

Hate Crime Policy

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1 Policy information

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2 Policy Statement

South Liverpool Homes (SLH) is committed to responding to all forms of hate crime, hate incidents and harassment in a robust way. This policy is designed to be an important part of SLH's overall approach to dealing with all forms of anti-social behaviour (ASB). Through this policy and our practice, we will send out a strong message of the seriousness in which we view this form of harassment.

SLH believe no one has the right to harass, threaten or assault someone because of who they are or what they believe in. Early intervention and education are important to avoid escalation and our approach involves prompt action to support victims and take action against perpetrators. We are committed to acting in a fair and balanced manner and this may mean supporting as well as challenging those involved in causing hate related ASB to change their behaviour.

Building strong communities where people choose to live and stay and where they feel safe, is a core theme of our organizational vision. We believe that all our customers have a right to feel safe in their homes, without the stress, fear, and tensions that ASB and crime cause.

Our aim is to create a culture where hate crime and hate incidents are not acceptable in our neighbourhoods. SLH are a third- party reporting centre for hate crime so if victims or witnesses are not comfortable reporting incidents to the police, we can report it on their behalf.

SLH understand that hate crime has a more significant impact on victims than non-hate motivated offences. We will use a harm centered approach putting victims and witnesses at the heart of our work and ensure they receive our full support before, during and after the investigation process. We believe that communication with victims and witnesses is essential, and they will be supported throughout the investigation process. We will work with our partners to safeguard our customers and contribute to effective problem solving.

This policy sets out SLH's approach to dealing with hate incidents and hate crime amongst our customers and the wider community. We are committed to collaborating with partner agencies and have embedded 'Liverpool City Regions Hate Crime position statement' into this policy.

3 Policy Aims

The aims of this policy are to:

- Contribute to the long-term sustainability and the reduction of hate related ASB within our neighbourhoods to help deliver our vision of Great Homes, Strong Communities, and bright futures

- Encourage those affected by hate crimes and incidents to report it to SLH.
- Work in partnership to prevent hate crime by challenging the beliefs and attitudes that can underpin such behaviours
- Respond to hate incidents in our neighbourhoods efficiently and effectively with the aim of supporting victims and witnesses
- Work with partners to improve the support for the victims of hate and make it clear that hate crime in our neighbourhoods will not be tolerated
- Build on our understanding of hate incidents and hate crime through improved data, robust and transparent procedures, and well trained and knowledge staff
- Raise awareness amongst staff about how to identify and respond sensitively with such issues.

4 Definition of Hate Crime

Hate crimes are acts of violence or hostility directed at people because of who they are.

The Association of Chief Police Officers' and the Crown Prosecution Services' definition of hate crime which is:

'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 race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived transgender'

The above definition is deliberately very broad. It is designed to encourage or enable disadvantaged, isolated and any under-represented members of society to report any behaviours that they feel is motivated by hatred.

The protected characteristics as defined by the Equality Act 2010 include: age, race and ethnicity, religion and belief, disability, sexuality, sex, gender status, marital status, and pregnancy.

A victim of hate related behaviour does not have to be a member of a minority group or someone who is generally considered to be vulnerable. In some cases, the perpetrators perception may be wrong. This can result in a person entirely unconnected with the hate motivation becoming the victim. In reality anyone can become the victim of hatred.

It can be any behaviour that interferes with the peace, comfort, or safety of people in their home and/or neighbourhood, which can be perceived to be based on their particular characteristics.

Hate incidents and crimes can take a variety of different forms but all have one thing in common; they are all based on hatred and prejudice, and they aim to hurt or humiliate their victim(s).

We acknowledge that hatred is universal, crossing a variety of people from different backgrounds and who live in different circumstances, all of whom have the right to quiet enjoyment of their home without fear.

4.1 Types of Hate Incidents and Hate Crime

A hate incident is where the victim or someone else thinks that something has taken place that was motivated by hostility or prejudice based on disability, race, religion, transgender identity, or sexual orientation. Not all hate incidents will amount to criminal offences, but it is equally important that these are reported and recorded.

Examples of a hate incident are:

- Verbal abuse, name calling and offensive jokes
- Harassment
- Bullying or intimidation by children, adults, neighbours, or strangers
- Physical attacks such as hitting, spitting, punching, or pushing
- Threats of violence
- Abusive phone or text messages, hate mail
- On-line abuse for example Facebook or Twitter
- Harm or damage to belongings such as your home, pets, or vehicle
- Graffiti
- Arson
- Throwing rubbish into a garden
- Malicious complaints for example over parking, smells, or noise

Hate incidents only become hate crimes when a criminal offence has been committed. A criminal offence is something that breaks the law. When something is classed as a hate crime and it is prosecuted through the Courts, a Judge can impose a tougher sentence on the offender under the Criminal Justice Act 2003.

