

CELG(4)-04-12 : Paper 2

Written Response by the Welsh Government to the Communities, Equality and Local Government Committee's Report On Disability Related Harassment in Wales

I welcome the Communities, Equality and Local Government Committee's report and recommendations on disability related harassment in Wales. I fully believe that incidents of disability-related harassment, violence and hate crime are shocking and unacceptable. We all have a duty to protect the most vulnerable in society and to ensure that disabled people and those with long term health conditions are able to live a life without fear.

Although current work has been taken forward through our Community Cohesion Strategy, I want to ensure that a stronger strategic direction to tackle hate crime is made a priority across Government portfolios and with our partners across Wales. The importance of this issue is evident within the Programme for Government and within the emerging potential areas for Welsh Government equality objectives.

I support the committee's recommendations to take forward a framework for action across Wales. I want an overarching framework to tackle all forms of hate crime to be underpinned by strong consultation and with clear evidence based on current research and data. This approach will then be supported by tangible and deliverable action plans by working with our stakeholders to set up action driven groups across the hate crime strands. These will explore current practice and will look to develop new working programmes to take forward approaches across Wales.

I want to continue to build the evidence base and I am committed to commission research in 2012 to examine the perpetrators of hate crime and motives. I also want to support the need to pilot and evaluate the impact of developing a MARAC for disability-related harassment through the All Wales Diversity Police Group. This is an important step to tackle disability-related harassment and to safeguard high-risk victims through enhanced partnership working.

I also think that there is an excellent opportunity under the new Specific Equality Duties, which will be in place by 1st April 2012 to work closely with public sector organisations to tackle and respond to issues concerning hate crime across Wales.

I strongly believe that we have the clear commitment and drive across a range of partners and organisations across Wales to really make a positive impact to tackle hate crime. I want us all to take the lead to develop an innovative forward programme which will have a lasting impact on the lives of people across Wales.

Detailed Responses to the report's recommendations are set out below:

The Committee recommends that:

1. The Welsh Government should bring forward a disability-related harassment framework, drawing together all existing work in Wales and setting a strategic direction. This should be developed with the Disability Hate Crime Action Group as a steering group.

Response : Accept

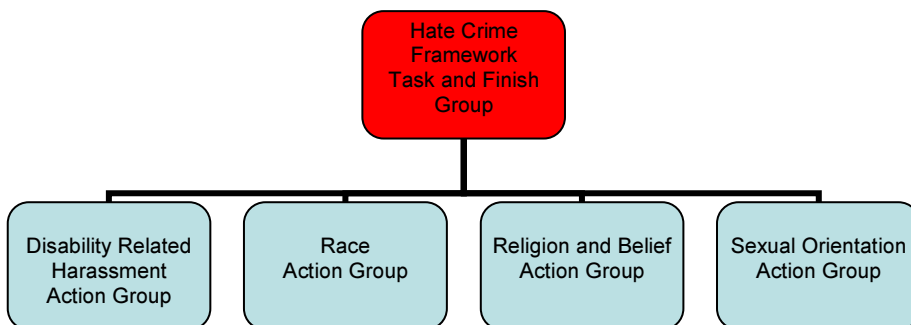
The Welsh Government will develop a framework for action which will encompass all forms of hate crime, including disability-related harassment, race, religion and sexual orientation and transgender. This will be developed through a Welsh Government Cross-departmental Task and Finish Group, which will also include partners to develop and take forward a framework for Wales.

There is a need to develop an overarching framework which will look to identify key policy and practice areas to establish current and future priorities to tackle hate crime. This will build upon the current and emerging evidence available throughout Wales, including evidence from the Committee's findings, the Equality and Human Rights Commission inquiry into disability-related harassment and the All Wales Hate Crime project.

There will also be further work commissioned by the Welsh Government to examine the motives of perpetrators committing hate crimes which will take place during 2012, where findings will be fed into the framework. It is essential that the framework will build in effective communication and consultation during development with stakeholders across Wales.

The Welsh Government wants to support the development of the framework by setting up delivery based groups along each of the strands to produce deliverable action plans. There will also be a representative from action groups on the main Task and Finish Group. My officials will include looking at where existing forums are in operation that will have the relevant understanding and capacity to act as an effective action group. For example the existing Disability Hate Crime Action Group could take the lead to deliver this related strand.

