



House of Commons
Petitions Committee

Online abuse and the experience of disabled people

First Report of Session 2017–19

*Report, together with formal minutes
relating to the report*

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Petitions Committee

The Petitions Committee is appointed by the House of Commons to consider e-petitions submitted on petition.parliament.uk and public (paper) petitions presented to the House of Commons.

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Support

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

You can find advice on staying safe online at www.getsafeonline.org

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

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

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

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

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

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

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

<https://www.mencap.org.uk/advice-and-support/learning-disability-helpline>

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

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

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Summary

Social media is a means for people to organise, campaign and share experiences. It helps them to access services, manage their careers, shop, date and navigate a society that is too often designed without disabled people in mind. The disabled people we heard from were some of social media's most enthusiastic users. However, their experiences and Katie Price's petition highlight the extreme level of abuse that disabled people receive online—not just on social media, but in online games, web forums, newspaper comments sections and elsewhere. It is shameful that disabled people have had to leave social media whilst their abusers continue unchecked. Self-regulation of social media has failed disabled people.

We agree with Katie Price's petition that the law on online abuse is not fit for purpose. Laws which cannot act against fake child pornography designed to mock a disabled child and his family cannot be considered adequate. Online abuse can destroy people's careers, their social lives and do lasting damage to their health. People should not have to avoid their town centre, local park or place of work to avoid sustained abuse, mockery and threats. Online spaces are just as important in the modern world and should be treated as such.

Our recommendations focus on the experiences of disabled people as told to us during our inquiry and consultation events. We recognise there is wider work to do on the law on online abuse and the governance of social media. This is being taken up by other Select Committees. Our conclusions and recommendations should be read as a contribution to the conversation around online abuse, disability and the responsibility to ensure that offline and online spaces are safe and inclusive. For our part, our recommendations include:

- The Government and social media companies must directly consult with disabled people on digital strategy and hate crime law. It is not enough to just provide alternative formats—though that is crucially important—or consult with self-appointed representatives.
- Social media companies need to accept their responsibility for allowing toxic environments to exist unchallenged. They must ensure that their mechanisms and settings for managing content are accessible to and appropriate for all disabled people. They need to be more proactive in searching for and removing hateful and abusive content. They must demonstrate that they have worked in partnership with disabled people to achieve this.
- The Government needs to recognise that the way disabled people are often marginalised offline plays a significant part in the abuse they receive online. It needs to challenge stereotypes and prejudices about disabled people, particularly among children and young people, and require proportionate representation of disabled people in its advertising.
- **Disability hate crime is not fully recognised and perpetrators are not appropriately punished. The law on hate crime must give disabled people the same protections as those who suffer hate crime due to race or religion.**

- The criminal justice system is too quick to categorise disabled people as “vulnerable”. Hostility towards disabled people is often based on a perception that they are an easy target who can’t contribute to society. The Government must recognise the links between prejudice against disabled people and their perceived vulnerability. Crimes against disabled people by reason of their disability should be recorded and sentenced as hate crimes.
- It must be possible to see if someone has been convicted of a hate crime on the grounds of disability before employing them to work closely with disabled people. If the Government acts on our other recommendations, this should be possible through a Disclosure and Barring Service check.
- The Government must review the experience of disabled people when reporting crimes and giving evidence. Too many disabled people have not been treated seriously because frontline officers and staff do not understand disability. Training and support is needed to overcome this. Good practice is too often isolated to a few specially trained police officers and initiatives.
- The Government needs to review the law on exploitation within friendships or relationships. Social media companies need to review their processes and provide advice and support for those who identify as needing additional protection. In doing so, both Government and social media companies must consult directly with disabled people and respect their rights to make their own decisions about their lives.

Introduction

Our role

1. We oversee and act on e-petitions submitted to the UK Parliament and Government through petitions.parliament.uk. All such e-petitions that get over 10,000 signatures receive a UK Government response. We automatically consider all e-petitions that receive over 100,000 signatures for debate in Westminster Hall.
2. E-petitions allow members of the public to bring their concerns directly to the UK Parliament. We can also act on e-petitions by asking the Government for more information, hearing from petitioners or witnesses and making recommendations to Government in reports like this one.

The petition

3. The inquiry was prompted by a petition started by Katie Price, a media personality and mother to a child with multiple disabilities. The petition, signed by 221,914 people before it closed early due to the 2017 General Election, reads:

Make online abuse a specific criminal offence and create a register of offenders

Trolling is a major problem in this day and age. People of all ages and background suffer every day, including my family—especially my son Harvey. I have tried my best to expose people and even had two arrested but nothing was done and there were no repercussions or penalties for this behaviour.

This does not affect just high profile people it affects everyone from every walk of life from young children, teenagers, people at work, husbands and wives. This abuse includes racism, homophobia, body shaming and a whole range of other hate speech.

This petition is an important topical issue and I want it to help bring justice to everyone who has ever suffered at the hands of trolls. Help me to hammer home worldwide that bullying is unacceptable whether it's face to face or in an online space.

4. The UK Parliament is already looking at whether abuse on social media requires new laws and different approaches to enforcement and regulation. Paragraphs 5 to 8 set out some of the excellent work being done by our colleagues on other Select Committees and work being undertaken in Government. Our aim in this inquiry is to build on that work and draw out the specific concerns of disabled people. We see our role as highlighting in Parliament those issues that may not otherwise receive the focus they should. Ms Price's petition raised an issue that seemed in danger of being lost in the conversation—the experience of disabled people online. Ms Price has five children. One of her children, Harvey, is biracial and has multiple disabilities. It is surely no coincidence that it is Harvey who suffers a torrent of online abuse.

Other work on online abuse

5. In March 2014, the Culture, Media and Sport Select Committee’s report on online safety stated that clarification or consolidation of the law on online bullying would be welcome.¹ In 2017, the Home Affairs Select Committee, in its report *Hate crime: abuse, hate and extremism online*, criticised social media and technology companies for not doing enough to remove illegal content, review community standards or improve the quality and speed of their responses to reports of dangerous and illegal content.² A further Home Affairs Committee inquiry on online abuse and hate crime was ongoing when this report was agreed.³

6. Separately, in 2016, the Law Commission consulted on whether the law on online communications needed reform. In October 2017, it stated “The failure of the law in this area disproportionately affects women and minority groups.”⁴ In November 2018, it concluded that the criminal law needed reform to protect victims from online abuse.⁵

7. In October 2017, the Government launched a Green Paper on an Internet Safety Strategy. In May 2018 it responded to the consultation on the strategy with new proposals around a social media levy and a code of practice.⁶

8. We recognise that a lot of work touching on online abuse has taken place and is ongoing. Yet, despite this considerable activity over the past few years, our inquiry suggests there has still been no substantial change to the experiences of disabled people or to the scale and nature of the obstacles they face navigating social media and the criminal justice system.

Our inquiry

9. Our inquiry began, like all our inquiries, by meeting the petitioner and finding out more about why they started the petition. We heard from Ms Price and her mother Amy, and had the pleasure of meeting Harvey, who is the subject of much of the abuse that led to the petition. It is worth stressing that this inquiry began in part because a child with multiple disabilities is the subject of relentless abuse online. Our inquiry revealed that his experience is sadly common.

10. We took oral evidence from Google (also the parent company of YouTube), Facebook and Twitter. We chose these companies because of their size and market share, but we heard during the inquiry that people also experience abuse on other smaller platforms. These may have lower standards and be under less scrutiny. We also heard from Paul Giannasi OBE, Cross-Government Hate Crime Programme Manager; Detective Inspector John Donovan, Online Hate Crime Hub, Metropolitan Police Service; Superintendent Edward De La Rue, Brighton and Hove Division, Sussex Police; Amy Clarke, Digital Assistant, Mencap; Rob Holland, Parliamentary Manager, Mencap; Andie Gbedemah, Public Affairs

1 Culture, Media and Sport Committee, Sixth Report of Session, [Online Safety](#), HC 729, para 97

2 Home Affairs Committee, Fourteenth Report of Session 2016–17, [Hate crime: abuse, hate and extremism online](#), HC 609

3 Home Affairs Committee, [Hate crime and its violent consequences inquiry](#)

4 Law Commission, [Thirteenth Programme of Law Reform](#) para 4.25

5 <https://www.lawcom.gov.uk/reform-of-the-criminal-law-needed-to-protect-victims-from-online-abuse-says-law-commission/>

6 [Government Response to the Consultation on the Internet Safety Strategy Green Paper](#)

Officer, Dimensions; and Anne Novis MBE, Disability Campaigner and Chair, Inclusion London; and received 16 formal written submissions. That formal evidence is only a small part of the information we considered.

11. From the start, the voices of disabled people have been central to the inquiry. Most of our evidence has come from people who self-identify as disabled. We ran six events around the UK, in Belfast, Glasgow, Newcastle, Swansea and two in London, to hear from people face-to-face. We met people with physical, neurological, developmental, sensory and learning disabilities in all four nations of the UK.

12. In February we held an open event for disabled people in Westminster to scope our inquiry and discuss their experiences directly. In July we published a series of draft recommendations to the Government and put them out for consultation—the first Select Committee to do this. We held a series of consultation events around the country, in Belfast, Glasgow, Newcastle, Swansea and London, to find out what disabled people thought of our draft recommendations. For the final London event, we invited all our witnesses, including representatives of social media companies and the police, to hear directly from disabled people about what they thought of the recommendations and the changes they wanted. We were pleased that representatives from Twitter, Facebook and the Crown Prosecution Service attended.

13. We usually do a lot of digital engagement to inform our inquiries and debates. Due to the sensitive nature of the inquiry, we chose to keep our online engagement to a minimum. Scope hosted a chat thread on their boards. The House of Commons Facebook page hosted a conversation on what people thought about making online abuse a specific criminal offence and we created an online survey to allow people to give their views on the recommendations.

14. The conversations we had with disabled people have shaped our report and recommendations. We know that it was difficult for people to share their worst online experiences, but we can assure them that it has made a difference. We appreciate the time, trouble and anger of those who spoke to us around the country, as well as those who emailed or took part in one of our online discussions. We have quoted them anonymously where appropriate and their voices played a key part in shaping our findings. We thank you.

Language

15. Three points about language came out very strongly from our consultation events. Firstly, there was disagreement about how best to refer to disabled people. Our consultation document referred to both “disabled people” and “people with disabilities”. We heard strong views in favour of and against both terms during our consultation hearings with disabled people. In this report we have taken the views of most people we heard from and used “disabled people”, but we accept that there are differing views.

16. Secondly, “disabled” is a complex identity to define and to be defined by. Those we spoke to self-defined as disabled and included people with physical, neurological, learning, sensory, cognitive and developmental disabilities. However, the people we met were clear that they were not disabled by their physical, mental or psychological differences, but by the barriers in society. Some of those we met were vulnerable and in need of care, but the

vast majority were well-informed, competent, capable adults, who nevertheless described being patronised, ignored and experiencing outright hostility due to disability. Disabled people are a diverse group, united by the difficulties of negotiating a world that is not designed for them. We have tried to reflect this in our report.

17. Thirdly, conversations with disabled people suggested that we needed to take a broad definition of “social media”. Abuse of disabled people happens in all online social spaces, including newspaper website comments boards, online chat rooms, online dating sites and voice and text chat in online games. Although we focused on social media in the inquiry, our findings and recommendations apply equally to all forms of online social interaction.

This report and next steps

18. This report is divided into three chapters. The first sets out what we heard about the experience of disabled people online. It describes the importance of the internet to disabled people, the extent of the abuse they face and the relationship between online and offline abuse and prejudice. The second sets out the response to online abuse from social media companies and the Government and some of the reasons disabled people feel their voices have not been heard within that process. Finally, we look at the law as it relates to disabled people and online abuse. We particularly examine the petition’s request for a specific offence of online abuse and a register of offenders. We also discuss the status of hate crimes against disabled people.

19. Following the publication of this report, we will schedule a debate on the petition in Westminster Hall. MPs will be able to question the Minister about the Government’s approach to online abuse, the petition’s requests and our findings on the online abuse of disabled people.

1 Being disabled online

The importance of social media to disabled people

20. The internet has changed how people communicate, work and socialise. It should not be surprising that this is as true for disabled people as it is for other internet users. It is apparent that many disabled people are digitally excluded and that levels of internet use are lower among disabled people than non-disabled people. According to the Office for National Statistics, 49% of disabled people had used social media in the three months prior to August 2017 compared with 71% of people without disabilities.⁷ However, those who are online use the internet for work, friendship and dating, communication, gaming, shopping and so on. It is often central to the way they live their lives.

21. We heard that social media has encouraged disabled people's activism and enabled them to organise in a way that was impossible before social media. Disability activism was in the past dependent on those who could travel and physically meet. People from across the country can now join forces and be heard when transport companies let them down, when businesses fail to provide accessible services or when they are abused on the street or online.

22. At our events, we were told about online campaigning by people fighting for treatment, recognition and basic access to services. Twitter was particularly useful as an advocacy tool for "naming and shaming" companies over inaccessible buildings and services. One man who attended our event in Belfast told us of a petrol station in his local area that added a bollard to its access ramp. It took a Twitter campaign by disabled people before it was removed.⁸

23. National campaigns for disabled access such as #dontwantourcash add to the pressure that disabled people collectively put on businesses to ensure that they are considered.⁹ The campaign highlights "accessible" toilets that are anything but, restaurants with fixed seating that are inaccessible to people with mobility problems and payment points that can't be reached by people in wheelchairs. #notacupboard highlights accessible toilets used as storage facilities.¹⁰ The popularity of the #spartacusreport hashtag before a House of Lords debate on welfare reform in 2012 is credited with contributing to a Government defeat over changes to Disability Living Allowance.¹¹ Social media is helping disabled people to be heard.

7 ONS, [Dataset: Internet access - households and individuals](#)

8 Summary of consultation event

9 ["It's all well and good having disabled people in your adverts, but we still can't access your shops"](#), The Metro, 16 October 2018

10 ["The weirdest things found in accessible toilets"](#), Euan's Guide, 16 November 2018

11 ["How the Spartacus welfare cuts campaign went viral"](#), The Guardian, 17 January 2012

["What Is Campaigning?"](#), Mencap local Liverpool

Claire Preston, ["Hands off our benefits!": how participation in the comment section of the 2009 Green Paper, Shaping the Future of Care Together, contributes to understandings of online collective action"](#), *Appendix 2: Key developments in the online response to changes to disability benefits, May 2010 to March 2012*

24. Social media has become a powerful tool in helping disabled people to challenge stereotypes, campaign for accessible services and access appropriate treatment for long-term conditions. Facebook online support groups came up again and again as valuable places where people could discuss their experiences, share information about medical conditions and treatment, and organise to campaign for their rights.¹²

25. The difficulties that disabled people can face in accessing experiences, services and employment mean that they use the internet to ensure that they can work and use services and spaces. For example, we heard from disabled people who use Google Street View to check whether a route is accessible to them and those who search review sites and post questions to find out whether they can genuinely access an advertised service.¹³ Many of the disabled people we spoke to were self-employed and found the internet essential for their income and careers.

Box 1: Poster on web thread hosted by Scope

[The internet's] very important to me. It's where most of my support is, as real-world support is lacking and I have zero help with mobility [...].

26. We heard that for many disabled people, online communication is their main contact with others. Many people we spoke to told us that Facebook was their primary form of communication, even more important to them for maintaining a social life than face-to-face or mobile phone contact. Those who had mobility issues were particularly reliant on social media to maintain a social life. Research by Manchester Metropolitan University also shows that disabled people with intellectual impairment are at greater risk of social isolation and loneliness and often have smaller social networks than those without disabilities.¹⁴ Some of those who attended our event in Belfast had travelled from rural parts of Northern Ireland. They were very clear that staying online was essential in rural communities.¹⁵

Box 2: Attendee at London informal evidence event

I've never met anyone in the UK who has my genetic disability. Without social media I wouldn't have made any links.

12 Summary of consultation event

13 Summary of consultation event

14 Sue Caton and Melanie Chapman, "[The Use of Social Media and People with Intellectual Disability: A Systematic Review and Thematic Analysis](#)", Research Institute for Health and Social Change, Manchester Metropolitan University, p 4

15 Summary of consultation event

27. For people with rare conditions, contact on social media can be the only time they communicate with people who understand or have experience of their condition. Linking with people who have similar conditions online means that people can hear about the latest treatments, understand appropriate medical interventions or simply connect with people who understand.¹⁶

Box 3: Attendee at London informal evidence event

Connecting with people with rare conditions is really useful. It also helps to build communities. At the moment I'm helping some parents with a young boy who want to speak to an adult with the same conditions. It's really good for them to hear it from an adult's point of view. Helps them stop worrying because they know that their child will become an adult.

28. One event attendee told us that only 108 people in the UK and Ireland had his condition. Social media has meant that they can stay in touch, work together to campaign for better treatment and share invaluable knowledge about what works. He told us that, despite medical advances, doctors still tell parents of children newly diagnosed with his condition that their child will probably die before adulthood. Social media has meant that those parents can get more accurate information from adults living with the condition and know that this is not necessarily the case.¹⁷

29. Social media and the internet is central to how most of us live our lives—whether we consider ourselves disabled or not. The time when it was reasonable to tell people experiencing difficulties online to stop using social media has long gone. Being able to use the internet without fear is no more a luxury than being able to go to the shops, the workplace or meet friends in a park.

30. Facilitating people with rare conditions to speak with one voice, enabling people to campaign for their rights and providing a method to reduce the isolation of a marginalised group are some of the many positive impacts of social media on the lives of disabled people that we heard about. In fact, it was clear after speaking to groups of disabled people that they could be some of the best advocates for social media if only their needs were considered.

Abuse of disabled people online

31. The internet and social media can be a powerful tool for disabled people to use to make their voices heard and engage with services. However, disabled people are subjected to a high-level of abusive behaviour online and offline. This is under-reported and under-prosecuted. The Home Office publication *Hate Crime, England and Wales 2017/18* shows that there were 7,226 recorded disability hate crimes in 2017–18 while the Crime Survey for England and Wales estimates that there were 52,000 disability motivated hate crimes per year.¹⁸ The online space has increased the venues where such abuse can be felt. It means that disabled people can't escape it, even in their own homes.

16 Summary of consultation event

17 Summary of consultation event

18 [Hate Crime, England and Wales, 2017/18, Statistical Bulletin 20/18](#), October 2018, p 7, p 27

Box 4: Respondent to online survey

I have a severe disability and suffer verbal and online attacks daily, however, the benefits of computers outside social media are something which gives me a purpose.

