

# Communities, Equality and Local Government Committee

CELG(4)-03-11 : Paper 4

## Welsh Local Government Association

### Evidence to the National Assembly for Wales - Communities, Equality and Local Government Committee Inquiry – Disability Related Harassment

#### Introduction

1. The Welsh Local Government Association (WLGA) is the representative body of the 22 local authorities in Wales; the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members. The WLGA seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
2. The WLGA welcomes the opportunity to provide evidence to the National Assembly for Wales Communities, Equality and Local Government Committee; the WLGA also provided verbal evidence to the recent Inquiry into Disability Related Harassment undertaken by the Equality and Human Rights Commission.

#### General Comments

3. The WLGA welcomes the EHRC recent inquiry and report *Hidden in Plain Sight* and believes that the report will be instrumental in raising awareness of disability related harassment by highlighting the negative impact such harassment has on the daily lives of many disabled people and will be a useful guide for the actions public authorities, and others, should take to support victims, deal with perpetrators and reduce the level of such harassment that occurs within our communities.
4. Local authorities have an important role in both directly providing and commissioning services and co-ordinating partnerships that can prevent and respond to incidences of harassment and in helping to reduce its impact. This work is driven and delivered by a number of inter-linked strategies, policies and action plans that local authorities and partners have in place to tackle hate crime and reduce harassment, for

example, Disability Equality Schemes (or Single Equality Schemes), Community Cohesion Strategies and Community Safety Plans.

5. The WLGA accepts that more action can and needs to be done to advise and support those who experience disability related harassment; helping to increase their safety; challenge and take action against perpetrators; and in demonstrating leadership in encouraging others to deal with the issue more seriously and in influencing change on the prejudicial views held by some of disabled people more generally. These are all important actions that need to be taken to ensure disability related harassment is appropriately addressed. Local authorities, primarily through their approach to tackling hate crime, will have a range of policies and practices in place that enable such support and assistance to be provided to disabled people. They are committed to ensuring that victims of crime and harassment are supported and their negative experiences challenged, whether that be through formal criminal proceedings to 'advise' to suspected perpetrators or referrals to other agencies. However, in gathering evidence for the EHRC inquiry from local authorities, it was clear that further attention could be given to the specific issue of disability related harassment in the same way that targeted action has been taken to challenge both racist and homophobic harassment and abuse. Given the good work that has already been completed on these specific areas, there is much good practice that can be developed and built upon to ensure that disability related harassment is appropriately identified and actions taken to prevent further occurrences.
6. Since the publication of the report, WLGA officers have met with the EHRC to discuss the findings and recommendations of the inquiry and how we can work together to raise awareness within local government. As a starting point the EHRC will be addressing the Equality Officers Network and the All Wales Community Safety Forum over the next month or so. Further discussions are planned.

### **Specific Questions**

*How public authorities in Wales can improve their approaches to tackling disability related harassment, particularly those in housing, education, health and transport*

7. The WLGA supports the recommendations in the EHRC Report and it is suggested that the following actions would help improve the responses from public authorities to the issue of disability related harassment and support on-going work:
  - Awareness raising among disabled people of the importance of reporting disability related harassment

- To achieve an increase in reporting to all relevant agencies through the development of multi-agency reporting and monitoring of incidents, including tension monitoring to identify any potential 'hot spots'
- Development or review of appropriate policies and procedures across all elements of an organisation's business to ensure that staff have clear guidelines on the actions that should be taken when incidents of disability related harassment are reported
- Clear partnership protocols or agreements on ensuring a co-ordinated approach is taken to serious incidents reported and vulnerable people supported
- Opportunities to review reported incidents/on-going cases, i.e. regular case conferences
- Promotion of positive images of disabled people
- Training for staff, particularly front line staff in housing, education, health and transport to raise their awareness and sensitivity to disability related harassment and to ensure they are aware of the steps required to be taken when receiving reported information, including referral mechanisms

*The effectiveness of multi agency approaches, including information sharing and good practice guidance*

8. Through Community Safety Partnerships or Community Cohesion Groups local authorities already work closely with a range of other partners in tackling anti-social behaviour and other crime, promoting community safety and reducing the fear of crime. Multi-agency approaches have been shown to be effective when tackling a range of issues such as racial or homophobic harassment and domestic abuse and it is clear that a multi agency approach to tackling disability related harassment will be the most effective way forward in ensuring all aspects of an incident can be dealt with, as well as the different impacts it may have on an individual. Again, there are areas where improvements are required, such as sharing information on reported incidents and developing a co-ordinated approach to dealing with serious incidents. While there are some barriers and challenges to overcome and improvements to be made there is a willingness among partners to work together to tackle shared concerns and the EHRC recommendations for Wales should assist in prioritising those areas for improvement.

