

Ann Craft Trust

Latest Research and News on Safeguarding Disabled Children and Adults at Risk

Issue: 101

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Staff Members



Deborah Kitson
Chief Executive Officer



Nicola Dean
Safeguarding Adults in Sport
Manager



Sarah Goff
Safeguarding Disabled
Children Manager



Nat Rock
Administrator



Lisa Curtis
Safeguarding Adults Man-
ager



Abra Millar
Marketing Officer

Trustees and Management Committee

Claire Bearder

Gwyn Fraser

Rachel Fyson

Janet Garnons-Williams

David Marsland

Tania May

Rob Morgan

Sandy Pearce

Bridget Penhale

Patrons

Sir Roger Singleton

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By Deborah Kitson - Bulletin 70, 2010

Editors Note



“Our work on safeguarding adults in sport has been funded for another two years...”

Edition 101!

Life is busy at ACT with preparation for our seminar and AGM next month and two new projects – the research looking at domestic abuse of people with learning disabilities, funded by Lloyds Foundation, is now underway and our work on safeguarding adults in sport has been funded for a further two years so we are able to develop it further and contribute to Sport England’s strategy ‘Towards an Active Nation’ and the Government’s Duty of Care in Sport.

This quarter has seen the publication of the Care Quality’s Commission “The state of health care and adult social care in England 2016/17”. This is their annual as-

essment of health and social care in England and looks at the trends, highlights examples of good and outstanding care, and identifies factors that maintain high-quality care. You can download the assessment here:

<http://www.cqc.org.uk/publications/major-report/state-care35>

And the Norah Fry Centre for Disabilities Studies, University of Bristol are doing an interesting piece of research about people with learning disabilities on TV. This research is being carried out as part of a much larger project called ‘Getting Things Changed’ which is funded by the ESRC.

We are all looking forward to our annual seminar and AGM on No-

vember 23rd when we will be celebrating our 25th anniversary. Presentations will include news about experts by experience, safeguarding in sport, forced marriage and domestic abuse and all presentations will reflect on how we have responded to these issues over the years. I anticipate the message will be an acknowledgement of progress made but a recognition that there is a long way still to go.

We do hope to see you there!



Deborah Kitson, ACT CEO

The Rise of Modern Slavery in the UK

By Deborah Kitson, CEO



Slavery is an umbrella term for activities involved when one person obtains or holds another person in compelled service.

Someone is in slavery if they are:

- forced to work through mental or physical threat
- owned or controlled by an 'employer', usually through mental or physical abuse or the threat of abuse
- dehumanised, treated as a commodity or bought and sold as 'property'
- physically constrained or have restrictions placed on his/her freedom

The following definitions are encompassed within the term 'modern slavery' for the purposes of the Modern Slavery Act 2015.

These are:

- **'slavery'** is where ownership is exercised over a person

“There has been a 300% increase in the number of victims of modern slavery referred for support in the past six years”

- **'servitude'** involves the obligation to provide services imposed by coercion
- **'forced or compulsory labour'** involves work or service extracted from any person under the menace of a penalty and for which the person has not offered himself voluntarily
- **'human trafficking'** concerns arranging or facilitating the travel of another with a view to exploiting them.

There has been a 300% increase in the number of victims of modern slavery referred for support in the past six years.

The rise in the number of referrals,

from 378 in 2011 to 1,554 last year, is a reflection both of the growth in numbers of modern slaves in the UK, but also a reflection of improved identification of victims.

The Modern Slavery Bill, the first of its kind in Europe, will make prosecuting slave-drivers easier, ensure sentences for the organised criminal perpetrators are tougher and keep victims safer.

Karen Bradley, Minister for Modern Slavery and Organised Crime, says that progressive non-legislative work is also under way. “As well as the Bill, so much work is being done on the ground. GPs, HMRC, police, Border Force and NGOs are alert to the signs. But

The Rise of Modern Slavery in the UK

By Deborah Kitson, CEO

we need more awareness. It's not that people are choosing to ignore modern slavery, but they don't know what to look for."

When the Care Act was first published the inclusion of modern slavery was questioned with people asking if it was a relevant concern –and questioning whether they should include this new definition of abuse in relevant safeguarding policies and procedures.