Box 5: Katie Price, Oral Evidence

kept reporting people and then others were telling me about reporting them; these people would get closed down, but then would reopen and start again. It kept going on and on, to the point that it got so bad that ... people were doing videos on Harvey; at one point a guy did a video on Harvey making out that he was having sex with him, basically. ... You name it, Harvey gets it. People mock his picture on sweet packets. They put his head on—what is it, ISIS? They put his head on that. You name it, they do it to Harvey all the time. I have tried my own way of naming and shaming people online to let everyone say, “Do you know these people? How can we get hold of them?” I have done everything I can, but nothing gets done.

32. The Government, in its *Hate Crime Action Plan 2016 to 2020*,¹⁹ and the police, in evidence to us, accepted that disability hate crimes are widely under-reported. As Detective Inspector John Donovan, Online Hate Crime Hub, Metropolitan Police Service, told us:

Hate crime is badly reported, and disability hate crime is very badly reported. [...] Only 4% of our work is identifiably disability hate crime; 49% is racial. Disability hate crime is heavily under-reported, and that is a disappointment to me. When we started this a year or 18 months ago, I thought disability hate crime on the internet would be easier to identify, because you would have to be overt. It has not quite panned out that way.²⁰

Box 6: Attendee at the London informal evidence event

I can retweet or screenshot abuse on Twitter and the community will support me. On Facebook, my mum is my friend, and I don't want Mum to see things like that.

The nature of abuse

33. As the work of our parliamentary colleagues has shown, and the petition stated, online abuse is a widespread problem that can affect anyone. Unsurprisingly, disabled people are subject to the same type of abuse as other internet users, but there is another layer and character to the abuse directed at disabled people. Stop Online Abuse, which provides advice to people affected by offensive or damaging online content, lists examples of online harassment or abuse:

- trolling
- trying to damage your reputation by making false comments
- accusing you of things you haven't done
- tricking other people into threatening you

¹⁹ Ministry of Housing, Communities & Local Government, Home Office, and Ministry of Justice, [Hate crime action plan 2016 to 2020](#), 26 July 2016

²⁰ [Q68](#)

- stealing your identity
- setting up profiles in your name
- electronic sabotage
- publishing personal information about you, sometimes called doxxing (including sex videos and photos, which is sometimes called “revenge porn”)
- cyber-stalking
- encouraging other people to be abusive or violent towards groups of people.²¹

Box 7: Penny Pepper, writer and poet.

I’ve been called an “it” many times–“What is IT doing?” ... I’ve had remarks about how I look in my wheelchair, and a few times the statements, “You should have been aborted”, and, “You don’t deserve to live.”

34. For disabled people, online abuse also includes slurs, such as “retard”, “mong” and “spastic”. These terms are, for many disabled people, as offensive as the worst terms of racist abuse. We have included them here only because we repeatedly heard them at our events, as people repeated the things that they had seen online so we could understand what was directed at them. Other forms of online abuse, which we heard are particularly common for disabled people, include:

- The use images of people with visible disabilities, particularly children, to create “memes” or jokes.
- Being told that they should not have been born, being questioned about whether they thought that they should have been aborted and suggestions that they would be better off dead.
- Requests for explicit images, with the implication that disabled women, in particular, should be grateful for the attention and can therefore be attacked for refusing to provide images.
- Repeated accusations of benefit fraud or being “a drain on society”. Threats of being reported for benefit fraud for posting images of themselves outside the home or being involved in political activism.
- People misrepresenting themselves as healthcare professionals to get sensitive information to “prove” a disabled person is claiming benefits fraudulently. If someone is unable to obtain such information, abuse may follow as the lack of information is seen as proof of fraud.
- Being targeted with “miracle cures”, particularly in online support groups.
- People with learning disabilities being targeted for sexual or financial exploitation by people who target them on social media and online dating sites.
- People with visible disabilities are targeted for how they look, while people with invisible disabilities are targeted for “not looking disabled enough.”

35. We were also told that places where disabled people gather for support, such as Facebook groups, are targeted by those looking for images of children with visible disabilities to create “jokes”.

Box 8: Simon Green, Disability Rights Campaigner.

There’s also been a Facebook trend recently where people click on a link and you get shown a photo of what you may look like as the opposite sex. Sounds like harmless fun but underneath the post many are using photos of people with obvious disabilities and facial disfigurements and commenting “more like this.” I have spoken with people whose photos have been used under such posts and it causes a lot of distress.

Box 9: Respondent to online survey

There are loads of groups and posts on Facebook that claim to hate dwarfs and laugh at photos of people with dwarfism. These photos are often taken of dwarfs in public. For example, several times I have had people stop and directly take a photo of me.

36. In written evidence, Dr Loretta Trickett and Karen Aspley of the Royal Mencap Society told the Committee that disabled people may be disproportionately affected by online abuse because they are often viewed as an “easy target” and are more likely to be socially isolated.²² We heard again and again that disabled people are seen as “easy” or “deserving” targets. It was particularly difficult to hear the number of disabled people who felt that frequent abuse was an inevitable part of being disabled in the UK. We were told in Newcastle, “People will never stop taking the [...] out of us. It will never stop.”²³ This abuse has significant effects on people’s lives and health. We discuss this in more detail later in this chapter.

Box 10: Respondent to online survey

I have autism myself and have faced such abuse online before—I just accepted it as some kind of norm even though it was making me really anxious, nervous and paranoid.

37. We were told repeatedly that, for disabled people, online abuse and harassment is a result of a wider culture that is hostile to disabled people. In written evidence, the Anti-Bullying Alliance told us that, for disabled young people, cyber bullying was often an extension of the face-to-face bullying they experienced.²⁴ The experience of online abuse as an extension of their offline experience was echoed by the disabled adults we heard from. In particular, many of those we spoke to linked the abuse they had experienced to publicity over disability benefit fraud.

22 Dr Loretta Trickett and Nottingham Civic Exchange ([ONL0007](#))

23 Summary of engagement events

24 Anti-Bullying Alliance ([ONL0004](#))

Box 11: Katie Price oral evidence

Over the past few years it has got worse. I have had it before, but at least I have a voice to speak. Harvey hasn't. It is very clear that people who mock Harvey know that he has not got a voice back, and they mock him more. It has even got to the point where there has been a couple of people in the public eye [...] He basically said that Harvey was going to rape me. I complained to Channel 4—this is why I am doing all this—because they were advertising the Paralympics, and then after the ad break would have [him] on talking about Harvey raping me. I went to Channel 4 and [him] for an apology. Neither of them would give one, so I did a show on it to see why people do this stuff on Harvey and why it is acceptable for people to mock people with disabilities. Nothing was done then. Like I said, the police couldn't do anything. I tried online to get people closed down, but it still continues and it is just getting worse all the time.

Box 12: Poster on web thread hosted by Scope

I do not reveal my disabled status unless I feel the place is safe to do so.

Visibility and changing attitudes

38. We heard time and time again that online abuse reflects wider attitudes towards disabled people and their lack of visible representation. Sense, in written evidence, told us that 49% of non-disabled people do not believe that they have anything in common with disabled people and 26% admit that they have avoided engaging in conversation with a disabled person.²⁵ Scope research shows that 43% of the British public say that they don't know anyone who is disabled and a majority (67%) feel awkward around disability. It also found that 21% of 18 to 34-year-olds admit that they have avoided talking to a disabled person because they weren't sure how to communicate with them.²⁶ Many of those we engaged with spoke of the need to improve attitudes towards disability and told us that they didn't believe that online abuse of disabled people could be tackled without changing attitudes.

Box 13: Attendee at Belfast consultation event

We're either benefit scroungers or Paralympians.

Box 14: Poster on web thread hosted by Scope

I think there is very little understanding for disabled people. This is partially understandable because there are a lot of disabilities [...] but I definitely find many people are ignorant towards disabled people's issues and are more intended to be unsupportive of them than care for their welfare.

I think the media also has done damage to disabled people with their constant stories about disabled people being fakes and claiming benefits for that, but I noticed that stopped once others started to make comments about how not all claimants are frauds and how some disabilities are invisible and reasonable debate replaced stigmatisation of the disabled, but the damage has been done all the same.

25 Sense ([ONL0014](#))

26 Scope, "[Current attitudes towards disabled people](#)", 8 May 2014

Visibility

39. In evidence to the Committee, Ms Price referenced the positive messages that she has had from other parents of disabled children for increasing the visibility of disabled children:

I get letters and messages all the time from people who have got children or family members with disabilities and they don't know how to cope with it. Some people don't want to go out in public, because they don't know how to cope with people staring. I am proud of Harvey.²⁷

40. Those we spoke to were clear that there won't be change without tackling the attitudes that lead to online abuse and encouraging a more positive portrayal of disability and disabled people in the media. One in five people in the UK are disabled and 19% of the working-age population are disabled,²⁸ but disabled people do not feature prominently in the media. Advertising campaigns, such as River Island's "Labels are for clothes" campaign, were brought up as positive examples.²⁹ The Government has also committed to improving public awareness of disability in some ways. The Department for Transport's Inclusive Transport Strategy includes a public campaign to increase disability awareness among passengers.³⁰ However, we did hear concerns that disability awareness campaigns focused on disabled people as problems, rather than presenting them as three-dimensional human beings.

Box 15: Respondent to online survey

[It's] the ignorance of an ableist society and government that disables us far more than any crime. Raise our profile, make our lives, our homes and our surroundings fully accessible wherever possible .

"Scroungers" and "fraudsters"

41. Multiple participants in our events spoke about a culture of "demonising" disabled people. The hostile language associated with benefits and using blue badges came up at all the events we ran. In evidence, Inclusion London told us that:

Disabled people have reported increasing levels of both online and offline abuse since 2010 targeted around an idea of Disabled people as 'benefit scroungers' and 'fraudsters'. This is a direct result of public attitudes being affected by statements made by politicians about fraud in the disability benefits system relentlessly amplified in the media.³¹

Box 16: Penny Pepper, writer and poet

At present, the zeitgeist of disabled people as scroungers and benefit cheats is almost permission to further this abuse.

27 Q6

28 Department for Work and Pensions, "[Family Resources Survey: financial year 2016/17](#)", 22 March 2018

29 Summary of consultation events

"[River Island dials up diversity in fresh 'Labels are for clothes' push](#)", Campaign Live, 17 September 2018

30 Department for Transport, "[Inclusive Transport Strategy](#)", 25 July 2018, updated 18 October 2018

31 Inclusion London ([ONL0005](#))

42. People we met described a “culture of fear” for disabled people who post about their daily life and activities, due to being accused of faking their disability for benefits and threatened with being reported to the Department for Work and Pensions for fraud.³² We were told that disabled people who posted about political activism and campaigning for their rights under the law were particularly at risk of being reported, or threatened with being reported, to the DWP.³³ Given what we heard about how disabled people need to fight to be heard, such harassment is particularly worrying.

43. We were told that a fixation on disabled people as “benefit scroungers” has led to some disabled people being targeted online by people trying to obtain medical information to “prove” that the disabled person in question is committing benefit fraud. Not providing medical evidence was taken as proof of fraud and therefore the person was seen as deserving of abuse and harassment. People with invisible disabilities are particularly likely to be targeted as “scroungers”, but even people with visible disabilities, such as wheelchair users, are subject to accusations of malingering for benefits or other “privileges”. Those who may need to use a wheelchair intermittently told us that they were afraid to put photos of themselves standing or sitting on chairs on social media due to fears of abuse and accusations of fraud. We were told that some people see everyone with visible disabilities as possibly fraudulently claiming benefits, while everyone with invisible disabilities is probably fraudulently claiming benefits.³⁴ Inclusion London provided multiple examples of links to Facebook pages dedicated to exposing benefit fraud that target disabled people.³⁵

Box 17: Respondent to online survey

A woman who has epilepsy I am friends with was verbally abused on a bus after using her bus pass to travel with a companion into town: the woman shouted at her. “You’ve got both legs! WHY have you got a pass? [...] scroungers!”

Indifference

44. Even when organisations are made aware of serious problems with abuse of disabled people, they are unwilling to act. As part of the inquiry, we identified examples of abuse against disabled people, including Harvey Price. A high proportion of the abusive content we found related to football. We became increasingly concerned about the role that football fans seem to play in the online abuse of disabled people. We found people using ableist slurs, terms connected to disability as “insults” and perhaps most shockingly using the name of Ms Price’s son as an “insult” for someone’s ability as a footballer. Harvey Price is a child and a football fan. We were so concerned by the apparent links between football and the abuse of disabled people that we wrote to Kick it Out, the Professional Footballers’ Association, the Football Association, the Premier League and the English Football League to bring their attention to what we found and to ask what steps they were taking to tackle abuse of disabled people. Only one of the five organisations we wrote to with our concerns bothered to respond.³⁶

32 Summary of consultation events and London informal evidence event

33 Summary of consultation events and London informal evidence event

34 Summary of consultation events and London informal evidence event

35 Inclusion London ([ONL0005](#))

36 [Correspondence with footballing organisations.](#)

45. It is deeply disappointing that the footballing organisations with whom we raised concerns about abusive behaviour expressed no interest in addressing the problem. Their lack of response is shameful.

46. Disabled people have told us loudly and clearly that online abuse and harassment is a result of a wider culture that is hostile to disabled people. Those we spoke to were clear that there won't be change without tackling the attitudes that lead to online abuse and encouraging a more positive portrayal of disability and disabled people in the media. The Government must challenge beliefs and attitudes around disability and recognise that offline attitudes influence online behaviour. More than half the UK population feel awkward around disabled people and more than a quarter say they have avoided talking to someone because they were disabled. Unless these things change, disabled people will continue to feel marginalised.

47. The people we met described a “culture of fear” among disabled people who post about their daily lives and activities, due to a real risk of being falsely accused of faking their disability to gain social security benefits and threatened with being reported to the Department for Work and Pensions for fraud. We were told that disabled people who posted about political activism and campaigning for their rights under the law were particularly at risk of being reported, or threatened with being reported, to the DWP.

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

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

Effects of online abuse

50. Despite the value that many disabled people find in social media, disabled people are less likely to use the internet than people without disabilities. Whilst not all of this is due to online abuse, an Equality and Human Rights Commission inquiry, *Hidden in plain sight. Inquiry into disability-related harassment*, found that when disabled people reported online abuse and harassment, the response from the police, their families and,

where applicable, care and support workers is often to tell them to stay offline.³⁷ This was reinforced during our conversations with disabled people and in written evidence.³⁸ We have even heard of technology being removed to prevent disabled people from using the internet.³⁹

Box 18: Dimensions, written evidence

John spent much of his spare time in the evenings on Facebook, commenting and liking photos of trucks and asking members of the group to be his friend. John loves children and would 'like' photos of people's children that they posted as well as some sexually suggestive photos of young women being posted. One of the Facebook group members that he had met started making sarcastic comments about John that he did not understand and would respond innocently to questions about whether he liked young girls etc. This 'friend' then started making accusations that John was a 'weirdo' and a 'paedo' and many others joined in, deliberately taunting John and enjoying the fact that he had a learning disability and didn't fully understand what they were doing and saying to him.

John readily gave out his home address and was sent a letter telling him that they would tell police that he was a paedophile. The nightly abuse then got worse and John began to understand what was happening. He became more and more anxious about what people were saying to him and felt that all of his 'friends' had turned against him. His support worker and family tried to find ways for John to continue to use the internet but block the people abusing him but John was constantly drawn into having conversations with them—eventually this led to an emotional breakdown and his family took the decision that they would remove the internet so that John could not go online.

51. We were told that abuse can drive people offline. It prevents people from taking up opportunities that could improve their health, such as work or volunteering.⁴⁰ We heard that this was a particular problem for people who had suffered abuse or unnecessary investigations due to accusations of benefit fraud. It was common to hear from disabled people who had repeatedly abandoned online profiles due to abuse. One participant at our Newcastle event told us that she was on her 17th Facebook account. In written evidence, Dr Alhaboby, Institute for Health, University of Bedfordshire, told us that most people experiencing abuse had to change their email addresses and change or close social media accounts.⁴¹ In oral evidence, Anne Novis, Disability Rights Campaigner and Chair of Inclusion London, told us:

I came off LinkedIn, because on LinkedIn people get your contact details. You assume it is a professional network—I have an MBE and journalists want to contact me—but I came off it because of the nasty stuff that came my way as well. There is a way that we adjust our behaviour, because of the

37 Equality and Human Rights Commission, "[Hidden in plain sight Inquiry into disability-related harassment](#)", August 2011

38 Dimensions ([ONL0001](#))
Dimensions ([ONL0015](#))

Summary of consultation events

39 Summary of online engagement

40 Summary of consultation events and informal London event

41 Dr Zhraa A. Alhaboby ([ONL0003](#))

hostility we experience online and every day, to make ourselves safer, but that responsibility should not be just down to us; it should be down to the Government and the law.⁴²

52. For many, repeatedly having to change contact details leads to damaged career prospects, depleted social support and greater social isolation. We heard from others, in person and online, who felt that it was too risky to reveal that they were disabled due to worries about their employment prospects and the abuse they might attract.⁴³

53. The matter of fact way in which disabled people described being told to harm or kill themselves was notable. People who were being told to kill themselves were dismissed as not understanding “banter” or taking it too seriously. In fact, most people experiencing online abuse and harassment underestimate its seriousness. We heard from Dr Alhaboby that online abuse has a serious impact on the health of people with disabilities and long-term health conditions. People not only experienced worsening health and increased difficulties managing their conditions, but developed new conditions, including post-traumatic stress disorder, depression and anxiety. The stress many felt is exacerbated by “doxing”—revealing identifying information, such as full name, home address and employer’s address. Some ended up too afraid to leave their home. Participants in Dr Alhaboby’s study were clear that online harassment had “ruined their lives”.⁴⁴ Participants in our consultation were keen to stress that abuse can be a life or death issue for some disabled people.⁴⁵

54. Online abuse can be a life or death issue for some disabled people. Its effects are felt not only in damaged physical and mental health, but in lost career opportunities and a restricted social life. It is not acceptable to suggest that disabled people should forgo using the internet or social media when it is an integral part of their lives. It is not acceptable for the Government to pass its responsibility to others, such as social media companies. The Government’s aim to continue to push for and expand “digital by default” makes it the Government’s responsibility to ensure that disabled people can get online and stay online.⁴⁶

Supporting people to stay online

55. We met many disabled people with a full and detailed understanding of the online space. However, many people—disabled or non-disabled—are not so fortunate and need assistance to stay safe online. Disabled people, and those working with or supporting disabled people, may lack the knowledge to understand how to use the internet safely. We heard that staff tasked with helping people to stay safe online often lack the understanding of disabilities necessary to communicate appropriately with disabled people and understand their needs.

