosecuted, recorded, getting it identified.

It can be seen that his appreciation of the efforts of the CPS (and the police) is tempered with his other observation that activities such as involvement and monitoring do not appear to be actually producing any observable results in the lives of disabled people. This was an issue which also caused Audrey to be critical of the CPS. She claimed that she had experiences of the "bargaining down" of cases involving hate crimes against disabled people. As a disabled person, she expressed concern that, when the CPS decided there was no public interest in pursuing a case involving a disabled person as a victim, they were sending a message "about the value of our lives".

In fact, both Audrey and Adam's comments do raise the issue of how far the CPS wishes to go in terms of adopting a progressive (i.e. social model of

disability) attitude towards disabled people. Indeed, although their recent public statement (Crown Prosecution Service, 2017b) declares commitment to the social model of disability, their seemingly dismissive approach to hate crime elsewhere suggests otherwise (see para 3.2). Obviously, the evidence arising from these interviews is insufficiently robust to draw any conclusions about whether the CPS and/or the police may be guilty of aversive disablism (Deal, 2007). However, it may be established from Adam's above comments that, rather than what might be considered to be the more limited institutional outcomes of involvement and monitoring referred to earlier, it was actual progress in terms of identifying, recording and successfully prosecuting significant numbers of convictions of disability hate crimes which he regarded as relevant indicators of engaging with the issue of crimes against disabled people.

The police decide which offences should be brought to the attention of the Crown Prosecution Service. The CPS then decides which cases should be put before the courts. However, the effectiveness of courts was also questioned by some of the interviewees. Alice expressed comparative satisfaction with some of the progress of the police and CPS but stated that she thought that the courts were "lagging behind" whilst Andrew expressed substantial discontent:

If the police and CPS work together, the judiciary are a farce. I can answer that one on a scale of one to ten, ten being useless and one being good, I'd give them eleven (Andrew).

There was insufficient time in the interviews to explore these opinions in detail. However, there was acknowledgment of this issue by criminal justice representatives, including Peter, the CPS commentator:

I think that's going to remain one of the fundamental challenges to [CPS and the police] – to narrow the gap between the experience of hate crime and reporting a hate crime. A key way of doing that is by increasing both the number of successful prosecutions and the number of sentence uplifts.

Peter's reference to poor performance in relation to sentence uplifts⁵⁵ is pertinent, as the application of Section 146 is one of the key areas where the

⁵⁵ There are no specific offences of disability hate crime, but there is a power granted to the courts to enhance sentences under Section 146 Criminal Justice Act, 2003 (see para 3.3.2).

CPS and the courts interact. Latest figures issued by the Crown Prosecution Service (2016, p.30) show that, in 2015/16, only 11.9% of convictions in cases of disability hate crime received enhanced sentences under the provisions of Section 146, compared with enhanced sentence rates of 34.8% for homophobic/transphobic and 37.8% for religious hate crimes for the same period.

Most (but not all) of the interviewees who offered an opinion on Section 146 expressed the view that it did not appear to be adequately addressing the situation. Indeed, when Adam, one of the disabled people's representatives, was asked about his experience of cases involving Section 146, whilst linking ineffectiveness to the safeguarding practice of 're-homing' (see 7.4.3 below), he was also forthright in his condemnation of the ineffectiveness of the law and the process of prosecution:

The cases we've had have never been prosecuted. It's usually been a housing solution. We understand why the section 146 should work but it's a sticking plaster that doesn't address anything. There has to be that parity in the prosecution process and how hate crime against disabled people is treated.

Alice took a similar view to Adam. It may be recalled that statutory offences exist in relation to racist hate crimes (see para 3.3.2), but there exist no such offences in relation to disability. Alice made particular reference to the disparities between hate crime strands and suggested "a full-scale review of the law in the area of hate crime" on the following grounds:

You know, it's complex, it's unwieldy, it has been built in a piecemeal fashion, it doesn't give equality across the law to different people and it's confusing. You know, police officers are still telling me that they don't really get enhanced sentencing, let alone the victims or anybody else (Alice).

At the time she made this comment, it was clear from elsewhere in her interview that she was aware of the recent Law Commission (2014) consultation and report on whether hate crime offences should be extended. That report recommended "a full-scale review is conducted of the operation of the aggravated offences and of the enhanced sentencing system" (Law Commission, 2014, p.211) - a recommendation upon which there has been no Government response yet. This lack of response potentially has wider

significance for, as Alice also pointed out, the law is a means of sending a consistent message within society:

[It] really is a measure of tolerance in society that we can't afford to miss opportunities in the law and elsewhere to send out really strong messages of zero tolerance in my view.

However, it is interesting that Alice suggested that, from her experience, police officers “don't really get” the enhanced sentencing process under Section 146. For, when this issue was raised with the police superintendent (Phillip) the interviewer felt obliged to first explain the workings of Section 146 to him. This, in itself, was not too surprising, as the process for asking the courts to apply Section 146 is the responsibility of the CPS (Crown Prosecution Service, 2016). In addition, given the low annual number of successful applications (see Table 7. 6) in the whole of England and Wales where enhanced sentencing has been applied, there would appear to have been little opportunity for individual officers to have experience of the issue. Notwithstanding this, Phillip made no comment about Section 146 itself but had a personal preference to avoid any changes in the law. The Government representative (Patrick) held a similar non-committal view. However, the CPS commentator (Peter) expressed a view akin to Alice's (above) that “the law could be reviewed and equalised across the strands” – this is an issue which is returned to in the conclusion of this thesis in the next chapter.

7.4 Safeguarding Adults process

Essentially, the process of Safeguarding Adults involves the cooperation of relevant agencies such as the police, local authority, health services and others to enquire into individual cases involving adults with care needs to “establish whether any action needs to be taken to prevent or stop abuse or neglect” (Department of Health, 2014, p.231). It is the local authority who have statutory responsibility (Section 42, Care Act, 2014) for managing the arrangements for safeguarding (see para 3.4.2). Amongst other aims, the statutory guidance on safeguarding (Department of Health, 2014) states that it should involve agencies working together to improve the lives of victims and reduce the risk of further harm by addressing and stopping the causes of the abuse where

possible. This section focuses on themes arising from interviewees' opinions in relation to the effectiveness of the safeguarding processes, beginning with observations in relation to multi-agency working.

7.4.1 Multi-agency working

There was some concern expressed that multi-agency working might not be sufficiently broad and might need to involve more agencies in practice. For example, Alice stated:

My view is that those agencies still need to work together. If you take a day in the life of an individual who is experiencing mate crime, actually significant issues might be picked up by transport providers, might be picked up by education, but what's not happening is they are not filtering to health, social care and the criminal justice providers together.

However, in general, the view coming from the group was that Safeguarding Adults processes were a good idea in principle, as expressed in the following comments:

The concept of gathering people around who have got some sort of responsibility, sharing what you know, assessing risk and doing a joint action plan. It's a like a no-brainer for me, it has to work better than six agencies working in isolation (Patrick).

I think they [the Safeguarding Adults procedures] can be effective because they allow us to get a wide range of professionals around the table who have an interest in an individual and their circumstances (Simon).

However, although the principle of joint-agency working received positive comment, the practicalities of safeguarding were queried by a number of interviewees, particularly in respect of the relationship between the local authority and the police. For example, Simon, the local authority manager of Safeguarding Adults, commented:

If you think of all the white noise that comes through... from the police, which is often the case of "well we're no expert in vulnerability, disability, etc. You are. We'll let you know about all this stuff and you do what you like with it". No other agency would do that. They would actually ring up and say "we've got concerns... We think they may meet the criteria". But they say "well we don't understand the criteria. We don't understand that". It's all that

white noise. “Here you go. You decide what you’re going to do with it”. And actually in doing so you carry the risk.

It would appear that Simon’s comment, particularly his reference to the “white noise” generated by the police might to some extent explain the above-described situation of cases ‘dropping between the institutional cracks’ (Murphy, 1987; Shakespeare, 1994; Turner, 1995). Simon was one of three participants in the interviewee sample (the other two being Phillip and Stephen) whose daily jobs often involved dealing with and/or managing Safeguarding Adults cases. To some extent, their views on the procedures revealed similar misgivings to Simon’s. This was reflected in the frustration shown by local authority Adult Protection manager Stephen at perceived lack of police action:

So, we think, somebody with a disability, so we need safeguarding. And it needs a multi-agency response. Some of these things just need the police, don’t they?

Other interviewees expressed similar views. For example, Audrey, who was earlier quoted as urging police officers to “go out and do some old-fashioned policing”, made the following comment:

The police officer on the Safeguarding board should say “right, I’ll take that and I’ll get the perpetrator”. So, that doesn’t happen. It just goes straight down the safeguarding route (Audrey).

Speaking from the police perspective, in respect of the procedures, Phillip commented:

Do they work? There is no reason why they shouldn’t work. They probably do on most occasions... Our conviction rates... probably are reduced around safeguarding because of the complex nature of the offences that we are looking at.

Reduced conviction rates were a theme to which Simon also referred:

You only have to ask yourself the question, of all the cases that come through Safeguarding Adults, how many of those cases result in convictions, charges, cautions? And not only that, how easy is it to get that information out of the police? I tell you it’s not... [If] you were to look crudely at how many investigations are undertaken by said officers, what are the outcomes, you might be alarmed (Simon).

Simons' comments on the inadequacies of the police response to safeguarding cases could be regarded as speculative as he subsequently acknowledged that he did not have access to figures to support his claim. However, as was seen in the survey fieldwork reported earlier (see para 5.2.3), the evidence suggests that nationally police only keep limited figures on crimes against disabled people, including safeguarding cases.

However, in the following observation, Adam provides evidence which suggests that other agencies might share responsibility as well as the police. When asked about the effectiveness of the safeguarding process, he stated:

I'd like to say they are brilliant but I can't. You would have thought that safeguarding would have been the perfect, the right, approach to getting these issues sorted out. Unfortunately, the experience is that... it just fails... Professionals come together to resolve what are crisis, complex situations. The experience is that it is just an off-loading process. It's a process where professionals come, offload an obligation... and walk away and do nothing.

Indeed, the ineffectuality of the Safeguarding Adults process was commented on elsewhere in the group. For example, Audrey commented "I have not found safeguarding to be useful at all unless it's been kind of financial abuse", whilst Scott observed "there are clear issues around safeguarding and the struggles that local authorities are having".

Others also commented on the tendency for cases to be diverted from a criminal justice route:

To actually get safeguarding issues dealt with. It's dealt with in a case by case process and usually, unless there is absolutely some glaring cast-iron evidence, it just gets closed down (Adam).

I think people would much rather deal with it as a safeguarding issue than as a criminal act (Scott).

In his comment on this situation, Stephen appeared to be rueful:

If you think about it, once upon a time before safeguarding, if you had something that came through as mate crime or maybe disability hate crime, the local bobby would deal with it.

Indeed, his comment appears to question whether the introduction of safeguarding has been an improvement for mate crime victims compared with previous pre-safeguarding arrangements:

7.4.2 Safeguarding as an alternative to criminal justice

It is claimed that there has been a tendency for institutions to turn to safeguarding as an alternative to providing access to criminal justice (Sin et al., 2011; Roulstone et al., 2011). Indeed, it has been argued by Perry (2008) that the very approach of casting disabled people "...as being in need of protection rather than rights and justice... belies an institutionalised perspective of harm that does not readily engage with criminal justice structures or solutions" (Perry, 2008, p.19). The observations of Perry appear to fit well with the above comments in relation to the safeguarding process in that, although the process itself may be perceived as benign in nature, its victim-focused nature appears to implicitly subvert criminal justice alternatives.

Evidence in relation to disabled people being diverted away from criminal justice outcomes was identified in the previous piece of fieldwork (see para 6.4), and questions in relation to this were put to some of the criminal justice representatives in the group. Patrick affirmed, understandably, that there was no policy which encouraged discrimination against disabled people. However, in respect of this issue, the Police and Crime Commissioner (Paul) referred to the actions of police officers attending incidents involving disabled people in the following terms:

It's often very easy just to forget, you know actually, "why was I called here? Was it a crime in the first place?" And if you look at longer term problem solving, which again is a key factor within the force, it could be the fact that the crime is overlooked because they are looking at the broader needs of the individual and seeking to meet those needs. But you are quite right, the criminal justice requirements ought not to be ignored but I think there is a danger that they do get lost within the great morass of things as officers attend.

An officer's decision which leads to a crime being "overlooked" may be considered questionable even if it is based on the benign basis that the "overlooking" is made to "meet the needs" of the disabled person. The actions

of the police on these occasions are perhaps best explained by the previously-discussed concept of diagnostic overshadowing (Sin, 2013). However, this position is even more concerning given the context of Simon's previous remarks suggesting that, in many of the cases referred to the local authority, the police "don't understand the criteria" in relation to disability (see para 7.4.1).

Elsewhere in his interview, Simon defined these criteria as follows:

The criteria we use in terms of whether we engage or not isn't based upon a definition of mate crime or disability hate crime, it's based on whether the person has care and support needs.

Simon's observation reflects almost precisely the statutory wording for safeguarding specified under Section 42, Care Act, 2014. It must be noted that, whilst the Act's reference to "care and support" needs may sound broad and inclusive, Section 9(1) of the Act specifies that these needs must be subject to a "needs assessment". The reality of practice would suggest that these assessments are used as a means of allocating resources. Hence, even when cases involving disabled people are referred by the police, following a subsequent needs assessment, the local authority may then decide not to have any further involvement in the case – in effect, a filtering process. Elsewhere in his interview, Simon provided an indication as to how this filtering might occur, with particular reference to mate crime:

You may have someone who has a learning difficulty or a learning disability or they have some other vulnerabilities which make them stand out which makes them more susceptible to being befriended and taken advantage of. However, many of those cases...pose issues in that do we then sort them into Safeguarding...? That person might have some needs, support needs but they might not be care and support needs as such, they might be relatively independent otherwise... Care and support needs are defined elsewhere within the Act but, in broad terms, it's the same clientele that we dealt with pre-the Care Act... We work in times of austerity and I guess, as a local authority, we don't necessarily want to open the floodgates.

The message from Simon's comment was that the local authority was seeking to limit the number of cases in which it was involved. In respect of this, Simon was able to report one final irony for victims of mate crime who may be looking for justice through safeguarding. In the comment below, it can be seen that

Simon raises the possibility that mate crime victims might just be 'too able' for safeguarding action:

When I think about the sorts of cases that have come to our attention over the years where you might think actually you could possibly define that as mate crime for example, is the fact that many of the victims are probably more able and capable than the typical cohort of Social Services' clientele.... That person might have some needs, support needs but they might not be care and support needs as such, they might be relatively independent otherwise... As a local authority, we don't necessarily want to open the floodgates and be deemed as the organisation who solves all the woes of the world, stamps out all abuse of any adult anywhere.

Simon's concerns reflect observations expressed elsewhere about the double jeopardy of disabled people (Satz, 2009; Sin et al., 2009), and would support the notion that some disabled people are "falling between the cracks" (Sin et al., 2009, p.90), considered too needy for a police response and yet too able for a safeguarding response.

In his interview, Adam made a similar link between mate crime and a perceived lack of involvement:

Mate crime initially was something that was not picked up, as far as we understand, by quite a few organizations... Probably one of the most isolating [forms of hate crime] for vulnerable people was mate crime... It just hadn't been picked up or recognized.

Simon was not the only participant who observed that lack of institutional involvement seemed particularly associated with mate crime.

7.4.3 Safeguarding responses

However, even in respect of those cases which were accepted for a safeguarding response, there was concern expressed by interviewees about the nature of some of the responses. In particular, it was identified from the interviews that there was a tendency for safeguarding decisions to lead to disabled people being 're-homed' as a way of reducing the risks to them. In his comments, Simon provides a brief overview of the competing tensions involved in this practice:

This idea of people being moved, sometimes is very disruptive to them. They don't want to be moved. They just want it to stop... Actually, it might be, whether the individuals like it or not, the only way to actually resolve the risk for a very short period of time is to remove you from the situation so that you would have to go somewhere else. For lots of reasons, people don't like that. Whilst it is an awful life that they have, they know how to go to the local shop, they know the way to the pub, they know this, they know that. They do have some relationships positively with the lady who lives down the street, etc., etc. They know the bus route. Moving over there they don't know anybody. They have never been there before in their lives, etc.

Although, on the face of it, Simon provides a balanced account which suggests that re-homing is inevitable, the practice could, in fact, be considered as institutional cooperation with victim-blaming whereby the authorities could be seen as assisting in the removal of the innocent victim from a locality whilst the alleged perpetrators are allowed to remain. In this respect, it could be construed as an example of the social oppression experienced by disabled people (Abberley, 1987; Young, 1990; Perry, 2008). With respect to re-homing, this was an area of concern which was touched upon by the disabled people's representatives in the sample. For example, Alice:

And yes, the move from place to place is easier and again it's what is the easier route, not what is the best outcome. Because, of course, it will not stop the problem by moving the victim and actually the victim shouldn't have to move. What is the easiest solution to this has become the quest rather than what is the best outcome, and can we move the problem elsewhere?

However, in his comments, the Police Superintendent, Phillip, provided a clearer insight into why the re-homing practice might be a popular institutional response. Indirectly (but still nonetheless concerning from a minority perspective), he suggested that consideration for disabled people who are victims should somehow be secondary to the needs of the community at large.

If you've got a community and there are several different aspects of the community who are targeting one individual, then sometimes that individual will move to stop the problem happening again. I would like to think on those circumstances where the individual has moved, then it's been for all the right reasons as in it's the right thing for the victim, it's the right thing for

the community. In relation to the other people who have potentially been perpetrating things against them, that they are effectively dealt with. There are times clearly when people have issues whether that be hate crime or mate crime and the vulnerabilities are apparent, that in addition they can still be, how can I put it, they can still be aggravating the situation. Whether on purpose, or whether without any intent and sometimes it just might be the right thing all round if that particular individual moved. That should always be with their consent clearly.

Phillip's position appears to provide further evidence of Hughes' (2014, p.59) claim that "the social and physical world has been made in the image and likeness of non-disabled people". Phillip was trying to do "the right thing all round" and he was not asked to explain in what respect a disabled person may be "aggravating the situation". However, it is not difficult to be struck by the tone of his comment which, whilst providing a pragmatic response to the grounds for re-homing, in the process also appears to problematise the individual disabled person.

Likewise, given the historical context of disability (see para 2.2.1), it is not surprising that some of the disabled people's representatives were particularly concerned that the perceived need for re-homing could be used as a more general means of justifying returning disabled people to institutions:

The unintended consequences of that is that it securitises the disabled person and reduces their independent living. So, you get this perverse reaction from some social workers who say "oh well, if they're are at risk on that horrible sink estate where we've housed them, if they are at risk there, we'll put them in a care home." (Audrey).

Similarly, Andrew expressed real concern about this potential exigency in his comment:

I don't want to see us getting to a point where the culture of blame is "well if you've got a learning disability or a mental health issue, really for your own protection you should move into an area where people can look after you". God forbid.

Of course, as might be expected, the disabled people's representatives were unanimous in their rejection of residential or other forms of institutional care as being an appropriate response to the needs of disabled people who were

victims of mate crime. As has been stated earlier in this thesis, the segregation of disabled people into institutions has been associated with the increasing influence of the individual model of disability (Finkelstein, 1980; Barnes, 1991) - a tendency which is perhaps reflected in the comments of Phillip above. However, as Alice pointed out in her interview, the problematisation of disabled people, together with the threat of re-homing them into institutions also has the consequence of causing such people to avoid engagement with the authorities:

That's the rationale for people not reporting because, if you've just got out into independent living and are doing alright, the fear within you for reporting a hate crime, you could see yourself back in institutional care... And if it's seen that you are not capable or able to continue living in an independent way, you know, I can't see anybody wanting to report and go back into institutional care, particularly if you've already come from it.

In this respect, promoting re-homing as an effective safeguarding solution to mate crimes may be a further example of an institutional focus on vulnerability and potentially alienates disabled people in general as well as specific individuals.

7.5 Summary

In summarising the views of key stakeholders, there was a small amount of contention over the value of mate crime as a concept. Some of this appears to arise from concerns that the term had devaluing implications for disabled people. Indeed, interviewees recognised that disabled people have had a history of being treated as second class citizens. It was suggested that this has contributed towards mate crime victimisation, along with factors such as the isolation and poverty associated with being a disabled person. It was recognised that friendship and familiarity could thus be used as a means of manipulating victims and that this process was facilitated by the identities of disabled people becoming the subject of local knowledge in some neighbourhoods. The typical institutional response to disabled people has been to perceive them as vulnerable and in need of protection. Interviewees suggested that the police have tended to provide informal and inconsistent responses, focusing on victims' impairments rather than providing solutions to the reported concerns. Lack of enforcement has only increased the risk to

victims and has led to disabled people having limited confidence in the police. A delegation of responsibility to the multi-agency approach of Safeguarding Adults has led to an obscuring of reported incidents and an increasingly ineffective response. There were also concerns about the effectiveness of CPS and the courts.

These matters and the other significant issues arising from this piece fieldwork will be reviewed in the next chapter as this thesis draws towards its conclusion.

Chapter 8

Discussion and conclusion

The aim of this thesis was to assess the nature and extent of mate crime offending against disabled people and determine the effectiveness of institutional responses. The aim was broken down into three research questions and the methods chosen to address the aim and its associated questions involved three separate pieces of work including a survey of all territorial police forces in England and Wales; a case study of one police force involving analysis of a sample of documents; and a number of semi-structured interviews conducted with a sample of key stakeholders.

This chapter addresses each of the research questions in turn and considers to what extent they are informed by the three pieces of fieldwork. Following a final review of the evidence in relation to the validity of the concept, the chapter then concludes with some observations arising from the research and some suggestions as to areas for improvement.

8.1 What is the extent of mate crime offending?

This part of the chapter first reviews the evidence gathered in relation to the extent of the commission of mate crimes, drawing on the survey of police forces and data from the case study within Alpha Police. However, this is then followed by an overview of some of the data in relation to the characteristics of mate crime. This latter evidence, together with what the survey revealed about mate crime homicides, helps provide some indication as to the potential extent of the significance of mate crime in terms of the breadth of its influence.

Given the lack of institutional acknowledgement of mate crime (College of Policing, 2014; Crown Prosecution Service, 2014), it was known that establishing precise data on the extent of the amount of mate crimes committed was going to be a challenging part of this study. The survey of police forces confirmed that there was little or no formal data available in relation to catalogued mate crimes. However, notwithstanding this, there was an indication of the presence of familiarity in just over 40% of the disability hate crime cases

(see Table 5. 4). This finding, although not evidence of mate crimes *per se*, did provide some support for the notion that police hate crime records were not just focused on hate crimes committed by ‘strangers’, as might have been the case in the recent past (see para 5.3.1). More evidence about the extent of mate crime was also provided by the participants in the fieldwork interviews. Although some of the participants contested the validity of the mate crime concept, several of the interviewees could refer to anecdotal examples of mate crimes that arose from their practice experiences (see Table 7. 4). In addition, it was significant that Phillip, the senior serving police officer in the sample of interviewees, described the frequency of mate crime incidents as “fairly common”. This view was further confirmed by the range of the cases gathered to constitute the mate crime incident sample. The sample was created by using speculative search terms within Alpha Police’s databases and the search was not exhaustive. Yet, as well as the incidents identified from the cases within Alpha Police’s records of disability hate crimes, the search also turned up a total of fifty-one other mate crime incidents recorded in a year.

However, the above provided only limited descriptive evidence in relation to the extent of mate crimes. Hence, in the absence of any confirmatory data from the survey, it was one of the indicative statistics from the case study within Alpha Police which was relied upon to provide a quantitative estimate of its extent. In this respect, examination of a preliminary sample of fifty-five disability hate crimes recorded by Alpha Police (as part of the gathering of cases for the mate crime incident sample) yielded the finding that thirteen of them (24%) could be construed as mate crimes (see para 5.4). This proportion of 24% was used to produce an estimate based on the assumption that a similar proportion of mate crimes might be found in the estimated 70,000 disability hate crimes which are said to occur per year (Corcoran et al., 2015, p.21), On this tentative basis, the number of mate crimes throughout England and Wales could amount to 16,545 mate crimes per year on average. This is probably the first time that any attempt has been made to estimate the extent of mate crime and it is very speculative, but it is a starting point. Future studies may be in a position to provide a figure that is based on more tangible data.

It was the mate crime incident sample (see Chapter 6), however, that provided detail about the characteristics of mate crime and thereby also offered

information about the breadth of its influence. Much of the data secured from the mate crime incident sample was in a qualitative form. However, some of the quantitative data from the sample also provided information about mate crime patterns and characteristics. Some of that detail has been summarised in Table 8. 1 below and it will be referred to as this chapter unfolds.

Table 8. 1 An analysis of some of the findings arising the mate crime incident sample

Data fields	Ref. (Ch. 6)	Findings⁵⁶
Victims		
Sex	6.1.1	More male victims (63%) than females
Age	6.1.1	Clustering of victims (42%) around the age range 40-59 years
Impairment	6.1.1	Most commonly represented impairment groups were people with learning disabilities (43%).
Suspects		
Sex	6.1.2	Most cases involved male suspects (63%).
Age	6.1.2	Disparate spread of ages, with 14% of cases involving suspects under age 18 and 16% involving suspect over age 50.
No. of suspects	6.1.2	Just over half of cases (51%) involved suspects in groups of two or more.
Environment		
Living arrangements	6.1.3	Over half (55%) of the victims lived alone.
Offence locus	6.1.1	Nearly all cases (97%) occurred out of public view, with the majority of cases (71%) occurring within the victim's home.
Location	6.1.3	Most victims lived in an urban (81%) rather than rural location.
Neighbourhood	6.1.3	Most of the incidents (65%) occurred in neighbourhoods which were rated as being in the top fifth of most deprived neighbourhoods nationally.
Exploitation Risk		
Repeat exploitation	6.2.4	Forty-two (68%) of the sixty-two cases indicated some degree of previous victimisation had occurred.
Incident types	6.3	Financial incidents were in the majority (53%) - sexual (24%), emotional (18%) and physical (5%)

⁵⁶ Percentages are shown for descriptive rather than inferential purposes and are rounded to the nearest whole number

Data fields	Ref. (Ch. 6)	Findings⁵⁶
Sexual	6.3	Of the cases involving female victims, 39% were sexual.
	6.1.2	Most sex offences (80%) were committed by single suspects, as opposed to those acting in groups.
Financial	6.3.1	Of the cases involving male victims, 67% were financial.
Emotional	6.1.2	Of the emotional abuse cases, almost all (91%) involved groups of more than one suspect.
Recording		
Referrer	6.1.1	Most cases (76%) were referred to the police by someone other than the victim.
Outcome	6.4.1	Most incidents (69%) were not recorded as crimes by Alpha Police.

It can be seen that the data provides some support for the hypothesis that mate crime does exist as an identifiable phenomenon. Indeed, the extent of its significance could be seen in terms of its potential influence on a wide section of disabled victims and in many diverse areas of crime. This indication as to the wide range of ways that mate crimes might be committed helps to add some corroborative weight to the accuracy of the above estimate of approximately 16,500 mate crimes committed per year. However, whilst Table 8. 1 above provides an idea of what a 'typical' reported mate incident might look like, this information does not fully explain the nature of the phenomenon. In the next part of this chapter the nature of mate crime will be examined by drawing on some of the themes arising from the other fieldwork evidence, including the mate crime incident sample and the interviews. For ease of reference, the themes have been loosely clustered around the four fundamentals of mate crime postulated at the start of this study: impairment/disability, hostility/prejudice, familiarity and exploitation. However, an understanding of mate crime based on an administrative definition will not necessarily lead to a greater theoretical understanding. Hence, as each of the four fundamentals are discussed below, the opportunity will be taken to expand on some of the themes and see how the fieldwork evidence informs theory.

However, prior to leaving the subject of the extent of mate crime, reference has yet to be made to the most serious cases at the top end of the range of mate

crimes i.e. homicides. Neither the survey nor the case study revealed any quantitative data in relation to the number of homicides which could be attributed as mate crimes. The lack of official data on homicides of disabled people was probably just further evidence of the extent to which crimes and other incidents involving disabled people are under-represented in police records (see para 5.3.2). Notwithstanding this, some corroborative evidence, in the form of media coverage of deaths (see Table 5. 7) for the year of the survey was uncovered, suggesting that some homicides may indeed be mate crimes (albeit with no official attribution). Similarly, Table 1. 1, gathered as part of the preparation for this thesis, shows a more bespoke sample of potential mate crime homicides from a wider date range and this provides further evidence of the links between mate crime and homicide. The evidence in relation to the reasons why some mate crimes might lead to homicide are discussed at the end of the next section (para 8.2.6).