Since then, however, there have been cases that have involved people with learning disabilities and mental health needs reinforcing the message that all individuals and services need to be aware of modern slavery and report any concerns that they have.

The Care Act guidance (2017) refers to modern slavery encompassing

- slavery
- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

On December 11th 2015 a Nottingham couple were found guilty of modern slavery after imprisoning a young woman with learning disabilities for five months. This shocking case of abuse highlighted the rising concern that people with learning

disabilities are at significant risk if agencies are not vigilant in their safeguarding approach.

This was, at that time, the second high profile case in as many years. People with learning disabilities are at significant risk of modern slavery as they can often be isolated within communities, not deemed eligible for support services or simply overlooked due to not being viewed as a high profile concern.

And since then members of the Rooney family received sentences of up to 16 years after Nottingham Crown Court heard how they had exploited 18 men, several of whom had mental health needs or learning disabilities, while others had drug or alcohol problems.

The men were kept in squalid

conditions on two sites in Lincolnshire, with many living in caravans without running water or toilet facilities. All of them had been picked up by members of the Rooney family and, according to Lincolnshire police, were "specifically targeted" because they were "vulnerable and homeless".

These cases highlight the need for agencies and professionals to develop policies and awareness around this violent and horrific form of exploitation.

At the Ann Craft Trust (ACT) we believe that the modern slavery of people with learning disabilities is a hidden form of abuse with parallels to disability hate crime, financial abuse and sexual exploitation.

Woman with learning disabilities imprisoned for five months in Nottingham

A 24-year-old woman was imprisoned by a couple in a house in Nottingham for five months.

The court was told:

- She suffered a broken wrist, ribs and had scarring on her back, thighs and arms
- She was made to sleep on the kitchen floor or in a duck pen
- She was assaulted daily and subject to beatings, threats and intimidation
- We was soaked with cold water if she refused to do what she was told
- She was attacked with a hockey stick
- She managed to escape when a relative of her prisoners visited and told her to get out

Gavin Pascoe was jailed for four years and Vicki Jepson for two and a half years on December 2015. Source: [BBC](#)

Sexual Exploitation of Children with Learning Disabilities Training



The NWG Network and the Ann Craft Trust have worked in partnership to develop two new training courses for practitioners who work within the field of CSE and learning disabilities.

CSE & Learning Disabilities:

For Practitioners Specialising in Child Sexual Exploitation

This course is designed for practitioners with experience working with young people at risk of CSE.

This training will concentrate on developing your knowledge on young people with learning disabilities and how this can impact the work you do in safeguarding them from abuse.

22 November 2017

Location: Ann Craft Trust, University of Nottingham

CSE & Learning Disabilities:

For Practitioners Specialising in Learning Disabilities

This course is aimed at practitioners who have experience in working with young people with learning disabilities.

This training will focus more on developing your knowledge on the complexities of CSE and relating the effect and impact back to young people with learning disabilities and difficulties.

21 March 2018

Location: Ann Craft Trust, University of Nottingham

[Download a Booking Form](#)

Joining Up Children & Adult Safeguarding

By Nick Slinn, CPSU

The inception of the Sport England funded Safeguarding Adults in Sport Manager post at the Ann Craft Trust (ACT) provided the impetus for developing a working relationship with the NSPCC Child Protection in Sport Unit (CPSU).

The CPSU was established in 2001, also in partnership with Sport England, to support sports organisations to meet their responsibilities to safeguard children and young people. Based in Leicester, the unit provides advice, guidance and resources to sports governing bodies, county sports partnerships and others. Many child safeguarding resources are freely available on the CPSU website.

A Growing Demand for Information and Advice

CPSU staff had for some time been aware of a growing demand for information and advice from sports about safeguarding adults, and therefore welcomed moves to establish a service within ACT. CPSU staff have been keen to share their experience of developing a sports' service over many years with ACT as relative newcomer to the sector.

The worlds of child and adult safeguarding often seem very different, and there are some fundamental factors that are unique to each. However, there are also a number of real commonalities (in underlying principles and practice), and areas where our respective responsibilities and interests overlap.

