

Hate Crime and Harassment Policy

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Date of next review: 01/04/2010
Policy reviewer: Anti Social behaviour Co-ordinator

Hate Crime and Harassment Policy Statement

Mercian Housing Association takes hate crime and harassment very seriously and we will use every means possible to challenge behaviour and attitudes that may lead to hate crimes and harassment and where necessary, we will utilise every tool at our disposal to tackle incidents of hate crime and harassment when they occur. We will:

- Respond positively and as a matter of urgency to any reports of hate crime or harassment.
- Take a victim centred approach.
- Treat all reports in a professional manner and do everything possible to remedy the situation.
- Use early intervention methods where appropriate.
- Provide regular updates throughout the course of a case.

What is a hate crime?

A Hate crime is any criminal offence which is perceived by the victim or any other person, as being motivated by prejudice or hate.

What is harassment?

The Race Relations Act 1976 defines harassment as:

“unwanted behaviour, which has the purpose or effect of violating a person’s dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”

Further, the association believes the following definition of a racist incident, as defined in the Macpherson Report, 1999:

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

Hate crime or harassment committed by Mercian residents

All of Mercian’s residents have a Tenancy Agreement or Lease which prohibits them from causing committing criminal offences or harassment. All residents are responsible for their own behaviour, the behaviour of their visitors and the behaviour of other members of their household.

Tackling Hate crime and racial harassment

We will always take a victim centred approach. This means that the action we take will be on the basis that the person to whom the behaviour is directed is the victim in the incident.

Action will be taken according to the victim's wishes and beliefs.

Mercian will not apply a 'one size fits all' approach and all action plans will be individually tailored to meet the needs of our residents.

While we will not hesitate to take legal recourse through the courts, we will consider, and use where appropriate, other methods to tackle hate crime and harassment before legal action is taken.

Supporting Witnesses and Victims of Hate Crime and Harassment

Every effort will be made by Mercian to support witnesses and victims of Hate Crime and Harassment. This may include:

- Making referrals to Victim Support West Midlands.
- Making referrals to Tenancy Support services (either provided by Mercian or other agencies).
- Providing accompanied visits to Magistrates or County Courts prior to an appearance by a witness.
- Facilitating physical safety improvements to a property (either by Mercian or through referral to another agency.)
- Finding alternative accommodation where the witness is not safe to remain in their current home.
- Providing interpreters for residents that do not speak English as a first language.
- Arranging for photographic evidence to be taken by Visual Evidence for Victims (VEV).

Partnership working

Mercian works closely with other agencies to tackle Hate Crime and Harassment. These Agencies may include but are not exclusively:

- Police
- Other Landlords
- Local Authority
- Mental Health Teams
- Neighbourhood Wardens
- Youth Offending Teams
- Victim Support West Midlands

Mercian are active members of partnerships to tackle Hate Crime and Harassment. These include:

- Birmingham Social Housing Partnership Anti Social Behaviour Group

- Coventry Consortium of Social Landlords
- Safer Walsall Borough Partnership
- Walsall Respect Partnership
- We are also active members of numerous Safer Estates/Safer Neighbourhoods groups within the neighbourhoods we work in.

Mercian have signed various Information Exchange Protocols to ensure that any information that is exchanged with other agencies remains confidential and is used only for the purposes of tackling crime and disorder.

In order to exchange information with another organisation, Mercian must ensure that the other organisation has signed the Information Sharing Protocol and that the appropriate forms and requests for disclosure have been completed and signed.

Where networks and partnerships exist, cases will be referred by the ASB Co-ordinator to regional panels for the monitoring of cases. These panels include:

- Birmingham Racial Attacks Monitoring Unit (BRAMU)
- Coventry Anti Harassment Forum (CAHF)
- Walsall Partnership Tension Monitoring

Updates will be provided to panels as often as requested.

Related Policies

Complaints Policy
Anti Social Behaviour Policy
Domestic Abuse Policy
Equality and Diversity Policy
Homelessness Policy