8.2 What is the nature of mate crime?

The characteristics shown in Table 8. 1 above provide some initial indications about the nature of mate crime. However, a deeper understanding of its nature involves reconciling the findings of this study with theoretical contributions from both hate crime and disability studies. The sub-sections below provide an answer to this question within the major themes of disability/impairment, familiarity/friendship, prejudice/hostility, vulnerability and exploitation. This section concludes by drawing evidence and theory together in the form of a model of the course of mate crime and explains how mate crimes can escalate to extreme.

8.2.1 Disability

Evidence from the fieldwork suggested that one of the reasons why disabled people might be mate crime targets could be as a result of the diminished hierarchical position they are perceived to occupy in society (Perry, 2001). The interviews with key stakeholders provided some evidence of this. For example, Scott commented that disabled people were being treated as “second class citizens”.

As Table 7. 2 in the previous chapter shows, the effects of being perceived as disabled can progress into oppression and discrimination against disabled people (Oliver, 1990; Finkelstein, 1991; Abberley, 1999; Sheldon, 2010). In contemporary society, these disability effects have been evident in areas such as human rights, education, employment, benefits, social care, and links to poverty (Barnes, 2008; Emerson and Roulstone, 2014). Some evidence of this effect was revealed within the mate crime incident sample in that the majority of the cases within the sample involved disabled people who were living in deprived areas (see para 6.1.3). The suggestion that mate crimes tend to occur within the more deprived wards of towns was also an issue that was raised by Audrey, one of the disabled people's representatives. In her interview, she made the following observation in relation to the housing of disabled people:

The one other thing in terms of mate crime is about housing... And you create these hotspots... where we have the most problems of mate crime with people living on top of each other... And you just take all of society's problems and groups that are under-served and haven't got enough protection and then stick them all together and see what happens. And what happens is that mate crime... and they will put perpetrators and victims in the same flipping street and wonder why they are targeted (Audrey).

Audrey's comment supports the notion that disabled people are more likely than others to experience deprivation. Disability theorists have long established the link between poverty and disability (Abberley, 1987; Beresford, 1996; Crow, 1996; Calderbank, 2000). Likewise, there is evidence that crime in general and poverty are linked (Hsieh and Pugh, 1993; Webster and Kingston, 2014) and similar links have been observed between deprivation and incidences of hate crime (Sibbitt, 1997). Hence, there appears to be evidence of a correlation between being disabled, deprivation and being a victim of crime. From a disability studies perspective, this position can be explained to some extent by reference to the observation that disabled people have continued to be oppressed and marginalised (Miller et al., 2006; Swain et al., 2014) preventing their full participation within society.

This view was supported by some of the quantitative evidence from the mate crime incident sample which reflected this marginalisation of disabled people in

that in more than half of the cases in the sample victims lived alone within deprived communities (see Table 6. 6). Indeed, interviewees such as Paul, the Police and Crime Commissioner, saw isolation as one of the factors leading to disabled people becoming crime targets and the link between isolation and targeting have also been noted in previous studies (Hough, 2012; Doherty, 2013; Pestka and Wendt, 2014). Isolation and marginalisation can increase the potential for disabled people to be seen as different from the rest of society. In addition, it is the 'doing of difference' which is a basis for hate crimes (Perry, 2001, Walters, 2011). In such a way, the disability effects which lead to disabled people being isolated and deprived may be seen as also contributing to them being regarded as "second class citizens", as described by Scott, in his interview. For those who are so minded, this demeaned position of disabled people can provide fertile grounds for hate crime in that it emphasises the mechanisms of power (Perry, 2001; Roulstone et al., 2011; Chakraborti, 2015).

8.2.2 Psycho-emotional effects and the influence of impairments

However, the study did suggest that there were other factors at work apart from the wider oppressive disability effects such as poverty and deprivation described above. Indeed, in some of the cases there was evidence that it may have been the specific impairments of individuals which were influential in their victimisation rather than simply their group identity as disabled people. For example, in case MCI/52, the victim had physical and cognitive impairments and it appears that it was these impairments that the perpetrator relied upon to facilitate her actions as evidenced by the fact that she was able to unzip his pocket and remove cash without him appearing to be able to offer resistance:

She had asked him if he had any money and he told her he didn't. She then unzipped his trouser pocket and took £20 out. She then ran out of the house.

In fact, the victim's brother, who reported the case is recorded by the police as spelling out his belief that the abuse was linked directly to the victim's impairments: "Caller states that due to [his] disabilities he has been a target for years whereby people befriend him and take money from him". Similarly, the person reporting case MCI/49 claimed that it was the fact that the victim was a blind person which was being used by the perpetrator to facilitate thefts of cash

and misuse of the victim's bank card. Likewise, in case MCI/12 where the victim had learning disabilities, his niece claimed that the perpetrators "know he is soft". In most cases in the sample, there was only limited evidence in the case narrative to assess the significance of individual impairments, but sometimes the influence of an impairment could be inferred. For example, in case MCI/1, in which a disabled man in a wheelchair was targeted by the same suspect on three separate occasions, the case report states the suspect was able to "barge into" (case MCI/1) the victim's house and search for his wallet without the victim being able to prevent this intrusion. In these cases, the existence of a victim's impairment could be seen as motivating mate crime in that the specific impairments have the effect of reducing the likelihood of the victim preventing or detecting abuse. However, victims' specific impairments could also be seen as acting as motivation for mate crimes in a more indirect way in that it appeared that the care needs arising from impairments were exploited by suspects as a means of initiating familiarity. For example, in case MC/1 (ibid), the police report states that it was the disabled person's impairments which allowed the suspect to "make out" he was helping him in the first place. Likewise, in case MCI/4, the suspect called on the victim to help tidy up (para 6.2.2). Similarly, in case MCI/61, whereby the suspects cut the victim's hair and shaved him before demanding an excessive sum in return (para 6.2.4).

In these cases, it appeared to be the victims' specific impairments which were used as vehicles for the exploitation. In terms of the model of mate crime (see Figure 8. 1), the types of exploitation described in the above incidents can be seen as motivated by the relational disadvantages (Stanko, 2001) of having an impairment. The evidence from this study suggests that these impairment-specific disadvantages act in addition to the disability effects discussed in the previous subsection. In terms of disability studies, the motivation for exploitation exemplified above may best be explained by reference to Thomas' (2004a) conception (see para 2.2.3) of impairment effects. The evidence from this study suggests that, similar to Thomas' interpretation, these type of effects are separate from the disability effects discussed earlier in relation to the demeaned group identity of disabled people imposed by societal organisation and cultural values (Ferrie and Watson, 2015). Likewise, although Thomas' (ibid) original construction of the concept of impairment effects was bio-social and much more

restricted in its interpretation, she did nonetheless regard them as restricting disabled people's lives in a similarly individualised way.

In addition, Thomas also referred to disability sometimes having psycho-emotional consequences for a disabled person (see para 2.3.1). An example from this study of these types of psycho-emotional effects was provided by Andrew's reference (Table 7. 2) to disabled people seeing themselves as "a nuisance". Similarly, Adam's observation (Table 7. 2) of being made to feel that "you should be glad you're here". These types of comments could be seen as evidence of the internalised oppression experienced by disabled people (Mason, 1990; Reeve, 2002; Goodley and Runswick-Cole, 2011). Likewise, the frustration and self-deprecation demonstrated in his subsequent comment that, as a consequence, "disabled people just put up with daily discrimination" is perhaps indicative of how disabled people can become "convinced of their own unfitness" (Friere, 1972, p.38).

However the study showed that the potential psycho-emotional effects of being a disabled person are not limited solely to feelings of lack of worth (Scott, 1999; Reeve, 2002; Gravell, 2012). Within the mate crime incident sample, there were four cases in which the loneliness of the victim was specifically mentioned. Case MCI/34 best exemplified the significance of loneliness as an opportunity for mate crime in that, according to the report, the victim allowed the perpetrators of her distress to continue to enter her house because "she is lonely and she has someone to talk to". Other cases implied loneliness being an issue. For example, case MCI/54, in which it was reported that the victim was "scared of losing his friends". The psycho-emotional effect of loneliness could be regarded as being linked to the experience of isolation referred to above. Indeed, it could be suggested that isolation and loneliness fuel the fear of being seen as different which leads to some disabled people feeling constantly insecure. Indeed, Thorneycroft and Asquith (2015) have suggested that "social ostracism is the norm for a person living with a disability" and so any friendship or familiarity may be welcomed as disabled people may try to merge in with others (Goffman, 1963; Mason, 1990; Minow, 1985; Grattet and Jenness, 2001), even at some personal cost.

Thus, to summarise the evidence in relation to disability and impairment, attitudes which have allowed disabled people to be portrayed as passive, needy and inferior (Miller, Parker and Gillinson, 2004), sometimes “leaving their full humanity in doubt” (Murphy, 1987, p.112) have led to disabled people being seen as “second class citizens” (Scott, para 7.1.1) and “fair game” (Andrew, Table 7. 2). These types of attitudes have not only led to indirect discrimination in terms of access to employment, education, services, etc., but have also fuelled direct discrimination whereby, for example, disabled people can be regarded as “shirkers and scroungers” (Garthwaite, 2011, p.369). However, the evidence from this study also tentatively suggests that mate crime could be explained not only by reference to these disability effects within society, but also by reference to, the more individualised relational disadvantages of having an impairment and to psycho-emotional effects (Thomas, 2004a) The evidence from the study suggests that different types of impairments such as mobility, cognitive and sensory problems can lead to more individualised consequences for victims, whilst psycho-emotional effects may manifest themselves in ways such as loneliness and fear and these emotional manifestations also draw in potential perpetrators. In terms of mate crime, whilst disability effects can facilitate the power of non-disabled people and provide the grounds for prejudice through the “tightly woven” values of society (Iganski, 2008, p.121), the effects of impairment and psycho-emotional effects might act in addition to expose individual vulnerabilities and also provide the opportunities for familiarity, friendship and exploitation.

In her approach to understanding disability (see para 2.2.3), Thomas observed that “impairment effects and disability interlock in unique and complex ways” (Thomas, 2004b, p.44), and she also acknowledged (ibid, p.44) how “difficult it may be to separate impairment effects and disability effects”. Similarly, Shakespeare and Watson (2001, p.22) have concluded that “it is difficult to determine where impairment ends and disability starts”. However, as has been discussed (para 2.2.3) traditional followers of the social model of disability have argued that disability effects are all social (Barnes, 1991; Finkelstein, 2007). Yet, what the evidence in this study has shown is that, when disabled people are targeted as victims of mate crime, there is a layer of discrimination which acts in addition to disability effects. This second layer of discrimination appears

to be associated with the individual relational disadvantages of the victim and it appears that the strength of these relational disadvantages may act as predictors as to which disabled people may be targeted for victimisation. The evidence above also suggests that relational disadvantages can arise as a consequence of a number of things including psycho-emotional effects and effects related to an individual's impairment. However, as discussed below (see para 8.3), relational disadvantages can also arise as a consequence of victims' intersecting identities or from the degree of effectiveness of institutional responses to an individual's situation. An illustrative explanation of how these theoretical concepts combine as part of a model of the course of mate crime is discussed in para 8.2.6 below.

8.2.3 Familiarity and friendship

Evidence suggested that friendship and familiarity were also related to the effects referred to in the previous two sections. Analysis of the mate crime incident sample showed that the majority of victims tended to live alone in deprived urban neighbourhoods. Previous studies have shown that it is this type of isolation experienced by some disabled people which is a particular factor leading to an understandable desire for familiarity and friendship (McVilly et al., 2006; Lafferty et al., 2013; Mason et al., 2013); a view supported by Stephen, the Adult Protection manager, who summarised it with the comment "everybody wants to have mates, don't they?"

In fact, evidence suggests that genuine friendships can have the effect of actually reducing situational opportunities for hate crime to occur. For instance, a recent study in Australia by Benier (2017) demonstrated that, compared to non-hate crime counterparts, victims of hate crime were more likely to have fewer friends reported within the neighbourhood and less neighbourhood involvement. This might explain to some extent why it was older victims who tended to be targeted in this study. Statistics for general crime (Ministry of Justice, 2013, p.24) show that young men are the age group who most frequently experience crime. However, the contrary finding in this study could be explained by the fact that these older victims are targeted because they have a desire for friendship as they may have lost or out-grown ties with families and localities as they have got older or they have been housed on "a horrible sink estate" (see Audrey's comments, para 7.4.3). Hence, in terms of the enactment

of mate crime, effects such as isolation can be seen as causing the desire for friendship which not only enhances situational opportunities for perpetrators but also provides a means for exploitation (Gravell, 2012; Pettitt et al., 2013).

Paradoxically, it would appear from the above that one of the ways of avoiding becoming a victim of mate crime is to have 'mates'. However, there was evidence from the mate crime incident sample that victims' enthusiasm for remaining loyal to those who they believed to be their friends actually increased their risk of exploitation. For example, in the afore-mentioned case MCI/54, the victim did not want to make a statement about his friends despite the fact that they often assaulted him and took his money. In case MCI/30 the victim stated that her neighbour was verbally abusive towards her and regularly asked her for money, but she still agreed to have sex with his friends to show her "love for him". In a number of cases, including case MCI/39, friends were allowed to have unfettered access to the victim's house, often at what had the appearance of considerable inconvenience to themselves. Indeed, in case MCI/36, the victim let the perpetrator take his car for a number of days and also allowed her to move into a property he owned.

In all of these cases the victims appeared to be willing participants at least for some of the time, yet all of the cases came to the attention of the police eventually. On the face of it, the cases support the notion that familiarity and befriending in mate crimes often appears mutual and usually occurs over a period of time (Landman, 2014). However, localised knowledge also appeared to have an effect whereby locals appeared to assume familiarity with disabled people - as evidenced by Stephen's references to "just ask the kids" (see para 7.2.4) and the observations in some of the sample cases of people just barging in or granting themselves open house.

From a theoretical basis, Landman has also postulated in respect of mate crime friendships that the "founding intention of the relationship, from the point of view of the perpetrator, is likely to be criminal, but not necessarily so" (p.362). There was very little from this study which could provide evidence in relation to the founding intention of the relationships in the mate crime incident sample. However, there is some evidence from earlier studies which indicates that sometimes victims go to extreme lengths in their "desire for relationships and

friendship” (Thomas, 2011, p.109). For instance, with reference to the two mate crime murders of both Gemma Hayter and Steven Hoskin, both victims walked with their friends (their abusers and subsequent killers) without protest to the locations where they met their deaths (Doherty, 2013). Both in the cases in the study and in these more serious historical cases, it would appear that the presence of friendship and familiarity in mate crimes helps to contribute to blurring the issue of victim consent and hostility (Stanko, 2001; McCarthy, 2010) – a factor which is discussed further in relation to institutional responses (see para 8.3.1).

Friendship and/or familiarity is the eponymous factor in mate crime offending. The evidence from this study would suggest that, for the reasons laid out in the previous sections, disabled people are more likely than others to be isolated and lonely when living in the community at large. As a consequence, they may seek to have genuine friendships but the evidence from this study suggests that at some stage other people may see friendship as an opportunity for the relationship to be exploited. Where the circumstances are right, pseudo-friendship appears to be influential in allowing repeat incidents to occur and for exploitation to escalate, dependent largely on the willingness of the victim to maintain the relationship and the limits of the perpetrators’ hostility.

As indicated above, one of the common factors with respect to mate crime exploitation is its persistent nature. Walters et al. (2016, p.24) have previously observed that mate crime cases are unlikely to be “one-off incidents” and this was borne out in the mate crime incident sample where forty-two of the sixty-two cases (see Table 6. 12) indicated some previous activity of a similar nature and there was clear evidence of repeat victimisation observed in several of the cases. In the cases in the sample familiarity appeared to be an aid to exploitation in that victims seemed to simply put up with persistent abuse. For example, in case MCI/61, the police report stated that the perpetrators “return on a number of occasions” making increasing demands for cash. Similarly, in the case of MCI/1, the police report stated that the victim claimed that the suspect had taken his wallet “3-4 times since he had known him”. Likewise, case MCI/4 refers to harassment for money occurring “on a daily basis”. In the cases of emotional risk, it may be recalled that there was similar evidence of ongoing chronic contempt for the victim’s self-determination. For example, there

were cases of perpetrators who “let themselves in” (MCI/31) and others who seemed to “have free run” of the victim’s property (MCI/39). Some of the repeat victimisation in these cases may be explained by the finding that, in most of the incidents in the MCI sample, disabled people were targeted in their own homes and that the home environment provided a greater opportunity for familiarity and the normalisation of abusive practices (Horvath and Kelly, 2007).

8.2.4 Prejudice and hostility

In a minority of the cases within the sample, there was evidence of overt hostility such as name-calling accompanied by threats and violence (case MCI/57). From any perspective, it is relatively easy to characterise these cases involving overt hostility as hate crimes. In terms of disability studies, this type of hostility could be seen as an overt expression of oppressive cultural representations of disabled people (Waxman, 1991; Shakespeare, 1994; Priestley, 1998). In a similar way, hate crime theorists might argue that the notion that suspects feels sufficiently empowered to be able to act in such ways could be seen as evidence of their perceived entitlement within the social order (Perry, 2001). Either way, these attitudes can then lead to situations where social interaction between victim and perpetrator is based on a view that the victim is “‘worthless’ and/or undeserving of the same entitlements or rights as the perpetrator” Horvath and Kelly (2007 p.4).

However, the types of mate crime incidents that were seen both in the mate crime incident sample and also shared by key stakeholders (see Table 7. 4) suggested that there were other processes going on which involved more covert, discreet and contemptuous prejudice rather than overt hostility. For example, the exploitation of impairments exemplified by the suspect who “barged in” (MCI/1) to a victim’s home, or another case where the suspects were entering the home of a disabled man and “taking his food and alcohol” (MCI/43). Likewise, there were also examples of groups of suspects apparently giving themselves free access to a disabled person’s home (MCI/39) with very little or no regard for the wishes of the occupier in a similar manner to that described as “thrill-seeking” by McDevitt, Levin and Bennett (2002, p.308). Self-evidently, this “immature desire to display power” (ibid) over disabled people could be construed as contemptuous behaviour. Contempt was also manifest in the clear disrespect shown to victims in a number of the sexual

abuse cases. Hostility also extended to death threats, such as in case MCI/41. In a few of the cases, there was evidence that hostility had reached such a level that victims appeared to be acting in ways which appeared to be contrary to their own welfare. For example, the man who had learning disabilities who kept responding to invitations to visit his so-called friends, despite the fact that “every time he is injured or has no money left” (case MCI/54). In this case, it appeared that the victim had become so subjugated by the hostility that he declined to make a statement against his abusers even though the latest assault had resulted in him receiving hospital treatment.

In virtually all of these cases, however, the prejudice and hostility was not overtly demonstrated towards a person’s impairment and this lack of “evidence of a demonstration of hostility on grounds of disability” (Crown Prosecution Service, 2014, unpaginated) may be one of the key reasons why many of these cases were not progressed by the police⁵⁷. Despite this, within the mate crime incident sample, there was a clear correlation between the fact that the victims were disabled people and the existence of prejudice/hostility. Although there was very little evidence from the sample as to whether this link was causal, it is the contention of this thesis that the disabled people in each of these cases were targeted as victims of mate crime incidents on the basis on their identity, given the long history of discrimination experienced by disabled people.

In fact, in terms of hate crime theorising, the disability effects referred to in the previous sections above serve to explain the circumstances which provide the dysfunctional grounds for the targeting of mate crime victims on the basis that perpetrators can rely on these types of “historical, social and economic legacies” and “popular discourses” (Stanko, 2001, p.318) to justify their hostility. Indeed, it could be said that it is these societal attitudes which maintain the “precarious hierarchies that characterise a given social order” (Perry, 2001, p.10) and thereby facilitate the process of doing difference and the othering of disabled people (Perry, 2009; Chakraborti and Garland, 2012). In a similar way,

⁵⁷ However, following the Macpherson (1999) report into the death of Stephen Lawrence, the police were encouraged to be much more inclusive in their interpretation of hate crimes. Police guidance states that “the perception of the victim, or any other person, is the defining factor... Evidence of the hostility is not required for an incident or crime to be recorded as a hate crime or hate incident” (College of Policing, 2014, p.5).

these disability effects can be seen to act as the catalysts for mate crime as a “mechanism of power and oppression” (Perry, 2001, p.10).

However, as well as historical legacies, it has also been suggested that perpetrators direct hostility towards their targets based on “who the victim is” (Stanko, 2001, p.318) or on the “individual vulnerability of the victim” (Garland, 2015, p.8). It is suggested by this study that these types of individual vulnerabilities mark one potential victim out against another and, as outlined above, these vulnerabilities can include impairment effects such as victims’ limited mobility or sensory or cognitive impairments as well as associated psycho-emotional effects such as loneliness, a need to belong and fear. However, as also referred to above, they can also include disability effects such as isolation, marginalisation, social exclusion, unmet care needs, lack of family. Potentially, any of these vulnerabilities which might increase the likelihood of a victim being subjected to prejudice and hostility.

The evidence in relation to prejudice and hostility in this section would suggest that it is present to varying degrees in cases of mate crime. It has previously been established that there exist disability effects that result in disabled people experiencing greater poverty, deprivation, isolation, etc. compared with others within society (see 8.2.1). Related to this, there exist societal attitudes which maintain the “precarious hierarchies that characterise a given social order” (Perry, 2001, p.10) and thereby facilitate the process of doing difference and the othering of disabled people. This leads to the situation where disabled people are seen as “second class citizens” (Scott’s interview). In addition, being a disabled person in such a society may have some consequential effects and “perceived disadvantages” (Stanko, 2001, p.319). The evidence from this study would suggest that, within this context of disablement and difference, these disadvantages may be seen as situational opportunities by some perpetrators and that perpetrators exercise hostility in its various forms because there is limited resistance from victims who have been disadvantaged at both a societal and an individual level.

Although the evidence discussed so far would suggest that mate crimes may be predicated partly on the individual vulnerabilities of disabled people, as a notion this was one which was referred to as “problematic” by Audrey, one of the

disabled people's representatives in the interviews. Her view was largely shared by the other disabled people in the sample of interviewees and will be discussed in the following section.

8.2.5 Vulnerability and exploitation

For example, Andrew refuted the idea of all disabled people being categorised as vulnerable and referred to the use of vulnerability as a “no, no” and dismissed it as the “‘v’ word”. Indeed, Adam stated that he had consulted with a number of disabled people on the issue and received the message that disabled people did not want to be “prescribed (sic) as vulnerable people”. The extent of these concerns have also been reflected in contemporary academic comment (Bartkowiak-Théron et al., 2017). Likewise, disability studies scholars argue the view that disabled people are somehow inherently vulnerable is one which is at odds with the social model of disability. In this respect, others have cautioned that the label ‘vulnerable’ can have stigmatising and other negative effects (Brown, 2012; Burghardt, 2013).

Some of the non-disabled interviewees appeared to acknowledge the risks in using the term vulnerable in respect of disabled people. For example, Patrick recognised that any discussion of the vulnerability of disabled people was a “really hot topic” and he was conscious of the need to avoid any suggestion that constructions of vulnerability might lead to disabled people being seen as the problem rather than the perpetrators. This position is best summarised by Peter in his comment:

When that application of vulnerability suddenly gets shone onto an entire group of people..., instead of talking about a disabled person, you're talking about a vulnerable person. The point from communities is that you can't say an entire group of people is vulnerable per se. It's not them. They are not the problem. The problem is the perpetrator (Peter).

On the other hand, other interviewees were more willing to engage with the issue and in so doing provided a more nuanced perspective on vulnerability. In his interview, Phillip, the police superintendent, demonstrated an enthusiastic preference for the concept of vulnerability. However, he also provided his own insight into the complexities of the issue by suggesting that one of the reasons why disabled people were subject to hostility was because perpetrators were

aware that the police sometimes find a case involving a disabled victim to be a “difficult offence to prove”. This observation that vulnerability to mate crime may also rise because perpetrators are aware of the ineffectiveness of institutional responses is discussed further in 8.3.2 below. However, the idea that vulnerability was not a personal attribute of disabled people was also picked up by Simon, the Safeguarding Adults manager, who avoided the caricature of inherent vulnerability by suggesting that “circumstances make you vulnerable”. These comments were valuable to this study as they helped to explain why some disabled people become targets of mate crime whilst others do not. Indeed, following his rejection of the “v’ word”, in his subsequent comment, Andrew expressed his willingness to accept a compromise by suggesting that disabled people were not intrinsically vulnerable, but were more “vulnerable to situations”.

As an example of this ‘vulnerability to situations’, it may be recalled that the term localised knowledge was used by this study to refer to aggregated local knowledge circulating within a neighbourhood. Evidence to support the influence of localised knowledge was found in both the interviews and the cases within the mate crime incident sample. Significantly, Stephen related in his interview that his previous experience as a police officer led him to infer that localised knowledge can be shared in the community as a means of deciding who may be a suitable target to be “picked on”. He observed that, in some areas in his experience, “if you want to know where there is a family with disabilities, just ask”. This may serve in part to explain why it is people with learning disabilities who are most often the targets of mate crime. Localised knowledge might indicate the ease with which some of these individuals may be subjected to hostility and not be equipped with the social skills to know how to resist. However, any number of the other factors referred to above arising from a person’s situation (mobility issues, isolation, loneliness, etc.) may also contribute to the overall vulnerability picture.

In fact, as indicated by the evidence in the previous section and in some of the case examples above, there were grounds to support Andrew’s reference to a situational approach to vulnerability as a worthy means of helping explain the prejudice/hostility motivation of mate crime. Indeed, the evidence from this study would tend to reject the idea of the inherent vulnerability of disabled

people in favour of this notion of situational vulnerability as a means of explaining why only certain disabled people are subject to hostility. Various contributors have attempted to encourage this more multi-dimensional interpretation of this issue. For example, in their report *Promoting the safety and security of disabled people*, the Equality and Human Rights Commission (2009, p.6) replaced the term 'vulnerability' with 'situational vulnerability'. Similarly, Sin (2014, p.101) has proposed a "layers of influence" approach to vulnerability and others have supported a model of universal vulnerability (Beckett, 2006; Clough, 2017). Indeed, hate crime theorists Chakraborti and Garland (2012) have argued that hate crime victims are targeted because "situational factors and context... make them vulnerable in the eyes of the perpetrator" (p.508) or put more simply "because they are stereotypically perceived as "easy' or 'soft'" (ibid, p. 503). Garland (2015) later went on to explain that vulnerability can be constructed not as attribution of all hate crime victims, but rather related to the "individual vulnerability of the victim and his or her heightened risk of being targeted" (ibid, p.8).

However, perhaps it is Stanko's (2001) interpretation of vulnerability which best meets with the views expressed by the disabled people's representatives in that, as well as concurring with much of the above, she manages to avoid use of the "v' word" (Andrew). Indeed, she eliminates reference to vulnerability by suggesting that hostility towards victims could be understood by use of the notion of "perceived disadvantage" (ibid, p.319). She explained that perceived disadvantage:

does not refer to any individual weakness of the victim *per se*. It is defined relationally in terms of an individual victim's or assailant's social context and resources (Stanko, 2001, p.315).

Stanko's choice of terminology means that there is less opportunity for victims to be seen as weak and its relational view avoids the simplistic notion that it is inherent vulnerability which leads directly to hostility.

It could also be that the influence of relational disadvantages might be one of the factors, along with familiarity and friendship (see para 8.2.3) which contribute to the potential for mate crimes to lead to repeat offending and escalation. Indeed, there were signs of escalation evident in the sample, with

twelve of the cases in the sample revealing that exploitation was occurring in more than one risk category. For example, case MCI/37 involved a woman with mental health problems, reported to police by the victim's son:

Large amounts of money have been taken out of her bank account albeit by her but he believes [S] is taking advantage of her vulnerable mental state. [V] claimed she was recently raped by [S] but this, although still an ongoing investigation, has now been retracted... states it was with consent. [Also] missing jewellery... [S] had attended the address with his grandchildren and they had helped themselves and she felt she couldn't stop them.

The above case, provides just one example of the various directions in which alleged exploitation can travel. Its reference to the withdrawn allegation of rape also incidentally provides a good example of the previously-mentioned blurring of consent (Stanko, 2001; McCarthy, 2010) evident in some of the cases.

Examples of the significance of escalating exploitation have been referred to previously in relation to mate crime homicides such as those of Steven Hoskin and Gemma Hayter (Doherty, 2013). In the interviews with key stakeholders, Scott, the social care training officer described the escalation in the following terms:

If nobody picks up on the little things, somebody just pushes a little bit harder, takes a little bit more advantage, things getting a bit worse and a bit worse. If I don't deal with those initial issues... If I don't challenge them, the community keeps doing it.

