

the **Howard League** for Penal Reform



Does familiarity breed contempt?

A conceptual and theoretical analysis of 'mate crime'

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An article for the Howard League for Penal Reform by Gerard Doherty, based on his
John Sunley Prize winning masters dissertation

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Foreword

In recent years the Howard League for Penal Reform has invested in commissioning and supporting post-graduate research to develop our charitable and strategic objectives. As part of the strategy, the John Sunley Prize, established to commemorate the investment in reform by John Sunley, celebrates excellence and the impact of post graduate research into penal issues. This annual award recognises and encourages Masters students who generate outstanding research dissertations that are both topical and original; and can offer genuine insights into the penal system and promote the cause of penal reform. Winning dissertations will be published by the Howard League throughout the year in an abridged format.

We are delighted to publish a version of the first of the 2013 winning dissertations here. In this paper, Gerard Doherty, who completed his Masters at Durham University, critically assesses the usefulness of the concept of 'mate crime', as a means of understanding offending behaviour against disabled people.

He suggests that while those who commit hate crime offences tend to be strangers to their victims, the phenomenon of 'mate crime' occurs when crimes are committed against disabled people by people they consider to be their friends. Having first developed a working understanding of the term 'mate crime', the research applied this understanding to nine 'mate crime' cases, and used an analytical framework to assess how well the application of the concept fitted the cases, and whether there was evidence to support the existence of 'mate crime'. The research proposes the view that the concept of 'mate crime' is of significance in understanding the nature of targeted violence against disabled people.

Do look out for the next prizewinning dissertations which will be published in 2014.

Anita Dockley

Research Director, the Howard League for Penal Reform

Does familiarity breed contempt? A conceptual and theoretical analysis of 'mate crime'

Summary

Current theories on the subject of hate crime, based on the assumption that offending is motivated by the group affiliation of the victim, typically suggest that those who commit hate crime offences tend to be strangers to their victims. Recently, however, commentators on the subject of disability hate crime have proposed the notion of so-called 'mate crimes', which occur when disabled victims are in fact familiar to those who commit hate crimes against them. This research sets out to establish whether 'mate crime' can be construed as a theoretically legitimate sub-set of hate crime, firstly scoping the ways in which the term is used with a view to establishing a working understanding of the concept of 'mate crime', and then seeking to apply that understanding to nine 'mate crime' cases involving the killings of disabled people.

The research found that familiarity was not a bar to hate crime offending, and that the concept of 'mate crime' is of significance in understanding the nature of targeted violence against disabled people. In particular, this research suggests that prejudice, a key characteristic of hate crime, is manifested in 'mate crimes' in the form of hostility and contempt, and that the perceived vulnerability of the victim appears to be influential in offending.

1. Introduction

The study of hate crime is a relatively recent area of scholarship. Much of the early work, both in the UK and in the USA, has been in relation to crimes of racial hatred (see Levin and McDevitt, 1993). However, in more recent years there has been an acknowledgement that hate crime can also extend towards other distinct victim groups. Gerstenfeld (2013), for example, offers the following simple definition of hate crime: ‘...a criminal act which is motivated at least in part by the group affiliation of the victim’.

In a similar manner, contemporary legislators and policy-makers have extended the hate crime victim groups to which legislation should apply. Since 2008, police forces in England and Wales have been collating data on a total of five strands of hate crime; disability, faith, sexual orientation and transgender, as well as race. Recent police data (Association of Chief Police Officers, 2012) shows that racist hate crime is still by far the most widely-reported type of hate crime – of the 48,127 hate crimes recorded by the police in England, Wales and Northern Ireland in 2010, 82 per cent of these related to race, with ten per cent related to sexual orientation, four per cent related to faith, one per cent to transgender and three per cent (1,569 hate crimes) related to disability.

There is some agreement among commentators that hate crime is generally under-reported (Perry, 2009; Walters, 2011), and that this is particularly the case in relation to disability hate crime. Research by the Disability Rights Commission (2004) suggested that the comparatively low rate of recorded hate crime against disabled people could partly result from a reluctance to report these types of crimes. Their research showed that of the 47 per cent of their respondents who claimed to have experienced hate crime because of their disability, less than half (40 per cent) actually reported the incident to the police. Sin et al. (2009: vii), in a survey of disabled people and stakeholders, suggest that the low reporting rate may be due in part to barriers within the criminal justice system which lead to disabled people feeling they are not being taken seriously or are being treated as in the wrong. Nevertheless, similar issues of under-reporting of disability hate crime continue to be identified in other contemporary research (e.g. MIND, 2007; Sheikh et al., 2010; Equality and Human Rights Commission, 2011). It has been suggested that the low rate of recorded disability hate crime may not only be linked to under-reporting, but also to under-recognition (Crown Prosecution Service, 2010; Roulstone, Thomas and Balderston, 2011).

It is within this context that this research set out to critically assess the usefulness of the concept of ‘mate crime’, to establish whether it is a distinctive type of disability hate crime, and consider whether ‘mate crime’ and disability hate crime can be construed as a sub-set of hate crime in terms of both policy and theory. Recently coined, the term ‘mate crime’ is intentionally redolent of hate crime, and has been referred to as

considered actions against disabled people at the hands of someone, or several people that the disabled person considers to be their friends, or they may be relatives.
(Thomas, 2011: 107)

Sources suggest that the designation 'mate crime' was first introduced into public usage in 2009 (Grundy, 2009), as part of a safety project for people with learning disabilities (Association for Real Change, 2009). Since then, although the term has remained in only limited usage, it has been adopted by some commentators (Williams, 2010; Quarmby, 2011) and referred to by a number of public bodies such as the CPS (Crown Prosecution Service, 2010) and the EHRC (Equality and Human Rights Commission, 2011). However, as a concept, it has yet to receive any significant attention from the criminological academic community, resulting in only limited discourse (e.g. Simpson, 2011; Thomas, 2011) and, as yet, no published evidence of any theoretical speculation as to the likely explanation for 'mate crime'. However, those who have chosen to comment on the subject (e.g. Thomas, *ibid.*) appear to be in agreement that 'mate crime' is generally considered to be a type of disability hate crime. Indeed, Quarmby (2008) has suggested that some 'mate crimes' have led to the serious injury and death of a number of disabled people.

In the following chapters this research will first seek an understanding of the concept of 'mate crime' with a view to establishing whether it has any practical or theoretical utility. The subsequent study of nine killings of disabled people and the associated discussion will show that the concept of 'mate crime' is useful in terms of understanding offending behaviour against disabled people. It will conclude by reflecting on some of the key messages arising from this improved understanding, including references as to how prejudice may be interpreted and the influence of familiarity, hostility, and vulnerability in relation to targeted violence against disabled people.