Transition into Adulthood

There is a huge advantage for



individuals, clubs and organisations in seeking to ensure that, as young people transition into adulthood, they are able to benefit from seamless safeguarding arrangements – rather than abrupt changes to (or even removal of) support services that often mark this transition. Many funded sports programmes and projects frequently straddle the participant age divide – for example extending from young children to adults in their mid-twenties.

In these circumstances it is obviously much more effective for CPSU and ACT to work together to address safeguarding needs arising for sports bodies involved in commissioning and delivering such activities.

Meeting the Needs of Children

In light of their acknowledged additional vulnerability to harm, the needs of disabled children within sport have rightly been identified as a key priority for the

sector. Adding to what we know about the extra risks associated with sport at the performance end of the participation spectrum, talented disabled athletes require particular consideration and care in safeguarding terms.

Here again there are opportunities for CPSU and ACT to work together, sharing experiences and knowledge, to help develop a safer environment for all competitors. We hope and anticipate that this is only the beginning of a long and fruitful working partnership.

Safeguarding Adults in Sport Email Updates

Our Safeguarding Adults in Sport Update delivers the latest safeguarding news, resources and events straight to your inbox.

[**Sign up now**](#)

ACT Seminar 2017:

Celebrating 25 Years of the Ann Craft Trust



Thursday 23rd November 2017 At the University of Nottingham

Join us at the ACT Seminar on Thursday 23rd November to celebrate 25 years of the Ann Craft Trust and to:

- Get updates on the latest safeguarding legislation
- Discuss and share your experiences with professionals across a range of fields and sectors
- Get tips on how to tackle the newest safeguarding challenges
- Find out about current research and its implications for you

We'll be having expert talks and discussion on the following topics which have been key to safeguarding adults in recent years:

- Forced Marriage
- Child Sexual Exploitation
- Domestic Abuse
- Abuse in Sport
- Financial Abuse
- New Safeguarding Challenges
- Learning from Safeguarding Successes

[Find out more and book your place](#)

Recognising and reducing risks of domestic abuse for disabled young adults; understanding and improving access to services

By Sarah Goff

The Ann Craft Trust in partnership with Coventry University are undertaking a Lloyds Foundation funded research project.

We know disabled young men and women experience higher rates of domestic abuse than their non-disabled peers. Evidence indicates that professionals are less able to recognise and distinguish abuse from other needs, and that disabled young people are less likely both to disclose abuse and to receive a response that meets their needs. Public Health England produced a key report highlighting increased risks to disabled men and women, with broad actions recommended including training, multi-agency collaboration and increased involvement of disabled people in planning. The recognition of the category of 'domestic abuse' in the 2014 Care Act now means all agencies including domestic abuse workers, health, social care, education, police and support services need to be able to recognise signs of domestic abuse in disabled young people, adults and children at risk. Child Protection procedures and guidance have an expectation that professionals address these issues. Yet young people with learning disabilities do not have the same access to support. Practitioners in adults and children's services need skills in working with disabled children and young people. There is an identified gap in research-informed training to assist frontline workers and their managers. This project will

contribute to addressing this gap.

The aims of this research are to:

- Understand the experiences of disabled young people of support services and intervention by domestic abuse services, police, health, social care and other and other workers; to seek young peoples' views about how services responded to them.
- Find out more about what disabled young people want from domestic abuse services and support agencies; what would good practice mean to them.

- Identify what works and what have been the barriers to delivering this help and support.
- Develop training materials and policy and practice recommendations.

This research project is seeking the views of:

- disabled young people who have experienced domestic abuse (aged 17 – 25)
- professionals working with young people with learning disabilities
- professionals working in the domestic abuse field.

Contribution opportunities

We would like to talk to disabled young people ages 16-25 and professionals who have worked with disabled young people about their views and experiences of services.

We will not be seeking to ask young people directly about their experiences of harm and abuse, rather we wish to find out how they felt services responded or did not respond to their needs.

We will provide information and consent forms and will seek to work and communicate with young people at their convenience, in their own preferred style of communication, location, timing and manner.