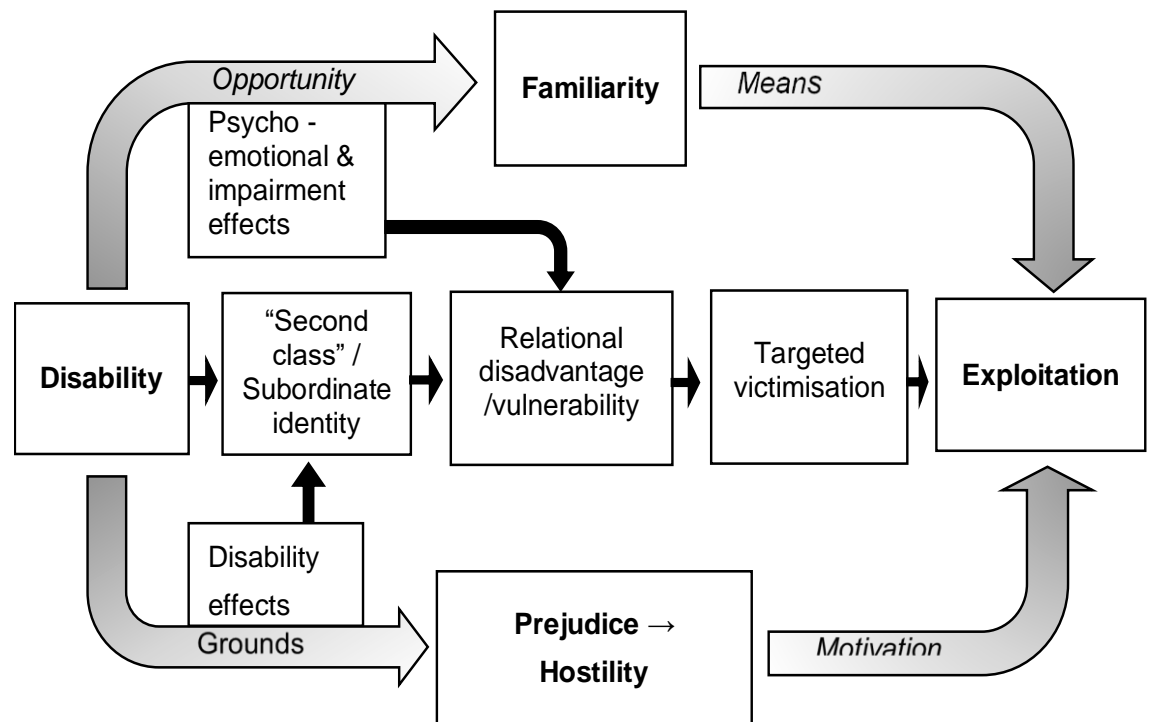
In summary, the evidence in relation to exploitation would suggest that it can be manifested in a number of ways and sometimes these ways can be combined. Exploitation arises where disabling and other effects provide the opportunities for victims to be targeted and appears to be facilitated by friendship and familiarity. If left unchecked, given the oppressed position of disabled people, victims can find themselves subjected to repeated and escalating abuse. In the final part of this section, this study will review how exploitation and the other three fundamentals come together to form the course of mate crime.

8.2.6 The course of mate crime and extremes of hostility

Figure 8. 1 below shows a proposed model to demonstrate how some of the effects discussed above might come together to form the course of mate crime.

The model illustrates how the barriers associated with society's disabling culture (Finkelstein, 1998; Hughes, 2007; Beckett, 2013) provide the grounds for prejudice. At the same time, at an individual level, impairment effects and psycho-emotional effects can provide opportunities for easy familiarity. (Thomas, 2004; Hanisch, 2014; Reeve, 2014). However, as can be seen from the model, the combination of prejudice and familiarity can then respectively provide the motivation and the means to facilitate the process of exploitation. It appears that the degree of exploitation can be influenced by offenders' perceptions of vulnerability (Beckett, 2006; Clough, 2017), including perceptions of the impairment effects, psycho-emotional effects and other relational disadvantages of the victim (Stanko, 2001; Chakraborti and Garland, 2012).

Figure 8. 1 A diagrammatic model of the course of mate crime, including the hate crime core



In terms of broad hate crime theory, the model has a hate crime core. As can be seen above, the diagram illustrates how societal prejudice can lead to disabled people being marginalised. This in turn can lead to potential perpetrators seeing disabled people as second class and possessing a "subordinate identity" (Perry,

2001, p.10). Being identified as such does not in itself necessarily mean that a disabled person will be subjected to acts of hostility. Instead, the evidence would suggest that targeting is precipitated by the victim's vulnerability in terms of relational disadvantages. These can be a combination of disadvantages, but the evidence would suggest they may be linked to the victim's impairments as well as institutional responses to the victim's situation (see para 8.3). In such a way, from the perspective of the perpetrators, these disadvantages could be construed as situational opportunities for familiarity and exploitation. However, the existence of familiarity between the disabled person and the perpetrators means that "the privilege of the dominant group" (ibid, p.55) can easily be maintained within that 'friendship' and the 'friendship' allows for the hostility to be ongoing and exploitative. Likewise, the nature and the extent of exploitation can be fuelled and facilitated by the continuing 'friendship' and allows for an assessment as to how "'easy' or 'soft'" (Chakraborti and Garland, 2012, p. 503) a target the disabled person might continue to be. In such a way, offending can continue to escalate until something causes it to stop.

This model can be applied to some extent to all mate crimes. However, its relevance as a means of explaining mate crime might best be demonstrated by reference to the examples referred to by interviewees and presented in Table 7. 5 in the previous chapter. Cases such as those involving "Tuesday friends" and "cuckooing", having the potential to eventually progress to abuse involving dehumanisation including slavery and rape. As can be seen from the model in Figure 8. 1 and the cases in Table 7. 5, mate crimes can escalate provided the opportunities and means for exploitation are maintained through familiarity and that the grounds and motivation are maintained through prejudice. If left unchecked, the potential for other heinous crimes being committed is significant as dehumanisation has been cited previously as a factor in homicides attributed as mate crimes (Quarmby, 2008; Equality and Human Rights Commission, 2011).

In his commentary on the process by which dehumanisation leads to murder of disabled people, Patrick, one of the criminal justice representatives in the sample of interviewees, was presumably borrowing the terminology of McDevitt et al. (2002) when he noted that the motivation for these murders was different from the hatred demonstrated by 'mission-seekers' (ibid, p.307) in relation to

other groups. However, he was nonetheless able to elaborate on how he thought that there was some element of consistency or 'similarity' in the motivation for hate crime murders perpetrated against disabled people.

Whilst there were those 'mission racists', we didn't get the sense that there were 'mission disablists' for want of a better phrase. There wasn't people going out to seek out disabled people to attack them but there were so many similarities between the dehumanisation, the escalating violence, the unnecessary violence, the kind of humiliation tactics. And that kind of building towards dehumanisation and ultimately torture and fatal attacks, that actually there was enough similarities between them. The people who murdered Steven Hoskin would have no correlation or relationship to the people who beat Brent Martin⁵⁸ to death. The reality of it was their similar attitudes meant that we needed to see it as a thing and not just a series of tragic horrible crimes, which is how it had been seen.

In both of the homicides referred to by Patrick, the victims were familiar with their killers and the circumstances of the cases could be explained by the mate crime model (Figure 8. 1). As discussed earlier in this thesis, demonisation and dehumanisation have been long-recognised as factors in the lives of disabled people (UPIAS, 1975; Finkelstein, 1991; Barnes, 1992; Hughes, 2015) and they have also been identified as constituents of hate crime in general (Mohr, 2008; Perry and Alvi, 2012). However, what can be gleaned additionally from the above is the implication that Patrick took the view that the more implicit, 'creeping' dehumanisation that occurs in respect of disabled people was of a different form than the proactive dehumanisation associated with extreme 'mission' racism. This is an interesting distinction which can be under-pinned by reference to scholarly output to some extent (Shakespeare and Watson, 1997; Baylies, 2002; Lewin, 2007) and for which supportive evidence can be found by reference to previously-mentioned prejudicial attitudes about disabled people which are allowed unfettered circulation (Garthwaite, 2011; Briant et al., 2013; Hughes, 2015).

As overt dehumanisation of disabled people occurs at the extreme end of the exploitation hierarchy, it was not anticipated that the mate crime incident sample

⁵⁸ Brent Martin was also a victim of homicide. His death also had the characteristics of a mate crime.

(MCI) would yield up many of these types of cases. However, the cases of sexual exploitation in the sample (such as the alleged rape in case MCI/37 referred to above) provided evidence of objectification. Also, there was one example (MCI/45) of the case of a young disabled woman who was abandoned to her fate and, as a result, was obliged to climb out of the window of her house in order to avoid being harmed by a rubbish fire which had been recklessly left by some of her 'friends'. The evidence in this case would suggest a dehumanising attitude towards the woman. Indeed, the careless attitude to the life of the victim in this case could have had much more serious consequences. It is difficult to establish whether their actions could be construed as 'meaningless' (Ray and Smith, 2001) or whether they were motivated by their response to her "diminished state" (Campbell, 2009, p.19) as a disabled person or some other explanation. However, the findings of this study would suggest that the dehumanisation which occurs in mate crimes is influenced by the spiralling hostility resulting from the perception of the diminished position of the disabled person and combined with a perception of increasing individual vulnerability (Garland, 2015).

8.3 How effective are institutional responses?

This review of the evidence in relation to the effectiveness of institutional responses begins with an examination of the institutional recognition of mate crime incidents, including a focus on reporting and recording of mate crime incidents and is then followed by an examination of the response to cases, with a particular focus on safeguarding adults processes. It then concludes with a review of institutional outcomes.

8.3.1 Institutional recognition

In view of the fact that CPS and police policies have discouraged recognition of mate crime (see para 3.2), it was not surprising that the survey conducted as part of the fieldwork for this study revealed that none of the forces could provide any reliable data in relation to mate crimes. However, other evidence from the survey suggested that this was only a small part of the picture in relation to non-recognition. For, more significantly, the survey also indicated that only a minority of police forces in England and Wales were able to provide any ready

data as to the numbers of disabled people who requested police services or even how many were victims of crime (see Table 5. 1). It seemed from the survey that the only comprehensive figures were those in relation to the number of disability hate crimes.

The reasons for this police disinclination to keep records in relation to disabled people were not revealed by the survey. However, evidence from the stakeholder interviews suggested that the scale of the range of impairments faced by disabled people has meant that there have been long-term issues in relation to considering disabled people as an identifiable homogenous group (see para 7.1.2). This has meant that the police have been failing to record their involvement with disabled people not just because disabled people choose not to be recognised (as discussed in para 8.3.1 above), but also because of an inadequate understanding of disability, a reluctance to recognise impairments and/or a reluctance to provide an adequate response appropriate to the victim's needs (see Table 7. 3). Audrey's suggested that these effects of disengagement with disabled people were being influenced by the current police focus on vulnerability:

The police, recently their big thing is vulnerability now, so everybody's kind of vulnerable, and they're going to change the world in terms of preventing vulnerability. And it's just all problematic.

There is evidence to support Audrey's view that vulnerability is still a topical issues with the police - as recently as November 2016, the College of Policing's (2016, n.p) national annual conference was "organised around the theme of vulnerability" – and it could be that this focus may be impeding their ability to engage with their institutional responsibilities in relation to disabled people.

In any event, the lack of police data in relation to disabled people revealed by this study appears be contrary to recommendations that have been made in the past. Significantly, following a recent enquiry into disability-related harassment, the EHRC (Equality and Human Rights Commission, 2011) made it one of their core recommendations that public authorities (including the police) should run data systems which "are able to record whether the victim is a disabled person" (Equality and Human Rights Commission, 2011, p.167). Likewise, guidance published for the police themselves in relation to vulnerable adults recommends

that police should have “the capability to record incoming information with details of decisions made and subsequent action taken, thereby facilitating an audit process” (Association of Chief Police Officers, 2012, p.109). More recently, this obligation has been re-affirmed by the *Care and Support Statutory Guidance* (Department of Health, 2017, unpaginated) to the Care Act, 2014, which states that, with respect to adult safeguarding, “whenever a complaint or allegation of abuse is made, all agencies should keep clear and accurate records”. It is evident from the survey that, in terms of the logging of first contacts with disabled people, few of the police forces in England and Wales appear to be meeting these recommendations in full.

As well as the above, there was some indicative evidence from the narrative comments from the mate crime incident sample that incidents were going unreported. In some cases, notes referred to incidents happening “on nearly a daily basis” (MCI/44), or where suspects were “repeatedly... asking for money... threatening” (MCI/40), or victims were “reporting daily sexual activity” (MCI/41), yet in most of these cases (see Table 6. 12), there was little evidence of the previous matters being reported to the police. Similar concerns about under-reporting were noted in Corcoran et al.'s (2015) Home Office study based on combined data from the 2012/13 to 2014/15 CSEW revealing that only forty-eight per cent of all hate crime incidents actually come to the attention of the police (ibid, p.1).

The sample in this study gave no indication as to why this might be so. However as indicated above (para 8.2.3), it could be that the apparent friendship which is a key factor in mate crime might influence victims not to report. Alternatively, under-reporting could be a result of a number of previously-discussed influences, including the dilemma of difference (Minow, 1985), difficulties in accessing criminal justice, or lack of understanding about what constitutes a crime (Voice UK et al., 2008). However, when this issue was discussed by the key stakeholder interviewees, it was lack of confidence in the response of the police which many of the interviewees in this study saw as a major factor influencing non-reporting (see para 7.3.2). For example, Adam, one of the disabled people’s representatives, stated “it’s just not taken seriously” and Alice observed “there is still significant mistrust of the police”. This trend of dissatisfaction was also noted in Corcoran et al.'s (2015) study in that only fifty-

two per cent of hate crime victims whose cases were dealt with by the police reported being very or fairly satisfied compared with seventy-three per cent of crime victims overall (ibid, p.1).

Adam drew on his own experience as an advocate when referring to the wider impact of this lack of confidence for disabled people:

When people do report it, the response they get is a negative response. So, you get no meaningful response or it's just not taken seriously... Social services and police officers... The knock-on effect of that is that people who put their head above the parapet and dare try to get help, they get knocked back. What happens is, because that person got knocked back, they spread the word "don't bother". The negative is a double negative in that they didn't get a response, that one person is telling a peer and another peer that they got treated appallingly or they didn't get taken seriously.

As is discussed in para 8.3.2 below, the link between confidence in the police and under-reporting could also have significant long-term consequences in terms of escalation. However, the immediate impact of an approach which creates a disinclination amongst disabled people to report disability hate crimes in general and hate crimes in particular is that there is the potential that disabled people are denied fair access to justice and thus can suffer significant harm (MIND, 2007; MENCAP, 2010; Equality and Human Rights Commission, 2011). Garland and Chakraborti (2012) have suggested that lack of confidence in the police means that victims are less inclined to report, which in turn leads to:

[a] 'vicious circle' of poor service delivery to hate crime victims... causing even fewer hate crimes to be officially acknowledged and meagre resources dedicated to combating them (Garland and Chakraborti, 2012, p.47).

Given this information, it appears to have been questionable policy wisdom by the CPS (Crown Prosecution Service, 2014); 2017a) and police (College of Policing, 2014) to discourage recognition of hate crimes, given that it is precisely this type of response which is only likely to further contribute to the 'vicious circle' of poor service and lack of confidence described above.

In addition to wider issues of under-reporting by disabled people and a lack of recognition of the numbers of disabled people reporting crimes and making

general requests for police services, this study also considered the specifics of how cases were reported by the police. The evidence suggested that, even when there was some recognition that a case involved a disabled person, the recording practices of the police were open to question.

For example, in an appropriately filtered selection of cases from the mate crime incident sample, it was found that none of the cases had been recorded as hate crimes and less than a quarter had been recorded as crimes at all (see para 6.4.1). It has been suggested that there is a cultural pressure within the police to under-record crime (Williamson, 2003; MENCAP, 2010; Patrick, 2012; Sin et al., 2012; HMCPSI et al., 2013) However, another explanation is that the police may be putting protection before empowerment (Dunn et al., 2008; Roulstone et al., 2011; Brown, 2012) in that officers are influenced by effects such diagnostic overshadowing (Sin, 2013), whereby it is the “disability that has to be dealt with rather than the crime” (Joint Committee On Human Rights, 2008, p.69). This might explain why cases involving disabled people might not be dealt with as crimes, but instead are diverted into alternative routes such as safeguarding, as discussed in the next sub-section below.

8.3.2 Institutional responsibility and Safeguarding Adults

Whatever the reason, according to a recent Home Office Statistical Bulletin “respondents to the combined 2012/13 to 2014/15 CSEW stated that 48 per cent of hate crimes came to the attention of the police” (Corcoran et al., 2015, p.1). If that figure was then applied to the estimated 70,000 disability hate crimes (Corcoran et al., 2015, *ibid*), then this would suggest an estimate of over thirty-three and a half thousand disability hate crimes coming to the attention of police per year (see Table 7. 6, para 7.3). However, as can also be seen from Table 7. 6, although figures for recorded disability hate crimes show them to be rising annually, the most recent figure of 3,629 disability hate crimes recorded in 2015/16 would still suggest that approximately 30,000 disability hate crimes cases coming to the attention of police per year are not being accurately catalogued.

The significance of the above is that not only does under-recording provide an inaccurate picture of disability hate crime and mate crime but it also impedes monitoring of police performance. There are benefits to using mate crime as a

distinct category in that it would allow institutions to respond more appropriately at an earlier stage and thereby preserve resources as well as improve effectiveness. However, there is a risk that, if there is institutional avoidance of the issue, then this can also then lead to its escalation. This view has been well expressed by hate crime scholars, McDevitt et al. (2002, p.305):

When hate crimes go unaddressed, we as a society send a message to offenders that this behavior is acceptable and possibly even appreciated. This reinforces the behavior and empowers the perpetrators to continue and in many cases to escalate their attack.

In fact, as long ago as 1989, McDevitt (1989) made the the observation that hate crimes have a distinctive tendency to escalate. The phenomenon has also been noted in more recent times (Association of Chief Police Officers, 2005b) and some commentators have suggested it is a particularly prevalent trend in respect of hate crimes against disabled people (Fundamental Rights Agency, 2015; Giannasi, 2015). In terms of this study, it has already been noted that, if institutional involvement appears lacking in respect of an individual who may be an exploitation target, then this information potentially increases the future risk to the victim. The reasons provided in some of cases mentioned within the mate crime incident sample ranged from references to perceived impairments blurring the issue of consent (see above), to a delegation of responsibility which occasionally tended towards victim-blaming. For example, the wording of the report in case MCI/11 identifies that “the problem... is being caused by” the alleged victim. The examples of institutional disavowal shown in other similar cases (see para 6.2.4) add to the weight of evidence which suggests that it is the nature of the police response itself which is contributing to the risk of mate crimes occurring. To be specific, with reference to the model of mate crime shown in Figure 8. 1, the ineffectiveness of the institutional response to mate crime could in itself be considered to be an effect which is augmenting the vulnerability of victims and increasing their relational disadvantages compared with others. This possibility does not seem to be averted even when cases are diverted away from the traditional criminal justice routes and into the path of adult safeguarding.

In terms of effectiveness, it may be recalled that the survey aspect of this study revealed that almost half of all forces were unable to provide data on the

amount of safeguarding adult cases in which they were involved and less than a quarter of all forces could specify how many of their safeguarding adult case were crimes. However, there was also a suggestion from this study that the safeguarding adult processes were not just failing in terms of data management, but also in terms of individual case management. For example, the evidence from the mate crime incident sample would suggest that there were a number of cases which indicated an element of diagnostic overshadowing (Sin, 2013) whereby there appeared to be an institutional focus on an individual's impairment at the expense of access to justice (see para 6.4). In addition, it was noted from the mate crime incident sample that Alpha Police were passing a number of cases over to adult safeguarding even when confusion existed over institutional responsibility for case management (see para 6.4.2). Concerns over institutional responsibility were commented upon by Adam, who referred to safeguarding case meetings as an opportunity for professionals to "offload an obligation... and walk away and do nothing". However, these concerns over evasion of responsibility were not confined just to observers. In his interview, the adult protection manager, Stephen, was so concerned that the police were failing to investigate criminal allegations arising out of safeguarding cases, that he felt obliged to take specific action by arranging for the crimes to be reported separately through a formal police channel so that they could not "go away" (see para 7.4.1).

Evidence of institutional disavowal was not just in relation to the recording and investigating of crimes. Simon, the Safeguarding Adults manager commented upon circumstances which might amount to another missed opportunity for justice whereby victims were passed from the police to safeguarding, and in neither situation received appropriate attention (see para 7.4.2). It was postulated that this may be because victims were considered 'too vulnerable' to receive criminal justice services, but 'not vulnerable enough' to receive safeguarding services. This effect was observed to some extent in the sample in cases MCI/33 and MCI/34 (see para 6.4.2). This calamitous situation of 'double jeopardy' (Sin et al., 2009, p.56), of being "neither here nor there;... betwixt and between" (Turner, 1995, p.1) is not something new, described aptly by Murphy (1987) in the following terms:

The disabled spend a lifetime in a... suspended state. They are neither fish nor fowl; they exist in partial isolation from society as undefined, ambiguous people (Murphy, 1987, p.112).

Viewed separately, the response of the police and the subsequent response of the local authority may be simply seen as examples of the how disabled people are treated as part of their everyday lives (Abberley, 1987; Young, 1990; Perry, 2008). However, this process of what could be termed institutionalised disavowal is important in terms of responses to mate crimes because it has the effect of denying justice to disabled people. In 2009 the EHRC warned that safeguarding adults processes were leading to a “blurring of responsibilities between social care agencies and the criminal justice sector” (Equality and Human Rights Commission, 2009, p.10). At that time they suggested that the original Safeguarding Adults guidance, *No Secrets* (Department of Health, 2000), had “led to a vacuum of responsibility, with disabled people falling between the cracks” (EHRC, *ibid*) and they believed that the recently-completed review of safeguarding adults processes (Department of Health, 2009) would provide an “important opportunity to better align the two sectors” (EHRC, *ibid*). However, evidence from this study would suggest that this alignment still has some way to go before the responsibility vacuum is eliminated.

Yet, as the interviews further revealed, this was not the only potential negative aspect of the safeguarding process identified by the interview participants. Some of the interviewees, when referring to cases which had in fact been followed up, identified that there was a tendency for the local authority to respond to concerns by resorting to a practice of ‘re-homing’ of the disabled person who was the victim of crime (see para 7.4.3). Although attractively pragmatic, the notion that any person should be obliged to move house to avoid being a repeat victim of crime is one which would rightly be rejected by the public at large. On this basis, the safeguarding practice of ‘re-homing’ appears to be a further example of disabled people experiencing double jeopardy (Satz, 2009; Sin et al., 2009) in that the victims appear to be not only getting a lesser standard of justice to that of non-disabled people, but also being obliged to move house as well. Yet, despite the clear risk of ‘re-homing’ being considered a form of disablism (Campbell, 2009; Scott, 2014), other interviewees with

experience of safeguarding cases seemed to accept that this was an acknowledged and accepted practice in the treatment of some disabled people.

8.3.3 Criminal justice outcomes

The evidence so far in this section has focused on the various ways in which hate crimes can be diverted from the process of criminal investigation – these have included victims' reluctance to report, a lack of recognition of disabled people, institutional disavowal and cases being processed as safeguarding enquiries.

Table 7. 6 in the previous chapter provided an overview of how these types of effects might actually be expressed in terms of statistics related to disability hate crimes. Although there are no official statistics in relation to hate crime outcomes, the data in Table 7. 6 is nonetheless informative as it relates to hate crimes' parent category of disability hate crimes. It is worth noting that, although the above CPS performance figures regarding outcomes for disability hate crimes in 2015/16 showed an overall increase compared with the previous year's performance for the disability strand of hate crime, these figures are still considerably lower in all respects than the other hate strands of race and religion, trans and homophobic, both in terms of conviction rate and sentence uplifts (Crown Prosecution Service, 2016, pp.13,18). However, it is the sheer scale of the depreciation of justice that is most significant. As the table shows, for the most recent (and best performing) year of 2015/16, only 707 cases of an estimated 70,000 disability hate crimes resulted in convictions. These convictions related to a range of offence categories, almost half of them for assault but also theft, public order, etc. (ibid, p.32). As there is no specific offence of committing a disability hate crime (see para 3.3.3), the only current legal means is for the court to issue an enhanced sentence under Section 146, Criminal Justice Act, 2003. However, of these 707 cases, the above figures show that only 11.9% of them received enhanced sentences at court in recognition of their perceived status as disability hate crimes. When that percentage is translated, the figures suggest that only eighty-four of an estimated 70,000 disability hate incidents were recognised as disability hate crimes by the court in 2015/16.

However, the lack of cases subject to enhanced sentencing is not solely the responsibility of the police. For, under Section 146, the law states that the sentencing court must be satisfied that an offence was motivated by hostility. However, hostility is not defined under the Act (see para 4.1.2) and hence is open to interpretation. In respect of this, Peter, the CPS commentator and one of the key stakeholders interviewed, acknowledged that the law appeared to struggle to recognise the concealed hostility of some disability hate crimes, which he described as “slippery”, stating that it “very often isn’t in your face hostility like race and homophobic hate”. In terms of mate crime, the familiarity aspect of mate crime means that it is much easier to offend against individuals where supposed friendships can be easily exploited, but paradoxically it appears that familiarity can mask hostility in terms of the law. Consequently, mate crimes might more often be overlooked compared with other hate crimes due to the potential obscuration of the hostility underlying the offending and the blurring of consent. In some respects, Peter acknowledged this way of thinking when he said: “when you’re talking about hostility... in the context of disability hate crime, it can very often be a befriending approach”. This tendency has been previously identified by Stanko (2001, p.319) in her observation that “intimacies and friendships often obscure our ability to see relational advantages/disadvantages”.

Figures such as those in Table 7. 6 are unlikely to improve the confidence of disabled people and could be seen as symptomatic of the ‘vicious circle’ referred to earlier (Garland and Chakraborti, 2012). This has contributed to lower levels of reporting which have been accompanied by an institutional response which could be said to lack effectiveness. This has been influenced by a combination of factors, but particularly an over-focus on vulnerability, which has led to cases of offence obscuration including the potential for victim-blaming, blurring of consent and diagnostic overshadowing. At a more corporate level, confusion over institutional responsibility has created the potential for disavowal of individual cases and victims. However, perceived institutional ineffectiveness can also have the incremental effect of adding to the relational disadvantage of a disabled person and can then also become part of localised knowledge thereby increasing situational opportunities for perpetrators (see Figure 8. 1).

8.4 Summary

Mate crimes may well be “old fashioned crimes” as claimed by Audrey, one of the disabled people’s representatives. However, this does not necessarily mean that Audrey was also right when she refuted the concept of mate crime in her interview and argued that “we don’t need another name for this”. Her opinion that the concept of mate crime is unnecessary is an assertion to which some convincing evidence to the contrary has been presented over the course of this thesis⁵⁹. The concept of mate crime had already been previously contested to some extent, with some observers arguing that it did have conceptual value (Thomas, 2011, Landman, 2014) whilst others have argued to the contrary (Thornycroft and Asquith, 2015). Perry (2013, p.48) has suggested that it is “terminology that could take us in the wrong direction” on the basis that she believes that “it is likely to be regarded with bewilderment by the criminal justice system” (ibid, p.48). The reality of course is that confusion and bewilderment appear to be occurring as a result of institutional approaches (benign or otherwise) which seem to have had the effect of suppressing understanding of this phenomenon. This has led to the situation where the social construction of mate crime has been heavily influenced by the attitudes and responses of the institutions involved in addressing it. For example, the fact that police policy⁶⁰ states that mate crime “is a term used by some people... [but] is not recorded nationally” (College of Policing, 2014, p.26) is likely to have been the reason why there was very little mate crime data gathered from the survey of all police forces. It would appear that the police’s policy of declining to engage with the issue has meant that there is no direct access to any records which might otherwise have been categorised as mate crimes.

Institutional approaches appear to have also had a wider impact on social conceptualisation of the phenomenon. Indeed, the repudiation of the concept of mate crime at an institutional policy level appeared to be reflected in the views of some of the interviews with key stakeholders. Notwithstanding the confusion

⁵⁹ In fact, by comparison, one might think of a term such as domestic abuse as being similarly conceptualised and subsequently put to very effective use as a means of understanding “old fashioned crimes” of assault, etc. against women.