2. 'Mate crime', disability and hate

In the past, most academic research on hate crime addressed the issue of race and, although scholarly interest has broadened towards other hate crime groups in recent years, the relevance of this research to the particular issues around disability hate crime is sometimes questionable. In addition, there is recognition among commentators that hate crime is just one aspect of injustice which disabled people may experience.

Theorists such as Miller, Parker and Gillinson (2004: 28), among others, refer to a social model of disability:

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

They claim that society tends to respond to disabled people with 'disablism', which they describe as 'discriminatory, oppressive or abusive behaviour arising from the belief that disabled people are inferior to others' (ibid.: 9). Their view has been supported, and in some cases elaborated upon, by other commentators. For example, Deal (2007) promulgates the notion of aversive disablism, while Goodley and Runswick-Cole (2011) argue that the development of disability prejudice can begin at an early age; they cite for example the case of disabled children who '...are enculturated into the violence of disablism from early life' (ibid.: 3).

In this context, in relation to disability hate crime, Piggott (2011) suggests that the criminal justice system in England and Wales does not provide an effective response. She argues that the current approach to disability hate crime '...depends on the identification of a person as different' (Piggott, 2011: 25). In response, she suggests that in a disablist society based on 'cultural representations which depict disability as pitiable' (ibid.: 30) and in which disabled people are perceived as 'victims of their own bodies' (ibid.: 30), it is unreasonable to ask disabled people to define themselves as being hated as to do so invites 'social condemnation' (ibid.: 30). She effectively defines the problem of prosecuting disability hate crime as one of '...how to achieve social inclusion without drawing attention to oneself' (ibid.: 29). This dichotomy – the negative consequences of receiving special treatment versus the drawback of simply ignoring the difference – has been referred to as the 'dilemma of difference' (Grattet and Jenness, 2001).

In addition to this dilemma facing those who experience disability hate crime, Joanna Perry (2008: 25) suggests that hate crime laws in England and Wales are in fact 'identity-based remedies' which rely on an institutionalised approach of '... protection instead of rights and justice' (ibid.: 20). Sherry (2010: 18) shares similar concerns, and suggests that there is a tendency to categorise all crimes against disabled people as forms of abuse rather than hate crimes. Similarly, Roulstone, Thomas and Balderston (2011: 352) point out that reliance on constructing 'disabled people as vulnerable... unhelpfully ensures that safeguarding and adult protection measures often take precedence over criminal justice responses'.

Indeed, unlike other hate crime victim groups in England and Wales, the Safeguarding Adults procedures (Department of Health, 2000) ensure that hate

crimes against disabled people can be reported and investigated via a route which circumvents direct involvement by criminal justice agencies. These multi-agency means of safeguarding disabled people and other adults at risk now exist in all areas of the country.

Brown (2012) acknowledges that supporters of these types of response to offending against disabled people see them as being protective and therapeutic and having the advantage of engendering society-wide reassurance while, at the same time, ensuring resources are distributed in a proportionate, blame-avoiding manner. However, she argues that such an approach also has connotations of weakness, stigmatising disabled people, and distracting attention from the State's responsibility to address inequality and injustice (ibid.: 50).

In their article *Between Hate and Vulnerability*, Roulstone, Thomas and Balderston (2011) examine the consequences of the juxtaposition of hate and weakness and develop them in more detail. They suggest that perceived situational vulnerability can often be linked to the more deep-set attitudes of viewing disabled people as being worthless. As an example of this type of attitude, they refer to the notorious and oft-quoted (e.g. Fyson and Kitson, 2010: 314) comment: "I'm not going down for a muppet", attributed to one of the killers of Brent Martin, a Sunderland man with learning disabilities who was murdered in 2007¹. In addition, they are critical of the notion of vulnerability being used in a disablist way, contrary to contemporary social models of disability. They suggest that there is a 'pernicious' criminal justice interpretation of vulnerability in relation to disabled people, which could be construed as '...akin to saying someone was "asking for it"' (Roulstone, Thomas and Balderston, 2011: 357). They argue that there is a clear difference between the vulnerability of an unprotected home to burglary, and a blind man in a quiet, darkened subway.

Significantly, in its 2007 policy the Crown Prosecution Service cites the scenario of a blind man having his wallet stolen as an example of an offence which is not a disability hate crime because, in their guidance, '...the offender is likely to have been preying on the victim's perceived vulnerability' (Crown Prosecution Service, 2007: 9). Their policy at that time suggested that there would be no hate element if an offence was '...committed because the offender regards the disabled person as being vulnerable and not because the offender dislikes or hates disabled people' (ibid.: 9). By 2010, however, the CPS had acknowledged that the juxtaposition between disability and vulnerability was more complex:

*When the nature of a person's disability makes it easier for the offender to commit a particular offence, police and prosecutors often focus on the victim being 'vulnerable', an 'easy target' and no further thought is given to the issue of hostility. This approach is wrong.
(Crown Prosecution Service, 2010)*

This complex interweaving of situational and discriminatory notions of vulnerability has also been recognised by Kidd and Witten (2008), in the context of transphobic violence. Their research made a relevant finding that victims of hate crime are targeted not just because they are different, but also because they are stereotypically perceived as 'easy' or 'soft'. Similar results have been found in research related to disabled victims (Sin et al., 2009: vi). Hence, Chakraborti and Garland (2012) propose that, rather than seeing vulnerability as an inherent form of victimhood, the term 'vulnerable' should be used to encapsulate the way in which perpetrators see their victims.

¹ This killing had all the hallmarks of being a hate crime, but did not meet the selection criteria to form part of the sample chosen for this research.

'Mate crime'

In terms of disability hate crime, the recognition that there may be more than one single explanation of hate crime for all victim groups is significant, especially when considered alongside Barbara Perry's assertion (2001) that hate crime occurs within unequal social relationships. The traditional hate crime model presumes motivations of bias or prejudice towards the victim based on stereotypical constructions of the victim's perceived social group. Horvath and Kelly (2007: 4), while acknowledging that '...the effects of such crimes are felt not only by the individual victim but also by the group to which they are perceived to belong', also suggest that such motivations are far more evident against some victim groups, such as racial groups, than they are against those with disabilities. They suggest that, in respect of disabled victims, the perpetrators of such violence are most likely to be partners, relatives, friends, or professionals who are in positions of trust or care. They further suggest that, in these latter types of relationships, violence and abuse can frequently be seen as part of normal home life. A similar finding in terms of relative familiarity between victim and perpetrator was reported by Mason (2005a: 851), who investigated cases of racial and homophobic harassment in London, and discovered that in over 82 per cent of her random sample the perpetrator was known to the victim as someone local to home. In a later study in the same year using the same data, Mason argued that her research had refuted the premise that the absence of a pre-existing relationship was a reliable predictor of hate crime (Mason, 2005b: 587).

