



INNISFREE HOUSING ASSOCIATION

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Hate Crime Policy

HATE CRIME POLICY

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HATE CRIME POLICY

1. INTRODUCTION

- 1.1 Innisfree Housing Association (Innisfree) is dedicated to creating safe and secure neighbourhoods for our tenants to enjoy their homes in, and without unreasonable interference from others. We do this by taking a proactive and risk-based approach in dealing with the problems that antisocial behaviour (ASB) and hate crime can cause in and around our properties and neighbourhoods. We do this in line with our Antisocial Behaviour Policy.
- 1.2 We recognise that hate crime is not restricted to a specific gender, race, religion, or class. Therefore, support should be in place for all victims of hate crime. Innisfree seeks to ensure that our support meets the individual needs of our tenants with a consistent approach in line with good practice and relevant legislation.

2. OUR APPROACH

- 2.1 Innisfree will hold perpetrators to account for their behaviour, we do so as this acts for a future deterrent for them, and also as a deterrent for other potential perpetrators.
- 2.2 We condemn all forms of hate crime and will use all available powers to deal effectively with any hate motivated incident, where either the victim or perpetrator is an Innisfree tenant.
- 2.3 We take a victim centred approach when responding to reports of hate crime – if a victim feels a case is motivated by hate, we will treat it as a hate crime; this will be the starting point to help us focus our investigations.
- 2.4 We believe that hate crime is a problem that Innisfree, our tenants and the community can work together to resolve. Innisfree encourage all tenants to report any incidents they feel may be motivated by hate. We will treat all victims and witnesses with kindness and respect and will provide them with support and guidance.
- 2.5 Innisfree are committed to working to prevent hate crime, help make reporting concerns easier, and to supporting victims/witnesses. We will support and challenge perpetrators and will work with agencies and partners where appropriate.
- 2.6 Innisfree make the distinction between the handling of antisocial behaviour and hate crime – how we investigate and tackle antisocial behaviour, is outlined in our Antisocial Behaviour Policy.

3. POLICY AIMS

3.1 The aims of this policy are to:

- Enable tenants to report hate crime and hate incidents easily.
- Signpost tenants to external agencies for support where necessary and appropriate.
- Provide support to victims of hate incidents or hate crime.
- Provide support and training to staff to enable them to work confidently with tenants, and to provide them with a range of tools for intervention and enforcement.
- Ensure that the service provided meets the housing needs of those experiencing hate crime in Innisfree homes and the surrounding neighbourhoods.
- Ensure that our response is appropriate to the individual needs of our tenants, and in line with good practice to provide secure and safe accommodation.
- Outline our responsibilities and the support that is available to people who are experiencing hate crime
- Raise awareness of the issue across our whole workforce.

4. WHAT IS HATE CRIME?

4.1 In 2007, the Police service, Crown Prosecution Services (CPS), National Offender Management Service and other agencies that make up the criminal justice system, agreed a common definition of hate crime, and five identifiable 'strands' or characteristics to monitor this on.

Hate crime is defined as '**any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.**'

The five monitored strands or characteristics are:

- Race
- Religion or faith
- Sexual orientation
- Disability
- Gender identity

Crimes against a person or group based on hostility to age, gender or appearance can also be hate crimes, although they are not monitored in the five strands listed above.

4.2 Anyone can be the victim of a hate crime – a victim does not have to be a member of a minority group or someone who may be considered to be vulnerable.

5. RELIGIOUS HATE CRIME

- 5.1 A faith based, or religious related incident is an incident where the victim believes that they were met with prejudice or hatred based on their faith.
- 5.2 Innisfree understands that there have been arguments that religious discrimination is different to other forms of discrimination, as it could be considered that religion is a choice. However, we understand that religious identity is not often chosen, and even where individuals choose to leave their religious or traditions, they may still be seen as belonging to that group.
- 5.3 We recognise that some people have no religious belief – this policy refers to all religions and to those with no religious belief.

Examples of religious discrimination include:

- Anti-Semitism – discrimination against Jews
 - Islamophobia – discrimination against Muslims
 - Sectarianism – discrimination within faiths, most commonly relating to Christianity
 - Discrimination against Hindus.
- 5.4 The Racial and Religious Hatred Act 2006 created an offence of ‘stirring up hatred against persons on religious grounds. The criminal charge can be made against perpetrators using words, behaviour, written material, public performance or broadcasting to discriminate against a religion.