⁶⁰ It may be recalled that the Crown Prosecution Service (2014, unpaginated) also adopted a similar policy “not... to use this phrase as it may introduce further confusion”.

it creates, the more serious difficulty with this position is that not only does it lose the potential opportunity to understand the phenomenon of mate crime, but it may also undermine recognition, reporting and recording by the appropriate institutions. Indeed, as the evidence from the three studies showed, the reluctance of institutions to accept the concept of mate crime seems to be the foundation of a bigger disconnect between the abuse and exploitation of disabled people and the appropriate level of institutional response. As has been pointed out by Barbara Perry (2001), crime itself is culturally contingent and even legal definitions can be inconsistent. It has been suggested (Perry, 2001; Roulstone et al., 2011; Hall, 2013) that this cultural effect is even more pronounced in respect of hate crime, in that the interpretation of what constitutes hate crime offending can differ dramatically between jurisdictions. The evidence from this study would suggest that institutional disavowal of the existence of mate crime, does not mean that it is not happening to disabled people, it just means that the lack of a social construct upon which to hang mate crime incidents means that very little has been done about them.

However, lack of institutional recognition of mate crime (corroborated to some extent by the finding that inadequate and incomplete records are kept by police in relation to their formal contacts with disabled people) did not prevent this study reaching some significant conclusions. The lack of records meant that it was impossible to provide an accurate count of the number of mate crimes, but the study estimated that disabled people in England and Wales could be experiencing as many as 16,500 mate crime incidents every year. In terms of the nature of mate crime, the study found that victims typically live alone in deprived areas of towns and exploitation often occurs at the hands of local people, some acting in groups, who may use purported friendship to gain access to the victim's home based on localised knowledge about the victim's circumstances. It appears that victims may be targeted not just because they are different, but also because of perceived relational disadvantages sometimes related to their impairments. Familiarity is then typically further used as a means of committing offences, including thefts, damage, harassment and sexual abuse. If left unchecked, exploitation can escalate into forms of serious violence, including murder.

In respect of institutional effectiveness, the study indicated deficiencies not only in the police, but in the response of CPS and the courts and the multi-agency responses provided by Safeguarding Adults procedures. In terms of the police, fieldwork evidence suggested that they have tended to provide informal and inconsistent responses to mate crime incidents, sometimes focusing on victims' impairments rather than providing solutions to the reported concerns. In addition, police delegation of responsibility to the multi-agency approach of adult safeguarding, accompanied by informal judgements over disabled people's capacity and consent appear to have led to an obscuring of reported incidents and an ineffective response.

Reflecting on the process of the study, the survey of police forces offered very little data on the extent of mate crime offending. However, it did convey an insight into police recording practices in relation to contacts with disabled people. This information in turn helped in understanding institutional responses. Likewise, although the material gathered during the case study within Alpha Police did offer some rich data in relation to the nature of mate crime, the samples were not randomised and nor were they sufficiently large enough to provide wider generalisability or inference. Notwithstanding this, they did also give an indication of the extent of mate crime and provide the opportunity to estimate its extent. Similarly, it could be said that the interviews with key stakeholders offered only a very subjective analysis. However, as can be seen from the above and the earlier chapter, the comments of interviewees were truly valuable in offering insights into how institutional processes work in respect of disabled people. These insights then led to a greater theoretical understanding of this subject. Future researchers of this subject area might choose to elaborate on this study by considering a better option for accessing mate crime data held by police and other institutions and by engaging more closely with mate crime victims as a source of data.

8.4.1 Summary of key findings regarding the nature of mate crime

The list below provides a summarised list of the key findings discussed above and elsewhere in relation to the nature of mate crime. For ease, it is divided up into self-explanatory categories.

Mate crime model

- The effects of disability result in disabled people experiencing greater poverty, deprivation, isolation, etc. compared with others within society. These effects are supported by societal attitudes which maintain the “precarious hierarchies that characterise a given social order” (Perry, 2001, p.10). The effects emphasise the perceived power of non-disabled people and provide the grounds for prejudice through the “tightly woven” values of society (Iganski, 2008, p.121). Specific impairments of victims (or the needs arising from them) then act in addition to disability effects to expose individual vulnerabilities (Garland, 2015) and thereby provide perpetrators with the opportunities for familiarity, friendship and exploitation. Familiarity is then used as a vehicle for repeat offending and escalation of the abuse. Familiarity also acts to deflect institutional and other involvement and serves to undermine allegations of criminality.

Victims

- As anticipated, victims of mate crime tend to be male - almost two thirds of the sample of mate crime in the case study. People with learning disabilities were most represented as victims and there was a clustering of victims around the age range 40-59 years. This unusual finding that victims emanated from an older age range may be due to the possibility that victims who are intent on avoiding the stigmatisation associated with being labelled may attempt to put off “coming out as a disabled person” until as late in life as possible.
- In some of the cases there was evidence that it may have been the specific impairments of individuals which were influential in their victimisation. Impairments appeared to have the effect of reducing the likelihood of the victim preventing or detecting abuse. E.g. the suspect was able to “barge into” the victim’s house and search for his wallet without the victim being able to prevent this intrusion.
- In a more indirect way it appeared that the care needs arising from impairments were exploited by suspects as a means of initiating familiarity e.g. the case of the suspect “making out” that he was helping

Suspects

- The likelihood of the commission of crimes falling with age has been referred to as “one of the few certainties in criminology” (Farrall, 2010, p.11), but less

than half of the suspects in the sample (48%) were under the age of thirty and only 14% were under the age of eighteen. This may be due to the fact that people of all ages engage in hate crime as a result of a social and economic environment resulting in prejudice which “permeates entire communities” (Sibbitt, 1997).

- Suspects tended to be male, although over half of the cases in the sample involved co-offending by more than one suspect. There was a suggestion that the motivation for some cases of co-offending may be explained by reference to local groups of perpetrators engaging in anti-social “thrill-seeking” (McDevitt, Levin and Bennett, 2002, p.308).

Situational aspects

- Evidence suggested that the majority of hate crime victims tend to live alone and many offences occur in the victim’s home (see previous Table 6. 7). There was some evidence to suggest that the isolation of disabled people contributed to feelings of loneliness.

- Almost two thirds of the incidents in the case study were situated in the top twenty per cent of deprived wards in the UK and the majority occurred in urban areas. These findings would suggest that hate crimes are linked to deprivation. Disabled people are more likely to be poor and hence more obliged to live in deprived areas where they are then more likely to be targeted.

- Feelings of victim fear were alluded to in eleven of the sixty-two cases. However, unlike loneliness, it would appear that fear is a consequence of exploitation rather than a cause.

- Alcohol was found to be referenced in nineteen of the sixty-two cases and reporting officers tended to link the victim’s drinking with their impairments, possibly because disabled people should not be seen to be in breach of their ‘sick role’ (Parsons, 1951).

Familiarity

- Suspects purported to be helping the victims. In other cases, however, it was the victim who had initially demonstrated friendliness towards the suspect. However, the evidence suggested that the friendship and familiarity expressed appeared to be merely superficial.

- Disabled people were targeted in their own homes and that the home environment provided a greater opportunity for familiarity and the normalisation of abusive practices (Horvath and Kelly, 2007).
- Locals appeared to assume familiarity with disabled people - as evidenced by Simon's references to "there is one in every village... just ask the kids". This was suggestive of an effect referred to as "localism" (Garland, 2010, p.167), whereby whilst societal attitudes towards disability acts as grounds for prejudice, it is other more individualised victim factors which act as opportunities for singling out targets.
- Pseudo-friendship appears to be influential in allowing repeat incidents to occur and for exploitation to escalate. E.g. the example of harassment for money occurring "on a daily basis".

Prejudice and hostility

- The contention of this thesis is that the disabled people in each of these cases were targeted as victims of mate crime incidents on the basis on their identity, given the long history of discrimination experienced by disabled people.
- There were very few examples of a hostile "utterance" or other "indication of hostility towards the victim" (Crown Prosecution Service, 2017a, unpaginated). Instead, the actions of perpetrators appeared to indicate contempt towards their victims who wanted their friendship.
- The disregard for social norms shown in some of the cases (such as 'barging in' to the homes of disabled people, removing property, providing unrequested bogus help, etc) were examples of perpetrators assuming social dominance over victims whereby little overt hostility was required. Indeed, some of the subsequent interviewees suggested that mate crime could be understood by reference to a perpetrator's desire to demonstrate power or control over others, with one observing that, as a perpetrator, "you can almost build your self-esteem by violence or by being powerful over somebody else.

Exploitation

- In respect of financial exploitation, the thirty-three cases represented just over half of the sample and demonstrated that it was the most frequent form. In some cases, victims appeared to be motivelessly parting with valuable property.

The fact that money changed hands in the form of loans, payments or gifts allowed perpetrators to blur the exploitative nature of their activities.

- The sample also revealed cases of “cuckooing”⁶¹.
- In relation to sexual exploitation, suspects tended to act alone. Most of the victims were women. The lone suspect aspect of these cases may be explained by reference to the intimate nature of the offences involved. The study also suggested that the intersectional aspect of these cases allowed perpetrators to manipulate issues of consent more easily.
- In such a way, it was noted that offence obscuration did not just occur in relation to sexual exploitation (e.g. whether victims truly consented to sex), but could be said to be a characteristic of other types of mate crime offending (e.g. whether missing property could be construed as a loan, gift, etc; whether the victim was genuinely allowing access to their property to groups, etc.)
- The study showed that emotional abuse (minor damage, harassment, anti-social behaviour, etc) tended to be committed by groups and hence could be typical of “thrill-seeking” behaviour previously identified by McDevitt, Levin and Bennett (2002). This form of abuse still appeared to have significant impact, generating fear and anxiety amongst victims.
- In respect of violence, there was some evidence from the few police reports within the sample which suggested that violence tended to occur after a relationship had been established. It was suggested that violence might tend to occur when perpetrators are secure that a level of physical exploitation will be tolerated by the victim to keep people “in line”. If this hypothesis is true, then this would imply that perpetrators would only use violence if they anticipated that it was unlikely to be pursued with the authorities. This may explain how a significant number of mate crime cases have led to homicide following chronic abuse and violence.

⁶¹Whereby a perpetrator takes up some form of regular occupancy of a disabled person’s home, appearing to offer help, but really with the intention of getting access to food, clothes, drugs or benefits.

8.4.2 Summary of key findings regarding institutional responses

Likewise, the study also provided some interesting findings in relation to the institutional responses to disabled people who are victims of mate crime. The following is a summarised overview of those key findings in the form of a list. The list begins with a brief summary of what the interviewees thought about how disabled people are treated within society and then focuses upon institutional responses to victims.

Disabled people

- The evidence supported the notion that society's treatment of disabled people was unfair. One interviewee described disabled people being treated like "second class citizens".
- It was noted that the institutional perception of the expectations of disabled people was complicated by the fact that disabled people do not operate within society as a homogenous group. Evidence suggested that this was not only due to intra-group differences, but also the notion that some disabled people were choosing not to identify themselves as such. These difficulties in identifying disabled people could be used as a means of explaining some of the attrition which occurs in relation to the reporting and recording of hate crime against disabled people.
- Despite the current view of the police that references to disabled people as 'vulnerable' may be a useful generic concept for addressing risk, it was found that the label 'vulnerable' can have stigmatising and other negative effects. It was also found that, notwithstanding its stigmatising connotations, its use tended to mask and hide the complexities of cases. For instance, it was suggested that vulnerability to mate crime may arise precisely because perpetrators are aware of the ineffectiveness of institutional responses.

Police response

- Official figures for the population at large for the year in question suggest that 12.9 million (twenty per cent) of the population "reported a disability" in 2014/15 (Office for National Statistics, 2013, p.7). However, the findings from the survey showed that the police have little accurate information as to the nature of

incidents⁶² in which disabled people are involved. Only nine (22%) of the forty-one forces who returned figures in relation to the logging of incidents were in a position to provide data in relation to how many of these incidents involved disabled people. The total of 31,125 incidents involving disabled people in England and Wales represented only 0.48% of the total of 6,498,474 incidents dealt with by these nine forces.

- Only two of the forty-three forces surveyed claimed to be able to provide any statistical information about hate crime, whilst no information could be obtained about the number of disabled people who had been unlawfully killed over the year. It would appear that no record is kept in relation to this information.
- However, the evidence suggested that inadequacies could not be attributed solely to a national reluctance to pursue policies. The inconsistent response of the police was described as a “postcode lottery” and the result of poor leadership allowing a culture whereby the police were able to put disability hate crime in the ‘hard to do’ box.
- Evidence suggests there is a cultural pressure within the police to under-record crime and this may explain why the police may treat it as the “disability that has to be dealt with rather than the crime” (Joint Committee on Human Rights, 2008, p.69). This might explain why cases involving disabled people might not be dealt with as crimes, but instead are diverted into alternative routes such as safeguarding.
- One interviewee raised the more significant possibility that the poor performance in relation to disability hate crime might be a consequence of “unconscious bias” within the organisation. There is evidence arising from this study that did not fully confirm this suggestion but, if it proved to be correct, it would be suggestive of a form of institutional disability.
- Concern was expressed by some interviewees that police were failing to recognise hate crime, thereby missing opportunities to prevent crimes and apprehend perpetrators. In this respect, there was an occasional tendency noted in the case study whereby the outcome of a case appeared to be influenced by the informal opinion of others (for example, the casual moral

⁶² Calls to the police from the public requesting assistance.

judgements of the officers themselves or support workers). This could be seen as institutional disavowal, a form of victim-blaming, whereby responsibility for the situation appeared to be delegated back to the alleged victim and the risk to the victim appeared to be left unresolved.

- Incidents from the case study suggested that potential perpetrators were able to exploit their victims whilst at the same time deflecting the attentions of the authorities by minimising the criminality and blurring issues in relation to consent.
- Interviewees were able to refer to anecdotal examples of police practice which might actually suggest lack of recognition of hate crime was intentional. For instance, reference was made to a police practice of peremptory closure of an initiated enquiry by avoiding the formal recording of an incident on an official database.
- In addition, there was a suggestion of a lack of victim confidence in the police. E.g. In the case study, it was found that victims appeared to be reluctant to make contact whereby, in only fifteen of the sixty-two cases (24.2%) did victims contact police personally in the first instance.

CPS, the law and the courts

- Figures are still considerably lower in all respects than the other hate strands of race and religion, trans and homophobic, both in terms of conviction rate and sentence uplifts (Crown Prosecution Service, 2016, pp.13,18), with probably only eighty-four cases of an estimated 70,000 disability hate incidents recognised as disability hate crimes by the court in 2015/16
- Although interviewees were supportive of the consultative approach of the CPS, it was suggested that this did not appear to have led to any improvement in the actual outcomes for disabled people.
- Of the disabled people who expressed an opinion, none appeared to be satisfied with the response of the courts in relation to disabled people who were victims of crime
- Most (but not all) of the interviewees who offered an opinion on Section 146 Criminal Justice Act, 2003 (see para 3.4.1) expressed the view that it did not appear to be adequately addressing the situation. There was concern

expressed about the disparities in the law between hate crime strands such as racist hate crimes compared to disability hate crimes. Some interviewees asked for parity.

Safeguarding

- In general, the view coming from the group was that Safeguarding Adults processes were a good idea in principle. However, the practicalities of safeguarding were queried by a number of interviewees, particularly in respect of the relationship between the local authority and the police and it was suggested by one that safeguarding is “a process where professionals come, offload an obligation... and walk away and do nothing”.
- The results from the survey suggested that, contrary to expectations, safeguarding adult incidents are recorded as crimes by the police at a lesser rate than general incidents despite the fact that safeguarding incidents are specifically about abuse whilst general incidents relate to all aspects of police involvement with the public. This may be an example “diagnostic overshadowing” (Sin, 2013), the misapprehension that disabled people should receive therapy at the expense of justice.
- Safeguarding arrangements appeared to offer a number of opportunities for disabled people to “fall between the cracks” (Sin et al., 2009, p.90) in terms of institutional support. The “blurring of responsibilities between social care agencies and the criminal justice sector” (Equality and Human Rights Commission, 2009, p.10) meant that there was a lack of enforcement by the police and a tendency to refer cases to the local authority without any form of filtering – further evidence of “diagnostic overshadowing” (Sin, 2013).
- The above situation led to a position whereby one interviewee, a safeguarding manager from a local authority, described police referrals as “white noise”. In such a way, disabled people who are victims of crime can be in a situation of double jeopardy (Satz, 2009; Sin et al., 2009) - considered too needy for a police response and yet too able for a safeguarding response.
- Where cases were adopted by the local authority, the interviews revealed a tendency for safeguarding decisions to lead to disabled people being ‘re-homed’ as a way of reducing the risks to them. It was noted that this practice appears to

problematise the individual disabled person and could, in fact, be considered as institutional cooperation with victim-blaming whereby the authorities could be seen as assisting in the removal of the innocent victim from a locality whilst the perpetrators are allowed to remain.

- It was also suggested that the problematisation of disabled people, together with the threat of re-homing them into institutions also has the consequence of causing such people to avoid future engagement with the authorities. This 'vicious circle' of poor service and associated lack of victim confidence only serves to reduce subsequent reporting by victims and a consequent reduction in resources devoted to the problem (Garland and Chakraborti, 2012).

Repeat victimisation

- In forty-two of the sixty-two cases (67.7%) in the case study, there was some indication of previous hostility. This would suggest that mate crimes cannot typically be readily dismissed as one-off incidents. Opportunities for escalation may occur following exploitation of victims' desires for friendships. If each instance of exploitation goes unchecked, then this allows perpetrators to repeat exploitation and possibly escalate it, if they choose to do so.

8.5 Recommendations

This study has provided convincing evidence that mate crime is a distinct phenomenon, the conception of which offers clearer understanding of this mode of abusing disabled people. Although complex in nature, the exploitation associated with mate crimes can be seen as simply another means of offending. Hence, rather than maintaining their current position which appears to be one of marginalising the issue (see para 3.2), institutions such as the police and CPS could benefit from recognising mate crime and seeking a clearer understanding of its practice. Indeed, an understanding of the way disabled people are oppressed within society might be improved by acknowledging its existence. Improved institutional awareness of this through familiarisation with the social model of disability could be facilitated by disabled people themselves where practical. Engagement with disabled people on this issue might be improved by removing some of the barriers associated with language. For example, avoiding suggestions that disabled people are

inherently vulnerable and ensuring that the difference between impairment and disability is understood. Likewise, the potentially objectionable connotations of the term 'mate crime' could be avoided by substituting it with something like 'bogus befriending' or a more formal term. Given that this is a crime which this study suggests is predominantly perpetrated against disabled people, it may be considered most appropriate that disabled people should decide how it should be termed. However, in the absence of any commitment from elsewhere, I would recommend that the term *exploitative familiarity* should be adopted as a formal alternative to the term 'mate crime'.

Awareness training could then be the means to introduce some practical changes including wider recognition and recording of formal contacts with disabled people. To achieve this, agencies including the police and CPS might seek to comply with the recent EHRC recommendation that "data systems in these agencies are able to record whether the victim is a disabled person" (Equality and Human Rights Commission, 2011, p.167). In addition, the evidence from this study would suggest that the police need to ensure not only that their involvement with disabled people is recorded, but also that incidents of mate crime and other crimes against disabled people are catalogued for what they are – crimes - and given the proper response. They also need to have regard of the possibility that unchecked and unrecognised mate crimes could end up as homicides. In this regard, one area of attrition within police systems is worthy of particular attention - those cases identified as adult safeguarding issues. At an early opportunity, police managers should ensure compliance with the *Care and Support Statutory Guidance* accompanying the Care Act 2014, which states that "all agencies should keep clear and accurate records" (Department of Health, 2017, unpaginated). However, the keeping of accurate records should be regarded as the first step. Safeguarding Adult cases need to be carefully monitored to reduce the attrition of cases through diagnostic overshadowing, double jeopardy and the influence of institutional disavowal. Measures should be put in place to ensure that disabled people have the same access to justice as the rest of society. Whether mate crimes are recorded as hate crimes or safeguarding adult cases or both, there should be no dropping between the institutional cracks (Murphy, 1987; Shakespeare, 1994; Turner, 1995). More practically, police officers (particularly those working in the types of

communities or investigative fields where mate crimes might occur) need a greater understanding of the nuances of mate crime including the significance of disabling prejudice and the influence of psycho-emotional and impairment effects and how these can cause relational disadvantages which become part of localised knowledge and may create situational opportunities for potential perpetrators.

In terms of the law, if some of the above measures were applied, then they might serve to limit the rate of attrition of disability hate crimes and thereby potentially increase the minor proportion of disability hate crime cases formally prosecuted by the courts in recent years (see Table 7. 6). To do so might thus avoid the situation where it appears that the provisions of enhanced sentences for disability hate crimes still “remain a symbolic pledge to equality that fails to tackle the complex and deep rooted causes of violence and oppression in modern society” (Perry, 2008, p.19). However, a change in the interpretation of hostility might also act as a means of improving the prosecution of hate crimes against disabled people. This was suggested as a possibility by Peter, the CPS commentator in his interview such that the wording of Section 146 would reflect the definition of hate crime agreed by the CPS and police nationally (College of Policing, 2014) by extending it to include prejudice as well as hostility. As Peter pointed out “if you extended it to prejudice, you could also move the goalposts slightly” and thereby provide “some kind of room for improvement”. If this was done, it might reduce the likelihood of a “legal misunderstanding of hostility and vulnerability as opposites” (Roulstone and Sadique, 2013, p.26). In such a way, this could also help avoid the current “deep and avoidable confusion and potential injustice” (ibid) to disabled people.

Alternatively, it may be that a new law could be introduced based on “discriminatory selection” models used in other jurisdictions in Europe and North America (Office for Democratic Institutions and Human Rights, 2009, p.48), where proof of hostility is not necessarily required. This model might be particularly relevant to the prosecution of mate crimes as it has been described as the type of legislation “for which the notion of vulnerability is especially well suited” (Chakraborti and Garland, 2012, p. 508). This suggestion would be consistent with prevailing hate crime theory (Jacobs and Potter, 1998 Green et al., 2001; Craig, 2002), by recognising that disabled people are targeted

because they are different and because perpetrators see that difference as an opportunity (Chakraborti and Garland, 2012). Such an approach would be more inclusive of offending modes such as mate crime and might also be consistent with the interpretation of prejudice/hostility adopted in this study.

In any event, if the law were to reflect a greater understanding of the targeting of disabled people as victims of hate crime, this may increase convictions and thereby improve the confidence of disabled people. These issues might well warrant consideration as part of any future review of hate crime legislation in England and Wales. It is recommended that The Law Commission (2014) may consider how hostility might be more widely interpreted to reflect how the oppression of disabled people leads directly to their exploitation through the likes of mate crime.

The above recommendations are the more significant ones that have arisen in relation to the findings of this study. In terms of the outcomes of the study itself, however, there were also areas for reflection. This study did not seek to address the question as to what extent mate crimes occur to those who are not disabled people and this might be something considered by any future studies. In addition, a closer analysis of the roles of both the CPS and Adult Safeguarding might be of future benefit as would a study involving mate crime perpetrators and one which could capture the experiences and views of victims of mate crimes.

8.5.1 Summary of key recommendations

The following is a summarised overview of the key lessons arising from the recommendations discussed above. It is divided into self-explanatory categories depending on the background of the reader but it begins with some key lessons for all who come across this thesis.

For all

- Recognition of the significance of mate crime as a means of hate crime offending targeted against disabled people. Mate crime offences can take many forms including theft and offences of dishonesty, harassment and damage, sexual offences and other forms of violence including unlawful killing.

- The potentially objectionable connotations of the term ‘mate crime’ could be avoided by substituting it with the informal term ‘bogus befriending’, whilst the term *exploitative familiarity* should be adopted as the formal alternative.
- Acceptance that, based on the only current estimate available, the number of mate crimes throughout England and Wales could amount to 16,500 mate crimes per year on average.
- Recognition of the mate crime model (see para 8.2.6) as a means of providing a theoretical understanding of how mate crime operates.

The academy

It is recommended that scholars be mindful of the following:

- Mate crime is a distinct phenomenon, the conception of which offers clearer understanding of this means of abusing disabled people
- In terms of disability studies, the existence of mate crime as a form of disablist abuse can be explained by reference to the social model of disability and the oppressed position of disabled people in society.
- Deprivation and social isolation have long been of concern amongst disability activists and have been interpreted as significant factors in the oppression of disabled people (UPIAS, 1976; Murphy, 1987). These may be factors in the targeting of one disabled person as opposed to another. However, this study found that this may be accompanied by a variety of situational factors, including impairment-related issues and victim psycho-emotional factors such as loneliness, as well as others.
- From a hate crime studies perspective, mate crime can be explained in similar terms. Its existence as a form of prejudice is predicated on historical legacies which create hierarchies of power (Perry, 2001) in society. Targeting of specific victims then occurs as a result of perceived relational disadvantages (Stanko, 2001), also referred to as individual vulnerabilities (Garland, 2015), including the victims’ impairment, or psycho-emotional state as well as, from a wider perspective, factors such as the likely institutional response to the abuse.
- In relation to the issue of the vulnerability of disabled people, the evidence from this study would tend to reject the idea of the inherent vulnerability of disabled people on the grounds not only that it “is a socially constructed entity

that oppresses people with disabilities” (Burghardt, 2013, p.556), but also that its generic interpretation is acting to interfere with the institutional response to mate crime. It is recommended that the use of the term vulnerability should be used cautiously and moreso to suggest “a broader range of factors than singular conceptions of identity” (Chakraborti and Garland, 2012, 507).

- Familiarity and/or purported friendship are essential aspects of mate crime. It would appear that the presence of friendship and familiarity in mate crimes helps to contribute to blurring the issue of victim consent and hostility (Stanko, 2001; McCarthy, 2010). Ordinary acts of help and support, (Chakraborti and Garland, 2012) act to limit the response of institutions by obscuring the ability to see relational disadvantages (Stanko, 2001)
- In some communities, locals appeared to assume familiarity with disabled people and the presence of disabled people may be common knowledge. This “localism” (Garland, 2015, p.8) in the form of shared community knowledge can be used to facilitate the commission of mate crimes
- The study supported the observation that people with intellectual disabilities are particularly vulnerable to sexual abuse (Bruder and Kroese, 2005, p.13). There was evidence that mate crimes involving sexual offences created difficulties in “drawing a line between consented and abusive sexual experiences” (McCarthy, 2010, p.34).
- Given the above, it is clear that the prejudice and/or hostility manifest in disability hate crime presents itself in a less-obvious way to other forms of hate crime.
- In terms of institutional responses, theorists need to be aware of the significance of concepts such as putting protection before empowerment (Dunn et al., 2008; Roulstone et al., 2011; Brown, 2012), diagnostic overshadowing (Sin, 2013), double jeopardy, and institutional disavowal.

Legislation

- CPS need to put in measures to limit the rate of attrition of disability hate crimes and thereby potentially increase the minor proportion of disability hate crime cases formally prosecuted by the courts.

- A change in the interpretation of hostility might also act as a means of improving the prosecution of hate crimes against disabled people. This could be achieved by extending it to include prejudice as well as hostility. If this was done, it might reduce the likelihood of a “legal misunderstanding of hostility and vulnerability as opposites” (Roulstone and Sadique, 2013, p.26).
- Alternatively, it may be that a new law could be introduced based on “discriminatory selection” models used in other jurisdictions in Europe and North America (Office for Democratic Institutions and Human Rights, 2009, p.48), where proof of hostility is not necessarily required. This model might be particularly relevant to the prosecution of hate crimes as it has been described as the type of legislation “for which the notion of vulnerability is especially well suited” (Chakraborti and Garland, 2012, p. 508).
- These issues might well warrant consideration as part of any future review of hate crime legislation in England and Wales.

Policy

- The CPS and police should reverse their current marginalising approach to hate crimes (see para 3.2 and seek a clearer understanding of its practice. This may then reduce the effect of the ‘vicious circle’ of poor service and lack of confidence by victims.
- Policy needs to reflect that disabled people are not “shirkers and scroungers” (Garthwaite, 2011, p.369), but are an oppressed within society. This may then lead to a greater understanding of the targeting of disabled people as victims of hate crime, thereby increasing convictions and improving the confidence of disabled people.
- Policy needs to avoid putting protection before empowerment and to be aware of effects such as diagnostic overshadowing and double jeopardy.
- Policy needs to reflect that familiarity can mask hostility. Consequently, hate crimes might more often be overlooked compared with other hate crimes due to the potential obscuration of the hostility underlying the offending and the blurring of consent.
- Police have little accurate information as to the nature of incidents in which disabled people are involved. Institutional responses to hate crime are likely to

be hampered by the lack of accurate information held by police forces. Policy needs to reflect that records should show when disabled people are the victims of crimes

- There appears to be no efficient way of finding out whether any disabled people have been victims of homicides. This needs to be addressed as a matter of urgency.
- Policy needs to improve the inconsistent response to disabled people and remove the postcode lottery and ensure that disabled people have the same access to justice as the rest of society.
- Measures should be put in place to ensure that all mate crime cases are flagged or recorded separately and that quality assurance measures are in place to prevent under-recording. Once an accurate picture of mate crime is obtained, then efforts should be made to genuinely reduce actual repeat victimisation of disabled people – not by simply failing to record cases.
- Whether mate crimes are recorded as hate crimes or safeguarding adult cases or both, there should be no dropping between the institutional cracks (Murphy, 1987; Shakespeare, 1994; Turner, 1995). As a start, enquiries need to be made as to why the police may be ‘criming’ safeguarding adult incidents at a lesser rate than general incidents.