Example of Hate Crime include:

- Physical attacks for example assaults or sexual assaults
- Criminal damage
- Incitement of Hatred

- Murder
- Theft
- Fraud
- Burglary
- Mate Crime
- Malicious communications for example Hate mail
- causing harassment, alarm, or distress (Public Order Act 1986).

5 Prevention

SLH recognise the vital role that we can play in raising awareness of hate crime and promoting positive attitudes within our neighbourhoods.

- New tenants are informed of their responsibilities under their tenancy agreement in relation to ASB at their sign up. Our tenancy agreement clearly defines Hate Crime and gives clear examples of behaviour that we will be a breach of that agreement.
- Effective management of starter tenancies through our Starter Tenancy Policy
- Previous Unacceptable Behaviour of prospective tenants is considered prior to allocation of our homes- this assists us to identify any risks to the incoming tenant, due to specific vulnerabilities and existing tenants. This assists us to find the right tenant for the right property.
- Through our allocations policy we use local knowledge and will take previous reported ASB or Hate Crime in a specific location into account prior to allocating a home to ensure it is suitable for the incoming tenant.
- SLH will promote the work we do in relation to Community Safety via our website and social media channels. We aim by doing this to give the community confidence to report issues that they experience and to also remind tenants of the importance of complying with their tenancy agreements.
- SLH take part in awareness campaigns to highlight particular issues such as 'Hate Crime Awareness Week' and 'Liverpool Pride.'
- Colleagues receive training on how to identify the difference between hate incidents and hate crimes and how to respond to such reports. Colleague knowledge and experience when dealing with these issues can help to encourage victims to report incidents and engage in the investigation process.

- SLH have an Everyone Counts Forum whose aim is equality across the organization and our communities. The forum looks at emerging issues and promote equality and Diversity Inclusion and awareness days. The Community Safety Team specialist for hate crime is a member of the forum.

6 Partnerships

We recognise that effective partnerships are vital when dealing with ASB, SLH operate partnership working at both a strategic and operational level.

SLH is a member of:

- The Hate Crime Joint Agency Group. This group provides a partnership approach to responding to and supporting victims of hate crime in Liverpool. Attendance at these meetings gives SLH an opportunity to acquire assistance from other partners; for example, Merseyside Police and other housing providers when dealing with such issues and to record incidents and share information with partners to assess the risk of the perpetrator and secure positive outcomes for the victim.
- DISARM which is a strategic group of local agencies tasked to disrupt and prevent organised crime groups operating in South Liverpool. This group also links with the local schools, alternative provisions, youth prevention and probation services. This group allows us to identify any emerging issues within our community and provide a multi-agency response.
- We also have good relationships with specialist support agencies and will make referrals as appropriate.

7 Hate Crime/ Incidents reported to SLH

SLH have a variety of reporting mechanisms available to victims and witnesses of hate crime and these are published on our website and social media channels. These include via letter, email, our website, telephone or via a 3rd party.

Once SLH receive a report of hate crime it will be forwarded to the Community Safety Team who will contact the complainant with the view of interviewing them within 24 hours of us receiving the report.

If a victim approaches our Allocation Team for assistance due to hate crimes they will ask for permission to make a referral to the Community Safety Team.

We understand that when a victim decides to approach us for assistance it is likely that this is not the first incident that the victim has experienced, they may

have suffered intersectional hate crime and may be at crisis point needing immediate assistance. We will aim to reassure them and deliver a victim centred support plan to protect them from immediate harm

We will make sure that victims are:

- Allocated a dedicated Community Safety officer who they can begin to build trust and rapport with
- Treated with dignity and respect and offer a non-judgement approach, a safe space and listen to their experiences.
- We will meet the victim at a location of their choosing to obtain further information
- Not only will be gather evidence at this initial meeting but we will listen and ask the victim what their needs and wishes are in relation to the reported hate crime.
- We will complete a risk assessment which will help us design and agree a support plan and action plan with the victim.
- We will identify any barriers to accessing the service we deliver and take appropriate measures to remove or reduce the impact of these barriers. – This includes ensuring translation services are available where English is not the complainants first language or for British Sign Language or brail
- We will give them appropriate advice if they feel their home is no longer safe for them to return to.
- Directed to appropriate support agencies
- Make a referral, with their consent, to the Hate Crime Joint Agency Group
- Working in partnership with Merseyside Police we will support victims to seek redress through the criminal justice system
- If the complainant is happy for SLH to investigate then we will follow the same investigation procedure as outlined in the ASB policy. The action plan and support plan will include ways in which the complainant can report future incidents to us. We will also provide a “What can I expect’ leaflet which explains the ASB investigation process and provides the direct contact details of the Investigating officer.