My officials will develop a structure with internal and external stakeholders to take forward (as highlighted below):



Financial Implications – To be scoped by officials, including relevant costs to develop consultation events and the capacity of action groups to deliver identified initiatives.

The Committee recommends that:

2. This plan should establish accountability across Ministerial portfolios and encourage partnership working between government departments, local authorities, health boards, voluntary organisations and other relevant agencies such as the police.

Response: Accept

The commitment to tackle hate crime is evident both within the Programme of Government and within the emerging potential areas for Welsh Government equality objectives which provides a clear indication of the need to take forward work across Wales.

There will be representation within the Task and Finish Group from relevant policy areas. This will help to develop the action based framework and to ensure accountability across Ministerial portfolios which can then be fed to stakeholders. Relevant actions and policy direction will then need to be embedded within the framework across the full range of policy areas.

My officials have already established contact with key policy departmental leads and there is already existing evidence of hate crime related work. This includes developed guidance for bullying across the relevant protected characteristics, community cohesion for schools and further/ higher education and a Hate Crime Toolkit for Housing. This work needs to be built upon and taken forward across Wales.

The enhancement of relations across partners is integral to the delivery of identified actions through the framework. These relationships will be evidenced through specific action groups within the strand related approach, which will consist of relevant organisations across Wales. This will encourage actions to be explored in term of current and future work.

It will be important to engage with stakeholders during specific policy areas during the development of the framework. This will include taking into consideration emerging approaches and practice and needs to build on the current landscape and practice. Relevant expertise will then need to be fed into emerging approaches.

There will be a number of consultation events held throughout Wales during the development stages of the framework. This will ensure that the scope and

aims are set in context and are able to reflect and be responsive to current and future work throughout Wales.

Financial Implications – To be scoped by officials, including relevant costs to develop capacity and to hold consultation events across Wales.

The Committee recommends that:

3. The framework should cover the provision of training to front-line staff in public authorities.

Response: Accept

The training of front line staff is an essential aspect to increase reporting rates, including through third parties. The framework will explore the most effective mechanisms and will also examine examples of current practice.

The development of Welsh Specific Equalities Duties will also enable public sector authorities to emphasise the need to increase work and understanding concerning hate crime. It is important that front line staff can be fully aware of reporting mechanisms for hate crime and can respond effectively to incidents and to raise awareness and understanding.

The framework will explore the need to develop specific guidance for public authorities and other organisations throughout Wales. In order for there to be common guidance and understanding which is consistent and is embedded effectively.

Financial Implications – To be scoped by officials, there could be cost implications to develop guidance for front line staff.

The Committee recommends that:

4. The Welsh Government should pilot the use of MARACs in relation to disability-related harassment, using the model of domestic abuse as good practice.

Response : Accept

The All-Wales Police Diversity Group will be taking forward a sub-group to focus on the development of a pilot MARAC in Wales to focus on disability-related harassment. This will consist of representation across all four police force areas, Crime Prosecution Service, Welsh Government and with key organisations throughout Wales. The Welsh Government is supportive of this approach and will help to scope the feasibility to implement a pilot model.

There is a need to explore current practice, where for example Gwent Police are about to start piloting a hate crime risk assessment process and Wrexham Council have undertaken informal multi agency work around hate crime. The model of domestic violence will provide a clear blueprint in terms of how the MARAC model can operate successfully and focuses on the need to share information across agencies. This previous expertise and understanding needs to be incorporated during the development of this model.

It is important that an evaluation of any future MARAC is built into future progress to review the potential to roll this out throughout Wales.

Financial Implications – To be scoped by officials, there could be cost implications to develop the initial model.

The Committee recommends that:

5. The Welsh Government should monitor how many public authorities have established disability-related harassment as an equality objective under the specific equality duties. These objectives should be evaluated on their outcomes and good practice should be shared.

Response : Accept

The Welsh Government will work closely with the Equality and Human Rights Commission (EHRC) to firstly scope what objectives have been set by organisations throughout Wales. The EHRC have recently written to public sector organisations across Wales to collate this information. Objectives set concerning tackling hate crime and disability related harassment can then be mapped.

Through the development of the framework it will then be important to engage with public sector organisations where hate crime objectives have been set, where good practice can be scoped and shared. The framework will then look to evidence examples of good practice and this will also aid public sector authorities to deliver outcomes through objectives.

The EHRC will be key partners to evaluate outcomes going forward and the Welsh Government will take a leadership role to influence good practice throughout Wales.

Financial Implications – None.