Practice

- Practices should exist whereby the alleged abuse of disabled people is given due consideration by both the police and the local authority and should not be relegated to being a traffic of “white noise” between the two agencies.
- Awareness training should occur which, as well as providing an understanding of mate crime, should familiarise professionals with the social model of disability and associated issues.
- The police need to ensure not only that their involvement with disabled people is recorded, but also that incidents of mate crime and other crimes against disabled people are catalogued for what they are – crimes - and given the proper response.
- Police also need to have regard of the possibility that unchecked and unrecognised mate crimes could end up as homicides

- Professionals should recognise alcohol abuse by victims may be a symptom of abuse rather than a cause
- Professionals involved in safeguarding cases should consider prosecuting or re-homing perpetrators rather than victims
- As regards cases identified as adult safeguarding issues, managers should ensure compliance with the *Care and Support Statutory Guidance* accompanying the Care Act 2014, which states that “all agencies should keep clear and accurate records” (Department of Health, 2017, unpaginated).
- Safeguarding Adult cases need to be carefully monitored to reduce the attrition of cases through diagnostic overshadowing, double jeopardy and the influence of institutional disavowal and victim-blaming

There was evidence from this study to show that disabled people remain as “the forgotten victims of violence” (Fuller-Thomson and Brennenstuhl, 2012, p.1573) and that disability hate crime is still “...the hate crime that has been left behind” (HMCPSI et al., 2013, p.5). A better understanding the concept of hate crime and application of the above key recommendations may go some way to redressing this situation and thereby improving the lives of disabled people.

Appendix A

Freedom of Information request

Dear Freedom of Information Officer,

I am a researcher from Leeds University currently conducting a study exploring the phenomenon of 'mate crimes' against disabled people (see <http://www.sociology.leeds.ac.uk/people/students/doherty>). Mate crimes have been construed as a form of hate crime and, for the purpose of this study, a mate crime can be defined as: any criminal offence which exploits apparent mutual friendship or familiarity and which is perceived, by the victim or any other person, to be motivated by a hostility or prejudice based on a person's disability or perceived disability

Research suggests that mate crimes can take many forms including homicide and sexual offences as well as more common offences of harassment and acquisitive crime. There is currently no obligation for mate crimes to be recorded as a specific crime category, and hence there is a likelihood that mate crimes may not be comprehensively categorised. This piece of research is seeking, amongst other things, to establish the extent of mate crime offending. To this effect, under the Freedom of Information Act 2000, I am writing to request anonymous information from your records. I would be grateful if you could respond to the five question sets (see below, or attached forms) in relation to your records covering the fiscal year from the beginning of April 2014 until the end of March 2015.

The first four sets of questions seek anonymous aggregated general data on a number of ways in which police may record contacts with disabled people including 'mate crimes' (if recorded), incidents involving disabled people (if recorded), safeguarding incidents, and disability hate crimes. This is then accompanied by a final more detailed, but still anonymous data request which asks for a breakdown of the disability hate crimes for the year in question in terms of a list of the specific offences which have been recorded. It also asks in how many of the cases were the parties known to each other. To assist, I have also attached an example of the type of information required, and a separate glossary outlining the definitions of some of the terms used in the survey.

In order to try and make this process as easy as possible, I have attached the questions in two alternative forms. In answering the questions you may choose to respond by completing the questionnaire at the end of this e-mail.

Alternatively, you may prefer to complete the attached two forms. Either way, please answer all questions. I would prefer to receive this data electronically (by email) but would also accept hard copies of the data to the address contained in my email signature below. Please inform me if you have sent a hard copy of the data, otherwise I will anticipate an electronic response.

If this request is too wide or unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters.

I understand that you are required to respond to my request within 20 working days after you receive this letter. I would be grateful if you could confirm in writing (email is acceptable) that you have received this request.

I look forward to receiving your response (now please refer to questions below)

Please see separate glossary for explanation of terms in italics.

Please specify the name of your police service =

- 1.1 Does your organisation record/categorise mate crimes? YES/NO
- 1.2 Please specify the total no. of mate crimes recorded, if known
- 2.1 How many incidents in total did your service record for the year?
- 2.2 In respect of all police recorded incidents, does your organisation routinely record whether the parties involved are disabled people? YES/NO
- 2.3 Please specify the total no. of all recorded police incidents involving disabled people, if known.
- 3.1 Please specify the total annual no. of recorded safeguarding adult referrals
- 3.2 How many of the referrals involved disabled people?
- 3.3 Of these, how many were people with learning disabilities?
- 3.4 How many involved people with mental health conditions?
- 3.5 How many of the total were recorded as crimes?

- 3.6 How many were recorded as disability hate crimes?
- 4.1 How many total of all hate incidents did your force record this year?
- 4.2 Please specify the total no. of all hate crimes?
- 4.3 Please specify the total no. of disability hate incidents
- 4.4 Please specify the total no. of disability hate crimes
- 4.5 In how many disability hate crimes was the alleged perpetrator known to the victim prior to the offence?
- 5. Of the disability hate crimes identified at 4.3 (above), please specify the classification (with ref to HO Counting rules and NCRS) of each crime and its frequency. Also, please record in how many of these hate crimes was the alleged perpetrator known to the victim prior to the offence?

For assistance, please refer to the example below

{EXAMPLE; if the number of disability hate crimes for the year = 17, then

6 of these may be recorded as Criminal damage, of which in 2 cases offender was known;

9 may be Harassment, of which, for example, in 7 cases offenders were known to victim;

1 may be Sexual Assault on a female over 16, offender was not known;

1 may be murder, offender was known

17 =Total, of which in 10 cases offender was known to the victim.}

Yours faithfully,

Ged Doherty

Appendix B

Mate Crime Interview Topic Guide

Participant IDNO __ __ __ __	Researcher Initials
Date	
Introduction	
I am _____ from _____	
<ul style="list-style-type: none"> ✓ Remind participant that the interview is being recorded ✓ General purpose of the study ✓ Aims of the interview and expected duration ✓ Who is involved in the process (other participants) ✓ Why the participant's cooperation is important ✓ What will happen with the collected information and how the participant/target group will benefit ✓ Any questions? ✓ Consent – ensure consent form is signed 	
(TURN ON THE RECORDING DEVICE)	
Warm up [demographic & work history]	
Can I ask some details about you and your job (Please be aware that you need only provide general details if you wish to avoid subsequent identification).	
Did you get an opportunity to read the information I sent you about mate crime?	
If not, begin interview by discussing contents of 'Mate Crime Overview'	
Now I am going to ask you some questions about the nature and extent of mate crime offending against disabled people and the effectiveness of institutional responses. I'll begin with some questions about disability hate crime in general before exploring mate crime in more detail.	
Domain	Topic and Probes
Understanding disability hate crime and current institutional responses	(If interviewee is a representative of a particular agency, begin with q1 and then progress through the other questions as appropriate. If not, go to q2)

1. Tell me what you know about **your agency's** approach to hate crime against disabled people and how effective it might be.

2. Tell me what you know about the **police** approach to disability hate crime and its effectiveness

Probe: Offer hate crime 'inclusive' definition that 'any person' may report based on perceived disability

Probe: How effective do you think the police response is/might be? Provide examples of unreported Unreported/unrecorded hate crimes (as per Crime Survey for E&W)

3. Tell me what you know about the **multi-agency Safeguarding Adults procedures**, which provide guidance on responding to adults at risk of abuse, and how effective they might be in addressing disability hate crime?

Probe: Offer Care Act 2014 definition/description and overview of 'adults at risk' if necessary

Probe: To what extent do you think these procedures provide fair access to justice for disabled people (viz diagnostic overshadowing)?

4. Tell me what you know about the current **legislation** in relation to hate crime against disabled people and how effective it might be?

Probe: provide definition and overview of enhanced sentencing provision provided by Sec 146 of Criminal Justice Act 2003. Explain the fact that the CPS have interpreted the legislation to typically require evidence of discriminatory 'utterances'

Probe: How effective do you think this legislation is/might be in protecting disabled people from hate crime?

	<p>Probe: Offer 'intentional selection' as alternative or UK Law Commission (2013) recent suggestion that the introduction of new hate crime offences could have a positive effect by sending the message that 'people with disabilities...should be treated with dignity and respect, regardless of their personal characteristics'.</p>
<p>Awareness of the nature of mate crime?</p>	<p>5. What do you know about mate crime? Probe: Offer definition/description and overview of mate crime if necessary</p> <p>6. What do you know about (your agency's) current policy/practice in relation to mate crime? Probes: What specific steps are being taken to address this type of crime targeted against disabled people? How do you decide when a victim of mate crime might need additional protection? How does this relate to what you know about hate crime and/or safeguarding policies in relation to disabled people?</p>
<p>Disability and Mate crime fundamentals</p>	<p>7. Why do you think some people might be more vulnerable to mate crime than others? Probe: Are people targeted because of something personal to them or because of the situation that they are in?</p> <p>8. How do you think disabled people are treated within society generally? Probes: What do you think about the social barriers that disabled might people experience (earnings, housing, social status)?</p>

	<p>How do you think experiences might differ between disabled people with physical impairments compared to those with learning disabilities and those with mental health issues?</p> <p>9 Why do you think some people are motivated to commit mate crimes against disabled people?</p> <p>Probes: How likely do you think it is that some people might deliberately set out to exploit people whom they believe to have some form of impairment?</p> <p>What are your views about the notion that mate crime is a result of the hostility and contempt that some feel towards disabled people?</p> <p>10. How can we ensure that disabled people are put at no more risk of harm than the rest of us?</p> <p>Probe: How can we ensure that disabled people can positively engage in with friends, neighbours and relatives within their communities in the same way as non-disabled people?</p>
<p>The Extent of mate crime and awareness of the need to change?</p>	<p>11. From your experience, how effective in addressing mate crime is the current approach (policy of your agency)?</p> <p>Probes: The police do not have accessible data in relation to the number of disabled people who contact them. Is this acceptable?</p> <p>Do you think the response of agencies should be different now that there is more evidence in relation to the impact (emotional and financial abuse) and significance (sexual and physical abuse) of mate crime?</p> <p>12. Are you aware of any weaknesses in the current response to mate crime?</p>

	<p>Probe: Have there been any changes in practice since mate crime was conceptualised in 2009?</p>
<p>The future – how responses be more effective</p>	<p>13. How do you think this type of crime can be prevented and yet disabled people can still choose to live free and independent lives?</p> <p>Prompt: Are there any experiences of your own which you think might assist in understanding mate crime?</p> <p>Prompt: Do you think agencies should collect data in relation to contacts with disabled people and specifically mate crime?</p> <p>14. What do you think should be the policy towards mate crime in the future?</p> <p>Prompt: What can be learned from the recent recognition of mate crime?</p> <p>Explain policy reluctance of police and CPS and some academics.</p> <p>Prompt: Should mate crime be recorded as a distinctive type of crime against disabled people?</p> <p>15. How effective do you think the term ‘mate crime’ is as a means of adequately describing this phenomenon?</p> <p>Prompt: Mark Brookes’ blog saying that “the term mate crime will take us in the wrong direction”; CPS web-site suggesting it leads to “further confusion”.</p>
	<p>16. Is there anything else you would like to say?</p> <p>Prompt: Anything more re crimes against disabled people?</p> <p>Prompt: Anything more re mate crimes?</p>
<p>Warm down demographics</p>	

Job Title _____

Years worked in this role |__|__|yrs|__|__|mths

What other experience do you have that may be relevant?

How old are you?

Gender Male / Female

Do you identify yourself as a disabled person?

Closing

Is there anything else you think is important about mate crime that we have not talked about?

- ✓ Summarise
- ✓ Thank participant
- ✓ Provide extra information and contacts to participants
- ✓ Discuss arrangements for supplying transcript, etc.

List of References

- Abberley, P. 1987. The Concept of Oppression and the Development of a Social Theory of Disability. *Disability, Handicap & Society* [online]. **2**(1),pp.5–19. Available from: <http://www.tandfonline.com/doi/abs/10.1080/02674648766780021> [Accessed December 13, 2014].
- Abberley, P. 1991. *Three theories of abnormality*. Bristol: Bristol Polytechnic.
- Abberley, P. 1999. The significance of work for the citizenship of disabled people. *University College, Dublin April 15th 1999* [online],pp.1–18. Available from: <http://disability-studies.leeds.ac.uk/files/library/Abberley-sigofwork.pdf> [Accessed May 12, 2016].
- Agnew, R. 1992. Foundation for a General Strain Theory of Crime and Delinquency. *Criminology*. **30**(1),pp.47–87.
- Agnew, R., Brezina, T., Wright, J.P. and Cullen, F.T. 2002. Strain, personality traits, and delinquency: Extending general strain theory. *Criminology* [online]. **40**(1),pp.43–71. Available from: <http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.2002.tb00949.x/abstract> [Accessed May 13, 2012].
- Ahmed, S. 2001. The organisation of hate. *Law and Critique*. **12**,pp.345–365.
- Allport, G.W. 1954. *The Nature of Prejudice*. Cambridge, Mass: Addison-Wesley.
- Anderson, J.F., Dyson, L. and Brooks, Jr., W. 2002. Preventing Hate Crime and Profiling Hate Crime Offenders. *The Western Journal of Black Studies*. **26**(3),pp.140–148.
- Aspis, S. 1997. Self-advocacy for People with Learning Difficulties: does it have a future? *Disability & Society*. **12**(4),pp.647–654.
- Association for Real Change 2013a. Safety Net Project background. Available from: <http://arcuk.org.uk/safetynet/project-background/> [Accessed February 6, 2015].

- Association for Real Change 2013b. *Mate Crime: A Challenge for the Police, Safeguarding and Criminal Justice Agencies*. Available from: <http://arcuk.org.uk/realchangechallenges/files/2013/10/RCC-Mate-crime-PCJA.pdf> [Accessed October 21, 2013].
- Association of Chief Police Officers 2005a. *National Call Handling Standards*. London: Home Office Communications Directorate.
- Association of Chief Police Officers 2005b. *Hate Crime: Delivering a Quality Service - Good Practice and Tactical Guidance*. . (March). Available from: <http://web.archive.org/web/20080609012835/http://www.acpo.police.uk/asp/policies/Data/Hate+Crime.pdf> [Accessed July 22, 2015].
- Association of Chief Police Officers 2009. *Total of recorded hate crime from regional forces in England, Wales and Northern Ireland during the calendar year 2009*. . (April 2008),pp.2008–2009. Available from: http://www.report-it.org.uk/files/acpo_-_recorded_hate_crime_-_january_to_december_2009_revised_data_july_2011.pdf [Accessed October 21, 2014].
- Association of Chief Police Officers 2011. *Total of recorded hate crime from regional forces in England, Wales and Northern Ireland during the calendar year 2010*. . (April 2008),pp.2008–2009. Available from: http://www.report-it.org.uk/files/acpo_hate_crime_data_for_2010.pdf [Accessed October 21, 2014].
- Association of Chief Police Officers 2012. *Guidance on Safeguarding and Investigating the Abuse of Vulnerable Adults*. Available from: <http://library.college.police.uk/docs/acpo/vulnerable-adults-2012.pdf> [Accessed July 26, 2016].
- Association of Chief Police Officers 2013. *Total of recorded hate crime in England, Wales and Northern Ireland by police force area 2012/13*. Available from: http://www.report-it.org.uk/hate_crime_data1 [Accessed May 29, 2015].
- Association of Chief Police Officers and Crown Prosecution Service 2014. *Joint Disability Hate Crime Data Review*. . (January). Available from: http://www.report-it.org.uk/reports_and_research [Accessed May 29, 2015].

- Association of Directors of Social Services 2005. *'Safeguarding Adults' A National Framework of Standards for good practice and outcomes in adult protection work*. London: Association of Directors of Social Services.
- Autism Together 2015. Mate crime in Merseyside. Available from: <http://www.autismtogether.co.uk/mate-crime-in-merseyside/> [Accessed February 22, 2016].
- Babbie, E. 2013. *The Practice of Social Research* 11th ed. Belmont CA: Wadsworth/Cengage Learning.
- Baker, S.E. and Edwards, R. 2012. How many qualitative interviews is enough? *National Centre for Research Methods* [online], pp.1–42. Available from: <http://eprints.ncrm.ac.uk/2273/> [Accessed February 7, 2015].
- Balderston, S. 2013. Victimized again? Intersectionality and injustice in disabled women's lives after hate crime and rape *In: Gendered Perspectives on Conflict and Violence: Advances in Gender Research* [online]. *Advances in Gender Research*. Bingley: Emerald Group Publishing, pp. 17–51. Available from: [http://dx.doi.org/10.1108/S1529-2126\(2013\)000018A005](http://dx.doi.org/10.1108/S1529-2126(2013)000018A005) [Accessed October 21, 2014].
- Barker, M. 2013. Consent is a grey area? A comparison of understandings of consent in *Fifty Shades of Grey* and on the BDSM blogosphere. *Sexualities* [online]. **16**(8), pp.896–914. Available from: <http://sex.sagepub.com.proxy.lib.umich.edu/content/16/8/896%5Cnhttp://sex.sagepub.com.proxy.lib.umich.edu/content/16/8/896.full.pdf%5Cnhttp://sexualities.sagepub.com.proxy.lib.umich.edu/content/16/8/896.short?rss=1&source=mfr> [Accessed May 3, 2016].
- Barnes, C. 1991. *Disabled People in Britain and Discrimination: A case for anti-discrimination legislation* [online]. London: C Hurst & Co. Available from: <http://repositoriocdpd.net:8080/handle/123456789/495> [Accessed October 21, 2014].
- Barnes, C. 1992. *Disabling imagery and the media: an exploration of the principles for media representations of disabled people*. Derby: Ryburn Publishing.
- Barnes, C. 2003. Rehabilitation for disabled people: A 'sick' joke? *Scandinavian*

Journal of Disability Research. **5**(1),pp.7–23.

- Barnes, C. 2008. British Society Fails the Vulnerable? Background notes for a 10 minute verbal presentation in support of the motion 'This House believes that British Society Fails the Vulnerable' at the Oxford Union, Oxford University. *The Disability Archive UK* [online]. (21st February). Available from: <http://disability-studies.leeds.ac.uk/files/library/Barnes-Oxford-presentation.pdf> [Accessed October 30, 2014].
- Barnes, C. and Mercer, G. 2010. *Exploring Disability* 2nd ed. Cambridge: Polity Press.
- Barnes, C. and Sheldon, A. 2007. 'Emancipatory' disability research and special educational needs *In*: L. FLORIAN, ed. *Sage Handbook of Special Education*. London: Sage, pp. 233–245.
- Barnes, C. and Sheldon, A. 2010. Disability, politics and poverty in a majority world context. *Disability & Society*. **25**(7),pp.771–782.
- Bartkowiak-Théron, I. and Asquith, N.L. 2015. Policing Diversity and Vulnerability in the Post-Macpherson Era: Unintended Consequences and Missed Opportunities. *Policing* [online]. **9**(1),pp.89–100. Available from: <http://policing.oxfordjournals.org/content/9/1/89.abstract> [Accessed June 2, 2016].
- Bartkowiak-Théron, I., Asquith, N.L. and Roberts, K. 2017. Vulnerability as a contemporary challenge for policing *In*: N. L. ASQUITH et al., eds. *Policing Encounters with Vulnerability* [online]. Springer, pp. 1–25. Available from: https://link.springer.com/chapter/10.1007/978-3-319-51228-0_1 [Accessed November 18, 2016].
- Bartlett, P. 2012. The United Nations Convention on the Rights of Persons with Disabilities and Mental Health Law. *Modern Law Review*. **75**(5),pp.752–778.
- Bateman, T. 2015. The state of youth justice 2015: an overview of trends and developments. *NAYJ Briefing* [online]. **October**,pp.1–45. Available from: <http://thenayj.org.uk/wp-content/uploads/2015/10/State-of-Youth-Justice-Oct15.pdf> [Accessed February 8, 2016].
- Baylies, C. 2002. Disability and the Notion of Human Development: Questions

of rights and capabilities. *Disability & Society*. **17**(7),pp.725–739.

BBC News 2013. Man jailed for birthday party death of Steven Simpson - BBC News. *BBC* [online],p.21st March. Available from:

<http://www.bbc.co.uk/news/uk-england-south-yorkshire-21887535>

[Accessed January 9, 2018].

BBC News 2015. Pair jailed for phone-recorded murder of Phillip Nicholson. *14th December* [online],p.(n.p). Available from:

<http://www.bbc.co.uk/news/uk-england-dorset-35092644> [Accessed July

18, 2017].

BBC News 2016. Susan Whiting death: Woman guilty of manslaughter. *26th May* [online],p.(n.p). Available from: [http://www.bbc.co.uk/news/uk-](http://www.bbc.co.uk/news/uk-36389763)

[36389763](http://www.bbc.co.uk/news/uk-36389763) [Accessed July 18, 2017].

BBC News 2017a. Two jailed for 'brutal' killing of man with learning difficulties. *20th February* [online],p.(n.p). Available from:

<http://www.bbc.co.uk/news/uk-england-leicestershire-39029305> [Accessed

July 18, 2017].

BBC News 2017b. Pair guilty of Jimmy Prout murder after forcing him to eat own testicle. *19th June* [online],p.(n.p). Available from:

<http://www.bbc.co.uk/news/uk-england-tyne-40324334> [Accessed July 18,

2017].

BBC News 2017c. Lee Irving murder: Risks known years before death. *15th June* [online],p.(n.p). Available from: [http://www.bbc.co.uk/news/uk-](http://www.bbc.co.uk/news/uk-england-tyne-40286802)

[england-tyne-40286802](http://www.bbc.co.uk/news/uk-england-tyne-40286802) [Accessed July 18, 2017].

Beckett, A.E. 2006. *Citizenship and vulnerability: disability and issues of social and political engagement*. Basingstoke: Palgrave Macmillan.

Beckett, A.E. 2013. Non-disabled children's ideas about disability and disabled people. *British Journal of Sociology of Education* [online]. **35**(6),pp.856–875. Available from:

<http://www.tandfonline.com/doi/abs/10.1080/01425692.2013.800444>

[Accessed December 5, 2014].

Beckett, A.E. and Campbell, T. 2015. The social model of disability as an oppositional device. *Disability & Society* [online]. **30**(2),pp.270–283.

Available from:

<http://www.tandfonline.com/doi/abs/10.1080/09687599.2014.999912>

[Accessed May 10, 2015].

Bell, B. 2016. Angela Wrightson killers: A friendship that ended in murder. *BBC News*, 7th April [online]. Available from: <http://www.bbc.co.uk/news/uk-england-35977027> [Accessed January 10, 2017].

Benier, K. 2017. The harms of hate. *International Review of Victimology* [online]. **23**(2),pp.179–201. Available from: <http://journals.sagepub.com/doi/10.1177/0269758017693087> [Accessed May 2, 2017].

Beresford, P. 1996. Poverty and Disabled People: Challenging dominant debates and policies. *Disability & Society* [online]. **11**(4),pp.553–568. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599627598>.

Birenbaum, A. 1970. On Managing a Courtesy Stigma. *Journal of Health and Social Behavior*. **11**(3),pp.196–206.

Blackmore, T. and Hodgkins, S.L. 2012. Discourses of Disabled People's Organisations: Foucault, Bourdieu and future perspectives *In*: D. GOODLEY et al., eds. *Disability and Social Theory: New Developments and Directions* [online]. London: Palgrave, pp. 70–88. Available from: <https://www.dawsonera.com/readonline/9781137023001/startPage/8> [Accessed January 28, 2016].

Blaikie, N.W.H. 1993. *Approaches to social enquiry*. Cambridge: Polity Press.

Boeckmann, R.J. and Turpin-Petrosino, C. 2002. Understanding the Harm of Hate Crime. *Journal of Social Issues* [online]. **58**(2),pp.207–225. Available from: <http://www.blackwell-synergy.com/links/doi/10.1111/1540-4560.00257> [Accessed October 30, 2014].

Bogdan, R. 1996. The social construction of freaks *In*: R. GARLAND-THOMSON, ed. *Freakery: Cultural spectacles of the extraordinary body*. New York, NY: NYU Press, pp. 22–38.

Bowling, B. 1999. *Violent Racism, Policing and Social Context*. New York, NY: Oxford University Press.

- Boyatzis, R.E. 1998. *Transforming qualitative information: Thematic analysis and code development*. London: Sage, 1998.
- Bradley, E.H., Curry, L.A. and Devers, K.J. 2007. Qualitative data analysis for health services research: Developing taxonomy, themes, and theory. *Health Services Research*. **42**(4),pp.1758–1772.
- Briant, E., Watson, N. and Philo, G. 2013. Reporting disability in the age of austerity: the changing face of media representation of disability and disabled people in the United Kingdom and the creation of new ‘folk devils’. *Disability & Society* [online]. **28**(6),pp.874–889. Available from: <http://www.tandfonline.com.ezproxy4.lib.le.ac.uk/doi/abs/10.1080/09687599.2013.813837#.VG5SIstMWQ> [Accessed November 25, 2016].
- Brookes, S. 2013. A case for engagement: the role of the UK disability hate crime network *In*: A. ROULSTONE and H. MASON-BISH, eds. *Disability, Hate Crime and Violence*. Abingdon, Oxon: Routledge, pp. 126–134.
- Brown, H. 2004. A Rights-Based Approach to Abuse of Women with Learning Disabilities. *Tizard Learning Disability Review*. **9**(4),pp.41–44.
- Brown, H. and Turk, V. 1993. The sexual abuse of adults with learning disabilities: Results of a two year incidence survey. *Mental Handicap Research*. **6**(3),pp.193–216.
- Brown, K. 2012. Re-moralising ‘Vulnerability’. *People Place and Policy Online* [online]. **6**(1),pp.41–53. Available from: http://extra.shu.ac.uk/ppp-online/issue_1_300312/article_5.html [Accessed April 12, 2012].
- Brownmiller, S. 1975. *Against our will: Men, women and rape*. New York, NY: Bantam Books.
- Bruder, C. and Kroese, B. 2005. The efficacy of interventions designed to prevent and protect people with intellectual disabilities from sexual abuse: a review of the literature. *The Journal of Adult Protection*. **7**(2),pp.13–27.
- Bryman, A. 1984. The debate about quantitative and qualitative research. A question of method or epistemology? *The British Journal of Sociology*. **35**(1),pp.75–92.
- Bryson, J.M. and Crosby, B.C. 1992. ‘Leadership for the common good’.

Tackling public problems in a shared-power world. San Francisco: Jossey-Bass.

- Burghardt, M. 2013. Common frailty, constructed oppression: tensions and debates on the subject of vulnerability. *Disability & Society* [online]. **28**(4),pp.556–568. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599.2012.711244> [Accessed July 5, 2016].
- Burke, R.H. and Pollock, E. 2004. A tale of two anomies: some observations on the contribution of (sociological) criminological theory to explaining hate crime motivation. *Internet Journal of Criminology* [online],pp.1–52. Available from: [http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:A+TALE+OF+TWO+ANOMIES:+SOME+OBSERVATIONS+ON+THE+CONTRIBUTION+OF+\(SOCIOLOGICAL\)+CRIMINOLOGICAL+THEORY+TO+EXPLAINING+HATE+CRIME+MOTIVATION#0](http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:A+TALE+OF+TWO+ANOMIES:+SOME+OBSERVATIONS+ON+THE+CONTRIBUTION+OF+(SOCIOLOGICAL)+CRIMINOLOGICAL+THEORY+TO+EXPLAINING+HATE+CRIME+MOTIVATION#0) [Accessed October 22, 2014].
- Caddick, A. and Porter, L.E. 2012. Exploring a model of professionalism in multiple perpetrator violent gun crime in the UK. *Criminology and Criminal Justice* [online]. **12**(1),pp.61–82. Available from: <http://crj.sagepub.com/cgi/doi/10.1177/1748895811423091> [Accessed October 6, 2014].
- Calderbank, R. 2000. Abuse and Disabled People: vulnerability or social indifference? *Disability & Society*. **15**(3),pp.521–534.
- Campbell, F. 2009. Frontiers of ableism. *Australia: Palgrave Macmillan* [online]. Available from: http://scholar.google.co.uk/scholar?hl=en&q=Campbell%2C+Fiona.+2009.+Frontiers+of+ableism.+Australia%3A+Palgrave+Macmillan&btnG=&as_sdt=1%2C5&as_sdtp=#0 [Accessed January 13, 2016].
- Care Act 2014. c. 23. Available from: <https://www.gov.uk/government/publications/care-act-2014-part-1-factsheets/care-act-factsheets> [Accessed June 7, 2016].
- Carpenter, M.J. and Fulton, R. 2007. *A Practical Career Guide for Criminal Justice Professionals: How to Take Charge of Your Career* [online].

