

Dadansoddi ar gyfer Polisi



Analysis for Policy



Llywodraeth Cymru
Welsh Government

Ymchwil gymdeithasol
Social research

Number: 06/2013

www.cymru.gov.uk

Hate incidents in social rented housing: A review of approaches and the use of the Tackling Hate Incident Toolkit



Hate incidents in social rented housing: A review of approaches and the use of the Tackling Hate Incident Toolkit¹

Shelter Cymru, Tai Pawb and Swansea University

Views expressed in this report are those of the researcher and not necessarily those of the Welsh Government

For further information please contact:

Name: Sara James

Department: Knowledge and Analytical Services

Welsh Government

Rhydycar

Merthyr Tydfil

CF48 1UZ

Tel: 0300 062 8562

Fax: (01685) 728006

Email: sara.james@wales.gsi.gov.uk

Welsh Government Social Research, 2013

ISBN: 978-0-7504-9146-4

© Crown Copyright 2013

¹ Picture courtesy of Cardiff Community Housing Association

Table of contents

Page:

3.	Introduction
15.	Key findings from the study
18.	Detailed findings
30.	Key themes that arose from the report
41.	Conclusions and Recommendations
47.	Appendix 1: Stakeholders involved in the research
49.	Appendix 2: Hate incident victim case studies
54.	Appendix 3: Examples of what social landlords and their partners are doing to tackle hate incidents in Wales

1 Introduction and background to the study

Introduction

1.1 In 2008, the Wales Social Landlords Anti-Social Behaviour (ASB) Forum published 'Tackling Hate Incidents – a Toolkit for Social Landlords in Wales' (the Toolkit). The Toolkit was the outcome of extensive consultation with associations, community safety partnerships and other key stakeholders, combined with reviews of best practice across the UK.

1.2 The purpose of the Toolkit was to develop a common approach, based on best practice that enables social landlords to deliver a focused service to victims of hate crime and ASB, based on individual needs within a common framework.

1.3 The Toolkit aims to provide practical information and advice to social housing practitioners throughout Wales, so that they can provide a comprehensive service to victims and witnesses of hate incidents. It is aimed at frontline staff and those responsible for designing services and developing policies and procedures.

1.4 The Toolkit is relevant to organisations with well developed services for tackling hate incidents and to those looking to improve their services in this area.

1.5 The Toolkit provides guidance for social landlords in the following areas:

- encouraging people to report hate incidents
- investigating incidents and action planning
- supporting victims and witnesses
- achieving multi-agency working
- taking action against perpetrators
- improving practice

- working to reduce hate incidents

1.6 The Toolkit specifically states that advice on preventative work and community cohesion activities is outside its scope, although it provides some direction in relation to improving relationships within neighbourhoods and considering hate crime in social housing allocations.

1.7 A list of sources of information, organisations and websites is also included, as well as examples of good practice in order to assist landlords in their attempts to tackle hate incidents.

1.8 In June 2012, the Welsh Government commissioned Shelter Cymru and Tai Pawb to undertake a process and impact evaluation to assess the effectiveness of the Toolkit and provide evidence that allows the Toolkit to be built upon and evolve. This evaluation is essential to meet the aims set out in the Housing White Paper (May 2012) to reduce the incidence of hate crime in Wales. Therefore, the aims of the evaluation are as follows:

- (i) to ascertain how widely the Toolkit is used, including identifying examples, and whether its aims have been met;
- (ii) to identify where it has not been used, whether an alternative approach has been adopted and how successful this has been;
- (iii) to identify whether improvements are needed to the Toolkit or suggest alternative processes for achieving the Toolkit's aims.

1.9 As well as answering the above broad questions about the Toolkit, the research expanded towards assessing the work social landlords are currently undertaking in order to tackle hate incidents in Wales and how their work could be improved.

1.10 The study also identifies improvements needed to the Toolkit and the Welsh Government's guidance on anti-social behaviour policies and procedures for social landlords and suggests alternative methods the Welsh Government could adopt to achieve the aims of the Toolkit.

Report structure

1.11 Chapter 2 highlights the key findings from the research. This is an overview of the main findings of the study.

1.12 Chapter 3 details the results of the evaluation of the Toolkit. This chapter primarily considers how the Toolkit is used by social landlords and which elements social landlords find valuable.

1.13 Chapter 4 discusses the themes that arose during the research. Some of these themes are directly related to the Toolkit whilst others look at alternative ways in which social landlords could achieve the aims of the Toolkit.

1.14 A series of recommendations are presented in Chapter 5. These recommendations have been drawn up by the researchers on the basis of the findings from the current study.

1.15 Appendix 1 details the stakeholders who took part in the research.

1.16 Appendix 2 details two case studies from the point of view of victims who experienced hate incidents in social housing in Wales.