6. RACE HATE CRIME

- 6.1 Hate crime on the basis of race is the most common type of incident reported, alongside religious discrimination. Race discrimination can be against people of different races, ethnic backgrounds, or nationality.
- 6.2 The policy also raises awareness on racist hate incidents against groups that are sometimes not considered as protected through legislation against racially aggravated offences and hate incidents. These groups include Gypsy/Traveller Communities, refugees, and asylum seekers.

7. DISABILITY HATE CRIME

- 7.1 The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.
- 7.2 The definition of disability hate crime would include anyone targeted as a result of their disability or impairment, as defined by The Equality Act 2010. This includes hidden disabilities such as diabetes, epilepsy, or those with HIV status.
- 7.3 Innisfree understand that people are often targeted because they are disabled – this type of incident should be reported as a hate crime. This is also known as ‘mate crime’, as often people are befriended or groomed for exploitation or abuse.
- 7.4 In line with our Antisocial Behaviour Policy, where a perpetrator may be suffering from a mental health condition or a learning difficulty, we will complete a Proportionality Assessment and ensure they are receiving the appropriate support before making an application to Court.

8. GENDER / SEX HATE CRIME

- 8.1 Innisfree understand that people of all sex or genders experience harassment and abuse.
- 8.2 A gender identity hate incident is an incident where the victim believes that they were met with prejudice or hatred based on their gender or their assumed gender. Examples of gender-related crimes are sexual harassment and violence, and female genital mutilation. Our Domestic Abuse Policy outlines more around issues of gender violence including domestic abuse, forced marriage and coercive behaviour.
- 8.3 Hate crime relating to a person’s sexual orientation is becoming increasingly common. These incidents are often against individuals that identify as, or are assumed by the perpetrator to be, a member of the Lesbian, Gay, Bisexual, Transgender (LGBT) community. Examples of discrimination include homophobia and transphobia.
- 8.4 Research by the Crown Prosecution Service indicates that 62%-73% of transgender people have experience harassment and violence because they were identified as transgender. Despite high rates of hate crime or incidents towards transgender people, a high proportion of this goes unreported.

9. MULTIPLE OPPRESSION

- 9.1 Innisfree recognises and understands that a person should not be defined by a single aspect of their identity, and that there are differences within all communities. We understand that members of two or more communities may face different layers of oppression. For example, black gay men may experience racism and homophobia within wider society but can also be discriminated against within their own black and minority ethnic and LGBT communities.

10. HOW TO REPORT A HATE INCIDENT OR HATE CRIME

- 10.1 Tenants that are experiencing or have witnessed a hate crime or incident in their neighbourhood can report their concerns to any member of staff in writing, via email, in person or over the phone.
- 10.2 We offer a supportive and safe environment for people who are suffering discrimination to report it. At the same time, staff are aware that there is likely to be a different account from the alleged perpetrator and will rely on evidence to make any decisions. We consider tenants' vulnerabilities in the decision-making process and the action we take.
- 10.3 We understand that there is under-reporting and under-recording of hate crime incidents – many incidents are not reported, and many are reported but not recorded as hate-related harassment. Innisfree will address this by ensuring our services are tailored to the needs of individuals and of the community – we ensure our staff are trained to raise awareness and to recognise these crimes. This allows staff to signpost victims and witnesses to support agencies where appropriate.

11. WHAT WE DO WHEN WE RECEIVE A REPORT OF A HATE CRIME INCIDENT

- 11.1 Innisfree understands that each case needs to be investigated fully, and be risk assessed to ensure that any action taken is both proportionate and appropriate.
- 11.2 When investigating a report of a hate crime, we will listen actively to all parties involved in a bid to understand how the behaviour is affecting each individual and the community. All parties will be made aware of the lead staff member dealing with the case and how to contact them.
- 11.3 The case will be assessed to consider the severity and persistence of the perpetrators' behaviour and the impact on the witnesses, victims, and community. When assessed, the determined level of risk will establish the most appropriate response in order to protect all parties from further harm. A clear action plan will be agreed upon and the responsibilities and timeframes of this will be shared with all parties.
- 11.4 Innisfree will make a distinction between reports of antisocial behaviour and hate crime. We will make it clear to those reporting the incident whether the concerns will be addressed under this Policy or our Antisocial Behaviour Policy.