We have had ethical approval for this study from Nottingham University and would also work within the ethics process for any school, college, service or Local Authority organisation working with us. Please let us know any requirements for your organisation.

If you would like further information about the research study, or think you can support the study through participating yourself or helping us to access young disabled people please contact us.

Please email Sarah Goff at sarah.goff@nottingham.ac.uk

Safeguarding News Watch...

Boy's death raises fears over safeguarding children who move councils

A serious case review by Luton Safeguarding Children Board into a 13-month-old boy's death has renewed concerns over how children are kept safe when they move between local authority areas, and over social workers' understanding of risk relating to violence between adults.

Noah Serra-Morrison was killed in November 2015 by his mother Ronnie Tayler-Morrison's violent partner, Hardeep Hunjan. He died weeks after the mother and child, who were evicted from a West London tenancy, were offered accommodation in Luton. Hunjan had been staying in Hull after being bailed on condition of not coming inside the M25, in the wake of an assault on one of Tayler-Morrison's neighbours.

The case underlined issues flagged by the 2015 'Sofia' case review around information transfer when families move between boroughs, the investigation found. It found documents sent from an Ealing council social worker to Luton's rapid intervention and assessment team (RIAT) "did not make it easy" to identify Hunjan as a primary source of risk.

[Read the full article at communitycare.co.uk](http://communitycare.co.uk)

Dumbarton carer locked vulnerable woman in a car while she went shopping

A carer from Dumbarton locked a vulnerable woman in a car while

she shopped with a colleague.

The woman and another man, who both have learning difficulties, were found distressed in the steamed-up car by police, who began trying to break a window to free them, Dumbarton Sheriff Court heard.

But before the glass shattered Alba Mooney, 60, of Murroch Avenue, Bellsmyre, and colleague Linda Kane, 51, returned to the car.

Mooney was found guilty of neglecting the woman she was supposed to be caring for and Kane, of Rampart Avenue in Knightswood, was also found guilty of failing to take care of the man by leaving them in the car at Clyde Shopping Centre on May 18, 2016.

[Read the full article on dailyrecord.co.uk](http://dailyrecord.co.uk)

Service user group intervenes in 'Care Act breach' court appeal

A service user group and Britain's statutory equality organisation are to intervene in the case of a disabled man that could have significant implications for the application of the Care Act 2014's wellbeing duty.

Luke Davey's appeal against an earlier High Court judgment, which dismissed his case that Oxfordshire council's decision to cut his care package breached the Care Act, will be heard in the Court of Appeal tomorrow (17 August).

Inclusion London, a charity for deaf and disabled people, has made a submission to the court to

highlight the impact the case – believed to be the first legal challenge dealing with the Care Act's wellbeing principle – could have on the lives of disabled people.

A spokesperson told Community Care that the organisation wanted to make it clear to the judges that this case "was not just about a single care package".

The Equality and Human Rights Commission (EHRC) has also made a submission to the court in relation to the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and its "meaning and relevance" in terms of applying the Care Act.

[Read the full article on communitycare.co.uk](http://communitycare.co.uk)

Ryan Atkin becomes first openly gay professional official in English football

Ryan Atkin has become England's first openly gay professional official, with the Football Association welcoming the 32-year-old's revelation of his sexuality as a landmark sign of progress.

"Ryan's declaration marks an important moment in the game and reinforces the fact that refereeing really is open to everyone," Neale Barry, the FA head of senior referee development, said. "He believes people who are happy in their own skin perform better and I couldn't agree more. Our role is to support all referees, aid their development, maximise their potential and, above all, help ensure their experiences are positive."

[Read the full article on theguardian.com](http://theguardian.com)

Safeguarding News Watch...

Met launches child-safeguarding internal comms campaign in response to criticism from policing watchdog

The campaign, which launched last week, is entitled 'Spot It to Stop It. Think Child. Think Safeguarding' and will run for 12 months with the aim of reaching all 44,000 of the Met's police officers and staff.

It will challenge the force's employees to think differently about the signs that a child may be at risk of harm.

The primary message is that all Met employees have a duty to protect children, whether they are first responders, detectives or ward officers, in every incident and investigation they attend.