Stanko (2001) pre-supposed the above findings in her research into hate crimes with the Metropolitan Police in London, observing that:

Little violence is random, most of it is purposeful and much of it is indeed targeted...The significance of this violence is familiarity.
(Stanko, 2001: 317)

In a plea to re-conceptualise the issue, she argued on this basis that the term hate crime should be replaced by the expression 'targeted violence', suggesting that this was a more appropriate descriptor as it was able to recognise the special vulnerability of victims, and the significance of the perpetrator's choice of victim. It was her view that the vulnerability of a victim was relevant not because of what assailants do, but what the assailant could do to a victim based on who he or she is. In what may be construed as a prophetic observation in terms of the under-recognition of disability hate crime, she argued that 'the logic of the stranger' was obscuring '...our ability to understand the ordinariness of hate crime' (ibid.: 323).

Although that re-conceptualisation of hate crime does not appear to have taken place yet, academic observers are clearly still musing over the issue (e.g. Chakraborti and Garland, 2012; B. Perry, 2010). In the meantime, practitioners working in the field of disability have continued to recognise the importance of familiarity and friendship in the lives of disabled people (Hughes, Redley and Ring, 2011). In relation to hate crime, in 2009 the Association for Real Change (ARC) received funding from the Department of Health for the Safety Net Project, which focused on raising awareness of disability hate crime and 'mate crime' for people who have a learning disability (Grundy, 2011). The Safety Net Project produced a definition of 'mate crime':

Mate crime is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them.
(Grundy, 2009: 20)

The Safety Net Project was concerned with preventing general offending against people with learning disabilities and much of the project material concentrates on the risk presented by perpetrators who befriend victims, taking advantage of their accommodation, and stealing money or other personal property from them. Although the project appears to have had considerable success in raising awareness of the issue of 'mate crime', the research conducted for this piece of work (for reasons which are outlined in the research methods section) will concern itself only with hostility related to physical and emotional abuse rather than financial.

Since its inception, the concept of 'mate crime' has been referred to by significant agencies of public policy such as the EHRC (Equality and Human Rights Commission, 2011) and the CPS (Crown Prosecution Service Equality and Diversity Unit, 2012) – although the latter agency stated that, to avoid confusion, it was not their intention to make use of the term. The concept has also been the subject of brief comment by other practitioners (e.g. Simpson, 2011; Haydon-Laurelut, 2011), and the press. In 2010 the Guardian newspaper first identified that 'mate crime' may have been a contributory factor in the murder of Steven Hoskin, a man with learning disabilities (Williams, 2010). Since then, other contemporary public commentators (e.g. Quarmby, 2011) have suggested that 'mate crime' has been a factor in serious offences against disabled people, including murders. Despite these observations, so far academic comment on the subject has been limited. However, most recently Thomas (2011) provided some brief but relevant reflections in which she offered the definition of 'mate crime' referred to on p. 3.

Thomas also identified a number of recent deaths of disabled people that could be attributed to 'mate crime', noting that there was no comparable concept within the other hate crime victim groups. She suggested that, unlike perceptions of many other hate crimes, 'mate crime' offending tends to be calculated rather than opportunistic. She noted that disabled people sometimes feel the need to appear vulnerable and dependent in order to get the support they require, and this can lead to them being targeted by others seeking to commit this type of offence. She concluded that a key feature of 'mate crime' is the disabled person's desire for relationships and friendship (ibid.:109).

Previous research has shown that people with learning disabilities (which chapter 4 will show was the most represented type of disability in the 'mate crime' sample) are more likely to experience loneliness than the general population at large (McVilly et al.: 2006). However, as Shakespeare (2006: 170) identifies, although friendship is important to disabled people because it offers emotional, social, practical and other benefits, disabled people are likely to feel more isolated than others because they are less integrated into social networks. Shakespeare (ibid.: 171) observes that, although developments in care in recent years have ensured that many disabled people now live in their own homes rather than in institutions, factors such as 'prejudice, ignorance and hostility may create barriers which prevent connecting to strangers'. These comments are apposite for two reasons. Firstly, concern has been expressed that the government policy of accommodating disabled people in the community, as opposed to residential care, can put them at more risk of abuse (Fyson and Kitson, 2007). Secondly Shakespeare (2006) identifies that local prejudice and hostility can present barriers to friendship. This research will show that prejudice and hostility are in fact two factors which play a significant role in 'mate crime' offending, through providing a motivation for 'friendship' so that the offences can occur.

3. Research methods and analysis

Rationale

The aim of this research was to critically assess the usefulness of the concept of 'mate crime' as a means of furthering understanding of offending behaviour against disabled people. This was to be achieved as follows:

- 1) Scoping the ways in which the term 'mate crime' is used with a view to establishing a working understanding of the concept.
- 2) Identifying and describing cases to which the descriptive term 'mate crime' could be applied.
- 3) Analysing the identified cases in order to establish how well the application of the concept fits them, thereby assessing whether there is any evidence to support the existence of 'mate crime'.
- 4) Critically assessing the usefulness of 'mate crime' as a concept, particularly in terms of hate crime theory and/or public policy.

Choice of method

The project was necessarily exploratory in nature, and hence a small sample of case studies were selected as the preferred method of research.

The data referred to in the case studies was sourced from material that is generally available to the public, or had been discussed in the mainstream press and other publicly-accessible outlets. It is acknowledged that such material has potential for unreliability, either through being incomplete or, in worst cases, being inaccurate. Nonetheless, given the resources available, and mindful of the academic immaturity of the research area, it was felt that the research could still be successfully carried out using the data-gathering method selected.

Ethical considerations

It was recognised that the research should avoid causing any unnecessary distress to friends and family of the victims, and that the victims needed to be afforded appropriate dignity. However, it was acknowledged that the circumstances of the individual cases were such that the names and other details of the victims could be readily secured by anybody who chose to do so using the public sources available. Hence, it was decided that no reference would be made to any information other than that which was publicly available and, apart from the victims, none of the other parties involved in the case studies would be named.

Developing a framework

A framework was developed by scrutinising the relevant academic literature, and seeking out those factors which had been linked to this area of criminality. This produced a list of 46 identifiable characteristics involving contributions from a considerable number of research sources including established theorists such as Perry (2001), as well as work from more observational studies (e.g. Sibbitt, 1997), alternative perspectives (e.g. Stanko, 2001), and of course contemporary study of 'mate crime' itself (e.g. Thomas, 2011). The

list of 46 factors included some duplication, and so was reduced to 24 relatively distinct characteristics. It was noted early on in the research that some of the characteristics were thematically related to each other, and hence, for ease of analysis, these characteristics were clustered into nine distinct themes. This enabled the cases to be analysed so that a value reflective of the strength of evidence for each theme could be obtained for each case – this value is shown in the final column of Table 1 (see below). It then became apparent that these nine themes also appeared to occupy particular spaces in terms of the process of how these crimes occurred. Hence, again to assist in the understanding of the significance of each theme in that process, the themes were placed in order of a continuum of three categories: perpetrators, offence and victim (see Table 1 below).

