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Dis/ableist Criminology: Beyond Ableism Through a Zemiological Framework

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Abstract
Criminology has largely neglected the social harms experienced by disabled people, both within and beyond the criminal justice system. The discipline frequently pathologises disability, framing disabled people as either victims or offenders while failing to engage with broader structural inequalities. Zemiology, the study of harm beyond legal definitions of crime, offers a valuable framework for examining systemic harms affecting marginalised groups, however, this has yet to be fully applied to disability. To address this gap, we apply a zemiological framework to the harms experienced by disabled people. We introduce dis/ableist criminology, a framework that integrates zemiology with disability studies to highlight disablist practices, ableist cultures, and the embodied experiences of alienation and marginalisation, offering a more comprehensive understanding of disability, crime, and victimisation.

Introduction

Criminological theory has traditionally framed disability as a health issue (Shaw et al. 2012), with limited recognition of disabled people as a marginalised social group. Research on disability, crime, and victimisation has primarily adopted a medico-psychological perspective, reinforcing pathologising narratives (Eastman et al. 2023). The social model of disability challenges this approach by shifting focus from individual pathology to the social, cultural, and structural barriers that disable people experience. Disability studies have long exposed economic and structural inequalities but have only recently begun to address crime and victimisation (Dowse et al. 2009; Thorneycroft and Asquith 2021). Despite disabled people being overrepresented in the criminal justice system as victims, witnesses, and

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offenders, criminology has largely overlooked the social conditions that contribute to this reality (Dowse et al. 2009; Macdonald et al. 2021; Thorneycroft and Asquith 2021). Social harm perspectives within critical criminology provide a useful lens to examine the systemic inequalities that shape criminalised behaviours, yet disability remains peripheral in these discussions. Integrating disability theory within a zemiological framework offers a way to conceptualise the structural and cultural barriers that propel disabled people into contact with the criminal justice system, whether as victims or offenders. Drawing on Hillyard and Tombs' (2007) conceptualisation of social harm, we argue that criminology must move beyond legalistic definitions of crime to recognise the systemic harms that shape disabled people's life trajectories, experiences of criminality, criminalisation, and victimisation. By situating disability within a zemiological framework, this article introduces dis/ableist criminology (Macdonald and Peacock 2024), a theoretical approach that examines harm across three levels: (1) structural disablism (Dowse et al. 2009), (2) cultural ableism (Thorneycroft and Asquith 2021), and (3) the embodied experience of impairment (Macdonald and Peacock 2024).

Zemiology and Disability

In administrative criminology, crime has traditionally been defined through legal codes that individualise responsibility and impose punitive responses (Copson 2018). The focus on legally defined crime within administrative criminology has obscured broader social harms that are subsequently neither criminalised nor addressed (Hillyard and Tombs 2008). These approaches disproportionately criminalise marginalised groups, reinforcing systemic inequalities and have been critiqued for failing to look beyond crime to interrogate the broader conditions that give rise to criminality and victimisation. A recent shift in critical criminology has broadened the discipline of criminology beyond legal definitions of crime, incorporating analyses of social harms that extend beyond state-recognised offences (Hillyard and Tombs 2007). Hillyard and Tombs (2007) introduced zemiology as an alternative framework that examines harms unconstrained by legalistic definitions. As Canning and Tombs (2021: 5) explain:

> A zemiological lens moves us away from criminology's dominant, often toxic, histories—rejecting language that has served to control those who are most economically, politically, and structurally powerless in society.

Defined broadly, zemia, from the Greek zemia (harm), refers to loss, damage, punishment, or legal transgression (Boukli and Kotzé 2018). Zemiology, therefore, enables a more expansive study of harm, incorporating interdisciplinary approaches beyond conventional crime-focused analyses (Copson 2018).

A social harm perspective demands structural analysis, as harms are not randomly distributed but rather follow patterns of systemic inequality (Hillyard and Tombs 2008). Just as the criminalisation of marginalised groups reinforces structural inequalities, the medicalisation of disability pathologises individuals rather than interrogating the social conditions that produce harm (Baldry et al. 2018; Copson 2018; Hillyard and Tombs 2007). This exclusion shifts attention away from systemic harms, such as poverty, educational segregation, medi-

cal institutionalisation, and inadequate adult services, which contribute to both criminalised behaviours and experiences of victimisation. Idle et al. (2025) describe everyday harms experienced by disabled people, emphasising that these harms, whether intentional or not, profoundly impact individuals, leaving them feeling excluded, degraded, or threatened. Institutional and structural harms affecting disabled people include inaccessible education, employment discrimination, wage disparities, institutional segregation, biased media representations, and overrepresentation in both victim and perpetrator populations (Oliver 2009; Thomas 2010; Thorneycroft and Asquith 2021). As Goodley (2016: 2) highlights:

> Disabled people are more likely to be victims of rape and violence, but less likely to receive legal protection; more likely to be excluded from mass education and underrepresented politically; and more reliant upon state benefits and/or charity.

