

MERLIN HOUSING SOCIETY



RACIST INCIDENTS AND HATE CRIMES POLICY

1. KEY OBJECTIVES

- 1.1. Merlin Housing Society (MHS) is opposed to all forms of hate crime, including racism, and will positively support residents who are victims of such incidents. We will take the strongest action possible against perpetrators of racist incidents and hate crime, whether they be residents, employees, agents or third parties.
- 1.2. MHS will challenge inequality and actively promote equality in the local community by raising employee awareness of equality and diversity issues and providing training for employees so that they have the skills to advise and support the diverse resident population.
- 1.3. Also see Equality and Diversity (Service Delivery) Policy, Equality and Diversity (Employment) Policy, Lettings Policy and Anti-Social Behaviour Policy.
- 1.4. MHS will adopt a multi-agency approach and work in partnership with statutory and voluntary organisations.

2. POLICY DETAIL

2.1. Definition of a Racist Incident

- 2.1.1. MHS has adopted the definition of racist incident as stated in the Stephen Lawrence Inquiry Report 1999 and the Housing Corporation Code of Practice 2002, which is:

“any incident which is perceived to be racist by the victim or any other person”.

- 2.1.2. This definition means that if anyone (the victim, a witness, a police officer or a housing officer) perceives an incident as racist, it should be recorded and dealt with as such.
- 2.1.3. Racist incidents may take many forms. They can often be the same as any other form of anti-social behaviour, with the additional factor that it is racially motivated, or perceived to be racially motivated.

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2.1.4. Racist incidents may include, but are not limited to:

- threats
- name calling
- graffiti
- rubbish dumping
- door banging
- malicious complaints, letters or telephone calls
- assaults on individuals
- assaults on property
- incitement
- arson.

2.1.5. Racist incidents may also operate at a relatively low level and be less easy to identify. It is important to deal with these low-level incidents in order to prevent them escalating into more serious incidents.

2.2. Definition of a Hate Crime

2.2.1. MHS has adopted the Home Office definition of hate crime, 2007, which is:

“any incident which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate”.

2.2.2. Such behaviour is motivated by an offender’s hatred of someone because of their:

- race, colour, ethnic origin, nationality or national origins
- religion
- gender or gender identity
- sexual orientation
- disability

2.2.3. There are many forms of hate crime and although similar to other forms of anti-social behaviour, there is the additional fact that the incidents are motivated by hatred for one of the reasons sated above.

2.2.4. Hate crimes may include, but are not limited to:

- physical assault

- damage to property
- offensive graffiti
- arson
- threat of attack
- offensive letters and posters
- abusive or obscene telephone calls
- groups hanging around to intimidate
- unfounded, malicious complaints
- verbal abuse or insults

2.3. Tackling Racist Incidents and Hate Crimes

- 2.3.1. MHS will investigate all allegations of racial harassment and hate crime and take all possible steps to deal with and eradicate such incidents.
- 2.3.2. The victim/complainant will be interviewed immediately or visited within 24 hours of the complaint, and involved in decisions taken about action against the perpetrator from the outset. The victim/complainant will be asked whether they wish to be interviewed by an appropriate employee. A support pack for which translations and different formats are available will be provided to the victim/complainant.
- 2.3.3. With the consent of the victim/complainant MHS will seek the assistance of other agencies such as the Police, SARI (Support Against Racist Incidents), Bristol Race Equality Council, EACH (Education Action Challenging Homophobia), DLF (Disability Living Foundation) and schools etc. in taking action, and will encourage reports of incidents via a third party to enable reports to be made to any party.
- 2.3.4. Residents have the right to feel secure in their own home and in the wider community. MHS will adopt a pro-active stance in dealing with racist and other hate crime incidents both directly and in partnership with other agencies such as the Police, the local authorities and black and minority ethnic and other community groups.
- 2.3.5. MHS will ensure a prompt and sympathetic approach when dealing with cases of racial harassment and other hate crimes. The interests of the victim are paramount and, in the event of proven hate crime occurring, resulting in the victim wishing to move, MHS may, where appropriate, make temporary arrangements and/or seek to effect a permanent move at the

earliest opportunity. It should be emphasised, however, that the policy is focused on the abatement of the problem rather than the transfer of the victim.