1.17 Appendix 3 provides examples of good practice that social landlords, and their partners are using to tackle hate incidents in Wales.

Hate crime and hate incidents

1.18 Hate incidents are a manifestation of prejudice based on the protected characteristics under the Equality Act 2010. These are as follows:

- (i) age
- (ii) gender
- (iii) disability
- (iv) religion and belief
- (v) sexual orientation
- (vi) race
- (vii) gender reassignment
- (viii) pregnancy and maternity and
- (ix) marriage and civil partnership.

1.19 However, the police only monitor hate crime in relation to five of the above protected characteristics. These are:

- (i) disability
- (ii) religion and belief
- (iii) sexual orientation
- (iv) race
- (v) gender reassignment.

1.20 Whilst hate crime involves a criminal offence (eg, assault, criminal damage), hate incidents encompass a broader spectrum of anti-social behaviour, including non-criminal behaviour. Dealing with hate crime and hate incidents is often seen as an aspect of management of anti-social behaviour.²

1.21 A particular feature of hate incidents and crime is that they can be targeted both at individuals and their families. Tackling hate incidents in Wales is an ongoing challenge for

² See: Home Office, 2012, Challenge It, Report It, Stop It; and, Home Office, White Paper, 2012, Putting Victims First: More Effective Responses to Anti-social Behaviour, Cm 8367 para 1.15.

a wide range of organisations, including social landlords. The Home Office statistics for 2011-2012 state that 1809 hate crimes were recorded in Wales during that annual period.³

1.22 It is widely recognised that there is a major problem with the under-reporting of hate incidents or crime.

1.23 Research across the protected characteristics suggests that between 50-90% of hate incident victims do not report it to the police. The reasons for this include the perception that nothing will be done about the incident and that the police will not take it seriously (Community Justice Network Manifesto, 2011-20120)⁴. Victims can often feel disempowered and lack awareness and confidence in the criminal justice system and support services.

1.24 Recent research undertaken by a multitude of organisations indicates that hate crime is a lot more common than official statistics currently report. It has been noted that disabled people are four times more likely to be victims of crime compared to non-disabled people (British Council of Disabled People, 2007).⁵ Official statistics indicate that hate crime against disabled people in England, Wales and Northern Ireland rose between 2010 and 2011.⁶

1.25 The police partly attributed this rise in disability hate crime to an increased willingness to report hate incidents. Recent research such as Hidden in Plain Sight (EHRC, 2010)⁷ and the Disability Related Harassment Inquiry (conducted by the National Assembly for Wales, 2011)⁸ suggests that there is a “a systemic failure by public authorities to recognise the extent and impact of harassment and abuse of disabled people, take action to prevent it happening in the first place and intervene effectively when it does. These organisational failings need to be addressed as a matter of urgency.”

³ <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hate-crimes-1112/>

⁴ http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCMQFjAA&url=http%3A%2F%2Fwww.wcva.org.uk%2Fimages_client%2Fpolicy%2FCJW%2520Manifesto%2520Final%2520E.doc&ei=Ztd-UKj6AanW0QXvtoBg&usq=AFQjCNGPRf7UOE4ILOQADvyWwWxIGgUuHQ&sig2=BsGhBFcYup7UH6f9OR6tdQ

⁵ Cited in:

http://www.equalityhumanrights.com/uploaded_files/research/promoting_safety_and_security_of_disabled_people.pdf

⁶ <http://www.acpo.presscentre.com/Press-Releases/ACPO-publishes-hate-crime-data-for-2011-1a1.aspx>

⁷ http://www.equalityhumanrights.com/uploaded_files/disabilityfi/dhfimain.pdf

⁸ <http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=1519>

1.26 Disability-related harassment was examined by the Equality and Human Rights Commission in late 2011.⁹ This inquiry included looking at the role of housing providers and four key recommendations were developed to be taken forward by providers in Wales. They focussed on the key themes of leadership, equality duties, safeguarding and reporting.

1.27 Multi-agency working, including Multi-Agency Risk Assessment Conferences (MARACs), was one of the recommendations of the Equality and Human Rights Commission's Inquiry into Disability Related Harassment¹⁰ and, where carried out appropriately, can produce better results for stakeholders and, above all, victims (including reducing the number of repeat incidents).

1.28 Another report highlights that 79% of transsexuals had experienced harassment in public (Whittle et al., 2008)¹¹. Stonewall (2008)¹² reported that one in five lesbian, gay and bisexual people have been the victim of one or more homophobic hate crimes in the last three years and that three-quarters did not report it to the police. Moreover, 43% of those who did not report the crime did not do so because they did not think it serious enough to report. Mind (2007)¹³ noted that 71 per cent of respondents in their research with mental health problems reported being victimised in last two years. They also reported that 90% of respondents who lived in local authority housing had been victimised. Importantly, of those who reported their crime, 64% were dissatisfied with the response they received.