While disability theory has not explicitly aligned with zemiology, it shares a fundamental goal of analysing structural inequalities that produce social harms. Disability studies approaches conceptualise these harms as disabling barriers; forces that alienate, marginalise, and discriminate against disabled populations (Oliver 2009). The Union of the Physically Impaired Against Segregation (UPIAS), founded in the 1970s by Paul Hunt and Vic Finkelstein, offered a foundational definition of disability:

> In our view, it is society which disables physically impaired people. Disability is something imposed on top of impairments by the way we are unnecessarily isolated and excluded from full participation in society (cited in Oliver 2009: 33).

UPIAS, as one of the first disabled-led organisations advocating for human rights, rejected the prevailing medical model to argue that that disability arises from social and environmental exclusion rather than individual impairment (Oliver 2009). This principle was further developed by Oliver (1981), who coined the term ‘social model of disability’, emphasising that disability is a social construction shaped by structural discrimination and marginalisation rather than arising from any inherent medical condition. In criminology, Dowse et al. (2009), situate the social model of disability with critical criminology, advocating for a shift away from medicalised approaches towards addressing systemic barriers, structural inequalities, and highlighting the discriminatory nature of criminal justice systems and capitalism (Dowse et al. 2009). They introduced the concept of 'disabling critical criminology’ and argue that disabled people encounter disadvantage and exclusion in society and within the justice system. Thus, a social model approach, grounded in the United Nations Convention on the Rights of Persons with Disabilities (2006) and focused on the right to access required support should be widely adopted to prevent the criminalisation of disabled people and to ensure their fair treatment within the justice system (Dowse et al. 2009).

By the late 1990s, critiques within disability studies highlighted that the social model had not considered the impact of individualised experiences of impairment (Crow 1996; Shakespeare and Watson 2001). Critical disability studies responded by incorporating poststructuralist perspectives influenced by Foucault and Derrida (Tremain 2006; Goodley 2014). Tremain (2006) argued that impairment is not merely a biological reality, but rather is a product of post-Enlightenment medical discourse, mirroring feminist critiques of the sex/gender binary. In this view, both disability and impairment are socially produced within

a normative framework that medicalises and pathologises bodily differences to maintain dominant power structures (Goodley 2014). Critical disability studies introduced the concept of 'ableism', a set of beliefs and practices that construct the so-called 'normal' body as superior, thereby marginalising disabled people. Goodley (2014: 22) explains:

> Ableism… produces a particular understanding of oneself, one's body, and one's relationship with others… It has been used by dominant groups to justify their elevated rights and status while promoting scientific, therapeutic, and medicalised interventions that sustain the ableist prerogative.

Ableism functions as an taken-for-granted privilege, permeating institutional structures, and reinforcing exclusionary norms that devalue disabled people's citizenship and capacity for agency (Tremain 2006; Goodley 2016). Within criminal justice, this manifests through discourses that categorise disabled people as either pathologically vulnerable victims or as incurably dangerous offenders (Thorneycroft 2017; Matthews 2018). Disabled perpetrators, particularly those with cognitive or psychosocial impairments, are often understood to be biologically predetermined as 'mad' or 'evil' (Matthews 2018). In criminology, this cultural approach is developed by Thorneycroft and Asquith (2021); they argue that the discipline of criminology, along with criminal justice policy and practice, have neglected to consider disabled people's experiences, and have medicalised and pathologised disabled people. Significantly influenced by critical disability studies and cultural criminology, they advocate for the development of 'Crip Criminology,' emphasising the ableist nature of criminal justice systems worldwide (Thorneycroft and Asquith 2021). Thus, ableism, the belief that able-bodied individuals are the norm, shapes how disabled people are treated in criminal justice settings, leading to their marginalisation (Thorneycroft and Asquith 2021).

While cultural theory has recently dominated disability studies, critiques have emerged over its lack of attention to the material body. Shakespeare (2013) highlights the significance of pain and physical limitation, arguing that these experiences, though socially mediated, are not merely cultural constructs but materially impact disabled people's lives. Influenced by Bhaskar's critical realism, Shakespeare and Watson (2001) called for a holistic approach that acknowledges impairment, the impairment/disability dualism, and individual identity. Building on this, Thomas (2010) introduced and distinguished between concepts of disablism and impairment effects:

> Disablism: refers to the social imposition of avoidable restrictions on the life activities, aspirations and psycho-emotional well-being of people categorised as 'impaired' by those deemed 'normal' (Thomas 2010: 37).

> Impairment effects: the direct and unavoidable impacts that 'impairments' (physical, sensory, intellectual, emotional) have on individuals' embodied functioning in the social world (Thomas 2010: 37).