The Committee recommends that:

6. The Minister for Equality should discuss how human rights will be built into the forthcoming Social Services Bill with the Deputy Minister for

Social Services, and provide a note to the Committee on the outcome of this meeting.

Response : Accept

A meeting will be set up shortly to discuss how human rights can be built into the forthcoming Social Services Bill and I will provide a note of the meeting to the committee on the outcome.

I am aware that the Equality and Human Rights Commission has recently met with the Deputy Minister for Social Services to discuss the Social Services Bill and I intend to build upon these discussions. My officials will work closely across portfolios during the development of the Social Services Bill going forward.

Financial Implications – No cost.

The Committee recommends that:

7. The Welsh Government's framework should standardise and co-ordinate third-party reporting centres to ensure consistency of provision and coverage across Wales.

Response : Accept

I am fully aware that there are current projects which have set up third party reporting centres, such as a pilot project within Torfaen. It is important that current practice can be mapped and evaluated to assess potential strengths and weaknesses and to then develop examples of practice throughout Wales.

This approach will form a key part of the framework and it will be important for the Welsh Government to work closely with the Disability Hate Crime Action Group to assess current practice. The framework will then build in examples of successful working through third-party reporting centres which will influence consistency across Wales.

Financial Implications- No cost.

The Committee recommends that:

8. The framework should encourage the use of existing resources to raise awareness of disability-related harassment among disabled people.

Response : Accept

Through the development of strand based action groups and plans within the framework, there will be a key focus to evaluate what can be undertaken by organisations throughout Wales to encourage the use of existing resources to raise awareness of disability related harassment. This will be built within the forward programme and the Disability Hate Crime Action Group will play a significant role to work with disabled people to raise awareness.

It is essential to feed in views from disabled people during the development of the framework and action plan, which will ensure that there is a need to raise awareness and an identification of how barriers can be overcome. This will link strongly with the development of the Independent Living Framework in Wales. It is clear that hate crime can be a significant barrier for disabled people to take part in community life and there is a need to strengthen work and understanding throughout Wales.

This work will also need to be taken forward across Welsh Government portfolios through the framework, where for example housing providers and public transport can have a key role to play to increase understanding and awareness.

Financial Implications – None. This recommendation will look to utilise existing resources.

The Committee recommends that:

9. The Welsh Government should issue guidance to local authorities and relevant agencies on data sharing, specifically how authorities can work to recognise patterns of low level harassment before they become a hate crime.

Response : Accept

The need to share information is a significant barrier to ensure that a joined up partnership approach can be taken to reduce levels of hate crime. This will include exploring patterns of low level harassment to ensure that preventative work can be put in place to tackle any issues at an early stage. This will be explored as part of the development of the MARAC pilot with police forces across Wales and it is important to firstly identify where issues around data sharing are taking place.

The Welsh Government will then work across portfolios to explore how barriers can be overcome and will then identify and assess the need to put in place guidance for local authorities and relevant agencies. This will form a key part of the framework and it will be important to work with partners across Wales to clearly identify effective systems.

Financial Implications – To be scoped by officials, including relevant costs to develop guidance.

The Committee recommends that:

10. The Welsh Government should include a long term aim in the replacement Single Equality Scheme from 2012 to change cultural attitudes towards disabled people in Wales.

Response : Accept

The Welsh Strategic Equality plan and objectives will be the long term replacement for the Single Equalities Scheme from 2012. The emerging potential areas for Welsh Government equality objectives have also included hate crime to take forward work.

The need to change cultural attitudes towards disabled people in Wales is an important issue. I am aware of a recent petitions campaign by MENCAP Cymru to tackle learning disability hate crime and I fully recognise and support the need to develop effective approaches. There will also be strong links with the Independent Living Framework to tackle negative attitudes.

Through the community cohesion programme there will be an outcome to increase understanding and awareness. I have recently announced funding for Regional Community Cohesion Co-ordinators across Wales during 2012. A key part of this role will be to identify current practice and work ongoing within each region and to effectively look to influence partners to explore practice, including through training.

Schools will also have a key role to play in order to help to change cultural attitudes and I am pleased that Toolkits have recently been developed through anti-bullying with a specific section on disability related harassment. I am pleased that hate crime and bullying are within the Programme for Government and the Specific Equalities Duties together and it is important to develop a forward programme which can have a lasting impact on attitudes.

Financial Implications – None. Any additional costs will be drawn from existing programme budgets.