Table 1, Mate Crime Framework					
	Emerging themes	Characteristics	(A) Mean rating of evidence ignoring zero returns	(B) f (0-9)	(C) Evidential Value (0-27)
Perpetrator	Community context	Terrorising of local community	3.0	5	9.0
		Gregarious	2.6	5	
		Context of bigotry	3.0	3	
		Views held shared with community	1.0	2	
	Group context	Group size	2.7	9	13.2
		Group perceive themselves as dominant	2.8	4	
		Group perceive themselves as different	2.7	3	
		Group perceive victim as weak	2.5	4	
	Background of person who offends	Family background	2.3	3	12.5
		Already criminally active	2.7	7	
		Previous convictions for violence	2.5	4	
		Violence is routine	3.0	5	
Offence	Anger	Desire for revenge / retaliation	2.0	4	7.7
		Anger	1.4	5	
	Prejudice	Prejudice	2.0	3	6.0
	Hostility	Hostility	3.0	9	27.0
Victim	Targeted violence	Targeted violence	2.7	9	24.7
		Intimidation	3.0	8	
		Abuse part of victim's normal home life	2.9	9	
	Familiarity	Familiarity	2.9	9	23.3
		Desire for relationship and Friendship	2.1	9	
		Victim/those who offend reside same neighbourhood	2.8	9	
	Vulnerability	Dependent	2.1	8	19.4
Vulnerability		2.4	9		

Table 1: column C is the product of the mean (unrounded) of the thematic clusters of A (the rating of the evidence found - ignoring zero returns) and B (the mean of the frequency of the evidence occurring for that cluster).

Analysis

When applying the framework, the characteristics were constructed into a 24-item questionnaire. The questionnaire was then applied individually to each of the nine identified cases. As each case was examined, the list of questions was applied, and an assessment made as to the strength of the evidence (score -3 to +3) either contra-indicating or supporting each query respectively.

The results of the analysis for each case were then plotted into a table and averaged out, so that a score was identified for each of the nine themes across all of the cases. A higher positive score would indicate that there was strong evidence of the existence of a particular theme in a frequent number of the nine cases, while a higher negative score would suggest that there was strong evidence to the contrary. A score closer to zero would suggest that evidence could not be found either to support or refute the theme. It was this analysis and the resulting framework which then facilitated the subsequent discussion on the implications of the findings.

4. Findings

The first task of this research was to identify an appropriate workable understanding of the concept of 'mate crime'. At the time of completing, only two recognisable definitions of 'mate crime' could be found – Grundy (2011) on behalf of the Association for Real Change (ARC)², and Thomas (2011). These proposed definitions are not inconsistent with each other, nor are they inconsistent with other definitions of hate crime such as that offered by Gerstenfeld (2013, supra). Hence, key characteristics of both Grundy's (2011) and Thomas' (2011) definition were used to form part of the framework and it was decided to proceed to the next stage of the research on this basis.

There is no independent list of deaths of disabled people caused by friends, so in terms of selecting cases to study, reference was made to available sources. Grundy (2011: 168) cites one case; and Thomas (2011: 108) cites another four unlawful killings which she identifies as 'mate crimes'. In addition, Quarmby (2011: 177), cites seven cases of the deaths of disabled men caused at the hands of friends; three of these cases being identical to the ones quoted by Thomas (ibid.). Hence, in the absence of any other accessible form of reference, the cases were chosen by combining the three sources, making a total of nine cases to be assessed by way of case study. In a search of literature (other than the mass media) the nine cases chosen were the only ones that had been identified as 'mate crimes' by their authors. On the basis of this interpretation, at the time of conducting this research, no other documentary evidence was found of any other unlawful killing being attributed to 'mate crime'. A short description of each of the cases is provided in Box 1 below:

Box 1

Brief details of the unlawful killings which were subject to case analysis

1) March 2005, Stockton-on-Tees: Keith Philpott, 36, had learning disabilities.

...lived alone in a flat, where he was 'befriended' by local youths. One of the girls told her brother that Keith had sexually assaulted her — although there is no evidence of the truth of this allegation. Her brother and his friend — a self-confessed paedophile-hater — entered Keith's flat, tied him up and assaulted him, using a kitchen knife to saw through his abdomen. Keith was left to die.

(Fyson and Kitson, 2010: 314)

2) May 2006, Warrington: Raymond Atherton, 40, had learning disabilities.

...lived alone. His flat was targeted by local youths who used it for drink and drugs. They spent months 'terroring' (sic) him — assaults, harassment, shaving his hair, urinating on him, theft...The youths followed him to his new home and the 'terroring' continued. Their final assault culminated in Raymond being thrown into the river Mersey and drowning

(Fyson and Kitson, 2010: 314)

3) May 2006, Thames Valley: Sean Miles, a man with autism, was murdered and robbed by friends in the Thames Valley area...Mr Miles, was beaten, knifed in the head and then drowned in the Thames amid allegations that he was a paedophile. The jury had heard how the killers watched as Mr Miles floundered in the river. He was poked with a stick to stop him getting out before he drowned.

(Disability Now, 2007)

² Although the Equality and Human Rights Commission (2011: 229) cite the ARC definition as follows: 'The exploitation abuse or theft from people with learning disabilities, by those they consider as their friends'

4) July 2006, Wales: Barrie-John Horrell, had learning difficulties, was lured to a flat by two 'friends'. They claimed, incorrectly, that Barrie-John was a paedophile and that he had told the police about their involvement in a robbery and said they were going to get revenge. Inside the flat Barrie-John was subjected to a violent attack. His captors then put a pillowcase over his head and drove him to a remote Welsh hillside where they strangled him, beat him with a brick and set him on fire.

(Quarmby, 2008: 35)

5) July 2006, Cornwall: Steven Hoskin, 39, had learning disabilities.

...lived alone...Local youths used Steven's bedsit to drink and take drugs; they stole his money and assaulted him. In his final hours, Steven was tortured — including being made to wear a dog collar, having cigarettes stubbed out on him, being forced to falsely confess to being a paedophile and to swallow 70 painkillers. He was then marched to the top of a railway viaduct and forced over the edge, where he fell to his death.

(Fyson and Kitson, 2010: 314)

6) Leicester, August 2006: Steven Gale, 28, had learning difficulties

...Mr Gale's friend, who lived with him, systematically abused him and eventually murdered him. By the time of his death, October 2006, he weighed less than 6 stone.