From a realist perspective, disabled bodies are socially and culturally excluded (disablement), but they also bleed, hurt, and die (impairment). Thomas' concept of impairment effects challenges binary oppositions between biological and social explanations, arguing that disability theory must account for the material realities of impairment while rejecting

medicalised deficit models. These impairment effects also shape how disabled people are constructed as risky or pathological within criminal justice contexts, contributing to their criminalisation and over-surveillance. Thomas' framework provides a critical lens for criminologists, arguing for a shift away from viewing disability as social deviance, and towards an understanding of disability as a form of social oppression (Thomas 2010). This offers critical criminology a new space for analysing disability beyond pathologisation, shedding light on the systemic harms that shape disabled people's criminal justice experiences. From a criminological perspective, disabled people face higher rates of victimisation and imprisonment (Dowse et al. 2009; Sherry 2010), often due to systemic failures in healthcare, social support, and criminal justice processes.

A disability realist perspective recognises that disability is a structural, cultural and embodied experience, which can only be fully understood through considering the interactions between impairment, disablism, and broader systems of harm. Theorising disability within criminology requires the conceptualisation of these micro, meso, and macro elements of disability and impairment, and how these interact (Macdonald and Peacock 2024). We emphasise the importance of recognising disablist practices at the macro level that systematically exclude and discriminate against disabled people; at the meso level cultural practices of ableism that invalidate disabled communities; and at the micro level individual experiences of impairment effects and individual harm (Thomas 2010; Dowse et al., 2009; Macdonald and Peacock 2024). Influenced by these structural and cultural approaches, and drawing on a disability realist perspective (Thomas 2013; Shakespeare and Watson 2001; Peacock and Hutchinson 2025), we have attempted to unite the different theoretical elements within disability studies and criminology (Macdonald and Peacock 2024). Dis/ableist criminology enables a multilayered relational approach that acknowledges the complex macro-disablist, meso-ableist, and micro-impairment-related factors of discrimination and marginalisation (i.e., psycho-emotional embodiment) that affect disabled people.

Social Harms Experienced by Disabled People

Hillyard and Tombs (2008: 14–15) identify five structural social harms prevalent in Western societies: physical harm, financial or economic harm, emotional and psychological harm, sexual harm, and harm affecting cultural safety. Expanding on this framework, Pemberton (2015) argues that social harm is deeply embedded within historical, political, and cultural structures of power. Neoliberal political ideology prioritises economic growth and individual responsibility, often normalising the social harms faced by marginalised groups while diminishing their well-being. By applying a social harm perspective, it becomes evident that disabled people experience each of Hillyard and Tombs' (2008) five categories of harm, further intensified by neoliberalism (Pemberton 2015). The following sections will consider each of these harms, to argue that zemiology must move beyond the personal tragedy model of disability. We argue that critical criminology must reject pathologising narratives that frame impairment as a harmed state and recognise disabled people a marginalised population who are subject to a variety of social harms. Using Hillyard and Tombs's (2008) five types of social harm as a framework, we explore the structural and cultural factors that produce embodied experiences of harm, and which therefore make it imperative that we

combine zemiological analyses with disability theory for a comprehensive analysis of disability, crime and harm.

Financial and Economic Structural Harms

Financial and economic harms are a key dimension of Hillyard and Tombs' (2008) framework, encompassing poverty, loss of property, and lack of access to wealth. Disability studies has long demonstrated that disabled people are disproportionately affected by these harms due to systemic barriers that restrict financial independence, limit employment opportunities, and expose them to financial exploitation (Oliver 2009). Disabled people are not only poorer on average but also face additional determinants of poor health, compounding their financial struggles (Shakespeare 2013). Economic disadvantage is reinforced through employment discrimination, welfare dependency, and austerity policies. Disabled people are more likely to be unemployed, and when employed tend to occupy insecure, low-quality, or temporary roles (Scambler 2020). Those who gain access to the labour market often experience workplace discrimination, lack of reasonable accommodations, and significant wage gaps (Morris, 2020). Employment is a central issue within the disability movement, as economic independence remains a primary challenge for disabled communities (Oliver 2009).

Neoliberal austerity policies have deepened these inequalities. Narrowing eligibility for disability benefits and coercing disabled people into unsuitable jobs has exacerbated economic precarity (Morris 2020). Neoliberalism frames disability as a deviation from the ideal productive worker, further marginalising those who cannot meet ableist standards of employability (Soldatić 2020). The neoliberal prioritisation of cost-saving over equality has led to repeated reassessments of disability benefits, forcing many into deeper poverty. Cuts to social services disproportionately harm disabled people, reducing access to essential resources (White et al. 2024). This emphasis on defining individuals by their limitations rather than their contributions reinforces economic harms and has profound psychological consequences (Reeve 2020). Thus, a combination of limited employment opportunities, an overreliance on low-paid and temporary contracts, and welfare cuts driven by austerity has trapped many disabled people in cycles of poverty (Bates et al. 2017). Macdonald (2012) argues that economic harm is a primary factor contributing to disabled people's criminalisation. His research on neurodiversity and crime illustrates how economic disadvantage disproportionately affects individuals with dyslexia, increasing their risk of criminal justice involvement. This perspective challenges individualistic explanations of crime by highlighting the structural economic barriers that push some disabled people into criminalised behaviours. As Macdonald (2012: 438) states:

> Unemployment was a key barrier that subsequently led participants into substantial periods of poverty. In order to overcome poverty, participants reported engaging in certain economic criminal activities for financial gain.