*The potential for public authorities to include actions to reduce disability related harassment in their Strategic Equality Plans*

9. Public authorities in Wales are currently preparing their Strategic Equality Plans as required by Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011. Included in the SEPs will be equality objectives that will set out priority areas of work to be undertaken by the authority to eliminate unlawful discrimination,

harassment and victimisation, promote equality of opportunity and good relations. Equality objectives are to be developed following engagement with local communities, particularly those with a protected characteristic and an analysis of equality evidence. There is therefore potential for public authorities to include an objective or specify actions to be taken to address issues relating to disability related harassment in their SEPs, particularly if it is identified as a priority area for action through the feedback of their engagement activities. From our dialogue so far with local government a number of authorities are already considering hate crime as an equality objective to be developed further and the EHRC Report will help provide additional evidence in prioritising disability related harassment.

### **Examples of Local Authority Practice**

10. There is a range of policies in place and actions being taken by local authorities to tackle hate crime, including disability related harassment. Below are some examples of on-going:
11. **Swansea City Council** has a hate and harassment incident reporting procedure <http://www.swansea.gov.uk/index.cfm?articleid=16928> which enables victims or witnesses to report any incidents to the Council using the HHI1 form. Under reporting is an issue, especially in relation to disability hate crime (with no reports of disability hate incidents via the HHI1 process in 2010/11) and the Council is keen to engage with the police on some awareness raising initiatives and to work more closely with Safer Wales.
12. In **Cardiff**, the key partnership is the Safer Capital Partnership. Safer Capital commissioned the Safer Wales "Report Hate" Project which operates across all equality strands; disability hate crime has been a growing focus within this area. Representatives of the Project attended the Cardiff Council Access Focus Group earlier this year to brief disabled people on their rights and opportunities to report disability-related harassment. They also sought their views on how to make the on-line reporting service more accessible to visually impaired, deaf and learning impaired people, and the Project has since taken steps to action the recommendations made.
13. In **Cardiff City Council** the Housing Service has procedures in place to tackle discriminatory, abusive or violent behaviour by Council tenants. For its employees, there is a Harassment Policy which has a zero tolerance approach to disability related hate crime.

14. **Carmarthenshire County Council** work in partnership with Dyfed Powys Police, the LHB and Mid and West Wales Fire and Rescue Service to co-ordinate and facilitate a county wide Equality Confidence Group. Membership of the ECG consists of a number of disability groups based within the county. ECG meetings are held on a quarterly basis and the main purpose of these meetings is to ensure under-represented groups within the community have access to the local authority officers and police and their partners and to provide a forum to discuss and resolve the needs and concerns of the community. Each meeting usually has a theme based on subjects requested by the group and presentations given to date include: victim support; hate crime; hate crime support officer scheme; mental health services; bullying and harassment in schools. One action from these presentations is that hate crime data is now provided quarterly at each ECG meeting.
15. In **Blaenau Gwent**, the Community Cohesion Group (a partnership involving the local authority, police, Victim Support, VALREC, YOT, Communities First, Health) commissioned research from VALREC in relation to hate crime. Of those interviewed as part of this research 49% of did not report an incident which was within the hate crime category. 23% of those interviewed had been victims of disability related crime. The Group recognised that there may be under reporting of the issue of disability related crime and harassment and VALREC are seeking further funding to employ an officer to look into this further.
16. Also in **Blaenau Gwent CBC**, where vulnerability is identified or suspected (whether from a victim or perpetrator perspective) when a complaint or request for service is made, a priority marker is allocated. Where vulnerability is identified, the authority makes appropriate referrals to services such as the Bobby Van Scheme and Care and Repair as a priority. For example, following a meeting with the Deaf Community, it was arranged for 12 homes to be visited to install home and fire safety equipment. Learning from key messages from the Pilkington Serious Case Review, when working with perpetrators of anti-social behaviour, the Council and partners have adopted a revised incident sheet. When perpetrators are now referred to other agencies, the victims profile includes any vulnerability identified, including disability, so that specific and appropriate support can be offered. The Council also has an Access for All Forum for Disabled Residents and The Executive agreed to be shadowed by Members of this Group to make Executive Members aware of the problems experienced by Disabled Persons when dealing with or visiting the Civic Centre.

## **Conclusion**

17. It is clear from the evidence presented in the EHRC Report that disability related harassment is a common and in some case, a daily occurrence for many disabled people and although the frequency, seriousness and nature of incidents varies, too many people are suffering in silence by not reporting incidents. Even when incidents are reported, further support and action by public authorities is required to ensure disabled people receive the assistance they require to challenge and prevent incidents and most importantly, to feel and be safe. It is hoped that these findings and recommendations can help shine focus on this issue and provide an impetus for further work in this area and improvements in how disability related harassment is tackled and ultimately eliminated.

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