42 [Q37](#)

43 Summary of online engagement and consultation events

44 Dr Zhraa A. Alhaboby ([ONL0003](#))

45 Summary of consultation events

46 Written Ministerial Statement, HCWS469 [on [The Government Transformation Strategy 2017–2020](#)], 09 February 2017

Box 19: Respondent to online survey

As a disabled person who works online in moderation and community management, I would like a way to protect both myself and my communities from online abusers. There is a clear but extremely nuanced difference between a garden-variety troll and someone with malicious intent and this is something people aren't trained to spot. It makes reporting and monitoring of genuinely dangerous people extremely difficult. It is so difficult that I make my living explaining it to people.

The government and criminal justice system needs to have trained community managers or moderators available to officers and social workers investigating this. We can't just put the onus on the police to ALSO learn how online communities/communication work(s), nor can we expect social workers to add that to their load with no additional support. A comprehensive database and reporting procedure led by trained individuals should be available for use by these professionals, and it should be easier for online moderators/community managers to check whether or not an individual on their services is a dangerous person. This is especially true when attempting to protect our most vulnerable users.

Box 20: Respondent to online survey

For me all about security in internet is important, but some social workers [...] did not understand what kind of problems we have when we access [the] internet, particularly dating sites.

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

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

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

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

2 Neither considered nor consulted

Accessibility and inclusion

59. We heard that disabled people are marginalised not only because hostile language and imagery towards disabled people and disability is widely tolerated, but because disabled people themselves are ignored. Disabled people told us that they are often not consulted, or even considered, when policy or practice are developed.

Government

60. The Government response to the Internet Safety Strategy green paper, which “looks at how we can ensure Britain is the safest place in the world to be online.”, was published in 2018.⁴⁷ It almost entirely ignored the needs of disabled people in both its creation and its content. In response to our questions about the consultation on the strategy, Margot James MP, Minister for Digital and the Creative Industries, told us that the consultation didn’t record whether people responding had a disability, but “A roundtable will shortly be held with disability groups, along with social media companies, to discuss what more platforms can do to tackle online abuse.”⁴⁸ That letter was dated 10 April 2018. The consultation closed on 7 December 2017. As examples of consultation, the letter mentioned that “A link to request an accessible format was supplied.” and that the Government had held roundtables with “teachers representing mainstream and specialist provision schools”. Neither of these represent consultation with disabled people—most disabled people in the UK are not school children who need teachers to speak for them. She went on to say that “I understand therefore the need to ensure people with disabilities need a high level of protection against abuse online.”⁴⁹ Disabled people were clear that they are not inherently vulnerable or in need of a “high level of protection”, but adults asking for access to the same level of protection as other internet users. Although disability is included in a list of characteristics in the Green Paper and the Government’s response, neither mention the experiences of disabled people nor any specific needs they may have.⁵⁰

61. We heard that failing to consider or consult disabled people was sadly the norm rather than the exception. That is particularly worrying given that disabled people are statistically more likely to be unemployed, to live in poverty and to have left education early.⁵¹ The Government is bound by equalities legislation and commitments, including the Public Sector Equality Duty. However, we heard that dealing with inequality for disabled people often seems to extend only to thinking about physical or technological changes, such as screen readers. The point was repeatedly made to us that creating an inclusive environment for disabled people is not only a matter of providing alternative formats or making necessary and welcome changes to the physical environment, but also about ensuring that that the toxic environment caused by abuse is tackled.⁵² If the Government does not adequately consider or consult disabled people in developing its Internet Safety Strategy, it is difficult to see how it can tackle the online abuse of disabled people.

47 Department for Digital, Culture, Media & Sport, “[Internet Safety Strategy green paper](#)”, 11 October 2017, last updated 22 May 2018

48 Department for Digital, Culture, Media and Sport ([ONL0006](#))

49 Department for Digital, Culture, Media and Sport ([ONL0006](#))

50 Department for Digital, Culture, Media and Sport ([ONL0006](#))

51 Equality and Human Rights Commission, “[Being disabled in Britain A journey less equal](#)”, April 2017, p 65

52 Summary of online engagement and consultation events

Social media

62. Like the Government Minister, social media companies responded to questions about disabled adults with answers about children. For example, in response to questions about Easy Read terms and conditions, Karim Palant of Facebook responded:

Many of the programmes that we run—for example, the digital safety ambassadors programme, which we run with the Diana award and Childnet—work with children with disabilities and particular vulnerabilities. They operate in those contexts, but we believe we can do more in that space to provide extra guidance and support for those young people and for people supporting them. It is something that we’re actively looking to do.⁵³

63. The social media companies we heard from admitted that they haven’t done enough to engage with disabled people. Karim Palant of Facebook told us:

I have to say that, certainly in the UK, we haven’t been as good as we could have been at dealing with disability NGOs specifically. A lot of the NGOs that we deal with will address and deal with disability issues, but it is not their main focus. We could do more work with those NGOs specifically to understand these issues a bit better.⁵⁴

Nick Pickles of Twitter also told us that his company needed to do more:

I’m planning on going to the trust and safety council and asking them, “How could we hear more from groups that work with disabilities?” because it’s an audience that perhaps hasn’t had the same level of engagement as other areas.⁵⁵

Listening to disabled people

64. A concern raised on numerous occasions by disabled people was an apparent unwillingness to engage directly with them. Disabled people told us they were not hard for government, in particular, to reach.⁵⁶ Many use multiple public services, so can be easy to identify and approach. Many of those we spoke to felt that government and social media companies already had the data and the means to contact them—for example, through emails from the DWP or leaflets in doctors’ surgeries. The disabled people we heard from were well-informed and eager to be heard. Many felt that they had been shut out of the conversation by groups who claimed to speak for them but were not led by them. As our consultation shows, there are multiple ways to hear directly from disabled people.

Box 21: Attendee at Swansea consultation event

We’re not hard to reach, only easy to ignore.

53 [Q115](#)

54 [Q124](#)

55 [Q109](#)

56 Summary of consultation events

65. Our own consultation has shown that there are many disabled people around the country with the skills and experience to help the Government to consult properly in the future. The diverse views we heard from reflect the diversity among disabled people, but they almost all agreed that consultation must be with disabled people themselves, not intermediaries. Although the temptation might be to consult with disability charities, the message we heard was that if disabled people aren't in the room, they aren't being consulted.⁵⁷

66. Both the Government Minister and social media companies responded to questions about disabled adults with answers about children. This is sadly evidence of the problem that disabled people repeatedly described to us. They are not considered capable of controlling or understanding their own lives. Disabled people are not inherently vulnerable or in need of a “high level of protection”, but adults asking for access to the same level of protection as other internet users.

67. Disabled people are not hard to reach, only easy to ignore. We recommend that the Government include disabled people explicitly and directly in all consultations, including on digital strategy. If disabled people aren't in the room, they aren't being consulted. All consultations must be accessible to, and directly involve, disabled people, including people with physical, neurological, developmental, sensory and learning disabilities. We recommend that the Government to report to Parliament on how it has consulted with disabled people and what changes that consultation has led to. We recommend that the Government set out in its response to this report how and how often it will make such reports to Parliament.

Accessibility of social media policies and reporting mechanisms

68. Disabled people are powerful advocates for the benefits of social media. It is mystifying that social media companies have failed to recognise the benefits to them from engaging fully with disabled people. From the widespread sharing of abusive images and messages to Twitter only recently adding “disability” to its reasons why someone may be targeted for abuse, we've been told that social media companies have overseen a toxic environment for disabled people. Whilst we heard that the industry was taking online safety and abuse more seriously, it was clear from our witnesses that these were recent developments. Nick Pickles of Twitter, told us:

I think it is fair to say that as an industry, we have stepped up our efforts on safety more broadly in recent years. [...] I think that this hearing is highlighting an important area where we can do more, and where perhaps the response you see in other areas hasn't been mirrored fully in regards to this. Certainly we are looking to do more. You may be aware that in April this year, we changed our reporting function to explicitly call it out. Disability was covered under our behaviour and conduct policy. That was based on feedback from groups of disabled people. So there is more to do, and we are starting to make progress where we can.⁵⁸

57 Summary of consultation events

58 [Q108](#)

Karim Palant of Facebook told us:

It is a new step on Instagram. For some of the most egregious, really personally degrading comments attacking people’s images—direct attacks on somebody’s appearance, for example—we are starting to filter out the bullying comments, as we call them.⁵⁹

Katie O’Donovan, Public Policy Manager, Google, told us:

Most recently, we’ve also made a video that describes what happens to anyone who flags content—what happens on that journey—to help make that a little bit more accessible.⁶⁰

From what we were told by disabled people, it was clear that there is much further to go.

69. We had the pleasure of meeting the Royal Mencap Society digital champions. They were self-assured and well-informed internet users. Although many of them had experienced online abuse, they were confident that they knew how to report negative experiences and had strategies to keep themselves safe online.⁶¹

Box 22: Participant at Royal Mencap Society’s digital champions roundtable

Some people kept adding me as a friend. They looked like fake accounts. I reported it. Facebook said thank you and their accounts were deleted. I can understand the system, but I worry about other people with learning disabilities.

70. However, it was clear from our consultation that many people do not know what to do when they feel unsafe online. The number of people with learning disabilities and neurological or developmental impairments who told us that the first thing they should do if they felt worried online was to dial 999 was worrying.⁶² Some behaviour, such as threats and harassment, may cross the line into criminal behaviour that requires police involvement. However, many concerns about abusive behaviour online are more appropriately dealt with by the social media platform itself and do not require an emergency police response. The police service should not bear the costs of social media companies’ failure to communicate effectively with their users. We look at this point in more detail in the subchapter *Rules and the law* below.

71. We welcome the different ways that responsible social media companies have tried to engage their users, particularly with simple “how to” videos. However, what we heard from disabled people demonstrates that it is not enough. At our London consultation event, Karim Palant, UK Public Policy Manager, Facebook, shared his view that the simple explanatory videos Facebook used were sufficient to explain Facebook policies to adults with learning disabilities, and therefore Easy Read versions were unnecessary. The disabled people attending the event strongly disagreed.⁶³ In written evidence, Google told us:

59 [Q112](#)

60 [Q119](#)

61 Summary of roundtable meeting with Mencap digital champions

62 Summary of consultation events

63 Summary of consultation events

We have examined the ‘Easy Read Guidelines’ and do believe our community guidelines, including the use of short sentences, pictures and videos fit with these standards.⁶⁴

We put this statement to representatives from Dimensions and Mencap, who both disagreed. Dimensions told us:

Many people with learning disabilities will find the community guidelines, which do not conform to established good practice in easyread, difficult to understand. For example, there is too much complicated information about each section. Some of the words are hard to understand. And the current use of imagery does not help an easyread user to contextualise each individual point.⁶⁵

Mencap told us in reference to social media terms and conditions in general:

The examples we have seen would leave many people with a learning disability struggling to understand them due to complicated words, jargon and abstract language.⁶⁶

72. When asked about making terms and conditions more accessible, Nick Pickles of Twitter told us that:

One of the biggest challenges we have is that sometimes simplifying our policies makes them harder to understand. So there is a tension between adding more detail, so that people can understand, and making it simpler.⁶⁷

However, Easy Read versions of complex documents are regularly produced, including Select Committee reports,⁶⁸ NHS consultations⁶⁹ and tenancy agreements.⁷⁰

73. The language used in policies, rules and guidance was not the only concern we heard. What the policies are called was also seen as a problem. We were told that people find it difficult to understand what to look for when seeking guidance and difficult to know the status of different policies. Behaviour policies go by different names on different sites. For Facebook “Community standards” explain the limits of acceptable behaviour.⁷¹ Twitter has a “Hateful conduct policy”.⁷² LinkedIn has “LinkedIn Professional Community Policies”.⁷³ Instagram has “Learn how to address abuse” in its “Privacy and Safety Centre”.⁷⁴

74. Google, Facebook and Twitter also told us about their work to make it easier to report harmful, extreme or abusive content, with Twitter, for example, reducing this from fifteen clicks to five clicks.⁷⁵ However there has not been enough focus on making reporting more accessible for disabled people. Disabled people are a diverse group with diverse

64 Google UK ([ONL0010](#))

65 Dimensions Supplementary Written Evidence

66 Mencap Supplementary Written Evidence

67 [Q120](#)

68 Women and Equalities Committee, [Disability and the Built Environment](#), Ninth Report of Session 2017–19,

69 NHS England, [Consultation on Learning Disability and Autism Services](#)

70 Dimensions, [Housing](#)

71 [Facebook Community Standards](#)

72 [Twitter hateful conduct policy](#)

73 [LinkedIn Professional Community Policies](#)

74 [Instagram Privacy and Safety Centre, “Learn how to address abuse”](#)

75 [Q125](#)

requirements. Many of the disabled people we spoke to told us that reporting mechanisms were still difficult to understand and not accessible enough. We were also told that it's difficult for some people, particularly those with learning disabilities, to recognise when content is unacceptable and to know how and where to report it. We also heard concerns about what happened to abusive content, particularly content that may cross the line into criminal activity. We heard repeated complaints that people weren't updated on whether a user had been warned or punished for their behaviour and whether content had been removed.

Box 23: Respondent to online survey

While laws against cyberbullying need to be tightened, I think it is much more important at this stage to force social media platforms to actually apply their T&Cs in practice. Even when hate speech is reported, nothing is done in most cases, because social media providers do not want to spend money on employing enough people to deal with thousands of reported comments every day.

Rules and the law

75. We heard that many people think that social media companies, not the criminal justice system, control and police online spaces. We also heard that users, and adults with learning disabilities in particular, find it difficult to judge whether something they see online should be a police matter or a matter for the social media company. It is not the role of social media companies to enforce or interpret the law, and we look at the difficulties with the law on online abuse in chapter 3. However, social media companies are responsible for some of the confusion their users feel. Social media companies do not, on the whole, distinguish between company policy and the criminal law. Confusion over where responsibility lies and where to go with concerns is the result. For example, Twitter rules⁷⁶ state that:

You may not make specific threats of violence or wish for the serious physical harm, death, or disease of an individual or group of people.

The potential punishment is described thus:

Accounts found to be posting violent threats will be permanently suspended.

However:

Given the severity of this penalty, rare exceptions for permanent suspension may be made, based on a limited number of factors. In such a situation, the account will still be required to remove the violating Tweet.

There is no mention that making threats to kill is a serious criminal offence in the UK with a maximum penalty of 10 years in prison.

76. Conflating breaking terms and conditions with serious criminal behaviour only adds to the confusion about what is acceptable behaviour online. In written evidence, Dr Loretta Trickett suggested that people often believe that online behaviour is dealt with by the terms and conditions of social media sites and is therefore outside the criminal law.⁷⁷ It is not acceptable for social media companies to allow that perception to stand.

77. Ensuring that terms and conditions and reporting mechanisms are compatible with specialist equipment, such as screen readers, screen magnifiers and refreshable Braille displays, came up in evidence. However, accessibility is not only about welcome physical changes and ensuring compatibility with assistive technology. Accessibility requires guidance and terms and conditions that are accessible to people with learning disabilities. The vast majority of adults with learning disabilities we spoke to wanted policies and guidance in an Easy Read format. When we suggested short films, people reacted positively, but were clear that such films should be in addition to, not instead of, Easy Read format.⁷⁸ If adults with learning disabilities are to take a full and active part in public life, they need to be online and able to make informed decisions. Disabled people have diverse needs and experiences; to establish what accessibility looks like will require genuine consultation.

Privacy and photo sharing

78. The use of photos of disabled people, particularly disabled children, to create “jokes” seems to be a form of abuse that disabled people are disproportionately subjected to.⁷⁹ At our face-to-face events we heard that people were afraid that the photos they posted on their social media accounts would be copied and used for this purpose. Although we expect the law to be reviewed to cover whether creating and sharing such “jokes” needs to be taken more seriously as a form of abuse, there is more that social media companies can do now. Given what we have heard about the use of images of disabled people, it is essential that Facebook and similar platforms make it clear, including in an Easy Read format, what “sharing” images means for a person’s ability to control how that image is used. They must review privacy settings to ensure they are fully accessible to disabled people. They must ensure that moderators recognise this use of images as abusive behaviour.

79. Disabled people need to be able to manage their settings, report abusive content and see action taken, and make informed decisions about how they use social media. All policies must be fully accessible, including to those with learning disabilities. We were told that social media companies felt that simplifying policies and legal documents could cause greater confusion and potentially lead to needlessly complex explanations of what is and isn’t acceptable behaviour online. However, Easy Read versions of complex documents are regularly produced, including Select Committee reports, NHS consultations and legal contracts, such as tenancy agreements. In our inquiry, we have met experienced disabled experts ready and willing to assist with such work. We believe that appropriate consultation with disabled people will help social media companies overcome this perceived problem.

77 Dr Loretta Trickett and Nottingham Civic Exchange ([ONL0007](#))

78 Summary of consultation events and roundtable with Mencap’s digital champions

79 [People With Disabilities Are Having Their Photos Stolen And Facebook Isn’t Helping Them](#), BuzzFeed news, 23 February 2017, last updated 24 February 2017

80. *We recommend that the Government require social media companies to have policies, mechanisms and settings that are accessible to all disabled people. That must include Easy Read versions of all relevant policies. Policies may include, but are not limited to:*

- *terms and conditions;*
- *community standards;*
- *account policies; and*
- *any other forms of guidance.*

Mechanisms and settings may include, but are not limited to:

- *systems for reporting abuse or other concerns;*
- *privacy settings; and*
- *settings for any other preferences.*

81. *To ensure that the particular concerns of disabled people are recognised, we recommend that social media companies be required to demonstrate that they have consulted and worked in partnership with disabled people themselves when developing policies and processes.*

82. *The rules for social media platforms should be easy to identify, find and understand. It should be clear what behaviour is offensive and how to report abuse. It is unacceptable that police services are bearing the costs of social media companies' failure to communicate the difference between unacceptable behaviour and criminal behaviour and how to report abuse appropriately. We recommend that social media companies be required to be more proactive, not only in searching for abusive and extreme content, but in ensuring their users understand the limits of acceptable behaviour, including the use of images and hashtags, and in actively reporting potentially criminal behaviour. We recommend that this covers the use of images of disabled people, particularly disabled children, to create "jokes".*

Regulating social media?

83. Multiple Select Committee inquiries have examined concerns about how social media companies operate.⁸⁰ The United Nations has named Facebook as bearing responsibility for hatred incited against the Rohingya Muslim minority in Myanmar.⁸¹ It has also been repeatedly criticised for hosting videos and images of child sexual abuse and violence against children.⁸² Whether it's data sharing and fake news, or extreme abusive content and alleged complicity in the spread of violent hatred, the impression is of repeated

80 Home Affairs Committee, Fourteenth Report of Session 2016–17, [Hate Crime: abuse, hate and extremism online](#), HC 609

Digital, Culture, Media and Sport Committee, [Fake News inquiry](#)

House of Lords Communications Committee, [The Internet: to regulate or note to regulate inquiry](#)

81 Culture, Media and Sport Committee, [Disinformation and "Fake News: Interim Report"](#), Fifth Report of Session 2017–19, para 27

82 BBC News, [Facebook Moderators Keep Child Abuse Online](#), 17 July 2018

problems from data misuse, harmful content and hate speech. Social media giants seem to wait to see where the next outcry will rear its head before turning only a small proportion of their huge revenues to tackling that problem. That is not responsible self-regulation.