Free-market capitalism prioritises physical and cognitive ability, creating systemic obstacles to economic security for disabled people (Goodley 2016) and positions disabled people as a 'lazy do-nothing class' (Soldatić 2020: 241), reinforcing ableist stereotypes and justify-

ing exclusion from economic participation. Economic disadvantage is further compounded by housing inequality, disabled people are less likely to own homes and are more often housed in social housing, where they have limited control over location and accessibility (Burch 2021). Those with learning disabilities are frequently placed in areas of high socio-economic deprivation, where opportunities for upward mobility are scarce (Burch 2021; Macdonald et al. 2021).

The economic precarity of disabled people further exposes them to victimisation in the form of exploitation. Cuckooing, whereby disabled people's homes are taken over by exploitative individuals or groups, exemplifies how disabled people's property is commodified within criminal networks (Macdonald et al. 2022). Austerity-driven reductions in social services have weakened intervention strategies, allowing such forms of economic exploitation to flourish. The intersection of housing inequality, economic disadvantage, and systemic neglect illustrates the deeply disablist nature of financial harm, which restricts disabled people's autonomy and reinforces cycles of poverty. A social harm perspective on disability and economics therefore challenges dominant narratives that attribute financial hardship to individual impairment. Instead, it highlights how structural inequalities, disablist economic policies, and neoliberal austerity measures perpetuate financial harms, reinforcing disabled people's exclusion and risk of encountering the criminal justice system as offenders and as victims of crime. Addressing these macro level financial and economic harms requires a shift away from deficit-based models of disability that frame disabled people as either vulnerable or dangerous. Instead, economic justice must prioritise employment equality, creating meaningful and accessible jobs with fair wages and preventing exploitation through targeted interventions. Accessible housing policies are required that include housing rights and interventions to prevent criminal exploitation and financial insecurity.

Cultural Harms

Hillyard and Tombs (2008: 15) argue that cultural safety is integral to understanding social harm. For disabled people, cultural safety is systematically denied due to structural disablism and entrenched ableism, both conscious and unconscious. This denial manifests as a form of symbolic violence, enacted through exclusion, devaluation, and societal perceptions that position disabled people as 'neither fully fledged citizens nor fully fledged persons' (Hughes 2020: 94). The consequences of cultural devaluation of disabled people can be seen in the emergence of eugenic policies which sought to limit disabled populations across Europe and in the US throughout the late nineteenth and early twentieth centuries. Medical and policy frameworks reflected this ideology, enacting a cultural belief system that sought to segregate and institutionalise disabled populations while stripping them of autonomy and personhood (Gallagher 1995; O'Brien 2022; Peacock 2025). Disabled people were framed in eugenic writings as an undesirable and deviant population who were dependant, immoral, dirty, animalistic, subhuman, and criminal (O'Brien 2022; Peacock 2025). This framing enabled the enactment of socially accepted policy responses of population control. Rooted in pseudoscientific and medical discourses, eugenics legitimised the segregation, dehumanisation, and eradication of disabled people through containment, sterilisation and euthanasia.

Espousing eugenic ideas became socially unacceptable in Western society after the horrors of World War 2 were revealed, however, its remnants persist and can be seen in the

cultural shaping of contemporary ableist attitudes that portray disabled people as economic burdens on welfare systems, healthcare resources, and the economy (O'Brien 2022). This narrative, deeply embedded in neoliberal ideology, reinforces cultural harms by framing disabled people as dependent and undesirable within capitalist systems that prioritise productivity and self-sufficiency (Goodley 2016). The remnants of eugenic ideas can still be seen in contemporary policies and practices of genetic counselling, amniocentesis, assisted suicide, non-intervention approaches in medical care, these however are veiled as ethical care rather than population control so as to be socially acceptable (Campbell 2008; Peacock 2025). Neoliberal societies frequently position disabled people as economic burdens, potraying them as 'unproductive' and dependent on state resources (Goodley 2016). Media, policy, and public discourse further entrench these cultural harms by reinforcing stereotypes that depict disabled people as either tragic, dependent, or fraudulent (Healy 2020). Hughes (2020) observes that such narratives devalue disabled lives, limiting their autonomy and agency. These representations also influence criminal justice systems, where disabled people are often viewed as either pathologically vulnerable or inherently dangerous (Matthews 2018). These narratives shape legal and institutional responses, often dismissing or minimising crimes against disabled people while justifying punitive measures against disabled perpetrators. As Healy (2020: 192) explains:

> Harassment and assault are often referred to as 'bullying,' torture as 'abuse,' victims as 'vulnerable,' disabled people as 'fraudsters,' and crime as 'anti-social behaviour'…

This results in a cycle of cultural harm, where disabled people are denied both justice and protection under the law. Cultural harms are therefore not isolated incidents, but rather are part of a broader systemic framework that perpetuates the exclusion of disabled people. Addressing these harms requires more than policy reform; it demands a fundamental shift in how society values disability. As Hughes (2020) asserts, true cultural safety requires moving beyond tokenistic inclusion towards mutual recognition, appreciation, and respect for disabled identities and contributions. Recognising how meso level ableism infiltrates social institutions and public discourse is crucial to dismantling the systemic discrimination, marginalisation, and exclusion that disabled people face, not just in criminal justice but across all aspects of society (Thorneycroft and Asquith, 2021). To achieve cultural safety, we must challenge ableist narratives that frame disabled people as burdensome, dependent, or fraudulent. We must dismantle exclusionary social attitudes that marginalise disabled people in public discourse and institutional settings, and promote authentic representation of disabled people in media, policymaking, and academia. Thus, academia needs to reject reductive, pathologising frameworks and advance inclusive research that centres disabled people's experiences.

Physical Harms

Physical harm is a cornerstone of social harm (Hillyard and Tombs 2008: 14), yet for disabled people, these harms are often dismissed or reframed as care failures rather than violence or abuse. This dismissal renders many physical harms invisible, further entrenching the marginalisation of disabled people (Hall and Bates 2019). Physical harms include a wide range of experiences, from direct violence and neglect to systemic and institutional failures

that exacerbate the structural forms of vulnerability that affect disabled people (Hall and Bates 2019). While disability scholars have extensively documented these harms, criminology and zemiology have largely neglected disability as a marginalised identity who are subject to physical harm. Where disability or impairment are mentioned, they are often framed as an outcome of other types of social harms that affect able-bodied individuals, resulting in disabled bodies. Leighton's (2021) discussion of fast-line poultry production for example highlights the resulting physical harms in the form musculoskeletal pain and illnesses. Social harms are seen as risk factors that can lead to long-term health issues or disabilities, thereby reinforcing a personal tragedy narrative of disability and impairment without critically engaging with disability as a structural and political issue. Following Bretz (2020), theorists of social harm must resist framing disability as a pathological outcome of other harms, but rather emphasise concepts of consent, bodily autonomy, and power distribution. In this framework, harm arises not from any resulting impairment, but rather from the powerlessness that renders individuals unable to consent to, resist, or prevent intrusions upon their bodies.

One of the most striking physical harms faced by disabled people is premature death, often resulting from disablist practices, including inadequate care, systemic neglect, and structural inequalities in healthcare (Smythe and Kuper 2024). Disabled people experience higher rates of suicide, poorer health outcomes, and shorter life expectancy due to barriers to accessing appropriate medical services. These outcomes are exacerbated by ableist bias within healthcare, where practitioners often devalue disabled lives (Campbell 2009). Campbell (2009) recounts having to fight for legal protections to guarantee resuscitation during a medical emergency, as it was wrongly assumed she would not wish to be revived. This example also resonates with debates about assisted dying, where disabled people have raised concerns about how perceptions of low quality of life can lead to pressures to end life prematurely (Campbell 2008). Ableism is embedded within discriminatory practices that can shape life-or-death decisions. Interpersonal violence poses a significant risk for disabled communities. Disabled people are often perceived as 'easy targets,' and hate crimes against them frequently escalate from minor incidents to severe violence (Hughes, 2020). Hughes et al. (2020) suggest that hate crime is a result of ableism, fostered by fear and disgust toward disabled people, often set within social and economic crises (Hughes 2020). Hate crime is a global phenomenon of life-changing hyperviolence, often including degradation and humiliation, theft and sexual violence (Sherry 2010; Balderston 2012). It is characterised by repeat victimisation and increases in severity over time (Healy, 2020; Macdonald et al., 2021; Burch 2025). Disablist hate crime targets disabled people in unique ways, often targeting their assistive technologies, homes and resources (Sherry 2010; Macdonald et al., 2021). As Sherry describes:

> a common form of disability hate crime is to take a person's disability aid away from them—for instance, to grab a blind person's cane, or to take the walking frame of a person with a mobility impairment. It is also common to hear stories of people being tipped out of their wheelchairs or mobility scooters, sometimes resulting in death (Sherry 2010: 7).