- 2.3.6. MHS will enable the victim/complainant to stay in their own home if they wish by ensuring the urgent repair of damaged property/graffiti and the provision of security works (alarms, fire-proof letter boxes etc).
- 2.3.7. MHS will adopt and implement the Home Office 'Code of practice on reporting and recording racist incidents' and the linked Housing Corporation 'Tackling Racial Harassment Code of Practice for Social Landlords'. MHS will follow all requisite procedures including legal action where necessary. MHS will take firm, prompt and appropriate action against the perpetrators of racist incidents and other hate crimes including, if necessary, action leading to eviction and, where appropriate, seek other legal remedies on behalf of victims.
- 2.3.8. Through our Lettings Policy, we will consider as ineligible for an allocation of housing those applicants who have previously been evicted from accommodation due to racial harassment or hate crime.
- 2.3.9. Clear information will be provided to all residents that racial harassment and hate crime are unlawful and will not be tolerated. Information will also be provided on how to report incidents. All reports will be treated in confidence and be quickly and formally acknowledged.
- 2.3.10. Throughout the process, MHS will provide the victim(s) and/or witnesses with a high level of support. Employees will be trained on how to identify a racist incident or a hate crime and how to follow up the reporting through prompt positive action.
- 2.3.11. MHS will participate in a district-wide panel of key agencies involved in the analysis of racially motivated and hate crime in South Gloucestershire.
- 2.3.12. Senior employee responsibility will be designated for strategic development and review of MHS's racist incident and hate crime policies and procedures. A programme will be developed to raise employee awareness of the issues relating to racial harassment and hate crime and their capacity to deal effectively with it.

- 2.3.13. Robust procedures will be implemented to ensure that action is taken in an effective way; all incidents will be reported promptly to the relevant manager, who will closely supervise the investigation. Cases will be monitored to ascertain if the problem had been resolved to the victim's reasonable satisfaction.
- 2.3.14. Where a complainant, victim or alleged perpetrator is dissatisfied with the investigation or the decision, they may pursue an appeal through our complaint procedure.

2.4. Preventing Incidents

2.4.1. We are committed to preventing racist and other hate crime incidents occurring by:

- ensuring that all residents are aware of their responsibility under the tenancy agreement, or lease, which prohibits residents from engaging in racial harassment or other hate crime, and of our stance towards such acts;
- working in partnership with other statutory and voluntary agencies (e.g. SARI, (Support Against Racist Incidents)) to undertake co-ordinated outreach work to promote a culture that discourages hate crime;
- ensuring effective collection and recording of evidence;
- monitoring reports of incidents that do occur, to proactively identify potential problem areas and work with other agencies on a strategy to deal with not only problems already identified, but to prevent further problems from occurring;
- ensuring that, as far as possible, our Lettings Policy is sensitive to the needs of communities and individuals;
- having a clear understanding of the local community using census and other information and being aware of who and where our BME residents are housed;
- providing a clear leaflet available in different languages giving practical advice on what to do if customers are suffering hate crime, including victim support and Police information.

3. Equality and Diversity

Approved at Services Committee 7.2.08

- 3.1. We will ensure that this policy is applied fairly and consistently to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, gender, marital status, sexual orientation, disability or any other grounds set out in our Equality and Diversity policy.
- 3.2. When applying this policy we will act sensitively towards the diverse needs of individuals and communities.
- 3.3. When applying this policy we will take positive action to reduce discrimination and harassment in local communities.
- 3.4. This policy and any other related publications of MHS are available on request in other formats (e.g. in an alternative language, in Braille, on tape, in large type).

4. KEY TARGETS AND PERFORMANCE INDICATORS

- Housing Corporation Regulatory Code, Housing Corporation inspection outcomes and Key Lines of Enquiry excellence standards
- comparative benchmarking performance and performance indicators published by the Housing Corporation and other examples of best practice
- the number of ongoing cases by area
- action taken to resolve cases
- number of cases resolved and by what means
- the length of time taken to bring a case to a satisfactory conclusion
- level of satisfaction of complainant with process and victim support

5. MONITORING, CONSULTATION AND REVIEW

- The Services Committee and the Housing Corporation will receive regular reports on the performance against agreed targets and indicators. The Services Committee will also receive regular reports about the nature and frequency of incidents.
- Regular consultation and joint planning meetings with representative black and minority ethnic groups (such as SARI) and other stakeholders such as Social Services, the Police, the Health Authority and the voluntary sector will take place with a view to identifying ways of improving the way in which MHS responds.

- In line with our Resident Involvement Policy, tenants, leaseholders and stakeholders will be included in:
 - monitoring our performance
 - reviewing this policy, in order to reflect their needs and priorities

Further details about how this will be achieved are set out in the Resident Involvement Policy.

- This policy and the associated procedures will be reviewed within 2 years of transfer date or sooner should good practice or legislation change.
- The Operations Director will be responsible for implementation and revision of the policy and particular senior employees will have responsibility for strategic development of this policy and the related procedures.

VERSION CONTROL

Version no.	Name and date
1	Emma Lucker – November 2005
2	Jolanda Anderson – January 2008
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