84. When talking about the rise in “internet-based hostility”, Paul Gainnasi, cross-government hate crime programme manager, stated:

Part of that came about because of the ease of being anonymous in that sphere, and part of it was the lack of editorial control. Before that, if I wanted to post on your website, I needed you to approve it or to give me a password to do it, or I had to have my own space, whereas Web 2.0, through social media, allowed instant interaction and it changed everything.⁸³

Anonymity and lack of editorial control are business decisions, not a necessary part of the technology. We should not accept that the online space is inevitably more dangerous and abusive than the offline space.

85. This inquiry was never intended to look into the different potential models for regulating social media, but it is obvious that the current model has failed disabled people. Participants in our events were clear that something has to change. We heard suggestions ranging from using anti-social behaviour orders to prohibit home internet connections to prosecuting internet companies under joint enterprise laws. The Government needs to be realistic about how much can be achieved without formal controls. Technology moves at such a speed that agreements with companies that are currently popular quickly become meaningless as users move on to other platforms.

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

3 Does the law work for disabled people?

Overview

87. The UK Parliament, Government and the Law Commission have looked at the laws covering online abuse and the arguments for and against greater regulation. Despite various suggestions and repeated calls for action, few practical steps have been taken to ensure that the Government's oft repeated line "What is illegal online, is illegal offline" is true in practice. The petition asked for a change in the law to make online abuse a specific criminal offence. This inquiry looked specifically at disabled people's experience of online abuse, which includes disability hate crime. In the course of the inquiry, we heard that the law covering online abuse is fragmented and that the law covering hate crime is inequitable.

88. Section 146 of the Criminal Justice Act 2003 provides the legal framework for prosecuting disability hate crime. It gives courts the power to treat hostility towards disability as an aggravating factor, meaning that the sentence can be increased if someone is prosecuted. Unlike race and religion, there are no specific disability-related criminal offences. There is only that potential increase in sentencing. However, it is more likely that a suspect will be prosecuted for an offence if it is motivated by prejudice against the victim's actual or presumed disability, or if the suspect targeted or exploited the victim based on their actual or presumed disability.⁸⁴

89. A range of offences can cover online abuse, including fraud, sexual offences and stalking and harassment, as well as specific communications offences under the Communications Act 2003 and the Malicious Communications Act 1988. The Malicious Communications Act and the Communications Act cover communications that are menacing, grossly offensive, indecent, obscene or false. We heard that defining "grossly offensive" is difficult and often depends on context.⁸⁵

90. Deciding whether a communication is a crime also involves looking at the right to freedom of expression under the European Convention on Human Rights. To be criminal, a communication or comment must "go beyond what could conceivably be tolerable or acceptable in an open and diverse society which upholds and respects freedom of expression".

Online abuse

91. The petition argues that the current law on online abuse is not fit for purpose. Much of what we heard during our inquiry supports that view. The Law Commission, in its scoping report published 1 November 2018, found that that the criminal law needs reform to protect victims from online and social media-based abuse:⁸⁶

although criminal offences do exist, in many cases these could be improved so they are clearer and more effectively target serious harm and criminality.

84 CPS ([ONL0016](#))

85 CPS ([ONL0016](#))

86 Law Commission, [Reform of the Criminal Law Needed to Protect Victims from Online Abuse](#), 1 November 2018

92. In July 2014, the House of Lords Communications Committee report on Social Media and Criminal Offences stated that, although much of the law predated social media, it was still generally appropriate.⁸⁷ We heard in our inquiry that current legislation already covers online incidents. We don't doubt the truth of those statements, but we also heard that the current law is too fragmented to work in practice. In written evidence, Chara Bakalis, Principal Lecturer in Law, Oxford Brookes University, told us:

There are up to thirty different statutes which could potentially be used to punish online behaviour. [...] none of it is aimed specifically at tackling online hate.

93. From those we met, we found confusion over what should be a police matter, disagreements over how the law should apply in practice and a belief that abuse against disabled people was not taken seriously. There is clear confusion among the public and the police about how the law applies to online behaviour. That alone is an argument for reform.

94. The phrase “What is illegal offline, is illegal online” has been oft repeated by Ministers, and was included in the response to the Home Affairs Committee report *Hate crime: abuse, hate and extremism online*. At our consultation events, the phrase was met with confusion, anger or simply mocked. Apart from being untrue in the experience of those disabled people we spoke to, some forms of abuse, such as instigating “pile-ons” and the misuse of private images, simply cannot occur in the same way offline. The Law Commission's *Scoping Report on Abusive and Offensive Online Communications*, published 1 November 2018, agreed.⁸⁸

95. We heard that the lack of specific legislation to cover online abuse, and the belief that only the terms and conditions of social media companies apply to such abuse, leads to the perception that behaviour that is unacceptable offline is somehow acceptable online. People told us over and over again that many of those who created abusive content or were abusive or threatening towards them, “wouldn't do it to my face” or “wouldn't do it if they could meet me”.

Box 24: Participant at Royal Mencap Society's digital champions roundtable

I don't think they realise that there's a person on the other end.

96. The police, the public and social media companies need a criminal law that is fit for purpose and draws a line between behaviour that can be tackled by private companies and behaviour that requires a criminal justice approach. Karim Palant from Facebook told us:

Our experience of working with law enforcement and prosecutors in the UK is that there is this sense that potentially a great deal of speech could be illegal under some definitions, but it is unclear in a great many cases and there is a sense that greater clarity would help both law enforcement and companies such as ours to respond to specific cases.⁸⁹

87 House of Lords Communications Committee, First Report of Session 2014–15, [Social Media and Criminal Offences](#), HL Paper 37

88 <https://www.lawcom.gov.uk/abusive-and-offensive-online-communications/>

89 [Q155](#)

97. Chara Bakalis, Principal Lecturer in Law, told us in written evidence:

The legislation is too fragmented and does not properly capture the harm caused by hate on the internet. As such, it is too difficult for the police and prosecutors to use, hence the low number of prosecutions in this area.

She went on to say that the current criminal law “gives internet service providers a huge amount of power to decide what can and cannot be said on the internet.” In oral evidence, Superintendent De La Rue, Brighton and Hove Division, Sussex Police, stated that “an area that I think is problematic is that not all the pieces of the jigsaw join up legislatively.” As discussed in the previous chapter, social media companies also have a role in ensuring that their users can understand the difference between a breach of terms and conditions and a potential criminal offence. To fulfil that role, social media companies need to be able to understand their responsibilities under clearly drafted legislation.

Box 25: Respondent to online survey

There needs to be a deterrent and punishment and the government needs to ensure police have guidelines to punish online offenders. There should be no grey area.

98. We heard concerns about freedom of speech, particularly on the Facebook thread where we asked users whether online abuse should be a specific criminal offence. The principal concerns raised were about censorship of legitimate debate. Typical comments from those against specific legislation were “Free Speech comes with the good and the bad, people can decide what and when to read and listen.” and “Definitely not. Online abuse has an easy cure, the off button. You don’t have to be online. Real crime doesn’t have an off switch.”

99. The idea that people can “block” or “mute” content or simply not use social media was put forward as the primary solution by those who were against online abuse becoming a specific offence. These comments mirror what disabled people told us they were regularly advised to do when they spoke up about online abuse and harassment. Disabled people are already marginalised. Asking them to become more disengaged from the world for their own protection is not a suitable solution to online abuse.⁹⁰ As discussed in chapter 1, we do not believe that staying offline or people removing themselves from parts of the internet are acceptable solutions, any more than asking someone to remove themselves from their place of work or town centre would be.

100. Many of those who rejected the idea of a specific criminal offence still supported the idea that “What is illegal online, is illegal offline.” There were concerns about new laws suppressing freedom of speech, but even those with concerns seemed to believe that abusive behaviour should be covered by law—“I think this would be a very slippery slope? I mean, what constitutes abuse? If it’s outright nasty comments and making fun of someone’s disability then yes, definitely.” The disabled people we spoke to were clear that they wanted disabled people to have the same protections from hate crime as victims of racist abuse and for the Government’s statement “What is illegal offline, is illegal online” to be true in practice.

90 [“Why disabled people can’t afford to #deletefacebook”](#), The Guardian, 4 April 2018

101. It is worth also reiterating that the petition that led to this inquiry was in part prompted by relentless abusive behaviour towards a disabled child, which the police could not bring criminal charges to prevent. Among the many examples we have seen, that abuse included faking and sharing an explicit pornographic film that claimed to show a disabled child having sex.

102. If the criminal law cannot deal with distributing fake child pornography to mock a disabled child and his family, then the law is inadequate. We agree with the petitioner, Katie Price, and the Law Commission that the current law on online abuse is not fit for purpose. The disabled people we spoke to were clear that they wanted disabled people to have the same protections from hate crime as victims of racist abuse and for the Government’s statement “What is illegal offline, is illegal online” to be true in practice. Disabled people are already marginalised. Asking them to become more disengaged from the world for their own protection is not a suitable solution to online abuse. Although we welcome the Law Commission review into offensive online communications and its statement that the criminal law needs reform to protect people from online abuse, we have concerns that the Government may again fail to act in a way that works for disabled people.

103. The police, the public and social media companies need a criminal law that is fit for purpose and draws a line between behaviour that can be tackled by private companies and behaviour that requires a criminal justice approach. It is not enough to repeat “What is illegal online, is illegal offline” as an excuse for inaction. We note that the Law Commission is reviewing abusive and offensive online communications, but we recommend that the Government brings forward legislation to clarify the law as soon as possible. We recommend that Ministers set out a timetable for doing so in the Government response to this report. Any delay must be justified to Parliament. To ensure that new legislation takes into account the needs of disabled people, we recommend that the Government consult disabled people directly. Such a consultation must be accessible to all disabled people, including those who are currently not using the internet due to their fear or experience of abuse.

Hate crime

104. Hate crimes are acts of violence or hostility directed at people because of who they are. The police and Crown Prosecution Service record hate crimes for five protected characteristics:

- disability;
- transgender identity;
- race;
- religion; and
- sexual orientation.

105. However, not all characteristics are treated equally in law. For example, a suspect who commits a racist assault can be tried for a specific hate crime offence, but a suspect who assaults someone because of their disability cannot. There is only a potential sentencing

uplift. It is a crime to stir up hatred against people on the grounds of their race, religion or sexual orientation, but not their disability. Disability hate crime is not a distinct part of the criminal law. As we were told by one event participant, “It’s only a disability hate crime if someone remembers at sentencing. No one is investigating people for disability hate crime.” Anne Novis told us in oral evidence

We do not have parity in law. Around race, which has good law that has been thoroughly researched and put together, every other aspect of hate crime has been an add-on to race hate crime, but none of them are equal. So around LGBT and disabled people we do not have equal rights in law around hate crime as those around race. For instance, around incitement to commit hostility, disabled people and LGBT are totally excluded and the legislation is different. You can be charged with hate crime in and of itself around race if someone targets you online as well as offline, but you cannot around disability. That is the difference and we desperately need the Government to take on board that we need an equal and fair hate crime law.

Box 26: Respondent to online survey

Disability Hate Crime has particular characteristics that mean it is often misreported as anti-social behaviour or non-priority incidents that in some cases have led to a Disabled person being victimised over a long period of time and loss of life. A Disabled person can be labelled as a paedophile by a local community, which does not appear to happen with other types of hate crime.

106. The topic of the inquiry is relatively limited. It was not intended to be a review of hate crime legislation, but the inequality in the legislation is impossible to ignore. All the disabled people we spoke to wanted legal parity between the protected characteristics. The lack of parity between disability hate crime and offences towards people on grounds of race and religion was brought up time and again by the disabled people we spoke to. They felt very strongly that the criminal justice system did not take crimes against disabled people seriously. Until disability is treated equally before the law, disabled people and the wider population will continue to hold that belief.

Box 27: Respondent to online survey

If you [are] a female and physically disabled in this country anyone can do anything to you and you have no legal right of complaint and that is my experience of the last twenty years. [...]The government is responsible because it does not place any value whatsoever on disabled people’s lives [...] You talk about disabled people in government as though we are bad people, lazy people, scroungers etc which is not true and insulting, without having a clue as to what it means to be disabled and treated this way everywhere you try to go.

107. The perception of inequality under the law was not the only concern. We were told that the different status afforded to different protected characteristics leads to confusion over how much protection people can expect under the law. The lack of clarity was brought up by Paul Gainnasi, cross-government hate crime programme manager:

I refer back to the stirring up hatred offence and the aggravated offences. Maybe in themselves they would not solve the problem, but one of the issues that we have to get over is about people understanding their rights, which is certainly a barrier that the victim groups have talked to us about.

108. In 2014, the Law Commission recommended a “wide-ranging review into hate crime”.⁹¹ In April 2017, the Home Affairs Committee’s report on hate crime called for a review of the entire legislative framework around online hate speech, harassment and extremism.⁹² The Law Commission recently announced that such a review would begin in 2019.⁹³

109. Both the CPS and Detective Inspector John Donovan cited the work of the University of Sussex on disability hate crime.⁹⁴ The University of Sussex study concluded that the way the law is currently framed is partly responsible for the under-reporting and under-prosecution of disability hate crime. In written evidence, Professor Mark Walters, Criminal Law and Criminology, University of Sussex, told us that only 0.02% of an estimated 34,840 disability hate crime cases reported to police in 2015–16 resulted in a conviction and an uplift in sentencing. The gap between reported hate crime and convictions that result in a sentencing uplift is particularly big for disability hate crime, when compared to other hate crimes.⁹⁵ Those figures match what disabled people themselves and those who work at third-party reporting centres told us.⁹⁶ Multiple reasons have been given for this enormous gap, including police attitudes and training, the status of disability hate crime in the criminal law and the complexity of navigating the criminal justice system for disabled people.⁹⁷

110. One major reason cited by Professor Walters for the gap between reported hate crime and convictions is the need to prove that a crime was committed due to “hostility” towards someone due to their disability.⁹⁸ The Metropolitan Police describe hate crime as “when someone commits a crime against you because of your disability, gender identity, race, sexual orientation, religion, or any other perceived difference.”⁹⁹ However, the current law requires a court to be convinced that a crime is motivated by or demonstrates “hostility” towards someone due to their disability, not simply “by reason of” their disability.¹⁰⁰ We heard that hate crimes against disabled people are often committed because prejudice against disabled people means that they are seen as an easy target.¹⁰¹ Our police witnesses spoke about the difficulties of identifying “hostility” in disability hate crime:

91 Law Commission, “[Hate Crime: Should the Current Offences be Extended?](#)”, 2 June 2014

92 Home Affairs Committee, Fourteenth Report of Session 2016–17, [Hate crime: abuse, hate and extremism online](#), HC 609

93 “[Law Commission review into hate crime announced](#)”, Law Commission press release, 18 October 2018

94 CPS ([ONL0016](#))
[Q71](#)

95 Professor Mark Walters ([ONL0008](#))

96 Summary of consultation events

97 Professor Mark Walters ([ONL0008](#))

Chara Bakalis ([ONL0002](#))

Inclusion London ([ONL0005](#))

Dr Loretta Trickett and Nottingham Civic Exchange ([ONL0007](#))

98 Professor Mark Walters ([ONL0008](#))

99 Metropolitan Police, [What is hate crime?](#)

100 Professor Mark Walters ([ONL0008](#))

101 Dr Loretta Trickett and Nottingham Civic Exchange ([ONL0007](#))

In 2007, when we came together as a Government programme, one of the first jobs was to find a common definition of hate crime. At that time, disability was really in focus, and it was clear to us that it was a significant challenge. A number of attacks led to tragic deaths, of Brent Martin, Steven Hoskin and Fiona Pilkington. What we did not see was evidence that there was a common hostility, as with white supremacy, against disabled people. But there were many similar characteristics in those horrible deaths—there was a behavioural trait of humbling, abuse, financial abuse, dehumanisation and, ultimately, extreme violence in all those cases. We have grappled long and hard with that.¹⁰²

111. Evidence that someone has been targeted because of their disability is not enough in itself to prove “hostility” and so a crime may be reported as a hate crime, but not sentenced as one. We have heard that evidence of “hostility” is often not found in disability hate crime. Professor Walters told us that the “motivation of hostility” test should be replaced with a “by reason of” test. If a victim has been selected “by reason of” their disability, that should be enough to demonstrate a hate crime.¹⁰³

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

Disability, hostility and vulnerability

113. We heard that proving that someone was attacked due to hostility is complicated by the “vulnerability” designation. Evidence that a victim is “vulnerable” makes an offence more serious for sentencing purposes. In hate crime against disabled people, hostility and perception of vulnerability often go hand in hand. Crown Prosecution Service *Disability Hate Crime and other crimes against Disabled people—prosecution guidance* describes the following situation:

For example, theft of a wallet from a blind person. The equally obvious reason for selection of the particular disabled victim is that it renders the commission of the substantive offence easier, and lessens the likelihood of being apprehended by the victim. In other words, offenders tend to pick easy targets, such as the smallest or drunkest or least mobile person to rob or steal from.

If both inferences—hostility / easy target—are equally consistent conclusions from the facts, the inference relating to hostility is unlikely to be proved. For this reason, many offences against disabled persons, even

102 [Q101](#)

103 Professor Mark Walters ([ONL0008](#))

when characterised by exploitative behaviour, or taking advantage of the person, or contempt for the person, may not amount to a hate crime for the purposes of s146.¹⁰⁴

114. Detective Inspector John Donovan, Online Hate Crime Hub, Metropolitan Police Service, told us:

The conflation of vulnerability and hate is a complex issue. It should be easier online, because it should be explicit. The question boils down to why the person was targeted. Were they targeted because they were vulnerable and therefore easy prey, or were they targeted because of a real hatred of disabled people? That is the complexity of the issue.