Although hate crimes can seem like individual acts perpetrated against individuals, the underlying feelings of perpetrators toward their victims reveal ableist patterns of dehuman-

isation, othering, and devaluing of disabled people's lives. This is revealed through seemingly disconnected events sharing patterns of physical abuse. Violent hate crime incidents against disabled people have involved elements of torture where victims are taken to lakes, rivers, or other bodies of water and subjected to acts such as being pushed in, dunked, or even attempts at drowning (Sherry 2010; Quarmby 2011). The use of symbolic violence, such as branding, cigarette burns, or the use of animal collars, reveals a pattern of reducing disabled people to subhuman status (Quarmby 2011; Balderston 2012).Hate incidents are frequently accompanied by false accusations of crimes or violations, such as theft or paedophilia, which culminate in mock trials or kangaroo courts and victims are inevitably found 'guilty' and subsequently 'punished' (Quarmby 2011). The intersections of physical harm with broader eugenic narratives of exclusion and othering at a cultural level are highlighted by these incidents of disability hate crime. Violence against disabled people is not confined to public spaces but extends into institutional settings in such as care homes or hospitals. Social harms such as repeated placement breakdowns, inadequate community support, and failures to provide reasonable adjustments can escalate crises that lead to institutionalisation, including detention in secure mental health hospitals (Fish 2018, 2025). Further, fear of being placed in residential care can deter disabled people from reporting abuse, contributing to cycles of unaddressed harm in the community (Hollomotz and Priestley 2025; Fish 2025). Once in an institution, disabled people often experience restraint practices that are punitive rather than therapeutic. Fish and Culshaw (2005) found that such practices were physically painful and emotionally distressing, often leading to increased feelings of frustration and aggression. Robinson and Graham (2021) report similar findings, noting that young disabled people in institutional settings frequently experience bullying, violence, and sexual harassment. These harms are often framed as 'disciplinary measures' or 'necessary interventions,' masking the systemic nature of the abuse.

The home, traditionally viewed as a safe space, can also become a site of harm, particularly for disabled people experiencing domestic abuse. Perpetrators may exploit impairments by withholding medication, mobility aids, or access to care, a specific form of control and coercion unique to disabled victims (McCarthy 2017). Thorneycroft et al. (2024) identify food deprivation as another form of domestic abuse, where disabled people reliant on others for nourishment are subjected to control, manipulation, and neglect. This is not merely a care failure but a direct violation of human rights, demonstrating how systemic dependency creates opportunities for harm. Disablist systemic failures within the criminal justice system further exacerbate physical harms. Disabled victims of violence often receive inadequate legal responses, as police and prosecutors fail to take their cases seriously (Williams and Jobe 2024). Ableist attitudes among law enforcement frequently result in victim-blaming, dismissal, or under-policing of crimes committed against disabled people (Piggott 2011). This lack of institutional protection reinforces cycles of violence, leaving disabled people without recourse to justice. While physical harms are experienced at a micro-individual level, they originate at the macro-structural level, and are embedded and reinforced through meso- level cultural practices. Addressing physical harms requires more than recognition, it demands a radical shift in how society and institutions value disabled lives. This includes challenging ableist attitudes that dismiss violence against disabled people as care failures, reforming institutional responses to ensure accessible and effective justice mechanisms for disabled victims, dismantling punitive restraint and seclusion practices in institutional settings and strengthening legal protections against disability hate crime and coercive control.

Sexual Harms

Hillyard and Tombs (2008) identify sexual harm as a key form of social harm within a zemiological framework. When applied to disability, it becomes evident that disabled people experience unique and intersecting forms of sexual harm, ranging from sexual violence and exploitation to the denial of sexual autonomy (McGilloway et al. 2020; Fish 2016; Williams and Jobe 2024). Research consistently highlights the disproportionate risk disabled people face. Women with physical impairments are four times more likely to experience sexual assault than non-disabled women (Hughes et al. 2020). Institutional settings further amplify these risks, with closed environments, dependency on caregivers, and ableist assumptions making abuse both more likely and harder to detect (Fish 2016; Shah et al. 2016). Physical injuries resulting from sexual violence are often misattributed to impairment due to disablist biases, leading to inadequate investigations and a failure to recognise harm (Shah et al. 2016).

Disabled people face multiple barriers to reporting sexual violence, including fear of retaliation, communication difficulties, and limited awareness of their rights (McGilloway et al. 2020). These barriers are exacerbated by systemic disbelief, as ableist attitudes frequently lead authorities to question the credibility of disabled victims (Codina and Pereda 2022). Williams and Jobe (2024) illustrate that women with learning disabilities or autism who have been sexually assaulted or raped often have their voices dismissed when reporting to the police. Their research uncovered widespread ableist attitudes, where the experiences of these disabled women were frequently deemed not credible. This bias was reinforced by disablist practices, as police services were often reluctant to pursue their cases under the assumption that they would be dismissed by the English Crown Prosecution Service. Williams and Jobe (2024) also identified significant communication challenges within the justice system. They noted a lack of effort to adjust interviewing techniques or evidence-collection processes in ways that would enable these women to seek justice effectively. Instead, the justice system consistently failed to accommodate their needs, resulting in inaccurate statements and misinterpretations of their testimonies. These findings highlight how the justice system itself perpetuates harm, reinforcing disablist credibility assessments that systematically exclude disabled women from seeking justice. As Williams and Jobe (2024: 19) explain:

> People with learning disabilities/autism are disproportionately affected by a legal system focused on witness credibility, particularly in sexual offences. Such ideas are predicated on standardised understandings of risk and the ability to communicate in ways which are not always inclusive. Being held to a code of conduct that assumes universal understanding … is inherently discriminatory to those whose frame of reference is different.

Another form of sexual harm for disabled people is denial of their sexual autonomy, through experiences of being infantilised and viewed as asexual (Goodley 2016). McCarthy (1999) found that intellectually disabled women often had little control over their sexual experiences, as societal assumptions of vulnerability or incapacity led to excessive restrictions and surveillance. Hollomotz (2009) argues that disabled people require comprehensive sex education, self-advocacy training, and rights-based frameworks to make informed decisions

and protect themselves from exploitation. Access to this knowledge is often deliberately restricted, as caregivers withhold information to suppress sexual behaviour, further reinforcing dependency and disempowerment (Fosch-Villaronga and Poulsen 2020). Paradoxically, while disabled people are often desexualised, they are also fetishised, creating another layer of sexual harm. Guter and Sable (2014) argue that while some disabled people feel empowered by being seen as sexually desirable, this often comes at the cost of being objectified, where disability becomes a fetishised category, erasing the person behind the impairment. This commodification reinforces unequal power dynamics, where attraction is framed not as genuine interest, but as an objectifying curiosity.

Sexual harm has profound physical, emotional, and psychological impacts, necessitating a holistic approach to prevention and response. This requires education and autonomy-building by ensuring disabled people have access to comprehensive sex education and self-advocacy resources; criminal justice reform through adapting policing, prosecution, and courtroom practices to accommodate disabled victims and removal of credibility-based biases; and challenging ableist narratives by moving beyond infantilisation and creating a culture that recognises, and respects disabled people's sexual rights. While physical harms are experienced at a micro-individual level, they originate at the macro-structural level, and are embedded and reinforced through meso- level cultural practices. A zemiological approach to sexual harm requires addressing not only direct sexual violence but also systemic and cultural barriers that deny disabled people their right to sexual autonomy, bodily integrity, and justice.

Emotional and Psychological Embodied Harms

Hillyard and Tombs (2008) identify emotional and psychological harm as a distinct form of social harm, often arising from alienation, marginalisation, and systemic discrimination. While they acknowledge the challenges in quantifying such harm, they argue it significantly affects marginalised communities (Hillyard and Tombs 2008). For example, they highlight the impact of state practices, such as disproportionate police stop-and-search of Black and Asian communities, as examples of social harm that create lasting psychological distress and exclusion. Disability studies have long recognised the psycho-emotional harms faced by disabled people. Thomas (2010) conceptualises psycho-emotional disablism as the social undermining of disabled people's psychological and emotional well-being through exclusion, devaluation, and stigmatisation. She describes its impact as follows:

> The effects of psycho-emotional disablism are often profound: the damage inflicted works along psychological and emotional pathways, impacting negatively on self-esteem, personal confidence and ontological security. Disabled people can be made to feel worthless, useless, of lesser value, ugly, [and] burdensome… psycho-emotional disablism places limits on who they can be by shaping individuals' 'inner worlds', 'sense of self', and social behaviours. (Thomas 2010: 72)

Disabled people frequently encounter societal attitudes of pity, fear, and disgust, which manifest as micro-level harms, such as insensitive comments, social avoidance, and ridicule (Reeve 2020). These experiences create psychological alienation, reinforcing feelings

of exclusion, self-doubt, and diminished confidence (Thomas 2010, 2013). Hughes (2020) argues that disabled bodies serve as reminders of mortality and imperfection, prompting non-disabled people to emotionally distance themselves. This form of ableist marginalisation exacerbates psychological distress, undermining disabled people's sense of self-worth. Reeve (2020) highlights how repeated disability benefit reassessments force individuals to define themselves by their limitations, fostering feelings of inadequacy, dependency, and failure. White et al. (2024) argue that this creates a state of perpetual insecurity, as disabled people live under the constant threat of losing essential support. These processes not only undermine psychological well-being but also contribute to internalised ableism, where disabled people adopt negative societal perceptions of themselves (Campbell 2009).