(Quarmby, 2008: 44)

7) September 2006, Gloucestershire: Kevin Davies, 29, had learning disabilities and epilepsy. ...lived alone but was in regular contact with his family. After falling out with three erstwhile friends, accused of damaging their car, Kevin was held hostage in a garden shed where he was systematically starved, tortured and forced to make a 'hostage video' to show the outside world he was 'fine'. He died after six weeks of captivity and torture. The post mortem revealed extensive bruising, broken ribs, a broken larynx and burns covering 10% of his body.

(Fyson and Kitson, 2010: 314)

8) Luton, 10 May 2009: Michael Gilbert, 26, undiagnosed mental health issue ... He was kept as a domestic slave and tortured over much of that period. He was beaten on many occasions, punched and stamped on, stabbed with a knife, shot with an air pellet gun and had snooker balls dropped on his testicles. In the weeks before his death...

his stomach was repeatedly jumped on. His dismembered body was found in the Blue Lagoon at Arlesey near Luton...six people were jailed for involvement in his murder.

The ringleader...had met Michael when they were both in care as teenagers.

(Equality and Human Rights Commission, 2011: 43)

9) Rugby, 9th August 2010: Gemma Hayter had a rare congenital disorder that caused a significant learning disability... was found dead on a disused railway embankment in August 2010. A trial in September heard she had been forced to drink urine from a beer can, beaten with a mop and stripped before being left for dead. Two men and a woman were jailed for life for her murder, with two others sentenced for manslaughter. Hayter had considered all five to be her friends.

(Walker, 2011)

Of the nine cases identified, eight led to convictions of murder of at least one of the perpetrators involved; and one led to convictions of manslaughter. This latter manslaughter case was the only one in which the killing was carried out solely by young people (a 15-year-old and a 17-year-old). In a number of the cases, 'ringleaders' were identified by the police or by the court (often receiving a more severe sentence). The age of these adult 'ringleaders' ranged from 21 to 42, with the ages of the victims reflecting a not-dissimilar range of between 26 and 40 years. All of the victims bar one were men and, most (but by no means all) of those who committed the offences were men. Although employment status was identified only sporadically from the source material, when it was recorded it tended to identify both victims and perpetrators as unemployed. All of the victims lived alone, or shared accommodation with the perpetrator, in rented accommodation. In terms of disability, the main impairment for six of the victims was identified as a learning disability. Of the remaining three; the main impairments identified included autism, epilepsy, and one case in which it was suggested the victim had mental health problems.

The above information, although relevant, was recorded outside of the main framework. However, each of these unlawful killings was then subjected to analysis by reference to the 24 characteristics of the conceptual framework. A score of -3 to +3 was recorded for each characteristic based on an assessment of the strength of the evidence in each case. The data for all of the cases was then combined and analysed, and average scores obtained (figures have been rounded). A summary of the results of this analysis is presented in Table 1.

The scores in Table 1 have no empirical value and are indicative only of the relative significance of the evidence found against each theme in each case. Some of the cases did not contain sufficient information to be able to refer to all of the perpetrator categories on the framework. For example, less than half of the cases referred to the four characteristics which constituted the community context theme, with on average just over half of the cases mentioning the characteristics ascribed to the group context and the background themes. Similarly low returns were found for the offence themes of prejudice and anger, but on the positive side the remaining two themes within the offence category and all of the themes within the victim category received relatively high levels of attention from the cases. However, where evidence was found in relation to any of the characteristics, it was typically positively indicative. The only single exception to this finding was in relation to the characteristic of anger, where there was one case where a negative score was recorded as it referred to evidence mitigating against anger being a factor.

The overall picture which emerged from this data was that the evidence in support of the influence of the background of the people who offended, and related themes of community and group context, were much less significant than the evidence in support of more victim-related factors such as familiarity and vulnerability. Between these ends of the continuum, offence factors appeared to be split in terms of weight of evidence; there was little evidence to support the influence of prejudice and anger, but a significant amount of evidence suggesting hostility and targeted violence were influential.

5. Discussion

Once a working understanding of ‘mate crime’ had been established, the research set about its declared aim of critically assessing the usefulness of the concept by seeking to analyse a selected group of nine cases identified as ‘mate crimes’.

Characteristics of the ‘perpetrators’

This analysis showed, in terms of demographics, that most of those who committed these types of offences were men. This result is consistent with long-standing findings in general crime – for example, Kanazawa and Still (2000: 443) report that men account for more than 93 per cent of murderers worldwide – as well as with research on hate crime (Craig, 2002). Likewise, the finding that the ages of the ringleaders among the perpetrators ranged from 17 to 42 is not inconsistent with Sibbitt’s (1997) research suggesting that those who commit hate crime offences come from all age groups. However, Levin and McDevitt’s (1993) hate crime research would suggest that hate crime offences are typically committed by younger people, as would general crime research (Hirschi and Gottfredson, 1983). Sibbitt (1997: 77), in his study of hate crime against ethnic minorities, suggested that all ages were involved in hate crime as a consequence of social and economic factors and prejudice which ‘permeated entire communities’.

Characteristics of ‘community context’

Unfortunately, the source material available for this research was unable to provide evidence of whether or not community contexts of bigotry existed. There was some evidence of bigotry locally – for example, in the case of Steven Hoskin, there were local rumours that he was a paedophile, and though no evidence was ever produced to substantiate these suggestions, they eventually formed part of the perpetrators’ claimed motivation for his murder (Flynn, 2007: 4) – but community bigotry was evidenced in only three of the nine cases. A slightly higher return of five cases of strong evidence was recorded in connection with the characteristic related to the perpetrators’ alleged terrorising of the local community. Again, Sibbitt (1997: 101) argued that some economically-deprived localities appear to ‘spawn’ violent perpetrators who terrorise others in the community as well as minority ethnic groups. Sibbitt’s view is consistent with strain theory (Agnew, 1992) and, although the nature of the socio-economic circumstances was not always specified in the source material, there were clear indications that deprivation appeared to be a factor: for example, in none of the cases was there any reference to the ringleaders being in paid employment.

In the Serious Case Review (SCR) published into the death of Gemma Hayter (Warwickshire Safeguarding Adults Partnership, 2010), the nature of the housing environment was identified as a factor in her death. The report recognised that disabled people living alone are at risk of being placed in ‘hard-to-let’ accommodation which may lead to ‘harassment, mate crime or exploitation’³. Specifically, the report suggested that ‘Gemma’s circumstances deteriorated significantly following her being re-housed’ (ibid.: 59). The notion that disabled people are frequent victims of harassment and other forms of anti-social behaviour within their communities is not a new one (Berzins, Petch and Atkinson, 2003). Indeed, in 2007, prior to the death of Gemma Hayter, research suggested (Hunter et al., 2007) that many social landlords may have been failing to fulfil their disability equality duties imposed by the Disability Discrimination Act 2005, when dealing with anti-social behaviour directed at disabled people.

