



# **Hate Crime Policy**

## **Prepared By**

Document Owner(s)	Organisation Role
Paula Kelly	Resident Services Director

## **Manual Version Control**

Version	Date	
1.0	February 2018	Hate Crime Policy
2.0	June - July 2021	Review & Board approval (transgender identity added to Equality, Diversity, and Inclusion section as per Board request)

## **1. Introduction**

Pickering and Ferens Homes (PFH) is committed to ensuring that all residents have the right to peace, quiet and security in their own homes and communities. We want to ensure that our neighbourhoods and communities are safe places where people choose to live. It is therefore the policy's intention to ensure that victims are able to live in any PFH property without fear of harassment, intimidation, or attack.

## **2. Purpose**

The policy recognises that hate incidents can affect anyone and is not restricted to a specific gender, race, religion, or class etc. It is important to ensure that appropriate service responses are in place to support all victims of hate crime. We also want to make sure that our approach is consistent and is set within the context of relevant legislation including: -

- The Crime and Disorder Act 1998
- The Crime and Security Act 2001
- The Criminal Justice Act 2003 (as amended)
- The Equality Act 2010 and
- The Regulatory Framework for Housing in England (Regulator of Social Housing).

The policy includes the service definition of hate crime. It outlines how we will deal with reports of hate crime and what support we will offer the victim. It also advises how we will hold perpetrators to account for their behaviour. The policy does not include how we will deal with hate crime against employees.

## **3. Hate Incidents and Hate Crime**

In most crimes it is something the victim has in their possession or control that motivates the offender to commit the crime. With hate crime it is 'who' the victim is, or 'what' the victim appears to be that motivates the offender to commit the crime.

The Police and Criminal Prosecution Service have defined hate crime as

'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's disability or perceived disability; race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity'.

Hate crimes can take many forms, including: -

- Physical attacks, such as physical assaults, offensive graffiti, damage to property and arson.
- Threats of attack, such as offensive letters, abusive phone calls or text messages, groups who hang around to intimidate and malicious complaints.
- Verbal abuse, such as insults, harassment, bullying, offensive leaflets and posters and abusive gestures.
- Online abuse for example via social media

A person may also be a victim of hate crime based on several factors, for example a disabled person may be harassed on both their disability and their race.

## **4. The Effects of Hate Crime**

Victims can often feel like there is no escape - they are unable to change or hide their identity to protect themselves. However, they may adapt their life to protect themselves, family or friends from victimisation. Hate crime can cause someone to feel humiliated, embarrassed, or angry. The victim is also likely to feel

anxiety / stress, fear, and ill health. Where the person is suffering from repeated incidents this may lead to severe distress making life intolerable and in extreme circumstances can result in injury or death.

Incidents of hate crime can also have widespread and long-term implications for the whole community, damaging community cohesion and threatening community sustainability.

A person suffering from hate crime may not always report it as such as it may be disguised or may be in the form of repeated requests for advice or help. For example, a person who has had several incidents of broken windows might be suffering from hate crime due to their status, group, characteristic, or affiliation.

## **5. Dealing with Incidents of Hate Crime**

We will make a distinction between reports of general anti-social behaviour and hate crime. Incidents believed to be motivated by hate or prejudice directed against any person or group of people will be dealt with as high priority for investigation purposes.

The Resident Services Manager will be responsible for making sure that all necessary actions are taken in line with this policy and that any liaison with other agencies is undertaken and is effective.

We will ensure that all relevant staff are made aware and trained to identify the needs of victims, and witnesses, so that PFH can provide a responsive and effective service whilst respecting the need for sensitivity and confidentiality.

PFH will take a victim centred approach to dealing with hate crime focusing on supporting the victim and ensuring that they feel that they are believed and listened to. A person who reports a hate crime will always be treated sensitively, courteously and with respect. We will ensure that we offer a consistent, effective approach to dealing with reports of hate crime and we will specifically do the following: -

- Investigate thoroughly every case of hate crime reported where the alleged perpetrator and or victim is a resident of PFH.
- Provide help and support to victims (and witnesses) in all cases. We will only share information or involve other agencies with the consent of the victim, unless there is any reason to suspect children are at risk or we are required to share the information by law.
- When an incident is reported, we will contact the victim within one working day to take details of the incident and agree an action plan that is tailored to their needs.
- We will let the victim know what action we are taking and how long we believe this will take
- We will keep the victim up to date with our actions and contact them on an agreed basis while the incident is open and being investigated.
- We will notify the victim of our conclusion by personally contacting them and reiterating this in writing.
- Following the investigation if we find that the incident was not motivated by hate we will explain our conclusion to the victim. We will investigate any future report from the victim as hate crime if they report it as such.
- Where a person is not satisfied with the way their case has been handled then they may make a complaint through PFH's complaints policy, setting out their reasons for dissatisfaction and the resolution they seek.

## **6. Enforcement**

Staff will not pre-judge alleged perpetrators prior to the investigation. Alleged perpetrators will be made aware of the consequences of their actions, including how it may affect their Letter of Appointment (Licence) and that they may face losing their home.

Following investigation, where there is evidence of hate crime, appropriate action will be taken against the perpetrator, in accordance with the nature and severity of the incident, using the options available at that time. This could include working with the Police, taking civil remedies or serving a Notice to Quit.

PFH will also work with other agencies to combat hate crime, including the Council's ASB team, the Police and victim support groups.

## **7. Information Sharing**

PFH treats all information received in confidence, consistent with our legal responsibilities as a Data Controller to comply with the General Data Protection Regulation (GDPR) and ensure compliance with PFH Data Protection Policy.

An assessment will be made in each case to decide whether information needs to be shared; we will refer to PFH Data Protection Officer for further guidance as required.

## **8. Managing Performance**

PFH has performance targets in place for managing anti-social behaviour (ASB), which incorporates hate crime, and includes the following:

- Number of active cases
- Number of inactive cases
- Protected characteristics of victims and perpetrators
- A summary of the action taken in each active case including action taken against the perpetrator and details of the help and support provided to the victim
- Performance against any targets
- Details of refusals of offers of homes due to ASB (Hate Crime)
- Transfers requested due to ASB (Hate Crime)
- Rate of satisfaction achieved in closed ASB (Hate Crime) cases

## **9. Equality, Diversity, and Inclusion**

PFH is committed to fairness and equality regardless of race, ethnicity, gender, sexual orientation, transgender identity, marital status, disability, age, religion or belief or family circumstances. We aim to ensure that our policies and procedures do not create unfair advantage for anyone either directly or indirectly.

## **10. Monitoring and Review**

PFH will review the Hate Crime policy every 3 years, the review may be brought forward, if necessary, for example on the introduction of new legislation or best practice guidelines, whichever is the sooner.

## **11. Associated Policies**

Anti- Social Behaviour Policy  
Complaints, Compliments and Suggestions Policy  
Data Protection Policy (GDPR)  
Domestic Abuse Policy  
Equality and Diversity Policy  
Transfer and Mutual Exchange Policy