- After the initial interview a confirmation letter will be sent via email or post explaining the agreed action plan and containing a Hate Crime support pack giving further information on available support.

7.1 Interventions available for SLH during hate crime investigations

SLH have legal and non-legal powers that can be used either resolve issues between tenants or to take enforcement action against tenancy who are breaching their tenancy agreement.

powers used will be determined for each case depending on incident type, the victims wishes and the evidence in the case.

It is important to remember that some hate incidents and crimes are done through ignorance and cultural differences and the victim may want to resolve the issues without enforcement action being taken.

We will in consider the following interventions:

- Education/ mediation on cultural differences
- Restorative justice
- Community events and media campaigns to highlight certain issues and improve community cohesion.
- Acceptable behaviour contracts
- Good Neighbour agreements

7.2 Enforcement

The most important tool when we consider taking enforcement action against perpetrators who are our tenants is the Tenancy Agreement. The agreement forms the basis to challenge perpetrators effectively and quickly when they breach the terms of their tenancy agreement. The SLH tenancy agreement has clear standards of behaviour that are required from customers, their families, and visitors to their home. These clauses will be used when pursuing action against SLH tenants who are involved in hate crime.

We will consider the following interventions:

- Warning letters
- Civil Injunctions

- Possession proceedings- including starter tenancy and Absolute possession proceedings

The Deputy Neighbourhood Manager conducts case reviews to ensure colleagues are providing the correct interventions in hate crime cases.

8 Protection

When dealing with hate crime, our primary concern is the safety of the victim and any other household members affected by the crime. The procedure accompanying this policy provides a framework to make sure that the victim has the necessary support and advice from us and other more specialist agencies for example, victim care Merseyside, mental health services, counselling services and floating support services.

Our approach to protecting the victim means that our staff will listen to the victims concerns whilst investigating the circumstances of the reports. Our emphasis will be on keeping the victim safe in their home, with the perpetrators being dealt with through the criminal justice system or in the most severe cases being prevented from going near the victim or the victim's home.

Often, cases of hate related behaviour have a negative effect on children particularly those who witness the incidents. Concerns and issues affecting children will be handled in accordance with our Safeguarding Children's Policy.

We recognise that sometime being who are vulnerable may become susceptible to people taking advantage of them. Mate Crime is when vulnerable people are befriended, bullied, or manipulated by people they consider to be friends. We will treat suspected mate crime as a disability hate crime under this policy and will work with our partners to reduce the risk of harm to our customers. Anyone suspected of being a victim of Mate Crime will also be dealt with under our Adult or child Safeguarding Policies as appropriate.

8.1 Re-housing

It may become apparent during the investigation process that the victim wishes to leave their current home. In such cases we will give them advice and where possible assist the victim to find appropriate accommodation away from the area in which they have been targeted. We recognise that victims remaining in the same area where the hate related behaviour has taken place is often distressing. However, SLH will do everything they can, with the support of partners, to avoid the victim needing to relocate.

In some cases, after an investigation has taken place and where the police and other agencies recommend it, emergency re-housing options may be offered to the victim. In very serious cases the first point of contact to help the victim secure temporary relief and then permanent relocation is through Liverpool City Council's Housing Options Team.

8.2 Target Hardening

SLH will, when necessary, provide basic target hardening in customers' homes. This can consist of a number of different methods to make them feel safer in their own home, for example, security lights, padlocks, chains, window shock alarms, door handle alarms and PIR alarms.

Where there has been a threat of arson, we will refer customers automatically to Merseyside Fire and Rescue Service who will complete an Arson Risk assessment which may include a form of target hardening relevant to the type of risk being assessed.

9 Key Partner Agencies

There are a number of ways in which members of the community can report hate crime, they include:

- **Merseyside Police** – at the nearest police station, on 101 or 999 in an emergency
- **Crimestoppers** on 0800 555111 or www.crimestoppers-uk.org
- **Liverpool City Council** – by calling 0151 233 3000
- **Stop Hate UK** – at <http://www.stophateuk.org/report-hate-crime/>
- **DAISY UK** to report incidents of disability hate crime. DAISY UK provide services to support victims of this form of hate crime. They can be contacted on 0151 261 0309
- **Victim Care Merseyside** have a list of agencies that they join together to support victims of hate crime and other crimes. They can be contacted at <https://www.victimcaremerseyside.org/home/who-can-help/liverpool.aspx#type13>
- **Citizens Advice Liverpool** – supports victims of LGBTQ+ hate crime
Call: 0151 522 1400 ext. 5006, Website: www.citizensadvice.liverpool.org.uk/hate-crime
- **Sahir House** – provides health and wellbeing support for both HIV+ and LGBTQ+ people across Merseyside, Call: 0151 237 3989, Email: info@sahir.uk.com
- **Antony Walker Foundation**- supports victims of racial and religious hate crime, Call: 0151 237 3974, Website: anthonywalkerfoundation.com