Looseleaf Law Publications. Available from:

<https://books.google.com/books?id=wkFy8DQAUi0C&pgis=1> [Accessed December 5, 2016].

- Chakraborti, N. 2010. Crimes Against the 'Other': Conceptual, Operational and Empirical Challenges for Hate Studies. *Journal of Hate Studies*. **8**(9),pp.9–28.
- Chakraborti, N. 2015a. Framing the boundaries of hate crime *In*: N. HALL et al., eds. *The Routledge International Handbook on Hate Crime*. London: Routledge, pp. 13–23.
- Chakraborti, N. 2015b. Re-Thinking Hate Crime: Fresh Challenges for Policy and Practice. *Journal of Interpersonal Violence* [online]. **30**(10),pp.1738–1754. Available from:
<http://journals.sagepub.com/doi/10.1177/0886260514548581>.
- Chakraborti, N. and Garland, J. 2012. Reconceptualizing hate crime victimization through the lens of vulnerability and 'difference'. *Theoretical Criminology* [online]. **16**(4),pp.499–514. Available from:
<http://tcr.sagepub.com/cgi/doi/10.1177/1362480612439432> [Accessed May 17, 2012].
- Chakraborti, N. and Garland, J. 2015. *Hate Crime: Impact, Causes and Responses* 2nd ed. London: Sage.
- Chakraborti, N. and Hardy, S.-J. 2016. Healing the Harms: Identifying How Best to Support Hate Crime Victims. . (April). Available from:
<http://www2.le.ac.uk/departments/criminology/hate/research/recognising-hate-crime-victims-support-needs>.
- Chakraborti, N. and Hardy, S.-J. 2017. Beyond empty promises? A reality check for hate crime scholarship and policy. *Safer Communities* [online]. **16**(4),pp.148–154. Available from:
<http://www.emeraldinsight.com/doi/10.1108/SC-06-2017-0023>.
- Chakraborti, N., Garland, J. and Hardy, S.-J. 2014. The Leicester Hate Crime Project Findings and Conclusions. Available from:
<https://www2.le.ac.uk/departments/criminology/hate/documents/fc-full-report> [Accessed June 9, 2016].

- CHANGE 2017. CHANGE - Learning Disability Rights Charity. Available from: <http://www.changepeople.org/> [Accessed May 12, 2017].
- Chappell, A.L., Goodley, D. and Lawthom, R. 2001. Making connections: The relevance of the social model of disability for people with learning difficulties. *British Journal of Learning Disabilities*. **29**(2),pp.45–50.
- Charlton, J.I. 1998. *Nothing about Us Without Us: Disability Oppression and Empowerment*. Berkeley, Los Angeles: University of California Press.
- Clark, L. and Marsh, S. 2002. Patriarchy in the UK: The language of disability. *The Disability Archive UK* [online]. Available from: <http://http//disability-studies.leeds.ac.uk/files/library/Clark-Laurence-language.pdf%5Cnhttp://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:Patriarchy+in+the+UK:+The+Language+of+Disability#0> [Accessed September 17, 2015].
- Clark, M. 2012. The Human Right of the Disabled to Access Justice: An Imperative for Policing. *The Police Journal*. **85**(3),pp.1–8.
- Clarke, R. V. and Cornish, D.B. 1985. Modeling Offenders' Decisions: A Framework for Research and Policy. *Crime and Justice*. **6**(May),pp.147–185.
- Clement, S., Brohan, E., Sayce, L., Pool, J. and Thornicroft, G. 2011. Disability hate crime and targeted violence and hostility: a mental health and discrimination perspective. *Journal of Mental Health* [online]. **20**(3),pp.219–25. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/21574788> [Accessed December 30, 2014].
- Clough, B. 2017. Disability and Vulnerability: Challenging the Capacity/Incapacity Binary. *Social Policy and Society* [online],pp.1–13. Available from: https://www.cambridge.org/core/product/identifier/S1474746417000069/type/journal_article [Accessed April 4, 2017].
- College of Policing 2014. *Hate Crime Operational Guidance* [online]. Ryton-on-Dunsmore: College of Policing. Available from: http://www.report-it.org.uk/files/hate_crime_operational_guidance.pdf [Accessed November 15, 2014].

- College of Policing 2015. Vulnerable adults. *Authorised Professional Practice, 16th March* [online]. Available from: <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/vulnerable-adults/> [Accessed May 19, 2017].
- College of Policing 2016. Conference - Vulnerability 2016. Available from: http://www.college.police.uk/About/Pages/Conference_-_Vulnerability-2016.aspx [Accessed May 5, 2017].
- Collins, K.M.T., Onwuegbuzie, A.J. and Sutton, I.L. 2006. A Model Incorporating the Rationale and Purpose for Conducting Mixed-Methods Research in Special Education and Beyond. *Learning Disabilities*. **4**(1),pp.67–100.
- Committee on the Rights of Persons with Disabilities 2014. General Comment 1: Article 12 Equal recognition before the law. *United Nations* [online]. **3120**(May),pp.1–13. Available from: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/031/20/PDF/G1403120.pdf?OpenElement> [Accessed October 21, 2015].
- Committee on the Rights of Persons with Disabilities 2017. Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland. *United Nations* [online]. (29 August). Available from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1158&Lang=en [Accessed September 11, 2017].
- Corcoran, H. and Smith, K. 2016. Hate Crime, England and Wales, 2015/16. *Statistical bulletin 11/16* [online]. (October). Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/467366/hosb0515.pdf [Accessed December 12, 2016].
- Corcoran, H., Lader, D. and Smith, K. 2015. Hate Crime, England and Wales 2014/15. *Statistical Bulletin 05/15* [online]. (October). Available from: <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2014-to-2015> [Accessed December 5, 2015].
- Craig, K.M. 2002. Examining hate-motivated aggression: a review of the social psychological literature on hate crimes as a distinct form of aggression. *Aggression and Violent Behavior* [online]. **7**(1),pp.85–101. Available from: <http://linkinghub.elsevier.com/retrieve/pii/S1359178900000392> [Accessed

June 15, 2012].

- Creese, B. and Lader, D. 2014. Hate Crimes, England and Wales 2013/14 K. Smith, ed. . (October),pp.1–15. Available from:
<https://www.gov.uk/government/statistics/hate-crimes-england-and-wales-2013-to-2014> [Accessed October 29, 2014].
- Crenshaw, K. 1991. Intersectionality, Identity Politics and Violence Against Women of Color. *Stanford Law Review*. **43**(6),pp.1241–1299.
- Criminal Justice Act 2003. c. 44. Available from:
<http://www.legislation.gov.uk/ukpga/2003/44/section/146> [Accessed June 15, 2015].
- Cronin, A., Alexander, V.D., Fielding, J., Moran-Ellis, J. and Thomas, H. 2008. The Analytic Integration of Qualitative Data Sources *In*: P. ALASUUTARI et al., eds. *The SAGE Handbook of Social Research Methods*. London: Sage, pp. 572–584.
- Crow, L. 1996. Including all of our lives: renewing the social model of disability *In*: C. BARNES and G. MERCER, eds. *Exploring the divide: illness and disability*. Leeds: The Disability Press, pp. 55–72.
- Crown Prosecution Service 2007. *Disability hate crime CPS policy for prosecuting cases of disability hate crime*. London: Crown Prosecution Service.
- Crown Prosecution Service 2014. Guidance on Prosecuting Cases of Disability Hate Crime. *Crown Prosecution Service* [online]. Available from:
http://www.cps.gov.uk/legal/d_to_g/disability_hate_crime/ [Accessed November 15, 2014].
- Crown Prosecution Service 2016. Hate Crime Report 2014/15 and 2015/16. Available from:
http://www.cps.gov.uk/data/hate_crime/hate_crime_2014_16_report.html [Accessed August 23, 2016].
- Crown Prosecution Service 2017a. Disability Hate Crime and other crimes against Disabled people - prosecution guidance. *21st August* [online]. Available from: http://www.cps.gov.uk/legal/d_to_g/disability_hate_crime/ [Accessed August 22, 2017].

- Crown Prosecution Service 2017b. Hate Crime: Public statement on prosecuting disability hate crime and other crimes against disabled people. *21st August* [online]. Available from:
<http://www.cps.gov.uk/publications/docs/disability-hate-crime-public-statement-2017.pdf> [Accessed August 22, 2017].
- Danermark, B. and Gellerstedt, L.C. 2004. Social justice: redistribution and recognition—a non-reductionist perspective on disability. *Disability & Society* [online]. **19**(4),pp.339–353. Available from:
<http://www.tandfonline.com/doi/abs/10.1080/09687590410001689458> [Accessed January 14, 2016].
- Danescu-Niculescu-Mizil, C., Lee, L., Pang, B. and Kleinberg, J. 2012. Echoes of power: language effects and power differences in social interaction. *Proceedings of the 21st international conference on World Wide Web - WWW '12* [online],pp.699--708. Available from:
<http://dl.acm.org/citation.cfm?id=2187836.2187931> [Accessed November 18, 2016].
- Daphne III Programme 2011. When law and hate collide literature review: parts one and two. *University of Central Lancashire* [online],pp.1–73. Available from:
https://www.uclan.ac.uk/research/explore/projects/assets/Lit_review_parts_one_and_two._v2.pdf [Accessed October 21, 2014].
- Davies, R., Mansell, I., Northway, R. and Jenkins, R. 2006. Responding to the abuse of people with learning disabilities: the role of the police. *The Journal of Adult Protection*. **8**(1),pp.11–19.
- Deal, M. 2007. Aversive disablism: subtle prejudice toward disabled people. *Disability & Society* [online]. **22**(1),pp.93–107. Available from:
<http://www.tandfonline.com/doi/abs/10.1080/09687590601056667> [Accessed October 16, 2014].
- Deaprtment of Constitutional Affairs 2007. *Mental Capacity Act 2005 Code of Practice* [online]. London: The Stationery Office. Available from:
<http://www.ispa.org.uk/about-us/ispa-code-of-practice/> [Accessed October 1, 2015].

Denscombe, M. 1998. *The good research guide for small-scale social research projects*. Buckingham: Open University Press.

Denscombe, M. 2008. Communities of Practice: A Research Paradigm for the Mixed Methods Approach. *Journal of Mixed Methods Research*. **2**,pp.270–283.

Department for Environment Food & Rural Affairs 2013. Official Statistics Rural crime: Crime figures in rural and urban areas. . (August). Available from: <https://www.gov.uk/government/statistics/rural-crime> [Accessed May 3, 2016].

Department of Health 2000. *No secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse* [online]. London: Department of Health. Available from: [http://www.elderabuse.org.uk/Documents/No Secrets.pdf](http://www.elderabuse.org.uk/Documents/No%20Secrets.pdf) [Accessed May 25, 2012].

Department of Health 2009. Report on the Consultation: The Review of No Secrets Guidance. ,pp.1–152. Available from: <https://www.dh.gov.uk/publications> [Accessed November 20, 2016].

Department of Health 2014. Care and Support Statutory Guidance issued under the Care Act 2014. Available from: <https://www.gov.uk/guidance/care-and-support-statutory-guidance/safeguarding> [Accessed July 5, 2016].

Department of Health 2017. Care and support statutory guidance. *17 August 2017* [online]. Available from: <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1> [Accessed September 5, 2017].

DiCicco-Bloom, B. and Crabtree, B.F. 2006. The qualitative research interview. *Medical Education*. **40**,pp.314–321.

Disability Rights Commission 2004. Hate Crime Against Disabled People in Scotland: A Survey Report.

Disability Wales 2014. Mate Crime. Available from: <http://www.disabilitywales.org/wordpress/wp-content/uploads/141014-mate-crime-factsheet-en.pdf> [Accessed May 1, 2017].

- Doherty, G. 2013. Does familiarity breed contempt? A conceptual and theoretical analysis of 'mate crime'. *Howard League for Penal Reform* [online],pp.1–34. Available from: <http://howardleague.org/publications/does-familiarity-breed-contempt/> [Accessed February 1, 2014].
- Doherty, G. 2015. Do mates hate? A framing of the theoretical position of mate crime and an assessment of its practical impact. *The Journal of Adult Protection*. **17**(5),pp.296–307.
- Domestic Violence Crime and Victims Act 2004. c. 28. Available from: <http://www.legislation.gov.uk/ukpga/2004/28/section/5> [Accessed January 12, 2017].
- Dunbar, E., Quinones, J. and Crevecoeur, D.A. 2005. Assessment of Hate Crime Offenders: The Role of Bias Intent in Examining Violence Risk. *Journal of Forensic Psychology Practice* [online]. **5**(1),pp.1–19. Available from: http://www.tandfonline.com/doi/abs/10.1300/J158v05n01_01 [Accessed February 18, 2017].
- Dunn, M.C., Clare, I.C.H. and Holland, A.J. 2008. To empower or to protect? Constructing the 'vulnerable adult' in English law and public policy. *Legal studies (Society of Legal Scholars)* [online]. **28**(2),pp.234–253. Available from: <http://www.pubmedcentral.nih.gov/articlerender.fcgi?artid=2880439&tool=pmcentrez&rendertype=abstract> [Accessed November 15, 2014].
- Durkheim, E. 1893. *The Division of Labor in Society*. New York: Free Press (1997).
- Edwards, C. 2013. Pathologising the victim: law and the construction of people with disabilities as victims of crime in Ireland. *Disability & Society* [online]. **29**(5),pp.685–698. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599.2013.844099> [Accessed April 16, 2015].
- Eisner, M. and Nivette, A.E. 2013. Does Low Legitimacy Cause Crime ? A Review of the Evidence *In*: A. BOTTOMS et al., eds. *Legitimacy and Criminal Justice: An International Exploration*. Oxford: Oxford University Press, pp. 308–325.

- Ellison, L., Munro, V.E., Hohl, K. and Wallang, P. 2015. Challenging criminal justice? Psychosocial disability and rape victimization. *Criminology and Criminal Justice* [online]. **15**(2),pp.225–244. Available from: <http://crj.sagepub.com/cgi/doi/10.1177/1748895814543535> [Accessed June 23, 2016].
- Emerson, E. 2014. Disability, hate crime and violence. *Disability & Society* [online]. **29**(3),pp.495–496. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599.2013.864861> [Accessed January 2, 2015].
- Emerson, E. and Roulstone, A. 2014. Developing an evidence base for violent and disablist hate crime in Britain: findings from the life opportunities survey. *Journal of interpersonal violence* [online]. **29**(17),pp.3086–104. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/24870961> [Accessed October 14, 2014].
- Equality and Human Rights Commission 2009. *Promoting the safety and security of disabled people*. Manchester: Equality and Human Rights Commission.
- Equality and Human Rights Commission 2011. *Hidden in plain sight: Inquiry into disability-related harassment*. London: Equality and Human Rights Commission.
- Equality and Human Rights Commission 2017. *Being Disabled in Britain: a journey less equal* [online]. London: Equality and Human Rights Commission. Available from: <https://www.equalityhumanrights.com/sites/default/files/being-disabled-in-britain.pdf>.
- European Union Agency for Fundamental Rights 2015. Equal protection for all victims of hate crime - the case of people with disabilities. Available from: <http://fra.europa.eu/en/publication/2015/equal-protection-all-victims-hate-crime-case-people-disabilities> [Accessed April 16, 2016].
- Farrall, S. 2010. A short history of the investigation into the ending of the criminal career. *Safer Communities* [online]. **9**(3),pp.9–16. Available from: <https://www.newcastle.gov.uk/social-care-and-health/safeguarding-and->

abuse/safeguarding-information-professionals/newcastle-safeguarding-adults-board/safegua [Accessed June 18, 2017].

Faulkner, A. and Sweeney, A. 2011. *Prevention in adult safeguarding: a review of the literature*. London: Social Care Institute for Excellence.

Felson, M. 2002. *Crime and Everyday Life* 3rd ed. Thousand Oaks, CA: Sage Publications.

Ferrie, J. and Watson, N. 2015. The psycho-social impact of impairment: the case of motor neurone disease *In: T. SHAKESPEARE, ed. Disability Research Today*. Oxford: Routledge, pp. 43–59.

Fineman, M.A. 2008. The Vulnerable Subject: Anchoring Equality in the Human Condition. *Yale JL & Feminism* [online]. **20**(1),pp.1–23. Available from: http://heinonlinebackup.com/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/yjfem20§ion=4 [Accessed June 9, 2015].

Finkelstein, V. 1980. *Attitudes and disabled people: issues for discussion*. New York: World Rehabilitation Fund, Inc.

Finkelstein, V. 1991. Disability: an administrative challenge? *In: M. OLIVER, ed. Social Work: Disabling people and disabling environments*. London: Jessica Kingsley.

Finkelstein, V. 1993. The commonality of disability *In: J. SWAIN et al., eds. Disabling barriers, enabling environments*. Sage, pp. 9–16.

Finkelstein, V. 1998. The biodynamics of disablement. *Proceedings of the Workshop on Research Informed Rehabilitation Planning in Southern Africa - Harare, Zimbabwe (29 June - 3 July 1998)* [online],pp.1–10. Available from: <http://disability-studies.leeds.ac.uk/files/library/finkelstein-Biodynamics.pdf> [Accessed May 9, 2017].

Finkelstein, V. 2007. *The 'Social Model of Disability' and the Disability Movement* [online]. Leeds: University of Leeds, Centre for Disability Studies. Available from: <http://disability-studies.leeds.ac.uk/library/author/finkelstein.vic> [Accessed September 17, 2015].

- Flynn, M. 2007. *The Murder of Steven Hoskin: A Serious Case Review Executive Summary* [online]. Cornwall Adult Protection Committee. Available from: <https://www.cornwall.gov.uk/media/3633936/Steven-Hoskin-Serious-Case-Review-Exec-Summary.pdf> [Accessed March 10, 2012].
- Flynn, M. 2010. 'We will remember Steven': Cornwall after The Murder of Steven Hoskin: A serious case review. *The Journal of Adult Protection*. **12**(2),pp.6–18.
- Flyvbjerg, B. 2006. Five Misunderstandings About Case-Study Research. *Qualitative Inquiry*. **12**(2),pp.219–245.
- Francis, J.J., Johnston, M., Robertson, C., Glidewell, L., Entwistle, V., Eccles, M.P. and Grimshaw, J.M. 2010. What is an adequate sample size? Operationalising data saturation for theory-based interview studies. *Psychology & health*. **25**,pp.1229–1245.
- Freedom of Information Act 2000. c. 36. Available from: http://www.legislation.gov.uk/ukpga/2000/36/pdfs/ukpga_20000036_en.pdf [Accessed May 28, 2015].
- French, S. 1992. Researching disability: the way forward. *Disability and Rehabilitation*. **14**(4),pp.183–186.
- Friere, P. 1972. *Pedagogy of the Oppressed*. Harmondsworth: Penguin.
- Fuller-Thomson, E. and Brennenstuhl, S. 2012. People with disabilities: the forgotten victims of violence. *Lancet* [online]. **379**(9826),pp.1573–4. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/22377289> [Accessed December 4, 2014].
- Fyson, R. 2009. Independence and Learning Disabilities: Why we Must also Recognise Vulnerability. *The Journal of Adult Protection*. **11**(3),pp.18–26.
- Fyson, R. and Kitson, D. 2007. Independence or protection does it have to be a choice? Reflections on the abuse of people with learning disabilities in Cornwall. *Critical Social Policy* [online]. **27**(3),pp.426–436. Available from: <http://csp.sagepub.com/cgi/doi/10.1177/0261018307078850> [Accessed June 24, 2012].

- Fyson, R. and Kitson, D. 2010. Human Rights and Social Wrongs: Issues in Safeguarding Adults with Learning Disabilities. *Practice: Social Work in Action* [online]. **22**(5),pp.309–320. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09503153.2010.517831> [Accessed October 16, 2014].
- Fyson, R. and Kitson, D. 2012. Outcomes following adult safeguarding alerts: a critical analysis of key factors. *The Journal of Adult Protection*. **14**(2),pp.93–103.
- Gadd, D., Dixon, B. and Jefferson, T. 2005. *Why do they do it? Racial harassment in North Staffordshire* [online]. Keele: Centre for Criminological Research, Keele University. Available from: <http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:Why+Do+They+Do+It?+Racial+Harassment+in+North+Staffordshire#1>.
- Garland, D. 2001. *The Culture of Control: Crime and Social Order in Late Modernity*. Oxford: Clarendon Press.
- Garland, J. 2010. 'It's a Mosher Just Been Banged for No Reason': Assessing Targeted Violence Against Goths and the Parameters of Hate Crime. *International Review of Victimology* [online]. **17**(2),pp.159–177. Available from: <http://irv.sagepub.com/content/17/2/159.abstract> [Accessed March 11, 2012].
- Garland, J. 2012. Difficulties in defining hate crime victimization. *International Review of Victimology* [online]. **18**(1),pp.25–37. Available from: <http://irv.sagepub.com/lookup/doi/10.1177/0269758011422473> [Accessed March 11, 2012].
- Garland, J. 2015. One Step Forward, Two Steps Backward? Difficulties and Dilemmas With Connecting Hate Crime Policy and Research. *Criminal Justice Policy Review* [online],pp.1–13. Available from: <http://cjp.sagepub.com/cgi/doi/10.1177/0887403415601474> [Accessed September 1, 2015].
- Garland, J. and Chakraborti, N. 2012. Divided By a Common Concept? Assessing the Implications of Different Conceptualisations of Hate Crime in the European Union. *European Journal of Criminology* [online]. **9**(1),pp.38–

51. Available from: <http://euc.sagepub.com/content/9/1/38> [Accessed March 11, 2012].

Garland, J. and Hodkinson, P. 2014. 'F**king Freak! What the Hell Do You Think You Look Like?': Experiences of Targeted Victimization Among Goths and Developing Notions of Hate Crime. *British Journal of Criminology* [online]. **54**(4),pp.613–631. Available from: <http://bjc.oxfordjournals.org/cgi/doi/10.1093/bjc/azu018> [Accessed January 13, 2015].

Garland-Thomson, R. 1996. *Freakery: Cultural spectacles of the extraordinary body*. New York, NY: NYU Press.

Garthwaite, K. 2011. 'The language of shirkers and scroungers?' Talking about illness, disability and coalition welfare reform. *Disability & Society*. **26**(3),pp.369–372.

Geddes, D. 2016. Family's anguish after vulnerable man battered to death by drug addict. *Southern Daily Echo, 9th March* [online]. Available from: http://www.dailyecho.co.uk/news/14329548.Family_s_anguish_after_vulnerable_man_battered_to_death_by_drug_addict/ [Accessed January 10, 2017].

Gekoski, A., Gray, J.M. and Adler, J.R. 2012. What Makes A Homicide Newsworthy?: UK National Tabloid Newspaper Journalists Tell All. *British Journal of Criminology* [online]. **52**(6),pp.1212–1232. Available from: <http://bjc.oxfordjournals.org/cgi/doi/10.1093/bjc/azs047> [Accessed December 9, 2014].

George, A.L. and Bennett, A. 2005. *Case Studies and Theory Development in the Social Sciences*. Massachusetts: MIT Press.

Gerstenfeld, P. 2013. *Hate Crimes: Causes, Controls and Controversies* 3rd ed. London: Sage.

Giannasi, P. 2015. The narrative for change: how disability became included in UK hate crime policy *In*: R. SHAH and P. GIANNASI, eds. *Tackling disability discrimination and disability hate crime: a multidisciplinary guide*2. London: Jessica Kingsley Publishers, pp. 54–69.

Glaser, B.G. and Strauss, A.L. 1967. *The Discovery of Grounded Theory*:

Strategies for Qualitative Research. Chicago: Aldine.

Goffman, E. 1963. *Stigma*. New Jersey: Prentice-Hall.

Goodley, D. 2001. 'Learning difficulties', the social model of disability and impairment: challenging epistemologies. *Disability & Society*. **16**(2),pp.207–231.

Goodley, D. and Runswick-Cole, K. 2011. The violence of disablism. *Sociology of Health & Illness* [online]. **33**(4),pp.1–16. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/21226732> [Accessed March 11, 2012].

Grattet, R. and Jenness, V. 2001. Examining the boundaries of hate crime law: Disabilities and the 'dilemma of difference'. *Journal of Criminal Law and Criminology* [online]. **91**(3),pp.653–698. Available from: <http://www.jstor.org/stable/1144301?origin=crossref>.

Grattet, R. and Jenness, V. 2005. The reconstitution of law in local settings: Agency discretion, ambiguity, and a surplus of law in the policing of hate crime. *Law & Society Review* [online]. **39**(4),pp.893–941. Available from: <http://doi.wiley.com/10.1111/j.1540-5893.2005.00248.x> [Accessed October 21, 2014].

Gravell, C. 2012. *Loneliness + cruelty. People with learning disabilities and their experience of harassment, abuse and related crime in the community* [online]. London: Lemos & Crane. Available from: <https://www.lemosandcrane.co.uk/lemos&crane/index.php?id=214540> [Accessed March 20, 2015].

Green, D.P., McFalls, L.H. and Smith, J.K. 2001. Hate crime: An emergent research agenda. *Annual Review of Sociology* [online]. **27**(1),pp.479–504. Available from: <http://www.jstor.org/stable/10.2307/2678630> [Accessed June 1, 2012].

Green, D.P., Strolovitch, D.Z. and Wong, J.S. 1998. Definded Neighborhood, Intergration and Racially Motivated Crime. *American Journal of Sociology*. **104**(2),pp.372–403.

Greene, J.C., Caracelli, V.J. and Graham, W.F. 1989. Toward a Conceptual Framework for Mixed-Method Evaluation Designs. *Educational Evaluation*

and Policy Analysis. **11**(3),pp.255–274.

Greener, I. 2011. *Designing social research; a guide for the bewildered*.

London: Sage Publications.

Grundy, D. 2009. When Hate Crime Is Mate Crime. *Learning Disability Today*, November,pp.20–21.

Grundy, D. 2011. Friend or fake? Mate crimes and people with learning disabilities. *Journal of Learning Disabilities and Offending Behaviour* [online]. **2**(4),pp.167–169. Available from:

<http://www.emeraldinsight.com/10.1108/20420921111207855> [Accessed May 12, 2012].

Guest, G., Bunce, A. and Johnson, L. 2006. How Many Interviews Are Enough?: An Experiment with Data Saturation and Variability. *Field Methods*. **18**,pp.59–82.

Hall, N. 2013. *Hate Crime* 2nd ed. Abingdon, Oxon: Routledge.

Hanisch, H. 2014. Psycho-emotional disablism: a differentiated process.

Scandinavian Journal of Disability Research [online]. **16**(3),pp.211–228.

Available from:

<http://www.tandfonline.com/doi/abs/10.1080/15017419.2013.795911>

[Accessed November 18, 2015].

Harris, W. V 1994. Child-Exposure in the Roman Empire. *The Journal of Roman Studies* [online]. **84**,pp.1–22. Available from:

<http://www.jstor.org/stable/300867> [Accessed September 29, 2015].

Hasler, F. 1993. Developments in the disabled people's movement *In*: J.

SWAIN et al., eds. *Disabling barriers – enabling environments*. London:

Sage, pp. 278–284.

Haydon-Laurelut, M. 2011. Disablement, systemic therapy and people with learning disabilities. *Context, University of Portsmouth*. (114),pp.7–11.

Health & Social Care Information Centre 2015. *Safeguarding Adults Return Annual Report, England 2014-15 Experimental Statistics* [online]. London.

Available from: [http://www.hscic.gov.uk/article/2021/Website-](http://www.hscic.gov.uk/article/2021/Website-Search?q=sar&go=Go&area=both)

[Search?q=sar&go=Go&area=both](http://www.hscic.gov.uk/article/2021/Website-Search?q=sar&go=Go&area=both) [Accessed March 10, 2016].