There is no easy way through that, other than to say that it is no more explicit online than it is offline. I have heard that argument long and hard for two years from all the advocacy groups for the disabled that sit on our advisory groups, and as yet I have found no way of cutting that complex knot. There is a considerable body of work by Sussex University that looks into it all the way through the criminal justice system, and its recommendations are excellent.¹⁰⁵

115. The interaction between vulnerability, disability and hate is complex, and provides a clear a reason to look at disability hate crime differently. Professor Walters told us in written evidence that the vulnerability designation prevents disability hate crime from being fully recognised and perpetrators appropriately punished. His research has shown that courts have preferred to declare that an attack happened due to the “vulnerability” of the disabled person than due to hostility against the victim on grounds of disability.¹⁰⁶

116. The “vulnerability” designation was not well understood by many of the disabled people we spoke to. Those who had some knowledge of it were hostile to its use, feeling that it led to under-recording of hate crime and labelled disabled people as weak.¹⁰⁷ Disabled people are not inherently weak or vulnerable and it was made very clear to us that it is offensive to imply otherwise. Professor Walters told us that its use only adds to the prejudice against and misrepresentation of disabled people, which in turn may reinforce the beliefs and attitudes that lead to disabled people being marginalised and abused.¹⁰⁸ We heard that court decisions labelling people as vulnerable purely on grounds of disability are highly problematic. This happens despite the Crown Prosecution Service *Disability Hate Crime and other crimes against Disabled people—prosecution guidance* being clear that:

The social model of disability recognises that many people with disabilities do not consider themselves to be “vulnerable” and may be offended by the use of that word to describe their position. ... Where the guidance refers

104 Crown Prosecution Service, [Disability Hate Crime and other crimes against Disabled people—prosecution guidance](#), *How to distinguish s146 cases from other crimes committed against disabled people*

105 [Q71](#)

106 Professor Mark Walters ([ONL0008](#))

107 Summary of consultation events

108 Professor Mark Walters ([ONL0008](#))

to a “vulnerable” victim, witness or person, it does so in the context of the person being vulnerable to a particular criminal offence in particular circumstances.¹⁰⁹

117. **As Professor Walters told us in written evidence, the vulnerability designation prevents disability hate crime from being fully recognised and perpetrators appropriately punished. The criminal justice system is too quick to categorise disabled people as “vulnerable”. The vulnerability designation perpetuates damaging stereotypes about disabled people, which in turn may reinforce the beliefs and attitudes that lead to disabled people being marginalised and abused.**

118. *The CPS and the police can only work within the framework provided by the law. We recommend that the Government work with disabled people to review the use of such designations. The review should have the aim of ensuring hate crimes are properly reported and sentenced as such and that “vulnerability” is only used when appropriate.*

A register of offenders?

119. The petition specifically calls for a register of offenders. This idea received a mixed response from attendees at our consultation events. Many thought that an appropriately framed criminal law covering hate crime and online abuse would make such a register unnecessary, as a simple Disclosure and Barring Service check would reveal whether an offence had been committed. However, we heard concerns that employers of care and support workers, or those who come into contact with disabled people, should be able to find out whether a potential or current worker has been convicted of a disability hate crime.

120. We heard in oral evidence from Paul Gainnasi, cross-government hate crime programme manager, that whether a crime has been motivated by hostility towards disability is not recorded on someone’s criminal record:

With any crime, the court is obligated to increase the sentence and say why it has done so, if it is satisfied that the offender demonstrated, or was motivated partly by, hostility. That is currently not recorded on people’s criminal conviction record; the core offence of assault may be, but not the hostility element, so we can look at people’s records and not see that.¹¹⁰

121. **The petition calls for a “register of offenders”. We believe that a sensible criminal law, which covered online abuse and included proper recognition of hate crimes against disabled people, will achieve what the petition is looking for from a register, as criminal convictions will show up as part of a Disclosure and Barring Service check.**

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

109 Crown Prosecution Service, [Disability Hate Crime and other crimes against Disabled people—prosecution guidance](#), *What we mean by “Vulnerable” victims and witnesses*

110 [Q107](#)

Experiences reporting crime

123. In the previous section, we talked about how the way that the law is framed is partly responsible for the under-reporting of disability hate crime and the difficulties prosecuting online abuse. We also heard that police attitudes and training and the complexity of navigating the criminal justice system for disabled people are creating difficulties. We heard that disabled people’s experiences of dealing with the police were mixed and often depended greatly on the force and officer(s) involved.¹¹¹ *Action against Hate: The UK Government’s plan for tackling hate crime—“two years on”*¹¹² lists some excellent commitments and promising work, such as Her Majesty’s Inspectorate for Constabulary, Fire & Rescue Services’s report into the police handling of hate crime.¹¹³ It gives examples of encouraging work such as “hate crime champions” and “cyber community support officers”.

124. However, we heard that disabled people felt excluded by the criminal justice system and did not feel taken seriously by the police. We heard that repeated acts of aggression and abuse, which the disabled person themselves felt were motivated by hatred towards them because of their disability, were recorded as simple anti-social behaviour.¹¹⁴

Box 28: Participant at the Royal Mencap Society’s digital champions roundtable

The police use jargon and treat it as anti-social behaviour, not learning disability hate crime.

Box 29: Respondent to online survey

I was assaulted because I’m disabled. I reported it as a hate crime. Nothing was investigated other than checking CCTV images 3 weeks after the assault. I don’t even know if it was logged as a hate crime.

125. In written evidence, Dr Alhaboby, told us that not being taken seriously was a common occurrence for disabled people or those with long-term conditions suffering online harassment.¹¹⁵

Anne Novis told us in oral evidence:

The biggest barrier we face is disbelief by professionals and the belittling of what we experience and the impact of it. I am adviser to the Metropolitan Police, the Crown Prosecution Service and British Transport police on hate crime, particularly against disabled people. The reason I took those roles, which are all voluntary, is because of my knowledge that we are not believed and that the issue is not treated as seriously as it should be.¹¹⁶

111 Summary of consultation events

112 Ministry of Housing, Communities & Local Government, Home Office, and Ministry of Justice, [Hate crime action plan 2016 to 2020](#), 26 July 2016

113 Her Majesty’s Inspectorate of Constabulary, [Understanding the difference: the initial police response to hate crime](#), July 2018

114 Summary of online engagement and consultation events

115 Dr Zhraa A. Alhaboby ([ONL0003](#))

116 [Q41](#)

126. We welcome the work that police forces, the Crown Prosecution Service and Ministry of Justice have done to try to improve the experiences of disabled people when reporting crime or acting as witnesses. For example, to improve the experiences of victims and witnesses, the CPS has a national scrutiny panel on disability hate crime, made up of experts and academics, including the National Autistic Society, Lemos and Crane, the Equality and Human Rights Commission, Dimensions, MIND and Stop Hate UK.¹¹⁷ Dimensions' written evidence submission in response to our draft recommendations states:

We are aware that some police forces are automatically recording crimes against disabled victims as hate crimes, so that officers are essentially perceiving any crime against a disabled person to be a hate crime. This ensures that the initial investigation explores all possible motivations for the crime, even when the victim has not perceived the crime to have been a hate crime and the perpetrator may have been subtle in the prejudice or hostility they have shown towards the victim.¹¹⁸

127. The Met Police's National Online Hate Crime Hub provides specialist officers to improve the way police and partners identify and investigate incidents of online hate and support victims. However, Inclusion London told us, "The pilot has been successful but needs ongoing funding to enable the work to continue."

128. The good work we heard about was not reflected in what people told us about their experiences. Many disabled people we spoke to were angered by the statement in our special report on the draft recommendations that "It is easier now for people with disabilities to report hate crime or be a witness." That level of anger is a clear indication that something still isn't working.

Box 30: Participant at consultation event Newcastle

If you've got a learning disability, you're not taken seriously. You're treated with suspicion unless your disability is obvious.

129. Rob Holland from Mencap told us that:

[...] while there are some examples of good practice, it is very much about how we make sure that every police force in the country takes this very seriously and has accessible ways of reporting, with people being supported through the process.¹¹⁹

130. Third-party reporting centres attempt to overcome the barriers to reporting hate crime by providing an alternative to reporting directly to the police. Local deaf and disabled people's organisations support victims of hate crime as well as act as third-party reporting centres. Disabled people we spoke to were very supportive of the role that they played, but those who worked in such centres told us that they knew of a lot more hate crime than was being reported.¹²⁰

117 CPS ([ONL0016](#))

118 Dimensions ([ONL0015](#))

119 [Q43](#)

120 Summary of consultation events

131. We heard that, “Support services across the board are restricted by lack of funding”, that national co-ordination is “fragmented” and that police forces handle hate crime against disabled people inconsistently. Those we spoke to in Belfast also brought up the difficulties of having police officers visiting their homes in sectarian areas.

132. The effects of this fragmentation and inconsistency were raised at our events. People who have been abused or exploited online are understandably suspicious of unofficial non-government sites and organisations. People need to be able to trust the source of advice and know that what they are told represents best practice and will not put them at risk. If part of educating people to stay safe online is about being able to trust the source of the information they require, the Government must take responsibility for being that trusted official source for information and ensuring consistency of support across the country.

133. We also spoke to disabled people who found themselves subject to police attention or ignored when trying to report crime because people can interpret aspects of their disability as aggression or obstinacy. In Swansea and Newcastle, we met adults with learning disabilities who had been arrested for being uncooperative because they simply didn’t understand what was being asked of them.¹²¹

134. The disabled people we spoke to were very clear that police officers need training in recognising disability and communicating with disabled people. Police officers need to be able to recognise disability and understand that it might mean that their usual approach might not be appropriate. The experience of those we spoke to was that many frontline police officers are simply not equipped to communicate with disabled people.

135. Organisations such as the Crown Prosecution Service and individual police forces are reporting excellent work, but too many disabled people told us that their experiences with the criminal justice system were largely or wholly negative. New initiatives are helpful but national co-ordination and long-term funding are lacking. We heard that fragmentation and inconsistency generates mistrust. Many disabled people we spoke to were angered by the statement in our special report on the draft recommendations that “It is easier now for people with disabilities to report hate crime or be a witness.” That level of anger is a clear indication that something still isn’t working.

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

137. We recommend that the Government ensure that every frontline police officer receives the support necessary to ensure that disabled people have equal access to, and treatment in, the criminal justice system.

Online exploitation

138. All of us can experience exploitative relationships, and disabled people are no different. Disabled people have the same rights as everyone else to make unwise decisions, but we have heard particular concerns about adults with learning disabilities and vulnerable neurodiverse people being befriended online by those intent on using the relationship to exploit them. This so-called “mate crime” can lead to financial, physical and sexual exploitation. Some of this is legal under current legislation, but it can cause immense distress and draw people into criminal activity, either as unwilling perpetrators or victims. For example, we were told about adults with learning disabilities being encouraged to carry or store illegal drugs and others who have been murdered following long-term exploitation.

139. The Association for Real Change, an umbrella body representing providers in the learning disability sector, defines “mate crime” as:

[...] 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. The relationship is likely to be of some duration and, if unchecked, may lead to a pattern of repeat and worsening abuse.¹²²

140. The term “mate crime” is well, but not universally, understood. It also does not reflect the gravity of the effects of exploitation. Anne Novis, disability campaigner and chair of Inclusion London, told us:

Personally, I—and many organisations run by disabled people—do not like the term “mate crime”, because it’s not recognised in law. It’s not what we’re fighting for. We want hate crime recognised; we don’t want anything less than that.

But deliberate befriending online and offline of disabled people is very, very real, and deliberately to take advantage of them in different ways. It may be not to be hostile; it may be to have their money, their benefits, or to take some advantage of them. That definitely does happen and it’s a type of hostility that needs to be recognised, along with all the other types that lead us into an escalating pattern of abuse that can often end in murder, if not torture beforehand.¹²³

122 Association for Real Change, [Mate Crime: A Challenge for the Police, Safeguarding and Criminal Justice Agencies](#), p5

123 [Q62](#)

141. The exploitative behaviour towards adults with learning disabilities we were told about by disabled people included:¹²⁴

- Women with learning disabilities told us that they were targeted for sexual relationships by people who wanted to have a child with them to secure a UK visa.
- Adults with learning disabilities told us that they'd been befriended online by people who then encouraged them to transfer all their savings or income to their new "friend".
- Adults with learning disabilities told us that they had been charged for things online that should not require any funds changing hands, such as converting to a different religion.
- Support workers also told us that disabled people living independently had been targeted by people wanting to use their homes for criminal activities.
- Support workers told us that extremist groups were actively targeting adults with learning disabilities.

142. When we asked one group what their main concerns were online, we were told that it was being targeted on online dating sites and by extremist groups.¹²⁵ Giving money to a friend or being lied to by someone you are having a sexual relationship with are not covered by the criminal law, and nor should they be. However, these experiences cause extreme distress and can escalate into criminal behaviour. The way that deliberate befriending with the intention of exploitation can escalate should not be under-estimated. The tragic murder of Lee Irving—a vulnerable 24-year-old young man with learning disabilities—demonstrates where these exploitative relationships can lead.¹²⁶

143. One of the major challenges to tackling such exploitation is striking the balance between supporting those who need it and respecting disabled people's rights to make decisions, even bad ones. We heard that disabled people often find themselves needing to prove that they have the capacity to make their own decisions, choose sexual partners and live adult lives. Those around them can struggle to recognise disabled people as decisionmakers.¹²⁷ We heard that disabled people, particularly those who need care, are often infantilised. It is for those reasons that some disabled people we spoke to were very concerned about the unintended consequences of the Government tackling online exploitation.¹²⁸

144. The adults with learning disabilities and neurodiverse people we met were often keen to be able to identify themselves as in need of extra support to tackle online abuse, identify potential exploitation and seek guidance when a "friendship" made them uncomfortable. Different groups mentioned the possibility of a different reporting pathway for adults with learning disabilities.¹²⁹

124 Summary of consultation events

125 Summary of London informal evidence session

126 [Lee Irving murder: Risks known years before death](#), BBC Tyne & Wear, 15 June 2017
HC Deb, 17 October 2017, [Col 244WH](#) [Westminster Hall]

127 Summary of consultation events

128 Summary of consultation events

129 Summary of consultation events and summary of Mencap digital champions roundtable

145. From disabled people we also heard that “mate crime is hate crime”. The Government should therefore recognise that befriending adults with the intention of exploitation can be a hate crime. Dimensions told us they expected the Law Commission review of all hate crime legislation to offer solutions to this exploitation.¹³⁰

146. Disabled people have the same rights as everyone else to make unwise decisions, but that in no way lessens the Government’s responsibility to ensure that people are safe from abuse and exploitation. Social media and online dating sites have increased the exposure of people who are vulnerable to exploitation to those who might target them. This is a difficult issue that the Government must grasp. It leads to real-life consequences, including theft, rape and murder.

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

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

Conclusions and recommendations

The importance of social media to disabled people

1. Social media and the internet is central to how most of us live our lives—whether we consider ourselves disabled or not. The time when it was reasonable to tell people experiencing difficulties online to stop using social media has long gone. Being able to use the internet without fear is no more a luxury than being able to go to the shops, the workplace or meet friends in a park. (Paragraph 29)
2. Facilitating people with rare conditions to speak with one voice, enabling people to campaign for their rights and providing a method to reduce the isolation of a marginalised group are some of the many positive impacts of social media on the lives of disabled people that we heard about. In fact, it was clear after speaking to groups of disabled people that they could be some of the best advocates for social media if only their needs were considered. (Paragraph 30)

Visibility and changing attitudes

3. It is deeply disappointing that the footballing organisations with whom we raised concerns about abusive behaviour expressed no interest in addressing the problem. Their lack of response is shameful. (Paragraph 45)
4. Disabled people have told us loudly and clearly that online abuse and harassment is a result of a wider culture that is hostile to disabled people. Those we spoke to were clear that there won't be change without tackling the attitudes that lead to online abuse and encouraging a more positive portrayal of disability and disabled people in the media. The Government must challenge beliefs and attitudes around disability and recognise that offline attitudes influence online behaviour. More than half the UK population feel awkward around disabled people and more than a quarter say they have avoided talking to someone because they were disabled. Unless these things change, disabled people will continue to feel marginalised. (Paragraph 46)
5. The people we met described a “culture of fear” among disabled people who post about their daily lives and activities, due to a real risk of being falsely accused of faking their disability to gain social security benefits and threatened with being reported to the Department for Work and Pensions for fraud. We were told that disabled people who posted about political activism and campaigning for their rights under the law were particularly at risk of being reported, or threatened with being reported, to the DWP. (Paragraph 47)
6. *We recommend that the Government increase the representation of disabled people in its own events, publications and advertising. In particular, we recommend that the Government introduce targets to ensure that its own advertising campaigns reflect the disabled population of the UK. Disabled people are parents, partners, neighbours, friends, work colleagues, sons and daughters. We recommend that at least 19% of all images of working-age people in all Government advertising campaigns are images of*

disabled people. Such representation needs to reflect the diversity of disabled people and their life experiences. We recommend that the Government ask other public bodies to do the same. (Paragraph 48)

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

Effects of online abuse

8. *Online abuse can be a life or death issue for some disabled people. Its effects are felt not only in damaged physical and mental health, but in lost career opportunities and a restricted social life. It is not acceptable to suggest that disabled people should forgo using the internet or social media when it is an integral part of their lives. It is not acceptable for the Government to pass its responsibility to others, such as social media companies. The Government's aim to continue to push for and expand "digital by default" makes it the Government's responsibility to ensure that disabled people can get online and stay online. (Paragraph 54)*

Supporting people to stay online

9. *We recommend that the Government acknowledge the importance of the internet to disabled people and how disabled people are affected by abuse. We heard the enormous value that social media in particular has for disabled people. It enables them to campaign, work, learn and socialise in a way that is otherwise impossible due to the inaccessibility of the offline world and is essential because they need to fight to be heard. The evidence makes clear that online abuse has a significant effect on the health of people with long-term conditions and disabilities. Abuse is not simply "offensive" or "bad manners". It does lasting damage to people's lives, health and careers. (Paragraph 56)*
10. *We recommend that the Government commit to ensuring that the internet is no more dangerous for disabled people than non-disabled people. To do that, we recommend that the Government ensure that the voices of a diverse range of disabled people are included at the heart of its discussions on online safety. Disabled people must be explicitly consulted and their views taken into account. (Paragraph 57)*
11. *We recommend that the Government acknowledge that training and support are necessary to encourage safe online activity and recognise when things might be going wrong. The social isolation that disability can lead to can be mitigated by getting and staying online. We recommend that the Government makes guidance on staying safe*

online, suitable for disabled people, available through the public services that disabled people regularly use and to those who might work in environments where people seek help to go online. We recommend that all such guidance must include how to identify and manage cases of hate crime and online abuse. People also need help to recognise befriending with the intent of exploitation online (so-called “mate crime”), which we discuss in chapter 3. We recommend the Government ensure that there is nationally available information, which clearly lays out how individuals, businesses and charities should deal with suspicions of exploitation and abuse. (Paragraph 58)