The campaign will also focus on missing children, child abuse and children who are drawn into gangs and then criminally exploited.

Campaign activity will include intranet articles, blogs, a podcast and a range of resources for staff to help them understand best practice in child safeguarding.

[Read the full article on prweek.com](#)

Modern slavery and trafficking 'in every UK town and city'

Modern slavery and human trafficking in the UK is "far more prevalent than previously thought," the National Crime Agency has said.

The NCA said there were more than 300 live policing operations currently, with cases affecting "every large town and city in the

country".

The agency estimated that there were tens of thousands of victims.

It said previous estimates of 10,000-13,000 victims in the UK were found to be the "tip of the iceberg".

"The more we look, the more we find," the NCA's vulnerabilities director Will Kerr said.

Mr Kerr said he had been shocked by what he had seen during this year's intensive efforts to break up gangs, with almost every major operation triggering even more investigations.

He warned that trafficking into modern slavery was now so widespread that ordinary people would be unwittingly coming into contact with victims every day.

[Read the full article on bbc.co.uk](#)

Post-Paralympic progress stalls for disabled people

On the fifth anniversary of the London 2012 Paralympic Games new evidence from the disability charity Scope shows despite the success of the games themselves, there has been little change in the way disabled people feel they are treated by society and supported by the government.

New research reveals over a third (38%) of disabled people think that attitudes have not improved or got worse since 2012.

A quarter (28%) of disabled people did not feel the Paralympics delivered a positive legacy for disabled people.

[Read the full article on scope.org.uk](#)

The Catholic church must stop blaming victims: children cannot consent to sex

What has consent got to do with child abuse? A simple question, which should have a simple answer. A child under the age of 16 is in law unable to consent to sexual acts. The age of consent exists for a reason: to protect vulnerable members of society who have not yet developed the emotional or physical maturity to engage in sexual relationships.

Yet years of revelations about child sexual abuse have shown that this is not a settled question even within trusted institutions that should know better. The independent inquiry into child sexual exploitation in Rotherham found police officers believed girls as young as 11 could consent to sex. In Rochdale, council employees said they thought victims of child sex abuse were "making their own choices". And in my own work as a lawyer representing survivors of child sexual abuse, I've seen how the Catholic church, when dealing with allegations of child sexual abuse, often looks to place blame straight at the feet of a victim.

Two years ago, the Catholic church was swift to publicly condemn Father Gino Flaim, a priest in northern Italy, who in the context of discussing paedophilia said some children seek attention from priests that they do not receive at home, and some priests give in to this.

[Read the full article on theguardian.co.uk](#)

Safeguarding News Watch...

Court ruling not needed to withdraw care, judge says

Legal permission will no longer be required to end care for patients in a permanent vegetative state, a judge has ruled.

Until now a judge must also consent, even if medics and relatives agree to withdraw nutrition from a patient.

But in what been described as a landmark decision, those cases will no longer have to come to court.

The Official Solicitor, appointed by the state to act for such patients, is likely to appeal against the ruling.

Doctors are able to withdraw treatment from a patient - if relatives consent - under various circumstances without needing court approval.

[Read the full article on bbc.co.uk](#)

James Herbert death: 'Avoid police restraint' for mentally ill people

Police should avoid restraining people in custody with suspected mental health problems, a report says.

It follows the death of a man in Yeovil in 2010 who had been detained under the Mental Health Act.

An Independent Police Complaints Commission (IPCC) report shows chances were missed which may have saved him, and makes a number of recommendations.

Avon and Somerset Police said it welcomed the findings and changes in procedures had already been made.

James Herbert, 25, was seen acting strangely after he had taken a "legal high" in his home town of Wells, Somerset.

He was restrained by officers, taken by van to a police station in Yeovil and left naked in a cell. He was later found in an unresponsive state and pronounced dead at Yeovil District Hospital.

[Read the full article on bbc.co.uk](#)

NHS trust pleads guilty over Connor Sparrowhawk's 'entirely preventable' death

The chief executive of an NHS trust responsible for the care of a teenager who drowned in a bath after an epileptic seizure has said she is "truly sorry" the organisation failed to keep him safe.