Psycho-emotional harms are further compounded by daily experiences of discrimination and violence. This includes hate crime and targeted harassment (Healy 2020), exploitation within social relationships (Thomas, 2013), and higher risks of domestic violence and sexual abuse (McCarthy 2017; Williams and Jobe 2024). Despite widespread recognition that disabled people are at greater risk of victimisation, their experiences are often dismissed by the justice system (Williams and Jobe 2024). Disablist institutional practices within policing and the courts meaning that disabled victims are frequently disbelieved, their cases deprioritised or dismissed altogether. As a result, many disabled people remain trapped in cycles of victimisation and exclusion (Macdonald et al. 2021). The cumulative effect of ableism, disablism, and impairment profoundly affects disabled people's emotional and psychological well-being. Addressing psycho-emotional harms requires systemic change, including challenging cultural narratives that reinforce ableist stereotypes; promoting positive representations of disability across media, education, and policy; ensuring justice system reform to protect disabled victims and survivors from further harm, and developing policies that centre disabled people's psychological well-being. Repeated exclusion and discrimination erode self-esteem, identity, and aspirations, leading to what Reeve (2020) describes as 'self-invalidation.' This occurs when internalised ableist narratives restrict how disabled people perceive their own potential, whether as parents, workers, citizens, or survivors of harm. Thus, internalised ableism often appears as feelings of shame, inadequacy, and self-blame, prompting individuals to reject or minimise their own access needs. It can also lead to distancing from other disabled people in an attempt to conform to normative expectations, reinforcing social isolation, stigma, and the broader cultural devaluation of disability. These internalised harms are not personal struggles but reflections of broader societal attitudes that systematically devalue disabled people.

Conclusion

Social harms in neoliberal societies (Pemberton 2015) disproportionately impact disabled people through deeply embedded structures of disablism and ableism. Social harms are emergent and observable as individual experiences of violence, poverty, distress, internalised ableism, sexual exploitation, loss of autonomy, social exclusion and isolation, and are differently experienced by people with different types and levels of impairment. A critical framework that bridges zemiology, disability studies, and critical criminology is essential for dismantling the systemic and cultural barriers that perpetuate harm, as the causes of these harms experienced by disabled people are to be found not in the effects of their impair-

ments, but rather in disablist social structures of inequality, that are culturally reinforced through processes of devaluation, scapegoating, othering, ableism, and that then emerge as individual embodied experience.

This article has explored the financial, economic, cultural, physical, sexual, and psychological/emotional harms experienced by disabled people, emphasising the utility of zemiology in conceptualising the marginalisation of disabled populations (Hillyard and Tombs 2008). As noted, while the experiences of harm by disabled people have long been a focus of disability studies, criminology has largely neglected this community (Dowse et al. 2009; Thorneycroft and Asquith 2021). When criminology has focused on impairment groups, the notion of disability has often been framed as a pathological vulnerability resulting in risk factors concerning criminality or victimisation (Eastman et al. 2023). Rather than addressing practices of disablism and cultural ableism and the harms that they produce, society often frames disability as a tragedy or disaster (Oliver 2009; Bretz 2020). Impairment has been framed as a harmed state itself, rather than recognition of disabled people as a marginalised social group disproportionately exposed to societal and state-inflicted harms (Thorneycroft and Asquith 2021; Bretz 2020). Thorneycroft and Asquith (2021: 200) argue that such logic positions disability as synonymous with harm, reflecting deeply ingrained ableist beliefs.

Macro-level critiques must be paired with methods that capture the lived realities of those disproportionately affected by harm (Canning and Tombs 2021). We suggest that the individual harms experienced by disabled people arise from macro-level structural disablism which manifests as systemic inequalities embedded in policy, law, and economic structures. Meso-level cultural ableism then shapes the social attitudes, stereotypes, and institutional biases that sustain discrimination leading to Micro-level embodied harms that emerge as psycho-emotional and physical consequences of exclusion and marginalisation at an individual level (Macdonald and Peacock 2024). Understanding these micro-level harms requires a comprehensive analysis of the structural and cultural forces that produce them. This article has demonstrated that ableism and disablism are deeply entrenched within society as a whole as well as within the criminal justice system, perpetuating cycles of victimisation, criminalisation, and exclusion (Baldry et al. 2018; Williams and Jobe 2024). By bridging disability studies and critical criminology through a zemiological lens, we provide a theoretical foundation for analysing the structural and cultural mechanisms that shape disabled people's experiences of victimisation and criminalisation (Canning and Tombs 2021). We have sought to establish a theoretical space for the emergence of 'dis/ableist criminology', a framework that integrates a multi-level relational perspective to reveal the social structures and cultural practices which produce and reproduce variable embodied effects at the individual level (Thomas 2012; Shakespeare 2013). By addressing the disablist, ableist, and embodied dimensions of social harm, this approach can foster a more inclusive understanding of disability within critical criminology. More broadly, it has the potential to contribute to the development of a justice system founded on equality, accessibility, and social justice, facilitating meaningful societal change for disabled people within the justice system and beyond.

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