- 11.5 In all our work together, Innisfree strives to communicate in a clear, open, transparent, and non-judgmental way to all witnesses, victims and alleged perpetrators involved. In doing so we aim to build on the trust and confidence of our tenants to allow all to easily report hate crime incidents.
- 11.6 Innisfree attends regular multi-agency meetings to maintain positive relationships with partnership agencies, to support victims and witnesses of antisocial behaviour and hate crime incidents. We work with agencies such as the Police, Social Services, Community Safety Teams, GP's and other health workers, support workers, Probation Services, and Irish specific groups across various sectors. Where possible, we work towards helping perpetrators change their behaviour.
- 11.7 Where the responsibility and power to lead an investigation lies with another service such as Police or the Local Authority, we will support their investigation and take necessary supporting action. We will refer all crime, including threats or acts of violence, to the Police.
- 11.8 Innisfree understands and acknowledges the diversity our tenants, their families, and the wider community. We work closely with our tenants through home visits and community events to help us understand the different needs of our tenants across the boroughs and communities our homes are in.
- 11.9 Innisfree endeavors to stay in contact with witnesses and victims of hate crime incidents wherever possible; we will keep them up to date of our proposed actions and support them to keep accurate witness reports.
- 11.10 Innisfree will work with alleged perpetrators to help them change and manage their behaviour; they will normally be given time to change their behaviour before enforcement action takes place.
- 11.11 We will respond proportionately and appropriately to the concerns raised; we will do this through:
- **Early intervention**, investigation and prompt decision making
 - The use of **risk assessments**
 - **Providing support to witnesses** and victims of hate crime incidents
 - **Providing support to perpetrators** where there are vulnerabilities
 - **Taking appropriate legal action** against perpetrators where necessary
 - **Supporting third party agencies** to take legal action against perpetrators where necessary

12. HOW WE SUPPORT VICTIMS OF HATE CRIME

- 12.1 Innisfree staff will provide advice and support to victims of hate crime incidents – where appropriate, we will refer victims to specialist agencies that can provide emotional and practical support.
- 12.2 Where appropriate, we will support the victims to maintain security at their home. We endeavour to treat repairs to the victim's home as an emergency if it is a result of hate crime.

- 12.3 Innisfree will support witnesses and victims of hate crime to report their concerns and will ensure that they understand the investigative process. We will provide them with a realistic understanding of the actions that can be considered and the timeframes for these actions. Innisfree signpost victims and witnesses to further support where required.
- 12.4 If a victim is required to attend a court hearing, we endeavour to support them through this process. This may include explaining the court procedures and possible outcomes, attending court with them, and addressing any additional needs they may have.

13. HOW WE WORK WITH PERPETRATORS OF HATE CRIME

- 13.1 Innisfree will not pre-judge alleged perpetrators – we will work in a clear, open and transparent way to ensure that all parties are aware of the investigation, action plan and outcome, wherever possible.
- 13.2 In cases where there is evidence that a hate crime has taken place, appropriate action will be taken in accordance with the nature and severity of the incident.
- 13.3 Innisfree may work with supporting agencies like the Police or the Safer Neighbourhoods Team. Where another agency takes the leading investigative responsibility, Innisfree will support them and take any necessary supporting enforcement action.

14. DATA SHARING

- 14.1 All information will be stored Housing Management systems. All case notes, case files, and personal information will be kept confidential in line with the Data Protection Act 2018. We will adhere to the Data Protection Act and comply with General Data Protection Regulation for Sharing Personal Information to ensure that we maintain confidentiality of all parties.
- 14.2 We will share information with third parties where we have an information sharing protocol in place, if there are safeguarding concerns, or we have a duty to do so for the purpose of crime prevention under the provisions of the Crime and Disorder Act 1998, and the provisions of the Data Protection Act 2018 (and any other relevant legislation) justify it.

15. EQUALITY AND DIVERSITY

- 15.1 We are committed to embedding the 2010 Equality Act into our Policies and Procedures. As part of this commitment, staff should facilitate reasonable adjustments and adapt our standard policies and procedures wherever possible, in order to ensure every individual can make a complaint.
- 15.2 To make an adjustment means to change work practices to avoid or correct the disadvantage to a person with a disability. This may include:
- Allowing more time than we would usually for someone to provide information that we needed.
 - Providing specialist equipment or additional support such as a sign language interpreter.

16. CONSULTATION AND REVIEWING THIS POLICY

16.1 Innisfree will measure the success of this policy in a number of ways, including the use of regular surveys sent to tenants, and monitoring the number of hate crime incidents reported.

16.2 All open cases will be reviewed regularly within the Housing team and the Operations Director to assess the effectiveness of the actions being taken in line with the Policy.

16.3 We will publish our policy on our website and through our newsletter.



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