Accessibility and inclusion

12. Both the Government Minister and social media companies responded to questions about disabled adults with answers about children. This is sadly evidence of the problem that disabled people repeatedly described to us. They are not considered capable of controlling or understanding their own lives. Disabled people are not inherently vulnerable or in need of a “high level of protection”, but adults asking for access to the same level of protection as other internet users. (Paragraph 66)
13. *Disabled people are not hard to reach, only easy to ignore. We recommend that the Government include disabled people explicitly and directly in all consultations, including on digital strategy. If disabled people aren’t in the room, they aren’t being consulted. All consultations must be accessible to, and directly involve, disabled people, including people with physical, neurological, developmental, sensory and learning disabilities. We recommend that the Government to report to Parliament on how it has consulted with disabled people and what changes that consultation has led to. We recommend that the Government set out in its response to this report how and how often it will make such reports to Parliament. (Paragraph 67)*

Accessibility of social media policies and reporting mechanisms

14. Disabled people need to be able to manage their settings, report abusive content and see action taken, and make informed decisions about how they use social media. All policies must be fully accessible, including to those with learning disabilities. We were told that social media companies felt that simplifying policies and legal documents could cause greater confusion and potentially lead to needlessly complex explanations of what is and isn’t acceptable behaviour online. However, Easy Read versions of complex documents are regularly produced, including Select Committee reports, NHS consultations and legal contracts, such as tenancy agreements. In our inquiry, we have met experienced disabled experts ready and willing to assist with such work. We believe that appropriate consultation with disabled people will help social media companies overcome this perceived problem. (Paragraph 79)

15. *We recommend that the Government require social media companies to have policies, mechanisms and settings that are accessible to all disabled people. That must include Easy Read versions of all relevant policies. Policies may include, but are not limited to:*
- *terms and conditions;*
 - *community standards;*
 - *account policies; and*
 - *any other forms of guidance.*

Mechanisms and settings may include, but are not limited to:

- *systems for reporting abuse or other concerns;*
 - *privacy settings; and*
 - *settings for any other preferences. (Paragraph 80)*
16. *To ensure that the particular concerns of disabled people are recognised, we recommend that social media companies be required to demonstrate that they have consulted and worked in partnership with disabled people themselves when developing policies and processes. (Paragraph 81)*
17. *The rules for social media platforms should be easy to identify, find and understand. It should be clear what behaviour is offensive and how to report abuse. It is unacceptable that police services are bearing the costs of social media companies' failure to communicate the difference between unacceptable behaviour and criminal behaviour and how to report abuse appropriately. We recommend that social media companies be required to be more proactive, not only in searching for abusive and extreme content, but in ensuring their users understand the limits of acceptable behaviour, including the use of images and hashtags, and in actively reporting potentially criminal behaviour. We recommend that this covers the use of images of disabled people, particularly disabled children, to create "jokes". (Paragraph 82)*

Regulating social media

18. *The Government must accept its responsibility for ensuring disabled people's safety online. We recommend that the Government acknowledge that the current model of self-regulation of social media has failed—and is still failing—disabled people. We recommend that it takes steps to ensure that social media companies accept their responsibility for allowing illegal and abusive content on their sites and the toxic environment this creates for users. We recommend that the Government ensures that social media companies accept their responsibility to make sure that disabled people can make use of online tools as other users can. (Paragraph 86)*

Does the law work for disabled people?

19. If the criminal law cannot deal with distributing fake child pornography to mock a disabled child and his family, then the law is inadequate. We agree with the petitioner, Katie Price, and the Law Commission that the current law on online abuse is not fit for purpose. The disabled people we spoke to were clear that they wanted disabled people to have the same protections from hate crime as victims of racist abuse and for the Government's statement "What is illegal offline, is illegal online" to be true in practice. Disabled people are already marginalised. Asking them to become more disengaged from the world for their own protection is not a suitable solution to online abuse. Although we welcome the Law Commission review into offensive online communications and its statement that the criminal law needs reform to protect people from online abuse, we have concerns that the Government may again fail to act in a way that works for disabled people. (Paragraph 102)
20. *The police, the public and social media companies need a criminal law that is fit for purpose and draws a line between behaviour that can be tackled by private companies and behaviour that requires a criminal justice approach. It is not enough to repeat "What is illegal online, is illegal offline" as an excuse for inaction. We note that the Law Commission is reviewing abusive and offensive online communications, but we recommend that the Government brings forward legislation to clarify the law as soon as possible. We recommend that Ministers set out a timetable for doing so in the Government response to this report. Any delay must be justified to Parliament. To ensure that new legislation takes into account the needs of disabled people, we recommend that the Government consult disabled people directly. Such a consultation must be accessible to all disabled people, including those who are currently not using the internet due to their fear or experience of abuse.* (Paragraph 103)
21. *Disabled people do not feel adequately protected or valued by the law. Many of the disabled people we spoke to felt that the UK Government has the information it needs to change the legislation now, and commissioning another Law Commission review into hate crime was simply avoiding the issue. We recommend that the Government amend hate crime legislation to ensure disability hate crime has parity with other hate crime offences. To ensure that the law applies where a victim had been selected because they were disabled, we recommend that it abolish the need to prove that hate crime against disabled people is motivated by hostility. It should be enough to prove that an offence was committed by "by reason of" their disability.* (Paragraph 112)
22. As Professor Walters told us in written evidence, the vulnerability designation prevents disability hate crime from being fully recognised and perpetrators appropriately punished. The criminal justice system is too quick to categorise disabled people as "vulnerable". The vulnerability designation perpetuates damaging stereotypes about disabled people, which in turn may reinforce the beliefs and attitudes that lead to disabled people being marginalised and abused. (Paragraph 117)

23. *The CPS and the police can only work within the framework provided by the law. We recommend that the Government work with disabled people to review the use of such designations. The review should have the aim of ensuring hate crimes are properly reported and sentenced as such and that “vulnerability” is only used when appropriate.* (Paragraph 118)
24. The petition calls for a “register of offenders”. We believe that a sensible criminal law, which covered online abuse and included proper recognition of hate crimes against disabled people, will achieve what the petition is looking for from a register, as criminal convictions will show up as part of a Disclosure and Barring Service check. (Paragraph 121)
25. *We recommend that the Government ensure that employers of support workers or others working with or for disabled people can check whether an employee has been convicted of a disability hate crime. When the Government reforms hate crime legislation, we recommend that it ensure that it is possible for a conviction for a hate-related offence to show up in a Disclosure and Barring Service check.* (Paragraph 122)
26. Organisations such as the Crown Prosecution Service and individual police forces are reporting excellent work, but too many disabled people told us that their experiences with the criminal justice system were largely or wholly negative. New initiatives are helpful but national co-ordination and long-term funding are lacking. We heard that fragmentation and inconsistency generates mistrust. Many disabled people we spoke to were angered by the statement in our special report on the draft recommendations that “It is easier now for people with disabilities to report hate crime or be a witness.” That level of anger is a clear indication that something still isn’t working. (Paragraph 135)
27. *We recommend that the Government conduct a full overarching review into the experience of disabled people reporting crime and giving evidence, covering the work of third-party reporting centres, online initiatives, the police and the courts. In particular, we recommend that it develops an action plan to ensure that the appropriate training and procedures are in place so that disabled people, including adults with learning disabilities or autism, are treated as “reliable witnesses” and appropriately supported from the moment they approach the police.* (Paragraph 136)
28. *We recommend that the Government ensure that every frontline police officer receives the support necessary to ensure that disabled people have equal access to, and treatment in, the criminal justice system.* (Paragraph 137)
29. Disabled people have the same rights as everyone else to make unwise decisions, but that in no way lessens the Government’s responsibility to ensure that people are safe from abuse and exploitation. Social media and online dating sites have increased the exposure of people who are vulnerable to exploitation to those who might target them. This is a difficult issue that the Government must grasp. It leads to real-life consequences, including theft, rape and murder. (Paragraph 146)
30. *We heard from disabled people that “mate crime is hate crime”. Dealing with exploitation, online and offline, seems to have been left in the “too difficult” box. We met people who had been sexually and financially exploited by those they met online. We heard of cases where people have been murdered and tortured. It’s time for the*

Government to act. We recommend that the Government establish a Ministerial review to address befriending with the intention of exploitation on and offline. In doing so, it must bring together all agencies, organisations and people concerned, particularly disabled people, and include social media and online dating companies. It must report to Parliament on its intended actions within six months. We also recommend that the Law Commission consider befriending with the intent of exploitation within its review of hate crime laws. (Paragraph 147)

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

Annex A: Summary of public engagement to scope inquiry

Background

To inform the inquiry into online abuse and the experience of disabled people Scope hosted a web thread on its community webpages for two weeks from 6 February 2018 and the Committee held a roundtable event in Westminster on 20 February 2018. The aim was to find out more about the experience of disabled people using social media. Organisations that advocate for disabled people were asked to promote the event. 26 people attended, the vast majority of whom identified as disabled.

How important is social media to you?

Attendees had very positive attitudes to social media, describing it as “great for disabled people”. Most were regular and enthusiastic users of social media. Those with learning disabilities were less likely to be regular users of social media, but those who did use it expressed similar views on its positive benefits as other attendees.

Career opportunities

The way in which social media has opened up career opportunities for disabled people was a particular theme. We were told that it made it easier for them to get freelance work, which we heard was particularly important for disabled people due to employment discrimination and difficulties of working with fluctuating long-term conditions.

Activism

We were told that social media has “transformed disability activism” and given them a louder voice. Disabled people are now able to organise and campaign in a way that was impossible only a few years ago due to the mobility needs of many of them. As well as campaigning against national issues, such as changes to the benefits system, disabled people can publicise when they have been let down on transport, when they have access issues or when they are abused on the street or online. We were told that before social media, activist groups were much smaller and restricted to those who could physically attend meetings. Social media was described as an important force in mobilising people to act and get in touch with their local MP.

A social life

Those we spoke to described using social media to meet new people and stay in touch with friends and family. We were also told that many disabled people can feel socially isolated. There is rarely enough support in place to enable people with mobility needs to socialise, so being able to connect with people online was particularly important. People also described the mental health benefits of being able to share stories with people who had similar experiences.

Rare conditions

We were told that social media was particularly important for people with rare conditions. Some attendees had never met anyone with their condition in “real life” but had been able to link up with people over social media. This was described as essential to understanding treatment options and keeping “sane” through connecting with people who understand their lives. Those who described these experiences told us that it would be impossible to make those connections without social media.

Offering support to parents of disabled children

Social media was also used to offer support to parents and others who wanted more information about disabilities. In particular, we were told that parents of disabled children often wanted to speak to adults with the same disability, so they could imagine their child’s future. Doctors often have a poor understanding of how disabled people live, so can give parents very negative information, such as telling them that their child would never be able to hold down a job or even that their child probably wouldn’t live to adulthood. It was important for those parents to hear from adults living with the same condition. We heard that disabled people on social media give hope to parents of disabled children.

Challenging stereotypes

We were told about “fantastic, funny, articulate” disabled people on social media who helped to challenge stereotypes of disabled people by being themselves. We also heard that public attitudes to disability were often so negative that any examples of disabled people living “normally” were a challenge to stereotypes.

Being disabled online

Many of the people we spoke to did not reveal that they were disabled on online profiles. Some told us that this was due to fear of abuse, but more people mentioned that it was due to potential employment or social discrimination—people told us that many non-disabled people don’t want to be friends with or start a relationship with a disabled person.

Those who decided to reveal their disabled status after not mentioning it online described a change in how people responded to them. There were accusations of benefit fraud and people would address them as if they had access to large amounts of money or extra services, such as free cars. People began to get suspicious they were faking their disability. They also began receiving abusive messages related to their disability.

Have you been affected by online abuse?

Most of the social media users who attended the event had received abusive messages. Many of them had received abusive messages related to their disability. It was common to be told to kill themselves or to be threatened with being killed. We were told that because people didn’t think of disabled people’s lives as valuable, people felt that killing a disabled person was less serious than killing a non-disabled person. Some were asked “nicely” whether they thought that they would be better off dead. We were also told that even threats to kill online were not taken seriously by the police. People we spoke to had been told simply to block offenders.

People talked about how common it was to see ableist language or photographs mocking disabled people being shared. We were told that it created a “toxic environment” online. Those who attended regularly saw “jokes” and “memes” about people like them. People told us that it was sometimes difficult to remember they were valuable human beings when they were regularly seeing dehumanising words and images.

People also described people approaching them on social media to “help” them. Much of this was around “miracle cures”.

The dangers of online exploitation were also brought up. The adults with learning disabilities we spoke to told us that they felt vulnerable to “mate crime”. “Mate crime” was not brought up by the disabled people without learning disabilities. Every user of social media who attended the event and had a learning disability had experienced “mate crime” that started online. We met disabled women who were targeted on online dating sites and sexually and financially exploited. We were also told about men who had been charged to undergo religious conversion. We also met people who had transferred their savings to people they met online. Support workers who attended told us that their primary concern was women being targeted on online dating sites by people who wanted to use a relationship or have a child with to assist with immigration problems. Their other major concern was the targeting of adults with learning disabilities by extremist groups who wished to recruit them.

Reporting abuse

Most of those we spoke to had had bad experiences reporting online abuse to social media companies or the police. People told us that they felt that they had to disclose their conditions and intimate medical details in order to be taken seriously.

Some of those who attended told us that it was better to attack back than wait for someone else to intervene. Those who took this view had had bad experiences of reporting abuse with no result. Although others talked about this adding to the “toxic environment.”

Are people with disabilities particularly affected?

Everyone we spoke to felt that disabled people are particularly affected by online abuse. It was felt that disability doesn’t have the general support that offences against other protected characteristics have. We were told that when people see racism on Twitter, people will jump in and say “You can’t say that!”, but the same things doesn’t happen with disability.

We were told that it’s easy to find offensive words about disability on Twitter. People felt that ableist language was so normalised that even very offensive language was seen as “banter” and used between friends. Using extremely offensive words about disability on Twitter and Facebook was not, in the experience of the people we spoke to, enough for someone to be banned or warned.

Twitter not listing disability for a reason that content might be abusive was brought up. One attendee had been in contact with Twitter and been told that the omission was a mistake, but nothing had been changed. Those who were activists with a public profile told us that they were more successful at having content removed when they were open about their public profile. They described being transferred to PR departments after

complaining about abusive content. They told us that they felt that it was evidence that social media companies were more concerned with their image than with their disabled users.

Many people complained about not knowing what had happened to content after they reported abuse. They told us that they had no confidence that their reports were being taken seriously.

Other issues

There were mixed views about whether online abuse should be a specific criminal offence. Participants wanted people to be prosecuted where appropriate, but were generally unsure whether current laws needed to be adapted to include online spaces fully or whether a new online-specific law was needed.

Participants told us that social media companies are after profit and would therefore act only if they were legally required to do so. We were also told that it was impossible to predict which social media company would be popular next, so the Government needs to ensure that legislation covers all social media. People also wanted social media companies to be required to deal with online abuse to take the burden off of the police.

The difficulties of defining “grossly offensive” were brought up. It was felt that the threshold did not take account of how abuse affects disabled people, but rather reflects what non-disabled people think of as offensive.

Many attendees brought up the need for a specific offence for disability hate crime, and for disability hate crime to be taken more seriously.

A couple of attendees mentioned the Law Commission’s call for a review of hate crime legislation. They questioned why it still hadn’t happened. It was felt that the Government was dragging its feet over reviewing hate crime legislation and putting in place appropriate protections for disabled people.

Annex B: Summary of Mencap roundtable

Background

On 28 February 2018, the Committee visited the Royal Mencap Society head office to speak to the Mencap digital champions about their experience of using social media. The digital champions are all experienced social media users with learning disabilities.

Key Points

How important is social media to you?

Participants told us that social media was very important to them. One had met his partner online, others used it for work or to connect with friends and family, particularly those living abroad. They used a wide range of social media, including Twitter and Facebook, as well as writing blog posts for Mencap. Some spoke about initially being afraid following some bad experiences, but they were all enthusiastic social media users who had had specific support and training. Most said that they now couldn't do without social media.

Staying safe online

The participants had various ways to stay safe online. They were most concerned about people they didn't know trying to friend or follow them. Some specifically chose to follow only people in Mencap or only people they knew offline.

Participants told us that they regularly block people who post abusive comments and content. They described seeing "naughty" content from people they didn't know or from people pretending to be people they knew. Approximately half had experience of someone "hacking" into their account or using their password. In several cases people found it hard to go back online when their account had been hacked. One person was on their third Facebook account because the previous two had been hacked. They told us that it was easy to get put off.

We were told that it's difficult for people with learning disabilities to navigate the reporting process. They wanted to be able to talk to someone on the phone to resolve any problems they have.

Risks

Accepting new friends or followers on social media was seen as high risk.

Participants had been threatened violence and experienced aggressive sexual advances. In one case, a stranger kept sending a participant friend requests and threatened to "smash her up" if she didn't accept.

Participants were particularly afraid that photos they posted on social media accounts would be copied and used to create "memes" or "jokes". They had experienced seeing photographs of people like them used to mock other people. For example, someone

pretending that a photo of a person with learning disabilities was someone's girlfriend, because it was seen as a joke that someone would want to have a relationship with someone with a disability. They wanted measures to reduce the ability of people to copy their photos and use them in this way.

Several people had been sent offensive and sexual pictures and videos which made them feel uncomfortable. They were concerned about being blamed for inappropriate content that they did not create or share. Some had been told that being sent inappropriate images and videos meant that they were as responsible for the images as the person who sent them.

Experiences reporting problems online

Participants have been told that people with learning disabilities should not be online.

When they reported their abuse to sites like Facebook, they merely received automated replies and in one case they had to resolve the problem themselves and support others who had been affected by it. Companies rarely followed up and if they did, they didn't tell the person complaining about what was done to punish the abuser.

They told us that the bigger sites, such as Facebook, had improved over the years, but they felt that it was still unsafe if you didn't know what you were doing.

They felt that repeated acts of abuse should be dealt with more strictly. They felt that people didn't stick to the terms and conditions of social media accounts. They wanted a stronger clearer agreement that stated that abusive behaviour would lead to people having their accounts closed.

Experiences dealing with the police

None of the participants had been to the police to report online abuse, but some had spoken to the police about crimes committed offline. We were told that the police had used a lot of jargon when talking to them. One had had to arrange a mediator to help explain to the police what happened and how criminal behaviour affects people with disabilities. We were told that disability hate crime was generally treated as anti-social behaviour rather than hate crime.

Solutions

Participants were concerned by the amount of pressure put on the police. It was suggested that a specialist team could be established to deal with online issues. This would be preferable to placing more responsibilities on uniformed officers and potentially allow the police to take action earlier.

Participants also wanted the police to have more training in dealing with people with learning disabilities. They felt that adults with learning disabilities were not taken seriously by the police and were encouraged to agree to mediation rather than push for people to be prosecuted for hate crime. They didn't feel that mediation was appropriate for hate crime.