³ As a relatively contemporary SCR, this is the only one of the three which directly refers to mate crime.

Characteristics of ‘group context’

The significant characteristic which stands out from the theme of group context is the weight of evidence which supports the notion that these crimes were committed by people offending in groups rather than individually. In terms of hate crime, this was an early finding by Levin and McDevitt (1993), who went on to elaborate their typology of hate crime perpetrator grouping in later work (McDevitt, Levin and Bennett, 2002). In this research it was suggested, somewhat self-evidently, that ‘... most hate crimes could not occur at all if someone didn’t suggest that the group engage in this kind of violence’ (ibid.: 313), and hence they identified leaders as pivotal in this type of activity.

The evidence supporting the finding that the people who committed the offences in these cases were already active criminals living lives where violence is routine, is consistent with previous hate crime research (Gadd, Dixon and Jefferson, 2005). Ray and Smith (2001) observed that on occasions the violence perpetrated in hate crime offences is portrayed as ‘meaningless’ as if the perpetrators have no control over it. Indeed, in some of the cases studied, the futility of the deaths was sometimes questioned in similar terms. For example, the Judge in the case of Barrie-John Horrell is recorded as saying ‘Barrie Horrell’s death was completely senseless’ (Sicluna, 2007). However, as Ray and Smith (2001: 205) point out ‘...violence is virtually never without purpose and typically (though not always) takes place between people who know each other’. Their observation, made about racist hate crime, fits very well with the cases studied here, and the implications are discussed further below, when the characteristic of targeted violence is discussed.

The offence: Anger, prejudice, hostility

Strain theory (Agnew, 1992) postulates that anger and a desire for revenge would feature as a characteristic of hate crime. There is little evidence from the case studies that genuine anger or a desire for revenge featured. Most of these killings began with assaults and abuse which had occurred weeks, or even months before the murders. For example, the police officer in the case of Raymond Atherton observed that, prior to his death, his killers “...targeted him for a long period of time, they abused him and his property and tried to demean him” (Carter, 2007). Similarly, (Quarmby, 2008: 23) reported that, prior to his death, ‘Kevin Davies was “kept like a dog in a locked garden shed”, said the prosecutor, by “friends”. For nearly four months he was fed scraps and brutally tortured’. These, and the modus operandi of most of the other killings, are not suggestive of anger or retaliation, but of a much more sustained motivation. One exception in the cases reviewed was that of Keith Philpott, where there was little evidence of physical abuse prior to the night of the murder.

Evidence of prejudice was found in only three of the cases. If ‘mate crime’ is to be construed as a sub-set of hate crime, then clearly this information warrants some analysis because, as has already been argued by some commentators, prejudice is a crucial element of hate crime – not just in a theoretical sense (e.g. Jacobs and Potter, 1998; Hall, 2005), but also as part of disability hate crime policy (Crown Prosecution Service, 2007). The CPS, however, has demonstrated considerable insight regarding this issue. CPS guidance published in 2010, following the 2007 guidance (ibid.), cites the former Director of Public Prosecutions, Sir Ken MacDonald QC, as acknowledging “...we are one step away from making the assumption that disabled people should **expect** to be attacked because of **who** they are” (Crown Prosecution Service, 2010 (their emphasis)). The guidance expressed concerns that ‘...prosecutors were setting the threshold too high for disability hate crime’ (Crown Prosecution Service, 2010). It

points out that the legal requirement was for evidence of hostility, not hatred, and that hostility can take many forms including ‘...ill-will, ill-feeling, spite, contempt, prejudice, unfriendliness, antagonism, resentment, and dislike’.

The CPS guidance acknowledged that not only can evidence for hate crimes be manifested in an observable form of prejudice (i.e. words), but there is also a recognition that ‘...hostility is not always explicit and evidenced by the use of clear and crude language’ (ibid., 2010). In a similar manner, Rosga (2001), commenting on the situation in the US, had identified that the law’s focus on language and speech ‘...enables an evasion of discussion about the law’s response to bias-related violence’. Likewise, in the cases analysed for this research, the prejudice was often not explicit in words. In Allport’s (1954) original work on prejudice, he postulated a scale of prejudice, whereby antilocution was at the lower end of the scale, and extermination at the top. The research suggests that in all nine of the cases in this study, the offences had clearly exceeded this first level of the scale of prejudice, and this may explain why there was little evidence of prejudice in the form of antilocution in the case studies. Indeed, in terms of Allport’s (1954) scale, it could be construed that offences had reached the stage of ‘physical attack’, and prejudice was being demonstrated by hostile actions. The latest CPS guidance again provides a succinct interpretation of this:

*For that hostility to be based on disability is but a short evidential step in many cases. In other cases the question may be asked: what other explanation can there be? Let the defendant give his explanation and let the court decide.
(CPS, 2010)*

Indeed, in every one of the nine cases examined, evidence was found of hostility. Arguably, this hostility could be found not just in the form of contempt (Crown Prosecution Service, 2010: supra), but also in terms of ill-will, ill-feeling, and the other manifestations of hostility. For this reason, the finding that objective evidence of prejudice was evidenced in only three cases should not prevent the other six cases being considered as hate crimes.

A targeted victim

Notably, this hostility did not appear to be random; the evidence strongly suggests that, as with other hate crimes, it was used in an intentional fashion (Craig, 2002). Of the nine cases examined, evidence of the theme of targeted violence within them can often be deduced by the relentless, chronic nature of the hostility. For example, the abuse of Steven Gale is recorded as having occurred over two years, with him losing half of his body weight in that period. The judge reflected on this at the time of the murderer’s sentence, stating: “It’s a horrible tale. You styled yourself as his carer. You starved him, beat him, took his money and controlled every aspect of his life” (Littlehampton Gazette, 2007).

Apart from the chronic abuse, which was a feature in almost all of the cases, the targeted nature of the violence was demonstrated in more than half of the cases by the fact that those involved in the murders claimed that their violence was precipitated as a consequence of alleged misconduct by the victims themselves. So, for example, in four of the cases, the victims were accused of being paedophiles or having a sexual interest in children or young people. In two other cases, the victims were accused of damage or theft of property; there was also evidence of a victim being accused of being a ‘grass’. However, there is no evidence that any of these claims were ever reported to the authorities or substantiated in any other way.

In fact, the evidence in some of the cases suggests that the claims were actually malicious: for example, in the case of Keith Philpott, it was claimed he had sent explicit text messages to the sister of the murderer, but it was stated in court that this was most unlikely as he could not actually read or write (BBC News, 2005).