- Herring, J. 2015. *Great Debates in Criminal Law*. Basingstoke: Palgrave Macmillan.
- Hevey, D. 1993. The tragedy principle: strategies for change in the representation of disabled people *In: J. SWAIN et al., eds. Disabling barriers – enabling environments*. London: Sage.
- Hirschi, T. and Gottfredson, M. 1983. Age and the Explanation of Crime. *American Journal of Sociology*. **89**,pp.552–84.
- HM Inspectorate of Constabulary 2000. *On The Record: Thematic Inspection Reprt on Police Crime Recording, the Police National Computer and Phoenix Intelligence System Data Quality*. London: HMIC.
- HMCPSP, HMIC and HMI Probation 2013. *Living in a different world: joint review of disability hate crime* [online]. London: HMCPSP. Available from: <http://prb.sagepub.com/content/60/3/345.short> [Accessed October 21, 2014].
- HMIC 2014. *Crime-recording: making the victim count* [online]. London: HMIC. Available from: <https://www.justiceinspectores.gov.uk/hmic/publications/crime-recording-making-the-victim-count/>.
- Holland, K. 2011. Factsheet: Learning Disabilities. Available from: <http://www.bild.org.uk/resources/factsheets/>.
- Hollomotz, A. 2012a. Disability, Oppression and Violence: Towards a Sociological Explanation. *Sociology* [online]. **47**(3),pp.477–493. Available from: <http://soc.sagepub.com/cgi/doi/10.1177/0038038512448561> [Accessed November 18, 2016].
- Hollomotz, A. 2012b. A lad tried to get hold of my boobs, so I kicked him: an examination of attempts by adults with learning difficulties to initiate their own safeguarding. *Disability & Society* [online]. **27**(1),pp.117–129. Available from: <http://hdl.handle.net/2173/200339> [Accessed April 16, 2015].
- Hollomotz, A. 2013a. Disability and the continuum of violence *In: A. ROULSTONE and H. MASON-BISH, eds. Disability, Hate Crime and Violence*. Abingdon, Oxon: Routledge, pp. 52–63.

- Hollomotz, A. 2013b. Exploiting the Fifty Shades of Grey craze for the disability and sexual rights agenda. *Disability & Society* [online]. **28**(3),pp.418–422. Available from:
<http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,url,cookie,uid&db=a9h&AN=86213957&site=ehost-live> [Accessed September 2, 2015].
- Home Office 2015a. Home Office Counting Rules For Recorded Crime. . (April). Available from: <https://www.gov.uk/government/publications/counting-rules-for-recorded-crime> [Accessed February 24, 2016].
- Home Office 2015b. Crime Outcomes in England and Wales 2014/15 Statistical Bulletin 01/15 J. Allan, ed. . (July). Available from:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445753/hosb0115.pdf [Accessed April 18, 2016].
- Home Office 2015c. Hate crimes in England and Wales by police force area 2014/15. *13th October 2015* [online]. (October),p.Table 2.01. Available from: <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2014-to-2015> [Accessed September 2, 2016].
- Horvath, M. and Kelly, L. 2007. *From the outset: Why violence should be a priority for the Commission for Equality and Human Rights*. London: Child and Women Abuse Studies Unit, London Metropolitan University.
- Hough, R.E. 2012. Adult protection and ‘intimate citizenship’ for people with learning difficulties: empowering and protecting in light of the No Secrets review. *Disability & Society*. **27**(1),pp.131–144.
- House of Lords Select Committee on the Equality Act 2016. The Equality Act 2010: the impact on disabled people. . (March),pp.1–171.
- Hsieh, C.-C. and Pugh, M.. 1993. Poverty, income inequality, and violent crime: a meta-analysis of recent aggregate data studies. *Criminal Justice Review*. **18**(2),pp.182–202.
- Hughes, B. 2007. Being disabled: towards a critical social ontology for disability studies. *Disability & Society*. **22**(7),pp.673–684.
- Hughes, B. 2014. Disability and the body *In*: J. SWAIN et al., eds. *Disabling Barriers – Enabling Environments (third edition)*. Sage, pp. 55–61.

- Hughes, B. 2015. Disabled people as counterfeit citizens: the politics of resentment past and present. *Disability & Society* [online]. (August),pp.1–14. Available from:
<http://www.tandfonline.com/doi/full/10.1080/09687599.2015.1066664>
 [Accessed August 11, 2015].
- Hughes, K. et al. 2012. Prevalence and risk of violence against adults with disabilities: a systematic review and meta-analysis of observational studies. *Lancet* [online]. **379**(9826),pp.1621–9. Available from:
<http://www.ncbi.nlm.nih.gov/pubmed/22377290> [Accessed December 4, 2014].
- Iganski, P. 2008a. *Hate crime and the city* [online]. Bristol: Policy Press.
 Available from:
<http://books.google.com/books?hl=en&lr=&id=4CnBfqsKNbcC&oi=fnd&pg=PR7&dq=Hate+crime?+and+the+city&ots=kbJWYfGVMC&sig=QHP34NvqwjnDcgtBu4D2x6fyLnY> [Accessed October 21, 2014].
- Iganski, P. 2008b. Criminal Law and the Routine Activity of ‘Hate Crime’. *Liverpool Law Review* [online]. **29**(1),pp.1–17. Available from:
<http://www.springerlink.com/index/10.1007/s10991-008-9033-x> [Accessed March 5, 2012].
- Imrie, R. 2004. Demystifying disability: a review of the International Classification of Functioning, Disability and Health. *Sociology of health & illness*. **26**(3),pp.287–305.
- Information Commissioner’s Office 2016. When can we refuse a request for information? Available from: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/> [Accessed July 18, 2016].
- Jackson, R. 2011. Challenges of residential and community care: ‘the times they are a-changin’’. *Journal of intellectual disability research : JIDR* [online]. **55**(9),pp.933–44. Available from:
<http://www.ncbi.nlm.nih.gov/pubmed/21815958> [Accessed March 16, 2012].
- Jacobs, J.B. and Potter, K. 1998. *Hate Crimes: Criminal Law and Identity Politics*. New York: Oxford University Press.

- Jenkins, S. 2000. The crime that dare not breathe its name. *The Times*, 18th October [online]. Available from: <http://www.thetimes.co.uk/tto/opinion/article2040010.ece> [Accessed April 24, 2016].
- Jenness, V. 2001. The hate crime canon and beyond: A critical assessment. *Law and Critique*. **12**(3),pp.279–308.
- Jenness, V. and Grattet, R. 2001. *Making hate a crime. From social movement to law enforcement*. New York, NY: Russell Sage Foundation.
- Johnson, R.B., Onwuegbuzie, A.J. and Turner, L. a. 2007. Toward a Definition of Mixed Methods Research. *Journal of Mixed Methods Research*. **1**,pp.112–133.
- Joint Committee On Human Rights 2008. Adults with learning disabilities: the key issues *In: Joint Committee On Human Rights - Seventh Report* [online]. Available from: <http://www.publications.parliament.uk/pa/jt200708/jtselect/jtrightts/40/4005.htm> [Accessed March 11, 2012].
- Jordan, J. 2008. *Serial Survivors: Women's narratives of surviving rape*. Annandale (Aus): Federation Press.
- Kanazawa, S. and Still, M.C. 2000. Why men commit crimes (and why they desist). *Sociological Theory* [online]. **18**(3),pp.432–447. Available from: <http://onlinelibrary.wiley.com/doi/10.1111/0735-2751.00110/abstract> [Accessed July 13, 2012].
- Kilcommins, S., Edwards, C. and O'Sullivan, T. 2014. *An International Review of Legal Provisions and Supports for People with Disabilities as Victims of Crime*. Dublin: Irish Council for Civil Liberties.
- King, N. 2004. Using Interviews in Qualitative Research *In: C. CASSELL and G. SYMON, eds. Essential guide to qualitative research*. London: Sage, pp. 11–23.
- Lafferty, A., McConkey, R. and Taggart, L. 2013. Beyond friendship: the nature and meaning of close personal relationships as perceived by people with learning disabilities. *Disability & Society* [online]. **28**(8),pp.1074–1088. Available from:

<http://www.tandfonline.com/doi/abs/10.1080/09687599.2012.758030>
[Accessed April 16, 2015].

- Landman, R.A. 2014. 'A counterfeit friendship': mate crime and people with learning disabilities. *The Journal of Adult Protection* [online]. **16**(6),pp.355–366. Available from: <http://www.emeraldinsight.com/doi/abs/10.1108/JAP-10-2013-0043> [Accessed October 8, 2015].
- Lawrence, F.M. 1999. *Punishing hate: Bias crimes under American law*. London: Harvard University Press.
- Laxton, C. and Goldsworthy, A. 2008. *Up Close and Personal: a report into disabled and non disabled people's attitudes and experiences of relationships in the UK* [online]. London: Leonard Cheshire Disability. Available from: <http://www.scie-socialcareonline.org.uk/up-close-and-personal-a-report-into-disabled-and-non-disabled-peoples-attitudes-and-experiences-of-relationships-in-the-uk/r/a11G000000182ZRIAY> [Accessed June 4, 2016].
- Leech, N.L. and Onwuegbuzie, A.J. 2009. A typology of mixed methods research designs. *Quality and Quantity*. **43**,pp.265–275.
- Levin, J. and McDevitt, J. 1993. *Hate Crimes: the Rising Tide of Bigotry and Bloodshed*. New York, NY: Plenum.
- Lewin, B. 2007. Who cares about disabled victims of crime? Barriers and facilitators for redress. *Journal of Policy and Practice in Intellectual Disabilities* [online]. **4**(3),pp.170–176. Available from: 10.1111/j.1741-1130.2007.00115.x%5Cn<http://search.ebscohost.com/login.aspx?direct=true&db=psyh&AN=2007-12812-002&site=ehost-live%5Cnbarbro.lewin@statsvet.uu.se> [Accessed January 13, 2016].
- Macdonald, K. 2008. Prosecuting disability hate crime - Speech of Sir Ken Macdonald, QC, DPP - October 2008. *Crown Prosecution Service* [online],p.6th October. Available from: http://www.cps.gov.uk/news/articles/dhc_dpp_speech/ [Accessed May 16, 2016].
- Macdonald, S.J. 2015. 'Community fear and harassment': learning difficulties and hate crime incidents in the north-east of England. *Disability & Society*

[online]. (April),pp.353–367. Available from:
<http://www.tandfonline.com/doi/abs/10.1080/09687599.2015.1009000>
 [Accessed April 15, 2015].

Macdonald, S.J., Donovan, C. and Clayton, J. 2017. The disability bias: understanding the context of hate in comparison with other minority populations. *Disability & Society* [online]. **7599**(April),pp.1–17. Available from:
<https://www.tandfonline.com/doi/full/10.1080/09687599.2017.1304206>
 [Accessed April 27, 2017].

Macdonald, Z. 2012. Official Crime Statistics: Their Use and Interpretation. *The Economic Journal*. **112**(477),pp.85–106.

Macpherson, W. 1999. *The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William Macpherson of Cluny* [online]. London: Home Office. Available from: <https://www.gov.uk/government/publications/the-stephen-lawrence-inquiry> [Accessed April 4, 2017].

Mandelstam, M. 2011. *Safeguarding adults at risk of harm : A legal guide for practitioners* [online]. London: Social Care Institute for Excellence. Available from: [www.Social Care Institute for Excellence.org.uk/publications/reports/report50.pdf](http://www.SocialCareInstituteForExcellence.org.uk/publications/reports/report50.pdf) [Accessed February 8, 2014].

Manthorpe, J., Rapaport, J. and Stanley, N. 2008. The Mental Capacity Act 2005 and its influences on social work practice: debate and synthesis. *Practice* [online]. **20**(3),pp.151–162. Available from:
<http://search.ebscohost.com/login.aspx?direct=true&db=cin20&AN=2010025980&lang=ja&site=ehost-live> [Accessed April 17, 2017].

Manthorpe, J., Rapaport, J., Harris, J. and Samsi, K. 2009. Realising the safeguarding potential of the Mental Capacity Act 2005: early reports from adult safeguarding staff. *The Journal of Adult Protection* [online]. **11**(2),pp.13–24. Available from:
<http://www.emeraldinsight.com/doi/abs/10.1108/14668203200900010>
 [Accessed December 8, 2014].

Mantovani, C. and Wallis, L. 2014. *London calling: local authority responses to disability hate crime, an exploratory study* [online]. London: Respond.

Available from: <http://www.respond.org.uk/watch-listen-learn/londoncalling/> [Accessed May 5, 2015].

- Martin, W. 2014. Consensus Emerges in Consultation Roundtables : The MCA is Not Compliant with the CRPD. *39 Essex Chambers* [online],pp.1–9. Available from: <http://www.39essex.com/content/wp-content/uploads/2015/06/UNCRPD-MCA-Compatibility-Discussion-Paper-Final-5-8-14.pdf>.
- Mason, G. 2005a. Hate Crime and the Image of the Stranger. *British Journal of Criminology* [online]. **45**(6),pp.837–859. Available from: <http://bjc.oxfordjournals.org/cgi/doi/10.1093/bjc/azi016> [Accessed May 25, 2012].
- Mason, G. 2005b. Being Hated: Stranger or Familiar? *Social & Legal Studies* [online]. **14**(4),pp.585–605. Available from: <http://sls.sagepub.com/cgi/doi/10.1177/0964663905057596> [Accessed June 5, 2012].
- Mason, M. 1990. Internalized Oppression *In*: R. REISER and M. MASON, eds. *Disability Equality in Education*. London: ILEA, pp. 27–29.
- Mason, P., Timms, K., Hayburn, T. and Watters, C. 2013. How Do People Described as having a Learning Disability Make Sense of Friendship? *Journal of Applied Research in Intellectual Disabilities*. **26**(2),pp.108–118.
- Mason-Bish, H. 2010. Future challenges for hate crime policy; lessons from the past *In*: N. CHAKRABORTI, ed. *Hate Crime: concepts, policy, future directions*. Cullumpton, Devon: Willan, pp. 58–77.
- Mason-Bish, H. 2014. Beyond the Silo: Rethinking Hate Crime and Intersectionality *In*: N. HALL et al., eds. *The Routledge International Handbook on Hate Crime*. Abingdon, Oxon: Routledge, pp. 24–34.
- Maxwell, J. 1997. Designing a qualitative study *In*: L. BICKMAN and D. J. ROG, eds. *Handbook of applied social research methods*. Thousand Oaks, CA: Sage, pp. 69–100.
- McCarthy, M. 2010. Drawing a line between consented and abusive sexual experiences: the complexities for women with learning difficulties. *Journal of Adult Protection, The* [online]. **5**(3),pp.34–40. Available from:

<http://kar.kent.ac.uk/630/> [Accessed April 16, 2015].

McCarthy, M. 2017. 'What kind of abuse is him spitting in my food?': reflections on the similarities between disability hate crime, so-called 'mate' crime and domestic violence against women with intellectual disabilities. *Disability & Society* [online]. **32**(4),pp.595–600. Available from: <https://www.tandfonline.com/doi/full/10.1080/09687599.2017.1301854>.

McDevitt, J., Levin, J. and Bennett, S. 2002. Hate Crime Offenders: An Expanded Typology. *Journal of Social Issues* [online]. **58**(2),pp.303–317. Available from: <http://doi.wiley.com/10.1111/1540-4560.00262> [Accessed May 31, 2012].

McDevitt, J., Levin, J., Nolan, J. and Bennett, S. 2010. Hate crime offenders *In*: N. CHAKRABORTI, ed. *Hate Crime: concepts, policy, future directions*. Cullumpton, Devon: Willan, pp. 124–145.

McDonald, J.H. 2014. Chi-squared test of independence *In: Handbook of Biological Statistics (3rd ed.)* [online]. Baltimore, Maryland: Sparky House Publishing, pp. 59–67. Available from: <http://www.biostathandbook.com/chiind.html> [Accessed September 1, 2017].

McKinney, C.M., Chartier, K.G., Caetano, R. and Harris, T.R. 2012. Alcohol availability and neighborhood poverty and their relationship to binge drinking and related problems among drinkers in committed relationships. *J Interpers Violence* [online]. **27**(13),pp.2703–2727. Available from: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3434692/pdf/nihms401035.pdf> [Accessed June 5, 2016].

McVilly, K.R., Stancliffe, R.J., Parmenter, T.R. and Burton-Smith, R.M. 2006. 'I Get by with a Little Help from my Friends': Adults with Intellectual Disability Discuss Loneliness. *Journal of Applied Research in Intellectual Disabilities*. (19),pp.191–203.

Mencap 2000. Living in Fear: The need to combat bullying of people with a learning disability. Available from: <http://www.mencap.org.uk/sites/default/files/documents/2009-10/Livinginfear.pdf> [Accessed April 20, 2015].

- Mental Capacity Act 2005. c. 9 [online]. London: The Stationery Office Limited.
Available from: <http://www.legislation.gov.uk/ukpga/2005/9/contents>
[Accessed August 23, 2016].
- Merriam, S.B. 1998. *Qualitative Research and Case Study Applications in Education*. [online]. Sa: Jossey-Bass Publishers. Available from:
<http://eric.ed.gov/?id=ed415771> [Accessed March 2, 2016].
- Merton, R. 1949. *Social Theory and Social structure*. New York: Free Press.
- Messerschmidt, J. 1993. *Masculinities and Crime: Critique and Reconceptualization of Theory*. Lanham, MD: Rowman and Littlefield Publishers.
- Messerschmidt, J. 1997. *Crime as Structured Action: Gender, Race, Class, and Crime in the Making*. Thousand Oaks, CA: Sage Publications.
- Metropolitan Police 2016. Central Communications Command. Available from:
<http://content.met.police.uk/Site/ccc> [Accessed February 29, 2016].
- Miles, M.B. and Huberman, M.A. 1994. *Qualitative data analysis: An expanded sourcebook*. London: Sage Publications.
- Miller, E.J. and Gwynne, G. V 1972. *A life apart: A pilot study of residential institutions for the physically handicapped and the young chronic sick*. London: Tavistock.
- Miller, P., Gillinson, S. and Huber, J. 2006. *Disablist Britain: Barriers to independent living for disabled people in 2006* [online]. London: SCOPE.
Available from:
<http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:Disablist+Britain+Barriers+to+independent+living+for+disabled+people+in+2006#0>
[Accessed May 12, 2012].
- Miller, P., Parker, S. and Gillinson, S. 2004. *Disablism: How to tackle the last prejudice*. London: Demos.
- MIND 2007. *Another assault* [online]. London: MIND. Available from:
<https://www.mind.org.uk/media/273466/another-assault.pdf> [Accessed May 27, 2012].
- Ministry of Justice 2013. *Statistics on Women and the Criminal Justice System*.

. (November),pp.1–85. Available from:
<https://www.gov.uk/government/statistics/women-and-the-criminal-justice-system-2013> [Accessed April 13, 2016].

Minow, M. 1985. Learning to live with the dilemma of difference: bilingual and special education. *Law and Contemporary Problems*. **48**(2),pp.157–211.

Mo, L. 1978. An Adventure in Exploratory Research. *Acta Sociologica*. **21**(2),pp.165–177.

Moane, G. 1999. *Gender and colonialism: A psychological analysis of oppression and liberation*. London: Macmillan.

Mohr, J.M. 2008. Hate Studies Through a Constructivist and Critical Pedagogical Approach. *Journal of Hate Studies*. **6**(65),pp.65–80.

Moran-Ellis, J., Alexander, V.D., Cronin, A., Dickinson, M., Fielding, J., Sleney, J. and Thomas, H. 2006. Triangulation and Integration: processes, claims and implications. *Qualitative Research*. **6**(1),pp.45–59.

Morris, J. 1992. Personal and Political: A Feminist Perspective on Researching Physical Disability. *Disability, Handicap & Society*. **7**(2),pp.157–166.

Morris, S. 2015. Three jailed for sexual assault and murder of man in his home. *The Guardian*, 16th November [online]. Available from:
<https://www.theguardian.com/uk-news/2015/nov/16/three-jailed-life-sexual-assault-murdering-elderly-man> [Accessed January 10, 2017].

Muehlenhard, C.L. and Kimes, L.A. 1999. The Social Construction of Violence: The Case of Sexual and Domestic Violence. *Personality and Social Psychology Review* [online]. **3**(3),pp.234–245. Available from:
http://psr.sagepub.com/cgi/doi/10.1207/s15327957pspr0303_6 [Accessed November 18, 2016].

Murphy, R.F. 1987. *The body silent*. New York: Henry Holt and Co.

National Policing Improvement Agency 2011. The National Standard for Incident Recording. ,pp.0–35. Available from:
<https://www.gov.uk/government/publications/the-national-standard-for-incident-recording-nsir-counting-rules> [Accessed July 15, 2016].

NHS Trafford Clinical Commissioning Group 2014. Mate Crime. Available from:

<http://www.traffordccg.nhs.uk/safeguarding/safeguarding-adults/harm-and-abuse/mate-crime/> [Accessed November 27, 2014].

- Nixon, J., Hodge, N., Parr, S., Willis, B. and Hunter, C. 2007. Anti social behaviour and disability in the UK. *People, Place & Policy Online* [online]. 2(1),pp.37–47. Available from: <http://shura.shu.ac.uk/808/> [Accessed April 16, 2015].
- Nunukoosing, K. 2000. Constructing learning disability Consequences for men and women with learning disabilities. *Journal of Learning Disabilities*. 4(1),pp.49–62.
- O’Cathain, A., Murphy, E. and Nicholl, J. 2010. Three techniques for integrating data in mixed methods studies. *BMJ (Clinical research ed.)*. 341(c4587).
- Office for Disability Issues 2011. *Life Opportunities Survey Wave one results, 2009/11* [online]. Department for Work and Pensions. Available from: <http://search.proquest.com/docview/859022644?accountid=12037%5Chttp://linksource.ebsco.com/linking.aspx?sid=ProQ:envscijournals&fmt=journal&genre=unknown&issn=14651645&volume=&issue=49&date=2011-04-01&spage=4&title=Health+Statistics+Quarterly&atitle=Life> [Accessed August 13, 2015].
- Office for National Statistics 2007. Neighbourhood Statistics. Available from: <http://www.neighbourhood.statistics.gov.uk/dissemination/LeadTableView.do?a=5&b=13690048&c=DL3+8SR&d=14&e=10&g=6377599&i=1001x1003x1004&m=0&r=0&s=1462302216953&enc=1&dsFamilyId=1686> [Accessed May 3, 2016].
- Office for National Statistics 2013a. Family Resources Survey. . (June),pp.1–157. Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206887/frs_2011_12_report.pdf [Accessed July 21, 2016].
- Office for National Statistics 2013b. The likelihood of becoming a victim of crime. *18th July* [online]. Available from: <http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-march-2013/sty-a-victim-of-crime.html> [Accessed April 20, 2016].

- Office for National Statistics 2014. Family Resources Survey United Kingdom 2012/13. . (July),pp.1–157. Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206887/frs_2011_12_report.pdf [Accessed April 26, 2016].
- Office for National Statistics 2016. Homicide: Findings from analyses based on the Homicide Index recorded by the Home Office covering different aspects of homicide. ,pp.1–23. Available from: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/yearendingmarch2015/chapter2homicide> [Accessed October 12, 2016].
- Oliver, M. 1983. *Social Work With Disabled People*. Basingstoke: Macmillian.
- Oliver, M. 1986. Social Policy and Disability: Some Theoretical Issues. *Disability, Handicap & Society* [online]. 1(1),pp.5–17. Available from: <http://www.tandfonline.com/doi/abs/10.1080/02674648666780021> [Accessed January 14, 2015].
- Oliver, M. 1990. The Individual and Social Models of Disability, Paper presented at Joint Workshop of the Living Options Group and the Research Unit of the Royal College of Physicians. *The Disability Archive UK* [online]. (July 23),pp.1–7. Available from: <http://disability-studies.leeds.ac.uk/files/library/Oliver-in-soc-dis.pdf> [Accessed April 17, 2015].
- Oliver, M. 1996. Defining impairment and disability: issues at stake *In: C. BARNES and G. MERCER, eds. Exploring the divide: illness and disability*. Leeds: The Disability Press, pp. 29–54.
- Onwuegbuzie, A.J. and Collins, K.M.T. 2007. A typology of mixed methods sampling designs in social science research. *The Qualitative Report*. 12(2),pp.281–316.
- OSCE Office for Democratic Institutions and Human Rights 2009. *Hate Crime Laws a practical guide* [online]. Warsaw: OSCE Office for Democratic Institutions and Human Rights (ODIHR). Available from: <http://www.osce.org/odihr/36426> [Accessed July 22, 2015].
- Pain, R. 2000. Place, social relations and the fear of crime: a review. *Progress*

in Human Geography [online]. **24**(3),pp.365–387. Available from:
<http://phg.sagepub.com/cgi/doi/10.1191/030913200701540474> [Accessed
 October 30, 2014].

Papworth Trust 2014. *Disability in the United Kingdom 2014* [online].

Cambridge: Papworth Trust. Available from:

[http://www.papworthtrust.org.uk/sites/default/files/UK Disability facts and
 figures report 2014.pdf](http://www.papworthtrust.org.uk/sites/default/files/UK%20Disability%20facts%20and%20figures%20report%202014.pdf) [Accessed April 30, 2015].

Parsons, T. 1951. The sick role and the role of the physician. *American Journal
 of Orthopsychiatry*. **21**(3),pp.452–460.

Patrick, R. 2012. House of Commons: Written Evidence. *Home Affairs* [online].

June. Available from:

[http://www.publications.parliament.uk/pa/cm201213/cmselect/cmhaff/494/4
 94vw03.htm](http://www.publications.parliament.uk/pa/cm201213/cmselect/cmhaff/494/494vw03.htm) [Accessed May 5, 2016].

Patton, M.Q. 1990. *Qualitative evaluation and research methods (2nd ed.)*.

Thousand Oaks, CA: Sage.

People First 2017. People First - a voice for people with learning difficulties.

Available from: <http://peoplefirstltd.com/> [Accessed May 12, 2017].

Perry, B. 2001. *In the name of hate: Understanding hate crimes*. New York:

Routledge.

Perry, B. 2009. The sociology of hate: theoretical approaches *In*: B. LEVIN, ed.

Hate Crimes Volume 1: Understanding and defining hate crime [online].

Westport, CT: Praeger, pp. 55–76. Available from:

<http://books.google.com/books?id=M7p6TDR1zwcC&pgis=1> [Accessed
 May 12, 2012].

Perry, B. and Alvi, S. 2012. 'We are all vulnerable': The in terrorem effects of
 hate crimes. *International Review of Victimology* [online]. **18**(1),pp.57–71.

Available from:

<http://irv.sagepub.com/lookup/doi/10.1177/0269758011422475> [Accessed
 January 6, 2015].

Perry, J. 2004. Is justice taking a beating? *Community Care* [online]. (1st

April),pp.44–45. Available from:

<http://www.communitycare.co.uk/2004/04/02/is-justice-taking-a-beating/>.

- Perry, J. 2008. The 'Perils' of an Identity Politics Approach to the Legal Recognition of Harm. *Liverpool Law Review* [online]. **29**(1),pp.19–36. Available from: <http://www.springerlink.com/index/10.1007/s10991-008-9034-9> [Accessed March 5, 2012].
- Perry, J. 2013. The wrong war? Critically examining the 'fight against disability hate crime' In: A. ROULSTONE and H. MASON-BISH, eds. *Disability, Hate Crime and Violence*. Abingdon, Oxon: Routledge, pp. 40–51.
- Pestka, K. and Wendt, S. 2014. Belonging: women living with intellectual disabilities and experiences of domestic violence. *Disability & Society* [online]. **29**(7),pp.1031–1045. Available from: <http://dx.doi.org/10.1080/09687599.2014.902358> [Accessed July 19, 2014].
- Petersilia, J.R. 2001. Crime Victims with Developmental Disabilities: A Review Essay. *Criminal Justice and Behavior* [online]. **28**(6),pp.655–694. Available from: <http://cjb.sagepub.com/cgi/doi/10.1177/009385480102800601>.
- Pettitt, B., Greenhead, S., Khalifeh, H., Drennan, V., Hart, T., Hogg, J., Borschmann, R., Mamo, E. and Moran, P. 2013. *At risk, yet dismissed The criminal victimisation of people with mental health problems* [online]. London: Mind. Available from: www.victimsupport.org.uk [Accessed September 18, 2013].
- Phillips, R., Frost, D. and Singleton, A. 2013. Researching the riots. *The Geographical Journal* [online]. **179**(1),pp.3–10. Available from: <http://doi.wiley.com/10.1111/j.1475-4959.2012.00463.x> [Accessed October 20, 2013].
- Piggott, L. 2011. Prosecuting Disability Hate Crime: a disabling solution? *People, Place and Policy Online* [online]. **5**(1),pp.25–34. Available from: http://extra.shu.ac.uk/ppp-online/issue_1_130411/article_3.html [Accessed May 12, 2012].
- Priestley, M. 1997. Who's Research?: A personal audit In: C. BARNES and G. MERCER, eds. *Doing Disability Research*. Leeds: The Disability Press, pp. 88–107.
- Priestley, M. 1998. Constructions and Creations: Idealism, materialism and disability theory. *Disability & Society*. **13**(1),pp.75–94.