They told us that Mencap had campaigned to make disability hate crime a specific offence. They felt that it was important that hate crime against adults with learning disabilities in particular was recognised in law.

Suggested Actions:

- i) Disability hate crime should be a specific offence.
- ii) Politicians and the government should ask people with learning disabilities how to keep people safe online.
- iii) Social media platforms should make reporting abuse easier for everyone. People with learning disabilities or other specific needs should be able to identify themselves as having a learning disability and have a different pathway, such as a telephone number, to report concerns.
- iv) A code of conduct should be signed before creating a social media account. It should include information about how photos can be used. There should be an Easy Read version of the contract. People who break the contract should have their accounts closed.
- v) The police need training on learning disabilities. There should also be a specific police unit to deal with offences online.

Annex C: Summary of Westminster consultation event

Background

A face-to-face engagement event was held in Westminster on Tuesday 16 October to discuss the draft recommendations published in the special report “Online abuse and the experience of disabled people: draft recommendations for consultation”. Witnesses were invited to discuss the draft recommendations with those who had attended a scoping event in February 2018. Representatives from Facebook, Twitter and the Crown Prosecution Service attended. Participants were invited to review the 14 proposed recommendations. Participants discussed each recommendation and decided whether they agreed or disagreed with it. For those the group did not agree with they discussed why and ways it could be improved.

Approximately 16 people attended, with a range of disabilities.

General themes

- Although broadly supportive of the draft recommendations, participants felt that they did not go far enough.
- There were particular concerns about how the Committee and Parliament would monitor whether the recommendations were followed.
- Participants felt that the language used did not reflect their experience as disabled people. People are disabled because society is not adapted to their needs, not because of a physical, neurological or psychological impairment.
- Participants strongly felt that it would not be possible to change online behaviour without changing attitudes offline.
- Participants were particularly critical of how politicians and the media discuss disabled people. In particular, participants felt that there is a direct link between highlighting the small number of cases of benefit fraud and abuse of disabled people.

Key Points

Recommendations 1 and 2: Consultation and inclusion

The group agreed with these recommendations and believed that active consultation by social media companies and the Government was the most important way to tackle online abuse of disabled people.

Genuine consultation was defined as ongoing and led by disabled people themselves, not their families or disability charities. They were clear that consultation must include people with physical, mental and neurological impairments. To be meaningful, consultation must have a result.

Recommendations 3, 4, and 5: Social media companies

Participants agreed with these recommendations and recognised that consistent consultation between disabled people is needed and that an important distinction exists between working with disability charities, which is seen as unfavourable, and working with people with disabilities directly.

The groups agreed more should be done to make terms and conditions, privacy settings and reporting mechanisms accessible. Privacy and reporting procedures are often difficult to locate and navigate. Platforms often list too many options and use words that aren't always accessible for those with learning disabilities—making it difficult to find what they need.

Participants expressed a wish for all policies to be available in Easy Read, and encouraged their use by all organisations, including government and parliamentary. They strongly disagreed with the representatives from social media companies who suggested that the current policy of using short films to explain policies was sufficient for their needs.

Facebook told us that they have spoken with Mencap about additional support that disabled people might need. Mencap said that videos and guides should be clearer. Facebook said that it is working to try and deliver those changes

Recognition was given that terms and conditions policies are written from the perspective of social media companies rather than for people of varying abilities.

Participants mentioned that they had received little to no follow-up from social media companies after they had reported a problem.

The groups discussed that there was very little prevention of abusive content. By the time it is reported, it has already been seen and caused someone distress. The representative from Facebook agreed that this was a major problem. The group discussed small changes that could be made, such as preventing videos from automatically playing, so that users could judge whether they wanted to press play first.

Participants discussed the difficulties of keeping social media accessible while also putting in place mechanisms to verify people's identity. Very accessible log ins and so on can make users vulnerable to fraud. Participants again emphasised that it was important to consult with disabled people to get the balance right.

Recommendations 6, 7 and 8: The law

There was agreement between participants that a specific criminal offence should be made for online abuse. Some expressed that this reform should be done as a part of a wider review of hate crime legislation aimed at fixing some of the inequalities that have cropped up as hate crime legislation has evolved.

The groups strongly felt that the inequity in the law was evidence that the Government did not care about disabled people.

Many participants felt there should be the same law for online and offline abuse. There was a feeling that the knowledge required is already known by the Government and they do not need to wait until 2020 to find it. Participants felt that more reviews were a delaying tactic.

A number of participants gave examples of reporting crimes that they felt were hate crime but being told that it was anti-social behaviour.

Social media companies felt that the law needed to be clearer. They emphasised that they can only do so much and that crime, including hate crime, should be subject to the criminal law.

There were mixed views about a “register of offenders”, but most agreed that it was important to find out whether someone had committed a crime, particularly a hate crime. Representatives from social media companies stated that it might be useful for them to know whether someone had a conviction for an offence using social media.

Recommendations 9 and 10: Reporting and recording disability hate crime

Participants agreed with the recommendations but some had concerns about having different policies for different disabilities. Some felt that “segregating” disabled people contradicts the social model of disability. Recommendations should not be restricted to those with learning disabilities and should be extended to those having other disabilities, including physical impairments.

Participants agreed accurate labelling makes it easier to identify which crimes are “hate crimes” so they may be reported accurately. Since demand for specific services is considered when allocating resources, accurate reporting of hate crime is critical. It was also felt that hate crimes were treated more seriously by the police, and therefore the difficulties in identifying disability hate crime meant that crimes against disabled people were not taken seriously.

There was a lot of discussion over “vulnerability”. Participants felt that disabled people are not inherently vulnerable, and that vulnerability is contextual. The law needs to look again at how hate crime against disabled people works in practice, rather than acting as if “vulnerability” and “hostility” can be separated. Participants felt that the language was problematic.

Recommendations 11, 12 and 13: Sharing best practice and guidance

The group felt the police and all other frontline groups needed training on working with disabled people. Some participants believed the recommendations fell short of addressing perceptions that people with disabilities aren’t good witnesses and/or are unreliable. It creates frustration as people feel they are unable to access services that others can. There was a recommendation for a structure to help disabled people explain to the police, the CPS and other agencies what’s happened to them.

Additionally, some participants believed this training should address the difficulty faced by those having experienced trauma. Disabled people may need time between their abuse

and reporting that abuse to feel comfortable talking about what has happened. Additionally, while reporting, disabled people may need time to process what has happened as they are in the process of telling it to authorities.

Underfunding of the police was discussed, with people saying that they don't want to take resources away from very serious violent crime, but they needed protection under the law. It was felt that more should be done by the Government and other agencies to change attitudes, which participants say is the root of hate crime.

The group was concerned that the recommendations focused too exclusively on young people but otherwise agreed with them. Most participants stated the abuse they'd received had come from adults. Although children often showed curiosity about their disabilities, they were rarely hostile. Participants felt that the Department for Education should be more active with disabled people and do more to "normalise" disabled people.

The group was broadly supportive of better guidance to help families and support workers to understand how to deal with online abuse, but felt that such support should be extended to everyone. Participants felt that there should be guidance for disabled people around their rights, laws and legislation and data protection.

Recommendation 14: Mate Crime

Participants discussed how many disabled people struggle to be recognised as decision makers in their own lives. They were concerned that acting on mate crime would make it more difficult for disabled people to be seen as capable.

Nevertheless, they felt that "Mate crime" should be recognised as a hate crime as it is a deliberate crime to exploit others. The term "mate crime" was seen to not demonstrate the gravity of the crime.

Participants had mixed feelings about the need to tick-box themselves as disabled. It was suggested that making extra protections optional would help preserve the autonomy of disabled people while making available protection when needed.

The group made additional points about the difficulty of collecting evidence of long term online abuse and mate crime. Some participants mentioned that being able to save content that made them uncomfortable could assist in the documentation of abusive patterns before content can be hidden or altered.

Annex D: Summary of other consultation events

Background

In August, September and October 2018 we held face-to-face engagement events in Belfast, Newcastle, Glasgow and Swansea to discuss the draft recommendations published in the special report, “Online abuse and the experience of disabled people: draft recommendations for consultation”. We held the face-to-face events after hearing that some disabled people are afraid to use or were being encouraged to stop using social media due to fear of abuse. Participants were invited to review our 14 proposed recommendations. Participants discussed each recommendation and decided whether they agreed or disagreed. For those the groups did not agree with, they discussed why and ways it could be improved.

General themes

- Social media is particularly important for disabled people:
- Disabled people can be at greater risk becoming socially isolated.
- Easily linking with people with similar conditions and experiences is important for sharing information about medical care and getting appropriate support.
- Social media has become a powerful tool in helping disabled people to be heard and campaign for accessible services.
- Abuse happens on social media, but also other online forums, including newspaper comments boards and gaming text chat. Disabled people suffer the same kinds of abuse as others online, but there are forms of abuse that seem to be particularly focused on disabled people:
 - The experience of disabled people is that abuse on grounds of disability is common.
 - Ableist language such as “spastic” and “retard” and the use of images of people with visible disabilities to create “jokes” is commonplace. Such abuse means that social media, media comment boards and so on are a hostile space for disabled people.
 - Accusations of benefit fraud and threats to report people for fraud are common, including people conducting online investigations to “prove” that someone is not really disabled.
 - Medical evidence we’ve received suggests that online abuse and harassment exacerbates the medical conditions of people with long-term conditions and disabilities. Participants in the consultation were keen to stress abuse can be a life or death issue for some disabled people.

- There were a lot of discussions around the language used in the special report. In particular, the use of the phrase “people with disabilities” and “disabled people”. This concern was not raised in Belfast, but participants in the other three events told us that the term “people with disabilities” did not reflect their identity as disabled people. There were also criticisms that the descriptions of disabled people did not reflect the reality of being disabled.
- Although broadly supportive of the draft recommendations, participants identified some concerns and overall felt that they did not go far enough.
- There were mixed views about whether it was appropriate to have different measures in place for people with different impairments. Adults with learning disabilities were most likely to be in favour of creating pathways to access services that were specific to their needs as adults with learning disabilities. Other disabled people we spoke to felt that creating special services for particular disabled people was offensive—the aim should be for all services to be inclusive, not to segregate people on grounds of impairment or disability.
- There was a clear split in how adults with learning disabilities were using social media when compared with disabled people without learning disabilities or neurological impairments. Those who had access to specific training were more confident, less likely to report ongoing issues with abusive content and had a clear understanding of where to go when they experienced problems online. Those without specific support were still using social media, but were more likely to have abandoned accounts due to abuse or security issues, more likely to report being scared online and more likely to state that even minor incidents should be reported to the police.
- Many people queried whether it would be possible to change online behaviour without addressing offline abuse. Participants strongly felt that it would not be possible to change online behaviour without changing attitudes offline.
- Participants were particularly critical of how politicians and the media discuss disabled people. In particular, participants in all four nations raised perceptions of benefit fraud as a major reason for the abuse of disabled people. Many felt that there is a direct link between the abuse of disabled people and the media highlighting the small number of cases of benefit fraud.

Summary of discussion of recommendations from the special report

Recommendations 1 and 2: Consultation and inclusion

There was a very strong desire for more consultation directly with disabled people. It was felt that involvement of and engagement with disabled people must be at the core of all change that affects them. It was felt that disabled people’s needs were not considered at all in public policy. We were told that disabled people were more likely to be economically and socially marginalised, and therefore needed to be consulted to ensure that programmes and policies did not inadvertently lead to further marginalisation. We were also told that there was a lack of understanding about the skills and experience of disabled people, which could be drawn on in planning policies and programmes.

It was pointed out that online abuse can be life-threatening for people who rely on social media as their main means of communication. It was therefore imperative that the needs of disabled people are fully considered. Being chased off social media can have the same impact as being forced to stay indoors.

For engagement to be legitimate, it must be led by disabled people not disability charities. At each event, participants named national disability charities that failed to consult disabled people before responding to consultations. Participants felt that disabled people did not need non-disabled people to speak on their behalf and that some disability charities acted as gatekeepers to Government consultations and prevented disabled people from having their voices heard.

We were told that more should be done to reach disabled people to encourage them to engage directly in consultations rather than relying on organisations. It was pointed out that disabled people are often users of multiple public services and are therefore easy for the Government to reach with information about consultations.

We were also told that there is a lack of awareness and understanding of disability. Even in organisations that claim to focus on diversity and inclusion, it's seen as a specialist rather than a standard part of inclusion. Participants felt that disability is considered only after the other protected characteristics. The diversity of disabled people and intersectionality were brought up, with the particular need to consider disabled people of different races, faiths and sexualities in consultation.

To be meaningful, consultation must have a result. One group suggested that reporting to Parliament on what consultation had been done and what consultation had changed would be a good way to ensure that consultation was meaningful. There were particular concerns that the recommendations did not require the Government to report back to Parliament or another body.

There were a lot of criticisms that the recommendations applied only to social media and digital policy. Many people we spoke to felt that change would only be possible if there was a more comprehensive change to Government consultation and engagement with disabled people.

Recommendations 3, 4, and 5: Social media companies

Participants agreed with the recommendations, but felt that they did not go far enough. It was suggested that the Government define exactly how social media companies should engage or pass laws requiring them to engage with disabled people.

There were discussions about what was meant by “social media”. We heard that comments sections on newspapers and in-game chat were often venues for abusive behaviour. People we spoke to wanted to ensure that such platforms were included in the recommendations.

We were told that if the Government wanted disabled people to take a full part in daily life and access the services that others could access, all services, including online services, would already be fully accessible. We were told that there is no will to force companies to make the necessary changes and that a “reasonable” adjustment as currently interpreted set too high a bar and excluded disabled people from daily life. New laws to make all terms and conditions and so on accessible by 2020 were suggested.

It was clear that some people, particularly those with intellectual impairments, simply do not understand when it is appropriate to report abuse to the police and when to report it to the social media company.

Cultural differences between different countries were raised. It was felt that US norms of behaviour were being used as the basis on which offence is judged in the UK. Terms of abuse, such as “retard”, were felt to be acceptable in the US but highly offensive in the UK. There were conversations about the specific abuse directed at Harvey Price, and the level of UK-specific knowledge needed to understand how and why what was happening was offensive and abusive.

There was a recognition that policing the internet was difficult because of the international nature of the medium. Participants mentioned that internet companies seemed to be able to flout the law because it was difficult for them to apply, while other organisations were expected to follow the law no matter how complicated.

It was pointed out that technology moves at such a speed that making agreements with companies that are currently popular will quickly become meaningless as users move on to other forums. Strong regulation and clear legislation are therefore necessary.

There were calls for more transparency over how decisions were made. In particular, people wanted to know whether disabled people were consulted at the moment.

As with the recommendations to require the Government to consult, there were concerns about how the recommendations for social media companies to engage with disabled people would be monitored and measured.

One point that was made repeatedly was that the abuse of disabled people wasn't caused by social media and therefore couldn't be fixed by social media.

Recommendations 6, 7 and 8: The law

People felt that there was a “hierarchy of hate” in hate crime legislation and that the lack of specific legislation around disability hate crime reflected society not caring about the lives of disabled people. There was a strong belief among all the groups that the lack of parity in law was evidence that disabled people were not valued by society.

The groups were clear that changes to the law to make incitement to disability hatred a criminal offence would be very welcome. It would show disabled people that they were as valued as non-disabled people.

There was no consensus over whether online abuse should be a specific criminal offence, but participants were clear that the law wasn't working.

Participants were confused by the phrase “What was illegal offline is illegal online”, because they stated that things can happen online that can't happen offline, such as “pile ons” (When a large number of users send messages to one person, particularly on Twitter. One person sending thousands of messages to someone would be harassment, but acting in a way that encourages thousands of people to send one message to someone is not

necessarily.) They also felt that it was clear that people could send abusive messages online, but would be spoken to by the police if they approached someone in the street to say the same thing.

There was no consensus over a “register of offenders”, but most people agreed that employers should be able to find out if someone had committed an online abuse-related offence. In particular, participants felt that it was important that employers of people who work closely with disabled people should be able to check whether that person has committed a disability hate crime.

Recommendations 9 and 10: Reporting and recording disability hate crime

Training for the police and those involved in the criminal justice system was seen as very important to encourage reporting of crime, including hate crime. Working with disabled people themselves was seen as imperative to getting the right training.

Participants told us about their experiences of trying to report crime. We heard in all four nations that activities that disabled people felt were hate crime were recorded as anti-social behaviour. We also heard multiple reports of the police minimising people’s experiences of hate crime.

People with multiple or sensory impairments can need particular support when reporting crime or being a witness. There were requests for specific training on communicating with people with neurological impairments or learning disabilities, who can be more likely to be subject to police attention due to misunderstands about their behaviour. Some people we spoke to found themselves subject police attention or ignored when trying to report crime because the police interpreted their behaviour as aggressive or uncooperative.

The “vulnerability” designation was not well understood. Those who had some knowledge of it were hostile to its use, feeling that it led to under-recording of hate crime and labelled disabled people as weak. There were discussions about how disabled people were subject to abuse because they were seen as vulnerable and that people were hostile to them because they were seen as weak. Some participants stated that it was not possible to accurately record hate crime if all crime committed because the victim was vulnerable was disregarded.

Recommendations 11, 12 and 13: Sharing best practice and guidance

There were strong negative reactions to our statement that “It is easier now for people with disabilities to report hate crime or be a witness.” Those we spoke to stated that in their experience, disabled people were excluded by the justice system and not taken seriously by the police.

We heard about good local projects to encourage the reporting of hate crime, such as third-party reporting centres, but those we spoke to told us that they felt that there had been no impact on hate crime. Those who worked in those centres told us that they knew of a lot more hate crime than was being reported.

How abuse affects a victim’s ability to trust sources of information was discussed. In particular, the need to feel that a source of information is safe. We were told that people didn’t know where to get help and support. Although places advertised themselves as safe spaces, it was impossible to know whether they were legitimate. It was pointed out that

when someone is abused online, they need to be comfortable that they are reporting it to an official body on an official website. For that reason, national standards and a single simple way to report abuse are necessary.

Many people we spoke to were very supportive of educating children and young people about disability. However, there were concerns about “demonising” young people. People pointed out that abuse came from people of all ages, and although children could be curious and insensitive, it was often adults who were abusive. It was made clear that any attempts to educate young people about disability must avoid the idea that disabled people need to be pitied and must be led by disabled people themselves. We were told that the problems start because children and young people are often separated from disabled people by segregated schooling. It was important to ensure that young people meet and interact with disabled people from an early age.

A large number of people suggested that more should be done to improve the representation of disabled people, rather than only concentrating on educating young people.

Those we spoke to were largely positive about the idea of providing more information about online abuse and supporting people to stay online. However, participants felt that that information should be available everywhere where people get online. In particular, libraries or day centres needed to offer information about online safety.