The use of the label 'paedophile' by the perpetrators in almost half of these cases is significant. Commentators such as Sin et al. (2009: 32) argue that this is simply another aspect of targeted violence – a means of associating the impairments of disabled people with negative or criminal tendencies. Hence paedophilia is '...seen as being synonymous with disability in order to legitimise violence against these individuals' (ibid.). Although Sin et al. (2009) were unable to determine from their research whether the targeted violence was a result of a hatred of paedophilia, or whether the label was just an excuse, the outcome for the victims was similar. Indeed, the former Chief Constable of Cleveland, Sean Price, when providing evidence to the EHRC on the case of Keith Philpott, is quoted as saying that "... putting a label of paedophile on certain sections of the community almost means anything goes" (Equality and Human Rights Commission, 2011: 32). Hence, it is contended that, given the evidence of a context of prolonged abuse and intimidation leading up to almost all of these murders, the tendency for some of the perpetrators to claim that their victims were paedophiles was probably symptomatic of a construct to 'dehumanise' (ibid.: 32) their victims.

The notion of familiarity

The observation that the violence in these 'mate crime' case studies is of a targeted nature is consistent with previous research of hate crime in general (e.g. Craig, 2002; Perry, 2003; Sin et al., 2009). However, perhaps the biggest hurdle preventing 'mate crime' being seen as a sub-set of hate crime is the eponymous notion of friendship. The early research around hate crime (e.g. Levin and McDevitt, 1993) indicated that perpetrators would typically be strangers to their victims. However, more recently, familiarity of some sort has certainly not been ruled out as a feature of general hate crime, not necessarily just disability hate crime. Mason (2005a: 840), for example, cites figures which suggest that in up to 40 per cent of racial hate crime incidents in the UK in 2000, the victim and perpetrator were at least casual acquaintances. Mason (2005a: 837) suggests that the reason for the previous inaccuracy is that the bulk of international hate crime literature has simply failed to address the victim-perpetrator relationship, assuming that the individual identity of each victim is irrelevant, and thereby encouraging the assumption of strangerhood. She argues that such a view has been self-reinforcing, giving rise to the practice of not including as hate crimes those instances where the victim and perpetrator have actually been known to each other. Clearly, Mason is right to question this practice for, as Stanko et al. (2003: 31–2) point out, '...hatred is often found closer to home, and too often directed at the intimate partner, neighbour, friend or acquaintance'.

The cases studied in this research identify familiarity as a theme which is supported by strong evidence. In all of the cases, there is evidence that the victim and perpetrators resided in the same neighbourhood, and that they were known to each other in some way. Likewise, there is some evidence, in every case, that this familiarity arose from the victim seeking out or willingly entering into these acquaintanceships, at least initially. Clearly, the fact that the victims' 'friends' all went on to become their killers (perhaps with the exception of the case of Keith Philpott, where the evidence suggests that he had formed a 'friendship' with his killer's sister and was familiar with his killer through that friendship) raises the question as to whether these were ever genuine 'friendships' or merely a means of facilitating hate

crime. Unfortunately, this research is not able to provide an answer to that question; it may be that future research finds the answer to be equivocal. Notwithstanding this, in the majority of these cases, the evidence suggests that the relationships between those who killed and their victims had the outward appearance of friendship. In four of the cases, there was evidence that victims and perpetrators ended up sharing the same accommodation. In the case of Steven Gale, for example, he had met the man who killed him two years previously when they were both students at a local college, they had moved in together, and the perpetrator had taken to describing himself as Steven's 'unofficial carer' (Littlehampton Gazette, 2007). Similarly, in the case of Michael Gilbert, the SCR reports that '...he returned to [the perpetrator's] family home and associated with him in public in a manner which suggested to professionals that he was fine, and even happy' (Flynn, 2011: 12). Typically, in a number of the cases, it was only ex post facto that the victim's desire for friendship was identified by observers as a risk factor. For example, the investigating officer in the case of Sean Miles stated "He was lonely and craved friendship – [they] abused that friendship and trust" (BBC News, 2007).

The evidence gleaned from the case studies would suggest that friendship, or more precisely familiarity (as it is unclear whether these were ever genuine friendships), was a factor in these killings. The observations of Stanko (2001, 2004), Mason (2005b), and Sin et al. (2009), among other contributors, would suggest that there is nothing which debars hate crimes from containing an element of familiarity.

Vulnerability

All of the cases involved disabled people who either lived on their own, or had been living on their own prior to the arrival of their killers. Although a number of the victims appeared to value their independence and declined support from the authorities, this could be in spite of their obvious needs for additional help. For example, the SCR into Steven Hoskin's death reported that he

was assessed as having, 'substantial need' according to the Fair Access to Care Criteria. It was planned that Steven should have weekly visits. This support was discontinued by Steven.
(Flynn, 2007: 6)

Similarly, Gemma Hayter was '...assessed as meeting the high (critical) level of Fair Access to Care Services' (Warwickshire Safeguarding Adults Partnership, 2010: 24), but 'she failed to engage with services, was aggressive to staff and refused to co-operate with assessments' (ibid: 35). However, from an analysis of the cases, it would not be unreasonable to assume that this admirable determination to be independent could be a contributory factor in increasing victims' perceived vulnerability, thereby making it easier for acts of hostility to be carried out (Thomas, 2011: 109). This was exemplified in the case of Raymond Atherton, who was killed despite daily visits from Social Services, as described by the investigating officer in the case:

They [social services] looked after him to the best of their ability. But because of his vulnerability, he couldn't say no to the people who came to his door, even though he knew he might end up being assaulted or his property damaged...[he would]...rather have their company than no one's.
(Carter, 2007)

Thomas (2011: 109), however, cautions against 'locating motivation with vulnerability', and argues that the perception of vulnerability which can trigger hostility is simply

a complication of the hatred demonstrated toward disabled people. Indeed, commentators such as Roulstone, Thomas and Balderston (2011) were concerned that some constructions of vulnerability are still being used to negate claims of disability hate crimes and, as Brown (2012: 47) notes, the notion of 'vulnerability' has received particular criticism from those committed to the social model of disability.

Chakraborti and Garland (2012), while accepting Brown's (2012, *supra*) suggestion that the notion of 'vulnerability' can be construed as disablist when people choose to conflate 'vulnerability' with 'disability', argue that the notion of vulnerability has a value when it is used as a means of understanding perpetrators' behaviour. The evidence arising from the case studies would appear to support this notion. For example, in the case of Gemma Hayter: 'It was stated that Gemma would "never tell on people" – she would accept abuse as long as the abuser acknowledged her as a friend' (Warwickshire Safeguarding Adults Partnership, 2010). In terms of public policy, some commentators (e.g. Stevens, 2004) have argued that the movement away from residential care, and the provision of choice and independence for disabled people is an appropriate aim in itself. However, as Fyson and Kitson (2007) point out, the provision of choice and independence for disabled people is not sufficient to protect them, and the truth is that '...independence is intimately associated with risk' (*ibid.*: 433). The current research would support that observation.

