



POLICY: HATE CRIME

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Copies of this Policy may be made available in alternative formats on request.

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POLICY: HATE CRIME

All reference to 'we', 'our' or 'us' in this Policy should be read as meaning Sandbourne Housing Association. All reference to 'resident'(s) should be read as meaning a tenant of Sandbourne Housing Association where we have a repairing responsibility for the home.

1. Introduction and Objectives

We are committed to tackling hate incidents and crime, to provide safe and secure accommodation and to create sustainable communities. We recognise that we live in an open, multicultural and diverse society and appreciate the benefits that this brings to our communities. We encourage all residents to do the same.

We value diversity and believe that all residents, their families and visitors have a right to live without fear of abuse, intimidation, harassment, humiliation or attack, irrespective of gender, age, disability, race, religion, sexual orientation, gender identity or appearance.

We understand that hate incidents and crime can have a serious impact on an individual's sense of security, health and wellbeing but also has a negative impact on communities in relation to cohesion and integration. We condemn all forms of hate incidents and crime and will treat all incidents reported to us as an emergency.

The key objectives of this policy are to;

- Understand and define what Hate Crime and Incidents are.
- Understand the term 'mate crime.'
- Detail the legal and regulatory framework that provide us with the tools to respond to hate crime and incidents and that we are required to comply with
- Outline our approach and commitment to dealing with hate crime and incidents effectively and efficiently.
- Outline how we will assess the risk to complainants and undertake a victim centered approach.
- Monitor performance to assess the quality and effectiveness of service.

2. Policy statement

This policy is a commitment to improving lives and supporting staff by detailing our response to complaints and allegations of Hate Crime and Incidents. We intend to:

- Provide clear information on how to report hate crime and incidents, including how a third party can also report a hate crime or incident.
- Give residents confidence that we want to deal with all hate crime and incidents and encourage reporting of individual incidents.
- Respond rapidly and effectively to hate crime and incidents at an early stage to try to prevent further incidents and / or the escalation of the seriousness of incidents and to improve the safety and welfare of adults and children that are affected by such incidents.

- Investigate reports of hate crime and incidents sensitively, provide victims with support and undertake a victim centered approach taking all reasonable steps to prevent it.
- Increase awareness and understanding amongst residents and staff of hate crime, including reports from third parties. This will be supported through the provision of training.
- Create a consistent approach for recording and monitoring hate incidents and look to identify repeat incidents.
- Work in partnership with various key agencies when dealing with hate crime and incidents, sharing intelligence and taking joint action where required to help create safer communities.

3. Definition of Hate incident / crime

We define a hate incident / crime as:

*"Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person**, as being motivated by prejudice or hate."*

ACPO Good Practice and Tactical Guidance on Hate Crime 2005

**If a third party perceives an incident to be motivated by prejudice or hate then this same definition will apply.

Repeat victimisation of hate crime occurs:

"Where a person or immediate family member suffers more than one hate incident in a 12- month period following the date the first crime was reported".

Home Office & ACPO 2005

Hate incidents / crime is hatred, bias or prejudice that is based upon the actual or perceived age, gender, disability, race, religion, sexual orientation, gender identity or appearance. Hate incidents / crimes can occur in a variety of forms; examples include, but are not limited to:

- Physical assault
- Bullying
- Harassment
- Verbal abuse, insults and threats
- Abuse through social media / cyber channels.
- Damage to property or personal belongings
- Threatening or abusive behaviour including spitting, ridicule of cultural differences, arson or attempted arson, offensive jokes or comments.
- Behaviour identified as harassment but not a hate incident / crime will be dealt with through our Anti-Social Behaviour Policy, but when we receive a report, we will seek to establish if hate is a likely motivator.

4. Hate crime

Mate crime is defined as the exploitation, abuse or theft from any vulnerable person by those they may consider to be their friends. Those that commit such abuse or theft are often referred to as 'fake friends'. Instances of 'mate crime' will be dealt with in accordance with the Safeguarding Policy and accompanying referral process if applicable.

Mate crime may involve:

- Financial Abuse - where the perpetrator might demand or ask to be lent money or property and then not pay it back / return it.
- Physical Abuse - where the person may be assaulted or seriously injured by the perpetrator, possibly for the amusement of the perpetrator.
- Emotional Abuse - where the perpetrator might manipulate or mislead the person, make them feel worthless, call them names or groom the person for criminal offences.
- Sexual Abuse - the person might be coerced into prostitution, sexually exploited by someone they think is their partner or friend or might be persuaded to perform sexual acts they do not feel comfortable with.

5. Legal and regulatory framework

Under the Equality Act 2010 we have a general duty to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Promote equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encourage people from protected groups to participate where their level of participation is particularly low.

6. Responding to reports of Hate Incidents / Crime

In responding to reports of a hate incident / crime we will:

- Adopt a victim-led approach which means that if a person or a third party feels that they or someone else has experienced a hate crime we will deal with it under this policy.
- Talk to victims and agree the action to be taken, encouraging them to report incidents to the Police to pursue the possibility of a criminal investigation.
- Review any potential vulnerability and the risk of harm to the victim.
- Offer victims and complainants support through our staff but will also try to engage more specialist support services where appropriate and necessary.
- Adapt our response to the individual circumstances and needs of the victim, recognising that every reported hate incident / crime will be different.
- Allow a third party to report and stand as a witness to a hate crime where they have witnessed the incident. When we receive a report from a third party, we will investigate the incident, ensuring that interaction takes place with the victim(s) as well as the third party. The views of the victim will be taken into account. However, should they not wish to pursue the matter this will not necessarily prevent us from taking appropriate action where the third party is willing to provide evidence and be a witness.

7. Confidentiality

Victims will be encouraged to allow us to share information with other agencies, including the Police and local authority, to ensure that the full range of civil and criminal action can be pursued, and appropriate support provided. However, all information provided by the victim will be treated with the utmost confidence and only passed to external agencies where we are required by law to do so, and in accordance with the Data Protection Act 2018.

Where we do not have the victims' consent and we consider there is a high risk of serious harm to anyone involved, we may make a report to the Police without the victim's consent. The Head of Housing or Chief Executive will approve any such disclosure.

8. Training

All staff are responsible for ensuring the policy is incorporated into their working practices. Appropriate training will be given to staff to raise their awareness and to equip them to implement this policy effectively.

9. Legal and regulatory compliance

This policy complies with our legal and regulatory obligations.

- With Regulator of Social Housing, Neighbourhood and Community tenancy standard.
- The relevant Housing Acts
- The Data Protection Act 2018

10. Equality impact assessment/ Protected characteristics (as at 11 September 2024).

Neutral

11. Consultation arrangements

We will consult all residents and recognised residents' bodies on any substantive changes to this Policy and their views will be taken into account by the Board before adopting it. Our employees will also be consulted on any substantive changes to this Policy and any reasonable suggestions will be taken into account before the Policy is approved by the Board.