Southern Health NHS Foundation Trust pleaded guilty to breaching health and safety law at Banbury magistrates' court yesterday (18 September), following a criminal prosecution by the Health and Safety Executive (HSE) relating to Connor Sparrowhawk's death in 2013.

In a statement provided later on Monday, Julie Dawes, the interim chief executive of the trust, acknowledged the "devastating impact" that the 18-year-old's death, at Slade House learning disability unit in Oxford, had had on his family.

"The effect of Connor's death has been far reaching and whilst it in no way compensates for the loss his family has suffered, it has led to significant changes and improvements in the Trust," Dawes said. "There have been times when our actions unintentionally added to the distress of Connor's

family."

In blog posts written on the two days before the hearing, Connor's mother Sara Ryan welcomed the trust's recognition of her family's pain, but criticised the time it had taken the organisation to take full responsibility.

"It's really time to start walking up hills if you mean business around changing practice," Ryan wrote. "Demonstrate the 'impact' a patient's death has had on your organisation with actions. Not talk."

[Read the full article on communitycare.co.uk](#)

Safeguarding Adults Board review into death of nursing home resident

The death of a nursing home resident who refused treatment for maggot-infested wounds has prompted a review of the way in which vulnerable adults are safeguarded.

The 64-year-old from west Kent, referred to in the anonymised report as 'Adult A', was a recovering alcoholic who had a form of dementia called Korsakoff syndrome.

Other health problems included a brain injury, vascular disorder, epilepsy, diabetes and ulcers and cellulitis on his legs.

The father-of-five died in July last year as a result of sepsis, infections to his legs, diabetes and cirrhosis – after months of refusing treatment which could have helped him.

[Read the full article on kentonline.co.uk](#)

Research & Resources...



VODG launches a new resource to tackle over-medication

The resource is called 'Preparing to visit a doctor' and it aims to equip social care staff to plan with an individual for a review of their psychotropic medication.

It includes guidance for staff and an easy-read questionnaire to complete with the individual prior to the doctor's appointment.

The resource is part of the wider STOMP Campaign to Stop Over-Medication of People with a learning disability and autism.

STOMP was launched in 2016 and is led by NHS England.

EFDS resources take new people on road to an active lifestyle

From previous research, the EFDS found that awareness of opportunities and access to information can be a barrier to leading a more active lifestyle.

As a result, the EFDS has created two new resources for people supporting people with disabilities to be more active.

The first resource is for anyone supporting disabled people to be active.

The second resource is for people taking part in the Sainsbury's Inclusive Community Training.



NHS Safeguarding Guidance App

NHS Midlands and East SHA have developed safeguarding guidance in partnership with a consortium of CCG safeguarding leads.

It includes both a Safeguarding Adults Guide and a Safeguarding Children and Young Persons Guide with information on the Mental Capacity Act, the Prevent Agenda, domestic abuse and cyberbullying and internal safety.

[Download this report](#)

[Download this report](#)

[Download this report](#)



Research & Resources...



The state of health care and adult social care in England 2016/17 Summary



VODG welcomes CQC resource to promote equality and human rights

The first resource is for anyone supporting disabled people to be active.

Doctors are able to withdraw treatment from a patient - if relatives consent - under various circumstances without needing court approval.

The first resource is for anyone supporting disabled people to be active.

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treatment from a patient - if relatives consent - under various circumstances without needing court approval.

[Download these resources](#)

CQC release latest State of Care 2016/17 report

The State of Care report is an annual assessment of health and social care in England which looks at trends in health and social care. It

also highlights examples of outstanding care and aims to identify the factors that help to maintain high-quality care.

[Download this report](#)

NICE draft guidelines out for consultation

NICE's draft guidelines, Learning disabilities and behaviour that challenges: service design and delivery, are currently out for consultation.

The guidance is about how services should work for people with a learning disability and behaviour that challenges.

The consultation closes on Monday 20th November 2017 at 5pm.

[Find out more](#)

New Child Abuse and Neglect guidelines

NICE has published new guidelines covering the recognition and response to abuse and neglect in children and young people aged under 18.