Recommendation 14: Mate Crime

There were mixed views about the recommendation to do more to tackle mate crime.

There were discussions about whether identifying “mate crime” as something that happens particularly to disabled people was infantilising and could have unintended consequences, such as dating sites excluding disabled people to “protect” them. Some people described the idea that disabled people were particularly vulnerable to being befriended with the intention of exploitation as offensive.

Some people we spoke to talked about the difficulties of being seen as autonomous adults with sex lives and complicated adult relationships. They felt that concentrating on mate crime could lead to them being treated as sexless or less deserving of independence.

Some groups felt that adults with learning disabilities were unfairly singled out by the recommendation, while others felt that singling out adults with learning disabilities and some people with neurological impairments was necessary to prevent other disabled people being subject to inappropriate safeguarding measures. The adults with learning disabilities we spoke to were most keen to have measures in place to help deal with befriending with the intention of exploitation.

The term “mate crime” was discussed. We were told that it did not reflect the scale of abuse, which can include torture and murder, or the criminal behaviour that can result from befriending with the intention of exploitation. On the other hand, it did seem to be a widely understood term.

Annex E: Online survey

To help us find out more about what people thought about our ideas for tackling online abuse, we created an online survey. We encouraged organisations that support or advocate for disabled people to share it over social media. Many of those who commented on the survey identified themselves as disabled. The survey asked for people's views on the 14 draft recommendations set out in the special report "Online abuse and the experience of disabled people: draft recommendations for consultation". The survey grouped the draft recommendations into three sections and asked people to choose which of the ideas in each group they thought was most important. They were then asked to choose which was the most important overall. People could also comment in a free text box.

The survey was completed by 208 people. The quantitative results, and a summary of free text comments, are set out below.

Section one recommendations

Recommendation 1: The Government should make sure that the internet is no more dangerous for people with disabilities than it is for people who don't have disabilities.

Recommendation 2: The Government must always consult people with disabilities, especially when they are thinking about plans for keeping people safe online.

Recommendation 3: The Government should require social media companies to make sure that their rules and guides (including terms and conditions, community standards and account policies) are accessible to all disabled people.

Recommendation 4: Social media companies should have to make sure that their systems for reporting online abuse and for controlling what information other people see (privacy settings) are accessible to all disabled people, including adults with learning disabilities.

Recommendation 5: Social media companies should have to show that they have involved and listened to people with disabilities when they write their policies and plan how their sites work.

Section one results:

The most popular idea in section 1, chosen by 32% of respondents, was recommendation 1, that "The Government should make sure that the internet is no more dangerous for people with disabilities than it is for people who don't have disabilities." Recommendations 2 (23%), 4 (20%) and 5 (17%) also had significant support. Only 8% of respondents believed recommendation 3 was the most important idea in section 1.

Section two recommendations

Recommendation 6: The Government should make it a crime to stir up hatred against someone because of their disability.

Recommendation 7: The law about online abuse and hate crime is not clear for the police or for people with disabilities. The Government is looking at ways to change the law. They should produce plans for how to do this by 2020.

Recommendation 8: We think that the Government should look at different ways to enable employers to find out if a person has been convicted of online abuse.

Recommendation 9: The Government should do a review to find out about the experiences of people with learning disabilities when they report crimes or have to give evidence to the police or in a court.

Recommendation 10: “Mate crime” is when people pretend to befriend disabled people in order to abuse or exploit them. The Government should work with social media companies and dating websites on a plan to keep people safe from mate crime.

Section two results

Recommendation 6, that “The Government should make it a crime to stir up hatred against someone because of their disability”, was by some distance the most popular idea in section two, chosen by 48% of respondents. Recommendation 7, calling on the Government to clarify the law about online abuse and hate crime, was also popular, with 29% of respondents choosing it as the most important idea in section 2. Recommendations 10 (13%), 9 (7%) and 8 (3%) received significantly less support.

Section three recommendations

Recommendation 11: The Government must look at how crimes against disabled people are recorded and the effects this has. They must look at how this affects sentencing for hate crimes against disabled people.

Recommendation 12: The Government must make sure that every frontline police officer receives the necessary training to ensure that disabled people have equal access to, and treatment in, the criminal justice system.

Recommendation 13: The Government must require schools to teach children about disability and how online bullying can affect people.

Recommendation 14: The Department for Health and Social Care should develop guidance to help families and support workers identify and manage cases of hate crime and online abuse.

Section 3 results

The most popular idea in section 3, chosen as most important by 35% of respondents, was recommendation 11, that the Government “look at how crimes against disabled people are recorded and the effects this has”, including effects on sentencing. Recommendations

12, about training for frontline police officers (31%), and 13, on teaching about online bullying in schools (24%) also received notable support. Recommendation 14 (10%) was least popular in section 3.

Which of our ideas—in sections 1, 2 or 3—is most important?

We asked people which one of their chosen recommendations, in sections 1, 2 or 3, was the most important to them. Of the 208 respondents, 185 chose a most important recommendation. Of these, 69 respondents (37% of those who made a choice) said that section one was most important; 49 (26%) thought that section two was most important; and 67 (36%) believed section 3 was most important.

Overall, the single most popular idea was recommendation 6, that “The Government should make it a crime to stir up hatred against someone because of their disability”. Considering people’s slight preference for their choices in section 1, recommendation 1, that “The Government should make sure that the internet is no more dangerous for people with disabilities than it is for people who don’t have disabilities” was also notably popular.

Summary of free text box comments

82 people left comments in the free text box. Some people said that they believed that all our ideas for recommendations, in all three sections, were important and emphasised the difficulty in picking a most important single idea.

Using social media

Some respondents told us about how important social media was to them.

- I have a severe disability and suffer verbal and online attacks daily, however, the benefits of computers outside social media are something which gives me a purpose.
- Social media can be a lifeline for a disabled person if they are restricted to home or bed. It should be a safe place to socialise and explore.

Experiences of abuse

Many people also shared their experiences of abuse.

- I have autism myself and have had such abuse online before - I just accepted it as some kind of norm even though it was making me really anxious, nervous and paranoid. I think that the law should be changed so that prejudice towards the disabled online is a form of hate crime.
- I have seen on many posts regarding stories about disabled people on Facebook, where utterly horrendous vile abuse is hurled at the persons disability in the comments section, for no other reason than the fact they have a disability. But despite reporting as many comments as possible, nothing is done [...].
- We also should be looking at the grooming of disabled as well via scams and gangs online and by email or through physical introduction as well. I’m on

social media and everyday I have to block people, people either holding guns, or offensive images as profiles or people sticking their fingers up, or fake profiles of MPs or local council staff”.

Experiences reporting abuse

We also heard about people’s experiences of reporting online abuse to social media companies. Many people wanted stricter rules and punishments for online behaviour.

- There are loads of groups and posts on Facebook that claim to hate dwarfs and laugh at photos of people with dwarfism. These photos are often taken of dwarfs in public. For example, several times I have had people stop and directly take a photo of me.
- Get Facebook to change its ‘community standards’. At the moment you can have groups, such as ‘Aren’t midgets fun?’ and they are not removed because they don’t violate Facebook’s ‘community standards’. This is despite the term midget being offensive to people with dwarfism.
- Social Media Companies need to take much stronger action when abuse is reported, i.e. close down someone’s account or ban them from posting/tweeting for a period of time. This info must be reported back to a complainer - we need to know we are safe.
- While laws against cyberbullying need to be tightened, I think it is much more important at this stage to force social media platforms to actually apply their T&Cs in practice. Even when hate speech is reported, nothing is done in most cases, because social media providers do not want to spend money on employing enough people to deal with thousands of reported comments every day.

Others suggested making social media more accessible as a way to improve people’s experience online.

- Social media companies should make it easier for disabled people to understand how they can control their privacy settings on social media and what to do about reporting abuse. For people with learning disabilities easy read information and tutorial videos would help a lot.

Many people shared their experiences of reporting hate crime to the police.

- I was assaulted because I’m disabled. I reported it as a hate crime. Nothing was investigated other than checking CCTV images 3 weeks after the assault. I don’t even know if it was logged as a hate crime.
- We matter, and are sick of being dehumanised and targeted because of our disabilities. Those who target us online will also target us in the wider world; physical attacks, employment discrimination, medical neglect. The last guy who attacked me called me benefit-scrounging scum. There was no point reporting that (or any of the other attacks) because it’s not taken seriously, and I would spend all my time filling out witness statements, only to be dismissed because I don’t matter, because I’m Disabled.

- I don't bother reporting anything because of the way we are treated - we just aren't worth it and pretend it is not happening as we have no other choice. The police refuse to record this disability hate crime as hate crime and even as crime. We try to complain but as they investigate themselves they find they are not doing anything wrong in the way they treat us. [...] If you a female and physically disabled in this country anyone can do anything to you and you have no legal right of complaint and that is my experience of the last twenty years. it had just increased to the point I don't go out.
- [...] there is a great deal to be done with the enforcement and justice systems to ensure Disabled people get a system that works for, rather than against, them; hate crime is just one aspect. One of my organisation's members contacted me because she was struggling to get anyone to support her about experience she believed were hate crimes against her. Among other things, complaining to the police about her neighbour led to her being prosecuted for anti-social behaviour, not them! Regardless of whether or not she was experiencing hate crime, as defined in law (which she sincerely believed), the mental health difficulties that led to certain behaviour should not have been criminalised.

Portrayal of disabled people in public debate

The sentiment that came through most strongly from the comments was that people felt that politicians and the media should take some responsibility for the abuse of disabled people. There was a strong sense that stories about benefit fraud had affected the wider public's attitudes and had "incited" crime against disabled people.

- You talk about disabled people in government as though we are bad people, lazy people, scroungers etc which is not true and insulting, without having a clue as to what it means to be disabled and treated this way everywhere you try to go.
- I'm disabled and have cerebral palsy. Government is the worst at inciting hatred against disabled because they allow the media to portray all disabled people as scroungers.
- It doesn't help when the government stirs up hatred against disabled people by calling them lazy, work shy or shirkers.
- As a disabled person, I am fearful of my own government.
- The Daily Mail and other newspapers have headlines about 'disability benefit fraud' and the online responses talk about disabled people and their 'free cars' and the Daily Star talked about 'bad back brigade' and 'mood swing' people getting benefits, these newspapers, with their hostility to disabled people, stir up hatred.

Society's attitudes to disabled people

Some respondents talked about the abuse of disabled people being "socially acceptable".

- Disabled people can be "mocked" for their disability, for example, autism, dyslexia, and it seems to be socially accepted as there is no punishment.

Consultation and inclusion

The need to consult disabled people was a common sentiment.

- Making sure disabled people take part in consultations and discussions about how to best take this forward is essential.
- Work with young people with disabilities, see what they have to say about how they feel each day that they are treated differently, step in to their shoes, recognise the complexities that happen with those that have social and communication issues. Actually visit schools that support young people with LD and talk to them and the staff that work with them day in day out about how to behave safely online and when out, do not ever expect that a young person with LD if given information from social media sites, take this on board, they do not, they would not clearly understand and may not be able to transfer skills from hour to hour let alone from media to reality/face to face.

Changes to the law

Many people commented that changes to the law were the most important potential change. Suggested changes ranged from placing a legal responsibility on social media companies to ensure their platforms were free from abuse to changes to hate crime legislation.

- Any change in the law to prevent this type of abuse happening in the future would mean I wouldn't have to face so much abuse and it would make the internet a less hostile place for disabled people.
- The use and creation or sharing of memes images of disabled persons should also be a crime.
- There should be tougher penalties for social media and gaming companies who do not protect Disabled people from abuse.
- Criminalising Abuse of Disabled People online would be a deterrent however it needs to go alongside clear guidelines and requirements of social media companies etc, as well as informing disabled people about how to report.

There were also comments about the particular nature of disability hate crime.

- Disability Hate Crime has particular characteristics that mean it is often misreported as anti-social behaviour or non priority incidents that in some cases have led to a Disabled person being victimised over a long period of time and loss of life. A Disabled person can be labelled as a paedophile by a local community, which does not appear to happen with other types of hate crime.”

Training and representation

Many respondents told us that changing social attitudes through better representation of disabled people would be the best way to combat abuse of disabled people.

- [...] it's the ignorance of an ableist society and government that disables us far more than any crime. Raise our profile, make our lives, our homes and our surroundings fully accessible wherever possible.
- [...] it is about re-education of people - especially professionals to see the worth of people with disabilities.

People also commented that training on staying safe online for disabled people and others were also important.

- For me all about security in internet is important, but some social workers are so low in education they did not understand what kind of problems we have when we access internet particularly dating sites.
- There should be accessible training for Disabled people on how to keep safe online.

Disagreement with the draft recommendations.

Although there were criticisms of the survey design, there were very few comments that disagreed with the draft recommendations.

- The whole thing is an attack on free speech and I can think of better ways to protect individuals (democratise the tools the social media companies use to police their networks) than recourse to authoritarian legislation that undermines the most important right we have for protecting the vulnerable. But we can't expect our legislators to understand technology nor to give individuals power.

Annex F: Digital engagement through Facebook

Background

To find out more about what people felt about the ideas in the petition, the House of Commons Digital Engagement Programme asked “Should online abuse be a specific criminal offence?” on the House of Commons Facebook page. People were also invited to discuss the draft recommendations published in the special report “Online abuse and the experience of disabled people: draft recommendations for consultation”. People were able to comment from 28 August until 3 September 2018. The Facebook post was seen by 16,654 accounts. It was clicked on 842 times and there were 924 “engagements” with the post, including reactions, comments and shares.

Illustrative quotes for key themes

For a specific criminal offence

Sara: “I think online abuse is very unique & differs to other kinds, it’s effect can be deeply psychological & effect victims in different ways. I think this type of crime does need managing by specialist teams (especially in cases of bullying/extortion/sexual) & should be a specific & separately dealt with offence.”

Zoe: “Some of these comments are just shocking. Some of the vile things people say to me online and there’s no consequence but if the same exact comments were said to me IRL they would be arrested with hate speech and harassment. Unless you’ve been the victim you’ll never understand the need for this.”

Kellie: “Yes but more needs to be done by social networking sites and forums etc to tackle abuse”

Margaret: “Yes. If it is illegal off-line it should be illegal on-line, too many people appear to think that they can post comments with no consequences, not so.”

Against a specific criminal offence

Andy: “[...] There is currently no law against causing offence, and there should never be. Anger or hatred is as powerful an emotion as love and many things can be said in anger which could cause offence. But this should never become a crime. Even if it is the intention of the author to cause offence, the fact remains that offence is always taken, never given. The person who is on the receiving end of any communication always has a choice of being “offended” or either ignoring or engaging with the issues. [...]”

Peter: “We’ve laws enough already to prosecute online abuse, use those rather than create yet more laws.”

Blocking and muting

Iris: “As long as it is easy to block someone from your page what’s the problem? Perhaps that’s the area which needs tightening up, not the law.”

Ashley: “People don’t have to have an online presence. It is optional. Not something that can easily be policed or proven in a court either.”

Tayla-Rose: “I don’t think it should be a specific crime. If the laws are the same online as offline then that is good enough. I always said if you don’t like the community you have online change them. Delete Facebook and start again or just block the person and who they are associated with. You can remove yourself from this situation [...]”

Free speech and censorship

Gail: “there is difference between freedom of speech and abusive behaviour and yes it should be criminal offence”

Peter: “Too many unnecessary laws already. Stop trying to suppress people by restricting freedom of speech. Free Speech comes with the good and the bad, people can decide what and when to read and listen. It’s not up to governments to manipulate how society needs to act and behave. How can government decide what viewpoints are right and wrong. Debate! not laws!”

Michael: “I think this would be a very slippery slope? I mean, what constitutes abuse? If it’s outright nasty comments and making fun of someone’s disability then yes, definitely but nowadays too many people cry abuse just because they don’t like the truth or if someone disagrees with them?!”

Current Legislation

Gerri: “Quote from the post.. ‘Currently, there is no specific law covering online abuse; the Government says “what is illegal offline is illegal online”. ‘ So, if it is illegal to someone’s face it is also illegal online, I can’t see any need for any more legislation than that.”

(in reply) Mac: “Gerri, as you quote, there is no SPECIFIC law. There should be, to stop any loopholes that some clever lawyer could find.”

Alasdair: “I don’t see any need for a new law when ‘malicious communications’ are already outlawed by the Communications Act 2003 - if anything, the current law seems overbroad. The hard part is deciding when and how to enforce it effectively.”

Formal Minutes

Tuesday 8 January 2019

Members present:

Helen Jones, in the Chair

Martyn Day

Paul Scully

Steve Double

Liz Twist

Mike Hill

Daniel Zeichner

Catherine McKinnell

Draft Report (*Online abuse and the experience of disabled people*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 148 read and agreed to.

Summary agreed to.

Annexes agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 15 January at 4:00pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 6 February 2018

Katie Price, petition creator, and **Amy Price**. [Q1–28](#)

Anne Novis MBE, disability campaigner, Inclusion London, **Andie Gbedemah**, Public Affairs Officer, Dimensions, and **Amy Clarke**, Digital Assistant, and **Rob Holland**, Parliamentary Manager, Mencap [Q29–65](#)

Tuesday 24 April 2018

Paul Giannasi OBE, Cross-Government Hate Crime Programme Manager, Detective Inspector, **John Donovan**, Online Hate Crime Hub, Metropolitan Police Service, Superintendent, **Edward De La Rue**, Brighton and Hove Division, Sussex Police. [Q66–107](#)

Tuesday 19 June 2018

Karim Palant, UK Public Policy Manager, Facebook, **Katie O'Donovan**, Public Policy Manager, Google, **Nick Pickles**, UK Head of Public Policy and Government, Twitter. [Q108–164](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

ONL numbers are generated by the evidence processing system and so may not be complete.

- 1 Alhaboby, Dr Zhraa A. ([ONL0003](#))
- 2 Anti-Bullying Alliance ([ONL0004](#))
- 3 Bakalis, Chara ([ONL0002](#))
- 4 CPS ([ONL0016](#))
- 5 Department for Digital, Culture, Media and Sport ([ONL0006](#), [ONL0011](#))
- 6 Dimensions ([ONL0001](#), [ONL0015](#), [ONL0017](#))
- 7 Dr Loretta Trickett and Nottingham Civic Exchange ([ONL0007](#))
- 8 Facebook ([ONL0009](#))
- 9 Google UK ([ONL0010](#))
- 10 Inclusion London ([ONL0005](#))
- 11 Match Group ([ONL0013](#))
- 12 Mencap ([ONL0018](#))
- 13 Sense ([ONL0014](#))
- 14 Twitter UK ([ONL0012](#))
- 15 Walters, Professor Mark ([ONL0008](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Special Report	Online abuse and the experience of disabled people: draft recommendations for consultation	HC 1459
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