Notwithstanding the above, clearly the blame for the hostility and eventual deaths of these nine individuals rests with the perpetrators, and Chakraborti and Garland's (2012) interpretation of vulnerability would support this view. Hence, they propose that the term 'vulnerable' should be used to encapsulate the way in which perpetrators see their victims, suggesting that, otherwise, victims can be inadvertently marginalised by theorising such as Barbara Perry's (2001, *supra*) framework which assumes that hate crimes are mechanisms of oppression. They claim that in fact many hate crimes '...have little to do with any conscious intent to suppress the other' (Chakraborti and Garland, 2012: 8). Indeed, they suggest that although some perpetrators will act based on notions of 'difference', others may offend as a result of boredom, jealousy, or convenience. Although they make it clear that their position does not contradict Perry's, as they regard the notion of power in relationships as a relative concept, they do suggest that future analyses of hate crime need to look to the intersectional nature of identity, rather than be side-tracked by issues outside of targeted victimisation. They suggest that hate crime should be re-conceptualised: '...concepts of vulnerability and difference should be the focal points of hate crime scholarship' (*ibid.*: 1). Interestingly, in her later work Barbara Perry (2010: 25) demonstrates some sympathy with Chakraborti and Garland's position when discussing the subject of disability hate crime by calling for more research on this distinct victim community and agreeing that violence against people with disabilities is not necessarily identical to racist violence.

6. Conclusion and recommendations

This research was centred on a small-scale case study using secondary data. On this basis, it was primarily qualitative in nature, although the data gathered was analysed in an empirical format in order to provide an indication as to the relative values involved. Future research may consider using larger data sets, and basing analyses on primary data if available. Nonetheless, the exploratory nature of the research did allow some significant themes to be uncovered.

The research began by seeking out a working understanding of 'mate crime'. In such an immature area of scholarship, the working understanding was not difficult to determine as theoretical contributions were limited. However, the research has confirmed that there is evidence to support the existence of 'mate crime', and that it is a form of hate crime against disabled people for which there has been little or no recognition in the past. It is typically distinctive (but not necessarily separate) from other forms of hate crime in that the parties involved are well known to each other, and will usually (but not necessarily) have known each other for some time.

While acknowledging that future research may be able to fill in some gaps in the data, particularly in terms of the backgrounds of those who commit these types of offences and the influence of their local communities, this research did identify trends which were supportive of established hate crime theory. For example, the research established that 'mate crime' is a group activity, which is consistent with previous research (McDevitt, Levin and Bennett, 2002). In almost all of the cases studied, 'ringleaders' were singled out for additional sentencing by the judges in the individual cases. On this basis, in terms of public policy in relation to reducing hate crime, it may well be worthwhile for preventive strategies to consider the option of targeting ringleaders as an efficient use of enforcement resources.

One area which seems to distinguish 'mate crime' from other forms of hate crime is the manner in which the hate is demonstrated; significant evidence of antilocutive prejudice or anger was absent in the case studies. However, there was clear evidence of hostility manifested in the form of targeted violence. A correlational link was identified between the familiarity aspect of 'mate crime' and the subsequent contempt shown towards the victims. However, it was not established whether there was any causative link between the growth in familiarity and the subsequent contempt shown during the hostility of offending. This might also be an issue for future research, as it would be valuable to know whether those who offend seek out victims in advance with the intention of being hostile towards them, or whether the hostility occurs following their acquaintanceship. What the research did demonstrate, however, is that once the hostility begins, it is targeted. Much of the hostility was relentless and, in some cases, the victims were followed to different locations so that the hostility could continue. In other cases, the perpetrators and victims became part of the same household and the hostility was an everyday occurrence. Perhaps the most common form of targeting though, which usually occurred in the context of previous abuse and which typically preceded the violent death of the victims, was to accuse the victim of an unfounded allegation, and then subject them to violent hostility in response to that allegation.

Contemporary research has identified vulnerability as a key issue in hate crime, and there was evidence in this research to support this notion. All of these victims either lived alone or with their killers. There was evidence to suggest that some of them resided in areas of social deprivation where anti-social behaviour was prevalent. Some of them needed support in their daily living but, in some cases, this was mitigated by a desire for independence. Some of them appeared to be misusing alcohol. Potentially all of these factors, as well as their impairments, allowed them to be perceived as vulnerable by their killers. On this basis, there are lessons to be learnt, by both criminal justice and social care agencies, as to how future hate crimes may be prevented. This is a significant responsibility for public policy makers and hate crime scholars for, as was identified earlier, hate crime against disabled people has occurred in a historical context of under-reporting, academic disinterest, and lack of recognition by the authorities. Although nine deaths of disabled people were the focus of discussion in this research, there is no reason to believe that these are the only cases of death by 'mate crime', nor that this type of crime will not happen again in the future. In fact, one unintended consequence of this research was to uncover a number of other similarly concerning cases; see for example the cases of Brent Martin, 2007, Laura Milne, 2007, and Andrew Gardener, 2008 (Fyson and Kitson, 2010). It would be heartening to hope that these victims, and those other disabled people who have died at the hands of their 'mates', have not done so in vain.

Before closing, it would seem appropriate to introduce a note of optimism. This research has shown that the concept of 'mate crime' is useful because it has application in the world of real crime and can be effectively applied in the analysis of serious disability hate crime cases; hopefully, this will lead to future research and policy changes that will help prevent such crimes in the future. It was pleasing to note during the course of this research that capacity for change has already been demonstrated. For example, the Crown Prosecution Service moved from a 2007 position that seemed to suggest disabled people were seen as 'asking for it' (Roulstone, Thomas and Balderston, 2011: 357), to one in 2010 whereby they acknowledged that 'this approach is wrong' (Crown Prosecution Service, 2010). Indeed, in a speech to the Bar Council in 2008, the then Director of Public Prosecutions Sir Ken Macdonald acknowledged that serious disability hate crimes had not been prosecuted as they should be and that change was being implemented (Crown Prosecution Service, 2010). Returning to the current situation, it is submitted that his sombre comments on the state of affairs at that time are still relevant, not just to the prosecution of cases but to the understanding, administration and prevention of present disability hate crime:

It is my sense that disability hate crime is very widespread... This is a scar on the conscience of criminal justice. And all bodies and all institutions involved in the delivery of justice, including my own, share the responsibility.

(Crown Prosecution Service, 2010)

It is hoped that his recognition extends to policy makers and other future contributors to the field of hate crime in this still under-researched area.

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About the author

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