

DISABILITY HATE CRIME

Questionnaire

HACKNEY BOROUGH COMMUNITY PROSECUTION COORDINATOR

Cindy Fayefunmi is a solicitor, who is employed by the Crown Prosecution Service (CPS). She is Hackney's Borough Community Prosecution Coordinator for the Crown Prosecution Service. In her capacity as the Borough Community Prosecution Coordinator, Mrs Fayefunmi engages with the diverse communities within Hackney; to help provide Hackney with a better service and also to increase public confidence in the criminal justice system. Disability hate crime falls within Ms Fayefunmi's remit. She will be attending your meeting on 20th November 2009 to discuss the role of the CPS within the Criminal Justice System.

INTRODUCTORY SECTION

The main role of the Crown Prosecution Service (CPS) is to prosecute people charged with a criminal offence inclusive of disability hate crime. The CPS want disabled victims and witnesses and their families and communities, as well as the general public, to be confident that the CPS understands the serious nature of this type of crime. Feeling and being unsafe or unwelcome – from shunning or rejection to violence, harassment and negative stereotyping – has a significant negative impact on disabled people's sense of security and wellbeing. It also impacts significantly on their ability to participate both socially and economically in their communities. Safety and security, and the right to live free from fear and harassment, are fundamental human rights and the CPS recognises the wider community impact of disability hate crime where it strikes at all disabled people by undermining their sense of safety and security in the community. For this reason the CPS regard disability hate crime as particularly serious. Such crimes are based on ignorance, prejudice, discrimination and hate and they have no place in an open and democratic society. The CPS has published a policy statement which primarily focuses on how the CPS deals with disability hate crime as defined by section 146 of the Criminal Justice Act 2003.

THE REASON FOR THIS QUESTIONNAIRE

This questionnaire is for victims and witnesses whose cases have been dealt with at Thames Magistrates Court – they may have appeared as witnesses in a trial, or the case may have been dealt with without them having to give evidence.

This questionnaire also applies to victims and witnesses of crime in the Hackney area who have failed to report crimes committed against them or failed to come forward as witnesses to crime. The purpose of this questionnaire is to enable service users to share their thoughts and feelings about their experience of the prosecution process and at the court, and how services could be improved.

Not all questions will be relevant to you and there may be other questions you feel uncomfortable answering. If so, please feel free to skip it and you can move on to the next set of questions.

Section one of this questionnaire asks questions relating to your sexual orientation and ethnicity. You do not have to answer these questions. If you choose to, this information will be kept strictly confidential.

This questionnaire will assist Ms Fayefunmi in the preparation of her presentation to you about the role of the CPS at the next forum meeting.

Section One: Some Questions About You

1. Are you?

- Male
- Female

2. How old are you?

- 16-20 years
- 21-25 years
- 26 – 30 years
- 31-45 years
- 46 – 50 years
- 51-55 years
- 56-60 years
- 60 75 years
- 76+ years

3. What is your ethnic group?

4. What religion do you currently practice?

5. Are you:

- Straight/heterosexual
- Lesbian or Gay
- Bisexual
- Other **Please specify:**

6. Do you consider yourself to be disabled in any way?

- Yes
- No

If yes, please tell us a little about your disability

7. Are you a Trans-person? (Transsexual/Transgender – someone who has changed or intends to change their biological sex)

- Yes
- No

▪ **If yes how do you describe yourself?**

8. Where do you live?

- Hackney
- Elsewhere

9. How long had you been a victim of crime before it was reported?

10. Where did the crime take place?

Section Two: Reporting

11. How was the incident reported (e.g. did you call the police, was it a neighbour etc)?

12. What was it like reporting/ having the incident reported?

13. What happened immediately after this experience?

Section Three: Investigation

14. What sort of questions did the police ask you?

15. What assistance was given at the time you reported this crime?

YES

NO

16. Did they give you any help line numbers?

YES

NO

17. What sort of information did they provide to you about what was going to happen next?

18. Did they advise you that you might need to go to court?

YES

NO

19. Was the perpetrator arrested?

YES

NO
20. Was the perpetrator charged?

YES NO

▪ If not, were they cautioned?

YES NO

▪ If yes, did anyone provide you with an explanation of what that meant and if so what was it?

▪ How soon after were you provided with this information?

21. Did the perpetrator receive bail?

YES NO

22. If yes, did anyone advise you of this?

YES NO

23. Were support options discussed with you?

YES NO

24. Were special measures discussed / offered?

YES NO

Section Four: Being called as a witness

25. Were you called as a witness?

YES NO

26. If yes, how were you informed about this and by whom?

27. Were you offered a pre-court visit?

YES NO

28. Did anyone offer you any support?

YES NO

▪ If yes, who was it?

32. Did you have any contact with Probation in regards to a Pre Sentence Report?

YES

NO

33. Did you need an interpreter?

YES

NO

- If yes, how did you feel about the interpreting being provided?

34. Did anyone offer to pay for your travel expenses?

YES

NO

35. Did anyone offer to pay for your child care needs?

YES

NO

36. Did you feel safe at court?

YES

NO

- If not, please tell us why and what would have made you feel safer?

37. What was the outcome of the case?

38. Did anyone explain what the outcome or sentence meant?

YES

NO

39. Did anyone explain what would happen next?

YES

NO

Section Six: After Court

40. What more could have been done to help you after this experience?

41. On reflection do you feel safer having reported the incident and it being prosecuted?

- No difference
- A little safer
- More unsafe

- Safer
- Very safe

- Can you please tell us why?

42. If you had a friend who was in a similar position as yourself, what advise would you give them? Would you recommend they report the incident and go to court?

Section Seven: If You Have Failed to report a crime

43. What was your reason for failing to report?

44. What was the allegation?

45. Was anyone else present when this crime was committed?

46. Was the perpetrator known to you?

47. In what capacity?

48. Did you discuss the crime with any one?

49. Who was this?

50. How did this crime impact on you?

Section Eight: Further contact

Would you be happy for someone to contact you after this questionnaire to discuss any issues further:

Yes

No

Please provide a contact telephone number and contact time. Please tell us whether it is ok to leave a message.

Telephone:

Contact Times:

Is it ok to leave a message?

Thank you