The guidance covers physical, sexual and emotion abuse and neglect. It aims to help anyone who works with children and young people to spot signs and abuse and neglect, and to know how to respond as well as practitioners who carry out assessments and provide early help.

[Read these guidelines](#)



From the Vault...

Autonomy, Safeguarding & Disability Hate Crime

By Deborah Kitson, ACT Bulletin 70, 2010

What is a Disability Hate Crime?

“Any criminal offence which is perceived to be motivated because of a person’s disability or perceived disability, by the victim or any other person.”- Association of Chief Police Officers

Offences (Aggravation by Prejudice) (Scotland) Act 2009

Prejudice relating to disability

1 (2) An offence is aggravated by prejudice relating to disability if –

a) at the time of committing the offence or immediately before or after doing so, the offender evinces towards the victim (if any) of the offence malice and ill-will relating to a disability (or presumed disability) of the victim or

b) the offence is motivated (wholly or partly) by malice and ill-will towards persons who have a disability.

Disability Hate Crime

Hate crime is any criminal offence committed against a person or property that is motivated by an offend-

Brent Martin

Brent Martin had learning disabilities and mental health needs. He was 23 years old and lived in Sunderland.

After leaving psychiatric care, he found his own flat and a job and fell in with a group of youths who:

- Bet £5 they could knock him out with a single punch.
- Knocked Brent unconscious twice—and he dies two days later.
- The group posed for pictures and brag after the attack.
- Bonallie heard to say “I’m not going down for a muppet.”

Sentenced to life imprisonment. Sentences later reduced on the grounds that the murder was not

Laura Milne

Laura Milne had learning disabilities, was 19 years old. Lived in homeless accommodation in Aberdeen with regular contact with her family. She was described as naïve, easily manipulated and too trusting.

She saw abusers as her friends. Buchan had bullied her since school.

The group repeatedly punched and kicked Laura, repeatedly stabbed her and cut her throat, killing her.

They later used mobile phone to record themselves boasting about the murder. Jack said of Laura “she’s worth fuck all”.

Jack admitted murder; jailed for minimum of 14 years. Buchan and Mackinnon admitted attempted murder; both jailed for 9 years.

er’s hatred of someone because of their:

- race, colour, ethnic origin, nationality or national origins
- religion
- gender or gender identity
- sexual orientation
- disability

Home Office definition of a hate crime:

Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate.

The law

Criminal Justice Act 2003

s.146 Increase in sentences for aggravation related to disability or sexual orientation

S.146 is meant to ensure that:

- these offences are treated seriously by the police, prosecutors and courts;
- that the punishment fits the crime;



From the Vault...

Steven Hoskin

Steven Hoskin had learning disabilities and was 39.

Youths use Steven's bedsit to drink and take drugs where they steal his money and assault him.

Steven cancels his weekly community care assistant service.

Tortured after admitting their involvement in shoplifting.

Assaulted, made to wear dog collar, cigarettes stubbed out on him

Forced to falsely confess to being paedophile and to swallow 70 painkillers.

Marched to top of viaduct and forced over edge – falls to his death

Sentenced to 25 years and 10 years for murder and to 8 years for manslaughter.

- that victims get justice; and
- that a clear signal is sent to society that disability hate crime is unacceptable.

How big is the problem?

Disability Rights Commission and Capability Scotland (Hate Crime Against Disabled People in Scotland: A Survey Report, 2004)

Keith Philpott

Keith Philpott had learning disabilities and was 36 years old.

He lived alone in a flat in Stockton-on-Tees.

Youths used his flat to hang out including Gemma Swindon

They fall out and Gemma tells her brother he had sexually assaulted her - no indication this allegation was true.

Sean Swindon recruited self-confessed paedophile-hater Michael Peart.

They tied Keith up and seriously assaulted him using a kitchen knife to saw through his abdomen leaving Keith to die in his flat.

Sean Swindon and Michael Peart found guilty of murder.

- 47% of people with disabilities experienced being frightened or attacked.
- 35% of these people were physically assaulted, 15% spat at and 18% had something stolen.

Mencap (Living in Fear, 2000)

- 88% of people with learning disabilities bullied a year.
- 32% of people with learning disabilities bullied daily or weekly.
- 23% of people with learning disabilities physically assaulted.