- **Red Umbrella**– supporting people involved in sex work, selling sex and/or experiencing sexual exploitation. Website: www.changing-lives.org.uk/find-support/red-umbrella

10 Data Protection, Information Exchange, and Confidentiality

SLH 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 SLH's Data Protection Policy. However, in certain circumstances the sharing of information is integral to dealing with anti-social behaviour. There is also a statutory obligation to share information, even without an individual's consent; for example, to safeguarding an individual at risk of harm or neglect or in the prevention and detection of crime. When colleagues are sharing information with other agencies, they need to be aware of importance of confidentiality and data protection and wherever possible obtain consent from the data subject prior to information being shared.

Section 115 of the Crime and Disorder Act 1998 makes it lawful for organisations engaged in multi-agency working to exchange information as part of a strategy to reduce crime and disorder.

SLH has in place information sharing arrangements with agencies such as Merseyside Police, Liverpool Careline and Avela Home Service and other contractors and sub-contractors who make repairs and improvements to our homes. We will use these arrangements to gain evidence during an investigation and to safeguard our colleagues, customers, and contractors.

SLH is registered with the Data Commissioners Office and share information in compliance with the Data Protection Act 2018.

All colleagues working for us abide by and signs the terms of the SLH Code of Conduct.

11 Monitoring and performance

- Offer customers a specialist Community Safety Officer to support, gain their confidence and investigate their report and help resolve any issues that may concern them
- Make support referrals to partner agencies with the consent of the customer
- Acknowledge all reports of hate related ASB and interview the victim within 1 working day
- Keep customers updated regularly about what is happening with their ASB case

- Interview the person alleged with causing the problems within 7 working days
- We will publish the actions we take to stop ASB to help send a message that we will not tolerate ASB in our neighbourhoods
- Give customers the opportunity at the end of their case to tell us how they felt about the service they received

SLH will measure ASB performance against the following operational measures:

- % Of customers satisfied with the outcome of their complaint
- % Of customers satisfied with the handling of their complaint
- % Of complaints acknowledged within 1 working day
- % Of cases resolved successfully

12 Policy Review Considerations

12.1 Equality Analysis

An equality analysis was completed to identify and respond to any adverse impacts the policy may have on particular groups. Outcomes have been included within this document and within the procedural guide for staff.

12.2 Policy Risk Assessment

In order to achieve our corporate objectives, SLH place a high importance on the effective management of risk. All risks associated with the safety of hatred victims both strategically and operationally have been assessed, quantified and minimised. SLH is committed to being proactive to prevent risk rather than reacting to remedy it.

The adoption of this policy will ensure that hate incidents, hate crimes and the victims are dealt with swiftly with preventative, provision and protective actions put in place to keep them safe.

12.3 Customer Influence

SLH is passionate about ensuring customers are involved in shaping and influencing the services we provide, we reviewed customer feedback from ASB customer Satisfaction surveys and discussed our overall ASB policy including protecting vulnerable people procedure and investigation methods at Scrutiny Panel.

13 Statutory and Legislative Framework

We will use relevant and available legislation to take action in instances of hatred the basis of the action will depend on the nature of each case but will take the form of protecting victims and not rewarding the perpetrators with tenancies in areas where they have caused harm.

The policy takes into account relevant legislation such as.

- The Anti -Social Behaviour, Crime and Policing Act 2014
- Children's Act 1989
- General Data Protection Act 2018
- Protection from Harassment Act 1997
- Housing Act 1988 & 1996
- Criminal Justice Act 2003
- Health and Safety at Work Act 1974
- Equalities Act 2010
- Crime and Disorder Bill 1998
- Anti-social Behaviour Act 2003

13.5 Associated Policies

- Allocations and Lettings Policy
- Safeguarding Adults Policy
- Safeguarding Children Policy
- Information Security Policy
- Data Protection Policy
- Lone Working Policy
- Health, Safety and Wellbeing Policy • Domestic Abuse Policy
- Hate Crime Policy
- Repair and Maintenance Policy
- Chargeable Repairs Policy
- Customer Feedback Policy
- Tenancy Management Policy

Merseysides 'Eradicating Hate Crime Strategy'
Liverpool City Region Housing provider Hate Crime Minimum Standards & Position statement