- Pring, J. 2015. Justice system allows another murderer to escape a hate crime sentence. *Disability News Service, 29th May* [online]. Available from: <http://www.disabilitynewsservice.com/justice-system-allows-another-murderer-to-escape-a-hate-crime-sentence/> [Accessed May 18, 2017].
- Pring, J. 2017. Lee Irving murder sentences increased, but still no hate crime recognition. *Disability News Service, 9th March* [online],p.unpaginated. Available from: <http://www.disabilitynewsservice.com/lee-irving-murder-sentences-increased-but-still-no-hate-crime-recognition/> [Accessed May 17, 2017].
- Pruitt, D.G. 1971. Choice shifts in group discussion: An introductory review. *Journal of Personality and Social Psychology*. **20**(3),p.339.
- Punch, K. 2005. *Introduction to social research: quantitative and qualitative approaches*. London: Sage.
- Quarmby, K. 2008. *Getting away with murder Disabled People's experiences of hate crime in the UK* [online]. London: Scope. Available from: <http://people.stthomasu.ca/~oregan/mcsherry.pdf> [Accessed March 5, 2012].
- Quarmby, K. 2011. *Scapegoat: Why We Are Failing Disabled People* [online]. London: Portobello Books Ltd. Available from: <http://www.amazon.co.uk/Scapegoat-Why-Failing-Disabled-People/dp/1846273218> [Accessed May 13, 2012].
- Quarmby, K. 2015. Bijan Ebrahimi wasn't alone: far too many disabled men are accused of sex crimes | Katharine Quarmby | Opinion | The Guardian. *The Guardian* [online],p.23rd December. Available from: <https://www.theguardian.com/commentisfree/2015/dec/23/bijan-ebrahimi-murder-disability-hate-crime-police> [Accessed January 9, 2018].
- Ray, L. and Smith, D. 2001. Racist offenders and the politics of 'hate crime'. *Law and Critique 12*: **12**,pp.203–221.
- Ray, L. and Smith, D. 2002. Hate crime, violence and cultures of racism. In: P. IGANSKI, ed. *The hate debate*. London: Profile Books.
- Reeve, D. 2002. Negotiating Psycho-emotional Dimensions of Disability and their Influence on Identity Constructions. *Disability & Society*. **17**(5),pp.493–

508.

Reeve, D. 2014. Psycho-emotional disablism and internalised oppression *In: J. SWAIN et al., eds. *Disabling Barriers – Enabling Environments (third edition)*. London: Sage, pp. 92–98.*

Remenyi, D., Williams, B., Money, A. and Swartz, E. 1998. *Doing research in business and management: an introduction to process and method*. Sage. London: Sage.

Research Councils UK 2015. Guidance on best practice in the management of research data. . (July). Available from: <http://www.rcuk.ac.uk/research/datapolicy/> [Accessed March 2, 2016].

Richardson, G. 2013. Mental capacity in the shadow of suicide: What can the law do? *International Journal of Law in Context* [online]. **9**(1),pp.87–105. Available from: http://www.journals.cambridge.org/abstract_S174455231200050X [Accessed October 21, 2015].

Rix, J. 2006. Does it matter what we call them? Labelling people on the basis of notions of intellect. *Ethical Space The International Journal of Communication Ethics* [online]. **3**(4),pp.22–28. Available from: <http://www.troubador.co.uk/ethicalspace/> [Accessed November 19, 2015].

Roberts, C., Innes, M., Williams, M., Tregidga, J. and Gadd, D. 2013. *Understanding who commits hate crime and why they do it* [online]. Merthyr Tydfil: Welsh Government. Available from: <http://gov.wales/statistics-and-research/understanding-who-commits-hate-crime-why-they-do-it/?lang=en> [Accessed October 8, 2015].

Roberts, S. 2013. Court of Appeal refuses to lengthen 'lenient' sentence of man who burnt gay teenager to death · PinkNews. *PinkNews* [online],p.10th July. Available from: <http://www.pinknews.co.uk/2013/07/10/court-of-appeal-refuses-to-lengthen-lenient-sentence-of-man-who-burnt-gay-teenager-to-death/> [Accessed January 9, 2018].

Rossetti, P., Dinisman, T. and Moroz, A. 2016. An Easy Target? Risk factors affecting victimisation rates for violent crime and theft. . (April). Available from: victimsupport.org.uk.

- Roulstone, A. and Mason-Bish, H. 2013. *Disability, Hate Crime and Violence*. Abingdon, Oxon: Routledge.
- Roulstone, A. and Prideaux, S. 2012. *Understanding disability policy*. Bristol: Policy Press.
- Roulstone, A. and Sadique, K. 2013. Vulnerable to misinterpretation: disabled people, 'vulnerability', hate crime and the fight for legal recognition' *In*: A. ROULSTONE and H. MASON-BISH, eds. *Disability, hate crime and violence*. Abingdon, Oxon: Routledge, pp. 25–39.
- Roulstone, A., Thomas, P. and Balderston, S. 2011. Between hate and vulnerability: unpacking the British criminal justice system's construction of disablist hate crime. *Disability & Society* [online]. **26**(3),pp.351–364. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599.2011.560418> [Accessed March 5, 2012].
- Roulstone, A., Thomas, P., Balderston, S. and Harris, J. 2009. Hate is a Strong Word: a Critical Policy Analysis of Disability Hate Crime in the British Criminal Justice System *In: Social Policy Association Annual Conference*. Edinburgh, p. July.
- Rowell, A.C., Clare, I.C.H. and Murphy, G.H. 2013. The psychological impact of abuse on men and women with severe intellectual disabilities. *Journal of applied research in intellectual disabilities : JARID* [online]. **26**(4),pp.257–70. Available from: <http://www.ncbi.nlm.nih.gov/pubmed/23281231> [Accessed January 13, 2015].
- Ruxton, G.D. and Neuhäuser, M. 2010. Good practice in testing for an association in contingency tables *In: Behavioral Ecology and Sociobiology*, pp. 1505–1513.
- Ryan, G.W. and Bernard, H.R. 2003. Techniques to Identify Themes. *Field Methods*. **15**,pp.85–109.
- Safer Bristol Partnership 2017. *Multi-Agency Learning Review Following The Murder of Bijan Ebrahimi* [online]. Bristol: Safer Bristol Partnership. Available from: <https://www.bristol.gov.uk/documents/20182/35136/Multi-agency+learning+review+following+the+murder+of+Bijan+Ebrahimi/c2b17b>

97-c9ec-a5f4-70e4-fc82d1ccb119000963.

- Satz, A.B. 2009. Disability, Vulnerability and the Limits of Antidiscrimination. *Washington Law Review*. **83**,pp.513–568.
- Scambler, G. 2009. Health-related stigma. *Sociology of Health & Illness* [online]. **31**(3),pp.441–455. Available from: <http://doi.wiley.com/10.1111/j.1467-9566.2009.01161.x> [Accessed November 12, 2015].
- Scambler, G. and Hopkins, A. 1986. Being epileptic: coming to terms with stigma. *Sociology of Health & Illness*. **8**(1),pp.26–43.
- Scarman, L.L.G. 1981. *The Brixton disorders 10-12 April 1981: report of an inquiry*. London: HMSO.
- Scheff, T.J. 2003. Shame in Self and Society. *Symbolic Interaction* [online]. **26**(2),pp.239–262. Available from: <http://www.jstor.org/stable/10.1525/si.2003.26.2.239> [Accessed November 12, 2015].
- Sentencing Guidelines Council 2004. *Overarching Principles: seriousness guideline* [online]. London: Sentencing Guidelines Council. Available from: <https://www.sentencingcouncil.org.uk/publications/?type=publications&cat=definitive-guideline&s&topic=seriousness> [Accessed May 10, 2017].
- Series, L. 2014. Sex, capacity and forensic cotton wool: IM v LM [2014] EWCA Civ 37. *Journal of Social Welfare and Family Law* [online]. **36**(3),pp.317–319. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09649069.2014.933594> [Accessed October 21, 2015].
- Series, L. 2015. Relationships, autonomy and legal capacity: Mental capacity and support paradigms. *International journal of law and psychiatry* [online]. **40**,pp.80–91. Available from: <http://www.sciencedirect.com/science/article/pii/S0160252715000746> [Accessed October 21, 2015].
- Shah, R. 2015. Disability hate crime is everyone's business *In*: R. SHAH and P. GIANNASI, eds. *Tackling disability discrimination and disability hate crime: a multidisciplinary guide*. London: Jessica Kingsley Publishers, pp. 123–138.

- Shakespeare, T. 1992. A response to Liz Crow *In: M. OLIVER, ed. Coalition*. Palgrave Macmillan, pp. 40–42.
- Shakespeare, T. 1994. Cultural Representation of Disabled People: Dustbins for Disavowal? *Disability & Society*. **9**(3),pp.283–299.
- Shakespeare, T. 1996. Disability, identity and difference *In: C. BARNES and G. MERCER, eds. Exploring the divide*. Leeds: The Disability Press, pp. 94–113.
- Shakespeare, T. 2004. Social models of disability and other life strategies. *Scandinavian Journal of Disability Research*. **6**(1),pp.8–21.
- Shakespeare, T. 2006. *Disability Rights and Wrongs*. Abingdon, Oxon: Routledge.
- Shakespeare, T. and Watson, N. 1997. Defending the social model *In: L. BARTON and M. OLIVER, eds. Disability Studies: Past Present and Future*. Leeds: The Disability Press, pp. 263–273.
- Shakespeare, T. and Watson, N. 2001. The social model of disability: An outdated ideology? *In: S. N. BARNARTT and B. M. ALTMAN, eds. Exploring Theories and Expanding Methodologies: Where we are and where we need to go (Research in Social Science and Disability, Vol 2)* [online]. London: Emerald, pp. 9–28. Available from: <http://www.emeraldinsight.com/journals.htm?articleid=1783286&show=abstract> [Accessed October 20, 2014].
- Sharp, H. 2001. Steps towards justice for people with learning disabilities as victims of crime: The important role of the police. *British Journal of Learning Disabilities*. **29**(3),pp.88–92.
- Sheikh, S., Pralat, R., Reed, C. and Sin, C.H. 2010. *Don't stand by*. London: MENCAP.
- Sheldon, A. 2010. Locating disability in the majority world: geography or poverty? Conference paper presented *In: Disability and the majority world: challenging dominant epistemologies, July 9th*. Manchester: Manchester Metropolitan University.
- Sherry, M. 2010. *Disability Hate Crimes: Does Anyone Really Hate Disabled*

People? Farnham, Surrey: Ashgate Publishing.

- Sherry, M. 2016. A sociology of impairment. *Disability & Society* [online]. **31**(6),pp.729–744. Available from:
<http://www.tandfonline.com/doi/full/10.1080/09687599.2016.1203290>.
- Sherwood-Johnson, F. 2012. Constructions of ‘vulnerability’ in comparative perspective: Scottish protection policies and the trouble with ‘adults at risk’. *Disability & Society*. (April 2015),pp.1–14.
- Sibbitt, R. 1997. *The perpetrators of racial harassment and racial violence*. London: Home Office.
- Sicluna, A.J. 2007. Life for killer cousins. *South Wales Argus*, 4th May 2007 [online]. Available from:
<http://www.southwalesargus.co.uk/news/1378274.print/> [Accessed July 14, 2012].
- Simpson, G. 2011. Developing Wellbeing as a Critical Tool in Social Work Education: An Example from the Field of Learning Disability. *Social Work Education* [online],pp.1–15. Available from:
<http://www.tandfonline.com/doi/abs/10.1080/02615479.2011.605619>
 [Accessed May 12, 2012].
- Sin, C.H. 2013. Making disablist hate crime visible: addressing the challenges of improving reporting *In: A. ROULSTONE and H. MASON-BISH, eds. Disability, Hate Crime and Violence*. Abingdon, Oxon: Routledge, pp. 147–165.
- Sin, C.H. 2014. Using a ‘layers of influence’ model to understand the interaction of research policy and practice in relation to disablist hate crime *In: N. CHAKRABORTI and J. GARLAND, eds. Responding to hate crime: the case for connecting policy and research*. Bristol: Policy Press, pp. 101–111.
- Sin, C.H., Hedges, A., Cook, C., Mguni, N. and Comber, N. 2009. *Research Report 21: Disabled people’s experiences of targeted violence and hostility* [online]. London: Equality and Human Rights Commission. Available from:
www.equalityhumanrights.com/researchreports [Accessed March 7, 2017].
- Sin, C.H., Hedges, A., Cook, C., Mguni, N. and Comber, N. 2011. Adult protection and effective action in tackling violence and hostility against

disabled people: some tensions and challenges. *The Journal of Adult Protection* [online]. **13**(2),pp.63–75. Available from:
<http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:Adult+protection+and+effective+action+in+tackling+violence+and+hostility+against+disabled+people:+some+tensions+and+challenges#0> [Accessed July 19, 2012].

Sin, C.H., Sheikh, S. and Khanna, M. 2012. Police readiness for tackling hate crime against people with learning disabilities – areas for improvement and examples of good practice. *Safer Communities* [online]. **11**(3),pp.145–153. Available from:
<http://www.emeraldinsight.com/doi/abs/10.1108/17578041211244058> [Accessed January 14, 2015].

Small, M.L. 2009. 'How many cases do I need?': On science and the logic of case selection in field-based research. *Ethnography*. **10**(1),pp.5–38.

Snow, K. 2009. People first language. *Disability is Natural* [online]. Available from: <https://www.disabilityisnatural.com/people-first-language.html> [Accessed May 13, 2017].

Social Care Institute for Excellence 2014. Disability-related harassment, hate and mate crime – Safeguarding in housing. Available from:
<http://www.scie.org.uk/publications/guides/guide53/housing-managers/anti-social-behaviour/disability-related.asp> [Accessed November 15, 2014].

Soothill, K., Francis, B. and Sanderson, B. 2000. Sex offenders: specialists, generalists-or both? A 32-year criminological study. *The British Journal of Criminology*. **40**(1),pp.56–126.

Stanko, E.A. 2001. Re-conceptualising the policing of hatred: confessions and worrying dilemmas of a consultant. *Law and Critique*. **12**(3),pp.309–329.

Stevens, E. 2013. Safeguarding vulnerable adults: exploring the challenges to best practice across multi-agency settings. *The Journal of Adult Protection* [online]. **15**(2),pp.85–95. Available from:
<http://www.emeraldinsight.com/doi/abs/10.1108/14668201311313596> [Accessed December 8, 2014].

Surrey Police 2013. Mate crime. Available from:

http://www.surrey.police.uk/Portals/0/pdf/easy-read/mate_crime_July13.pdf-read/mate_crime_July13.pdf [Accessed October 13, 2013].

Swain, J., French, S., Barnes, C. and Thomas, C. 2014. *Disabling Barriers - Enabling Environments* 3rd ed. London: Sage.

Sykes, W., Groom, C. and Desai, P. 2011. *Disability-related harassment: the role of public bodies A qualitative research report* [online]. Equality and Human Rights Commission. Available from: https://www.equalityhumanrights.com/sites/default/files/dhfi_focus_groups_research_report_78.pdf [Accessed June 30, 2016].

Teddle, C. and Yu, F. 2007. Mixed Methods Sampling: A Typology With Examples. *Journal of Mixed Methods Research* [online]. **1**(1),pp.77–100. Available from: <http://mmr.sagepub.com/cgi/doi/10.1177/2345678906292430> [Accessed July 9, 2014].

Teeswide Safeguarding Adults Board 2017. *Safeguarding Adult Review 'Carol'* [online]. Teeswide Safeguarding Adults Board. Available from: <https://www.tsab.org.uk/2017/06/safeguarding-adults-review-carol/> [Accessed June 18, 2017].

The Law Commission 2011. *Adult social care: a consultation paper*. London: The Law Commission.

The Law Commission 2014. *Hate Crime: Should the Current Offences be Extended?* [online]. London: The Law Commission. Available from: www.gov.uk/government/publications [Accessed March 24, 2015].

The Money Friends and Making Ends Meet Research Group 2012. Having friends - they help you when you are stuck from money, friends and making ends meet research group. *British Journal of Learning Disabilities* [online]. **40**(2),pp.128–133. Available from: <http://doi.wiley.com/10.1111/j.1468-3156.2012.00739.x> [Accessed October 5, 2015].

The National Autistic Society 2014. *Careless. Will the government protect vulnerable people with abuse , neglect and loneliness?* London: The National Autistic Society.

- Thomas, C. 1999. *Female Forms: Experiencing and Understanding Disability*. Buckingham: Open University Press.
- Thomas, C. 2004a. Rescuing a social relational understanding of disability. *Scandinavian Journal of Disability Research* [online]. **6**(1),pp.22–36. Available from: <http://www.tandfonline.com/doi/abs/10.1080/15017410409512637> [Accessed November 18, 2015].
- Thomas, C. 2004b. Developing the Social Relational in the Social Model of Disability: a theoretical agenda *In*: C. BARNES and G. MERCER, eds. *Implementing the Social Model of Disability: Theory and Research* [online]. Leeds: The Disability Press, pp. 32–47. Available from: <http://disability-studies.leeds.ac.uk/files/library/Barnes-implementing-the-social-model-chapter-3.pdf> [Accessed May 25, 2017].
- Thomas, C. 2004c. How is disability understood? An examination of sociological approaches. *Disability & Society* [online]. **19**(6),pp.569–583. Available from: <http://www.tandfonline.com/doi/abs/10.1080/0968759042000252506> [Accessed November 28, 2014].
- Thomas, C. 2007. *Sociologies of disability and illness*. London: Palgrave Macmillan.
- Thomas, C. 2012. Theorising disability and chronic illness: Where next for perspectives in medical sociology? *Social Theory & Health* [online]. **10**(3),pp.209–228. Available from: <http://link.springer.com/10.1057/sth.2012.7>.
- Thomas, C. 2014. Disability and Impairment *In*: *Disabling Barriers – Enabling Environments (third edition)*. London: Sage, pp. 9–16.
- Thomas, D.J. 1982. *The experience of handicap*. London: Methuen.
- Thomas, P. 2011. ‘Mate crime’: ridicule, hostility and targeted attacks against disabled people. *Disability & Society* [online]. **26**(1),pp.107–111. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599.2011.532590> [Accessed March 5, 2012].
- Thomas, P. 2013. Hate crime or mate crime? Disablist hostility, contempt and ridicule *In*: A. ROULSTONE and H. MASON-BISH, eds. *Disability, Hate*

Crime and Violence. Abingdon, Oxon: Routledge, pp. 135–146.

Thornycroft, R. and Asquith, N.L. 2015. The Dark Figure of Disablist Violence. *Howard Journal of Criminal Justice*. **54**(5),pp.489–507.

Tilly, L. 2015. Being researchers for the first time: reflections on the development of an inclusive research group. *British Journal of Learning Disabilities* [online]. **43**(2),pp.121–127. Available from: <http://doi.wiley.com/10.1111/bld.12132> [Accessed October 5, 2015].

Titchkosky, T. 2001. Disability: A Rose by Any Other Name? 'People-First' Language in Canadian Society. *Canadian Review of Sociology/Revue canadienne de sociologie*. **38**(2),pp.125–140.

Todres, L. and Galvin, K.T. 2005. Pursuing both breadth and depth in qualitative research: Illustrated by a study of the Experience of Intimate Caring for a Loved one with Alzheimer's Disease. *International Journal of Qualitative Methods* [online]. **4**(2),pp.20–31. Available from: <http://eprints.bournemouth.ac.uk/1164/4/licence.txt> [Accessed June 7, 2016].

Tøssebro, J. 2004. Introduction to the special issue: Understanding disability. *Scandinavian Journal of Disability Research* [online]. **6**(1),pp.3–7. Available from: <http://www.tandfonline.com/doi/abs/10.1080/15017410409512635> [Accessed November 19, 2015].

Traustadóttir, R. 2006. Disability and Gender: Introduction to the Special Issue. *Scandinavian Journal of Disability Research*. **8**(2–3),pp.81–84.

True Vision 2016. Hate Crime Data. Available from: http://www.report-it.org.uk/hate_crime_data1 [Accessed June 14, 2016].

Turner, V. 1995. *The ritual process: Structure and anti-structure* [online]. New York: Transaction Publishers. Available from: https://books.google.co.uk/books?hl=en&lr=&id=gaVwAAAAQBAJ&oi=fnd&pg=PA44&dq=The+ritual+process:+Structure+and+anti-structure&ots=X7S_ncAygV&sig=_OupEOsM_Z_XtWd7RdkVCNuQTcU#v=onepage&q=liminal&f=false [Accessed February 9, 2016].

Tyson, J. 2013. *A Scar on the Conscience of the Criminal Justice System? An Examination of Police Service Provision Through the Eyes of People with*

Learning Disabilities (Dissertation submitted in part fulfilment of the requirements of the MSc Criminology and Criminal Ju.

- Tyson, J. and Hall, N. 2015. Perpetrators of disability hate crime *In: R. SHAH and P. GIANNASI, eds. Tackling disability discrimination and disability hate crime: a multidisciplinary guide.* London: Jessica Kingsley Publishers, pp. 69–87.
- UKDHM 2012. Changing lives, changing times: Learning the lessons from our history. *UK Disability Month 2012 broadsheet* [online]. Available from: <http://ukdhm.org/2012-broadsheet/> [Accessed September 29, 2015].
- United Nations 2006. Convention on the Rights of Persons with Disabilities. Available from: <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx#2> [Accessed November 16, 2014].
- UPIAS 1975. Policy statement. *UPIAS* [online]. Available from: <http://disability-studies.leeds.ac.uk/files/library/UPIAS-UPIAS.pdf> [Accessed October 8, 2015].
- UPIAS 1976. Fundamental principles of disability. Available from: <http://scholar.google.com/scholar?hl=en&btnG=Search&q=intitle:Fundamental+Principles+of+Disability#1> [Accessed April 17, 2015].
- Van Mastrigt, S.B. and Farrington, D.P. 2009. Co-offending, age, gender and crime type: Implications for criminal justice policy. *British Journal of Criminology*. **49**(4),pp.552–573.
- Vernon, A. 1999. The Dialectics of Multiple Identities and the Disabled People's Movement. *Disability & Society* [online]. **14**(3),pp.385–398. Available from: <http://www.tandfonline.com/doi/abs/10.1080/09687599926217> [Accessed November 12, 2015].
- Vital Research and Statistics 2013. Brandon's Trust Survey. Available from: <http://www.brandontrust.org/get-involved/our-events/100-voices/100-voices-2013/> [Accessed October 21, 2014].
- Voice UK, Ann Craft Trust and Respond 2008. Memorandum from Voice UK, Ann Craft Trust and Respond *In: Joint Committee On Human Rights - Written Evidence* [online]. www.parliament.uk. Available from:

<http://www.publications.parliament.uk/pa/jt200708/jtselect/jtrights/40/40we78.htm> [Accessed March 11, 2012].

- Walby, S. 2001. Against epistemological chasms: the science question in feminism revisited. . **26**(2),pp.485–509. Available from: <http://eprints.lancs.ac.uk/3518/> [Accessed February 18, 2015].
- Walby, S., Armstrong, J. and Strid, S. 2012. Developing measures of multiple forms of sexual violence and their contested treatment in the criminal justice system *In*: J. BROWN and S. WALKLATE, eds. *Handbook on sexual violence*. London: Routledge.
- Walmsley, J. 2001. Normalisation, Emancipatory Research and Inclusive Research in Learning Disability. *Disability & Society*. **16**(2),pp.187–205.
- Walters, M.A. 2011. A General Theories of Hate Crime? Strain, Doing Difference and Self Control. *Critical Criminology* [online]. **19**(4),pp.313–330. Available from: <http://www.springerlink.com/index/10.1007/s10612-010-9128-2> [Accessed May 12, 2012].
- Walters, M.A., Brown, R. and Wiedlitzka, S. 2016. *Causes and motivations of hate crime*. Manchester: Equality and Human Rights Commission.
- Warwickshire County Council 2012. Hate Crime and Mate Crime. ,pp.1–34. Available from: [http://www.warwickshire.gov.uk/Web/corporate/wccweb.nsf/Links/801210B4D794A26780257A0D0034FA8D/\\$file/HateCrimeEbook.pdf](http://www.warwickshire.gov.uk/Web/corporate/wccweb.nsf/Links/801210B4D794A26780257A0D0034FA8D/$file/HateCrimeEbook.pdf) [Accessed October 13, 2013].
- Warwickshire Safeguarding Adults Partnership 2011. *Serious Case Review - The murder of Gemma Hayter 9th August 2010 - Public Summary*. Rugby: Warwickshire Safeguarding Adults Partnership.
- Waxman, B.F. 1991. Hatred: The unacknowledged dimension in violence against disabled people. *Sexuality and Disability*. **9**(3),pp.185–199.
- Webster, C. and Kingston, S. 2014. Anti-Poverty Strategies for the UK, Poverty and Crime Review. . (May),pp.1–47.
- Westmarland, N. 2015. *Violence against women: criminological perspectives on men's violences*. London: Routledge.

- White, C. 2015. Rape and sexual abuse *In*: R. SHAH and P. GIANNASI, eds. *Tackling disability discrimination and disability hate crime: a multidisciplinary guide*. London: Jessica Kingsley Publishers, pp. 140–158.
- Williams, B., Copestake, P., Eversley, J. and Stafford, B. 2008. *Experiences and Expectations of Disabled People A research report for the Office for Disability Issues*. London: Office for Disability Issues.
- Williams, M. and Tregidga, J. 2013a. *All Wales Hate Crime Research Project*. Cardiff: Race Equality First.
- Williams, M. and Tregidga, J. 2013b. *All Wales Hate Crime Research Project Research Overview and Executive Summary*. Cardiff: Race Equality First.
- Williams, M.L. and Tregidga, J. 2014. Hate Crime Victimization in Wales: Psychological and Physical Impacts Across Seven Hate Crime Victim Types. *British Journal of Criminology*. **54**(5),pp.946–967.
- Williams, R. 2010. 'Mate crime' fears for people with learning disabilities. *The Guardian*, 14 September 2010 [online]. Available from: <http://www.guardian.co.uk/society/2010/sep/14/learning-disabilities-mate-crime> [Accessed May 13, 2012].
- Williams, V., Boyle, G., Jepson, M., Swift, P., Williamson, T. and Heslop, P. 2012. *Making Best Interests Decisions: people and processes*. Bristol: University of Bristol.
- Williamson, T. 2003. Uses, misuses and implications for crime data *In*: D. CARSON and R. BULL, eds. *Handbook of psychology in legal contexts*. Chichester: Wiley, pp. 207–228.
- Woodcock, L. 2015. Teresa Ryan murder trial: Court told man started fire after burgling her home. *GazetteLive*, 13th January [online],p.n.p. Available from: <http://www.gazettelive.co.uk/news/teesside-news/teresa-ryan-murder-trial-court-8438841> [Accessed January 10, 2017].
- World Health Organization 1980. *International Classification of Impairments, Disabilities, and Handicaps* [online]. Geneva: WHO. Available from: http://apps.who.int/iris/bitstream/10665/41003/1/9241541261_eng.pdf [Accessed September 23, 2015].

- World Health Organization 2001. International Classification of Functioning, Disability and Health: ICF. Available from:
<http://www.who.int/classifications/icf/en/> [Accessed September 28, 2015].
- World Health Organization 2004. *Global status report on alcohol*. Geneva: World Health Organisation.
- World Health Organization 2011. *World report on disability* [online]. Malta. Available from:
http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf
[Accessed December 5, 2014].
- Yardley, E., Wilson, D. and Lynes, A. 2013. A Taxonomy of Male British Family Annihilators, 1980-2012. *The Howard Journal of Criminal Justice* [online]. **53**(2),pp.117–140. Available from: <http://doi.wiley.com/10.1111/hojo.12033>
[Accessed October 27, 2013].
- Young, I.M. 1990. *Justice and the Politics of Difference*. Princeton ,NJ: Princeton University Press.
- Young, M. 1991. *An Inside Job. Policing and Police Culture in Britain*. Oxford: Clarendon Press.
- Yuksel, F., Bramwell, B. and Yuksel, A. 1999. Stakeholder interviews and tourism planning at Pamukkale, Turkey. *Tourism Management*. **20**(3),pp.351–360.