

Paragon Asra Housing Limited

Hate Crime Policy

May 2018

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Department	Housing Services
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Paragon Asra Housing Limited (PA Housing) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.

We will make sure that all of our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats we will provide them.

AUDIT LOG

Date of change	Who updated	Details of the change

1. Introduction

- 1.1 Paragon Asra Housing Limited (PA Housing) recognises the effect that hate crime has on the quality of life of our customers and we are committed to tackling all incidents of hate crime through a robust, victim-centered approach.
- 1.2 We identify hate crime as acts which target individuals, groups and communities because of who they are.
- 1.3 We will work in partnership with statutory and voluntary organisations to provide advice and support to victims of hate crime, as well as dealing with the perpetrators. This will be in line with current legislation and good practice.

2. Objectives

- 2.1 PA Housing totally condemns all forms of hate crime and our aims are to:
 - Respond positively and as a matter of urgency to any reports of hate crime
 - Use all available tools and options in tackling hate crimes.
 - Take prompt and effective action, including legal action where necessary, against perpetrators.
 - Encourage the reporting of hate crime.
 - Develop a victim-centered approach to stop the hate crime.
 - Support people experiencing hate crime, as well as introducing measures to prevent further hate crime
 - Participate in multi-agency arrangements where appropriate, co-operating with the police, local authority, other housing associations, community groups and multi-agency panels.
 - Encourage customer groups to support complainants and victims and give evidence of hate crime.
 - Monitor the effectiveness of action taken.
 - Promote awareness of the diversity of our customers to our colleagues and customers.

3. Definitions

- 3.1 The broad definition of a hate crime is any crime or harassment where a person's prejudice against an identifiable group of people is a factor in their choice of victim. A victim of a hate crime doesn't have to be a member of a minority group or someone who is generally considered to be a vulnerable person; in fact anyone can be a victim of a hate crime.
- 3.2 Hate crime is any hate incident which constitutes a criminal offence, perceived by the victim or any person, as being motivated by prejudice or hate. Hatred is a strong term that goes beyond simply causing offence or hostility.
- 3.3 PA Housing's victim centered approach to anyone reporting a hate crime,

ensures that we treat the incident as the victim perceives it, not how we may perceive it.

3.4 A hate incident may or may not constitute a criminal offence, and is perceived by the victim or any other person, as being motivated by prejudice or hate because of the victim's:

- Race, colour, ethnic origin nationality or national origin,
- Religion or faith
- Gender or gender identity
- Sexual orientation
- Disability

3.5 Hate crime and harassment can take many forms including:

- Physical attacks – such as physical assault, damage to property, offensive graffiti, verbal abuse and arson
- Threat of attack – including offensive letters, abusive or obscene telephone calls, texts, emails or via social media, groups hanging around to intimidate and unfounded malicious complaints
- Verbal abuse or insults - offensive leaflets and posters, abusive gestures
- Littering outside homes or through letterboxes.

4. Key points of policy

4.1 Any reports of hate incidents or hate crime will be responded to within one working day.

4.2 PA Housing will work closely with other agencies to tackle hate crime, such as the police, other landlords, local authorities, mental health teams and youth support services. We will record the victim's background, cultural and religious beliefs as they advise and within the Home Office definition, to ensure consistency when working with our partners.

4.3 Where the police are investigating a hate crime incident, they will be the lead agency and PA Housing will work with them to ensure appropriate and timely responses to requests for support and action.

4.4 PA Housing will utilise all of the tools available to manage cases of hate crime. These are detailed in our Anti-social Behaviour policy.

4.5 We will always take a victim-centered approach. We recognise that gaining the trust and confidence of witnesses is key to keeping them on board when a hate incident is first reported; as it is at this stage that the victim's and witnesses' expectations are set. Action will be taken according to the victim's wishes and

beliefs.

- 4.6 We will not hesitate to take legal recourse through the courts, but we will consider other actions as listed below before legal action is taken:
- Full investigation and evidence gathering.
 - Agreeing an action plan with the victim and keeping them informed weekly of what is happening
 - Arranging to interview the alleged perpetrator(s). This could be done without mentioning the name of the victim, depending on the nature of the complaint.
 - Taking emergency legal action to protect the victim
 - Reviewing security measures at the home
 - Arranging access to interpreters if required
 - Installing CCTV
 - Carrying out local neighbourhood reassurance exercises
 - In exceptional cases, providing a management transfer for permanent or temporary accommodation where a witness has to be moved to ensure their safety.
 - Making use of hearsay evidence or professional witnesses where customers are too frightened to come forward
- 4.7 The vulnerability matrix in the Anti-social Behaviour policy will be used in case additional support or action needs to be taken to ensure the safety of a victim and witness. An urgent management transfer can be considered if a victim or witness scores highly on the matrix.
- 4.8 Witnesses will be supported to attend court by
- Ensuring that they are well prepared
 - Providing transport and escort
 - Providing follow-up support if required
 - Visiting courts in advance to help familiarisation
 - Paying reasonable expenses such as child care, loss of earnings or subsistence
 - Being honest from the outset about protection of anonymity
 - Developing a witness buddy scheme whereby past witnesses can support those new to the process

5 Training

- 5.1 Relevant staff will be provided with induction and refresher training and information on this policy and any relevant legislative changes. Staff will be expected to circulate new and revised information and all training material to their colleagues to ensure that knowledge is shared.

6 Monitoring and reporting

- 6.1 A database is maintained to record and manage all cases of hate crime and case reviews are carried out fortnightly by the managers to ensure consistency in case management, improve performance and keep other stakeholders informed.
- 6.2 The Board will be informed of all cases of hate crime and will receive an annual report.
- 6.3 In line with good practice, regular checks will be undertaken on 10% of cases to ensure quality, consistency efficiency of response and that victim and witness support is offered appropriately.

7 Consultation

- 7.1 Customers were consulted on whether this policy is clear, reasonable and easy to understand. Where they didn't find the policy clear, we changed parts of it to meet their suggestions.

8 Equality analysis

- 8.1 This policy has been subject to an equality analysis to make sure that we do not illegally discriminate against anyone and that it is fair to everyone.

9 Legislation

- 9.1 The following legislation has been considered:
 - Equality Act 2010
 - Housing Act 1985, 1988, 1996 and 2004
 - Anti-social Behaviour, Crime and Policing Act 2014
 - Anti-social Behaviour Act 2003
 - Protection from Harassment Act 1997
 - Domestic Violence, Crime and Victims Act 2004
 - Public Order Act 1986
 - Crime and Disorder Act 1998
 - GDPR Data Protection 2018

10. Linked policies

- Anti-social Behaviour
- Data Protection
- Domestic Abuse
- Equality, Diversity and Inclusion
- Neighbour Dispute
- Pet Management
- Safeguarding

Storage and Disposal of Goods