Mind (Another Assault, 2007)

- 71% of people with mental health needs victimised in last 2 years.
- 22% physically assaulted.
- 26% had their homes targeted (e.g. vandalism).

Key questions

- Is the crime at least partially motivated by prejudice or hostility based on disability?
- Was the victim selected because of their disability or because their vulnerability made them an easy target?
- Why was the situation allowed to escalate despite people having previous concerns?

Commonalities

- All had learning disabilities.
- Predominantly men aged late 30s to early 40s.
- Lived on their own in the local community.
- Befriended by young people who they viewed as their friends.
- These "friends" abused and exploited them over a prolonged period.
- Killed by these "friends" or associates of them.
- Killers were young – between 15 and 30. Killers had been drinking and / or taking drugs. →
- Killings were brutal and prolonged.

From the Vault...

- These crimes were not dealt with as disability hate crimes.
- All killers were convicted.

Raymond Atherton

Raymond Atherton was 40 years old with learning disabilities

He lived in a flat in Warrington - youths used it for drink and drugs

They spent months "terroring" him – assaults, harassment, shaving his hair, urinating on him, theft.

Despite moving, they followed him and "terroring" continued.

Raymond unable to provide descriptions of attacks or attackers.

Reluctant to report incidents or seek medical help

Raymond assaulted and thrown into river Mersey and drowned.

Given 3 and a half years and 3 years for manslaughter.

Differences

- Some had regular contact with statutory agencies.
- Some had regular contact with their families; some are estranged.
- Murderers of Steven Hoskin and Keith Philpott incorrectly accused them of being paedophiles.
- Inquiry identified failures by statutory agencies in Steven Hoskin's case. Inquiry cleared statutory agencies in Raymond Atherton's case.

Independence & Safeguarding

- People with learning disabilities want to be part of their communities and to have friends.
- People with learning disabilities may not identify risky situations or relationships.
- Some people may use this to exploit people

with learning disabilities.

- Everyone has a right to make bad choices and to refuse help.
- Independence is not the only measure of quality of life – people must be safe.
- Yet, services must avoid paternalism.
- When and how should agencies intervene?
- People with learning disabilities need the support of others to make choices and maintain an optimum level of independence.
- Empower people with learning disabilities by giving them the skills and knowledge to make informed choices.
- Tackle abusers promptly (e.g. act on anti-social behaviour and low level exploitation).
- It is not Independence vs. Safeguarding.

Disability Hate Crime

- Were any of these cases disability hate crimes? Were they at least partly motivated by prejudice or hostility based on disability?
- Recognising the motive does justice to the victim.
- Vulnerability can overshadow disability.
- Vulnerability, drink and drugs – explanations or opportunities for disability?
- The issue of perpetrator and victim relationships.
- Why did things escalate?
- Why were these crimes so vicious?

Disability Hate Crime

- It is not Safeguarding vs. Disability Hate Crime
- Keep an open and enquiring mind
- Probe beneath the surface
- Would adult protection legislation make a real difference?



THE ANN CRAFT TRUST

ACTing Against Abuse

ACT is an association concerned with safeguarding all adults at risk and disabled children.

AIMS:

ACT maintains an information exchange network for statutory and voluntary agencies, for professionals and individuals through a national office and

the production and circulation of a quarterly bulletin

the compilation of a network of members and their specific interests

the editing and updating of an annotated bibliography and information sheets on specific topics.

ACT works towards raising the general level of awareness of issues relating to the abuse of disabled children and adults at risk

making links with other relevant organisations (both specialist and mainstream)

producing a wide range of publications

organisation of, and contribution to conferences, seminars and training events

contributing to public debate as appropriate when matters of concern arise locally or nationally.

ACT works to an equal opportunities policy, facilitating protection to all people with disabilities, with attention and respect to race, culture, religion, gender, age and sexual orientation.

**The Ann Craft Trust
Centre for Social Work
University of Nottingham
University Park
Nottingham
NG7 2RD**

Tel 0115 951 5400

Fax 0115 951 5232

Email: ann-craft-trust@nottingham.ac.uk

Website: www.anncrafttrust.org

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