1.29 As part of the Wales Specific Duties through the Equality Act 2010, the Welsh Government launched a Strategic Equality Plan in April 2012. This document includes an objective to tackle hate crime. In addition, the Welsh Government will be delivering a Hate Crime Framework for Action in 2013. The framework is targeted at the Welsh Government, local authorities and stakeholders, and its aim is to develop a standardised approach on an all-Wales basis . The three key objectives of the framework are to:

- (i) prevent hate crime;
- (ii) increase reporting, training and access to support; and

⁹ http://www.equalityhumanrights.com/uploaded_files/disabilityfi/dhfirmain.pdf

¹⁰ Op.cit.

¹¹ Whittle S, Turner L, Combs R and Rhodes S (2008) Transgender EuroStudy : Legal Survey and Focus on the Transgender Experience of Healthcare Brussels: The European Region of the Lesbian and Gay Association

¹² Stonewall (2008) Homophobic Hate Crime The Gay British Crime Survey 2008 London : Stonewall

¹³ Mind (2007) Another Assault London: Mind

- (iii) improve the operational response to hate crime.

1.30 The All Wales Hate Crime Research Project - a three year study funded by the Big Lottery Research Programme - is currently examining the nature and impact of hate crime in Wales. On their website is a plethora of information and good practice on tackling hate incidents in Wales.¹⁴ Rather than duplicating their work, we wished to complement it by accruing evidence of what social landlords in Wales are doing to tackle hate incidents and crime.

Tackling hate incidents – social landlords

1.31 There has recently been a growing concern about anti-social behaviour in areas of social housing (Haden & Nardone, 2012)¹⁵. Brown (2009)¹⁶ noted that three-quarters of hate crime victims in Liverpool in the past nine months were social housing tenants. Nevertheless, it is not clear if this finding is due to higher reporting of hate incidents amongst social housing tenants or if social housing tenants are more likely to be victims.

1.32 Hate incidents and crime are a major issue for housing for a number of reasons. These include neighbour disputes; anti-social behaviour, property damage, repeat incidents and escalation and eviction and retaliation.

1.33 There is a substantial body of research evidence which indicates that organisations should:

- have clear policies and procedures on hate incidents which are promoted to tenants;
- take a victim-centred approach that puts the needs and wants of the victim at the heart of service delivery;
- commit to taking certain actions;

¹⁴ <http://www.waleshatecrimeresearch.org.uk/>.

¹⁵ http://www.internetjournalofcriminology.com/Hayden_Nardone_Neighbours_From_Hell_IJC_June_2012.pdf

¹⁶ <http://www.insidehousing.co.uk/tenancies/three-quarters-of-hate-crime-in-liverpool-targets-social-tenants/6522333.article>

- monitor hate incidents;
- train staff to recognise hate incidents and ask questions sensitively, work with the police, the Crown Prosecution Service, local authorities, community safety partnerships, victim support and local voluntary organisations; and
- find out if there is a multi-agency hate crime partnership in their area. If not, they should consider setting one up.

1.34 Research, together with the long standing experience of Tai Pawb and its partner organisations, suggests that social housing must play a key role in the prevention and tackling of hate crime. In recent years, numerous examples have shown that even incidents which might be classed as “lower level abuse” can, if repeated, have very serious consequences for victims of hate crime.

1.35 Haden & Nardone (2012) presented a single case study of anti-social behaviour focused on a household (the Asher family) with a severely disabled child, who moved into social housing in 2006. Following years of hate crime from neighbours, the family was rehoused in 2011.

1.36 The paper also cites the ‘Pilkington case’ where Fiona Pilkington killed herself and her 18-year-old daughter Francesca, who had learning disabilities. They had been victims of hate crime for the previous 10 years. The paper reports how a lack of communication and multi-agency working contributed to the Pilkington tragedy. Despite Mrs Pilkington reporting over 30 incidents to the police, opportunities to intervene were continually missed each time by agencies, including the local authority.

1.37 “This issue is not just about policing: a jury concluded that the response of Leicestershire police, Hinckley and Bosworth Borough Council and Leicestershire County Council's adult social services department all contributed to Mrs Pilkington's decision to kill herself and her daughter.” (Samuel, 2009, Para 6, cited in Haden & Nardone, 2012).

1.38 Also observed was the failure to identify the Pilkingtons’ vulnerability and the failure to distinguish between general anti-social behaviour in the area and the targeted behaviour to which the Pilkington family was subjected. In the Pilkington case, each

reported incident was treated in isolation rather than eliciting a coordinated response to what had been escalating hate incidents and crime. What is evident is that, without a multi-agency coordinated approach to hate incidents, social landlords might fail to recognise the incidents as hate crimes or underestimate the impact of the hate incidents or crime on the victim.

1.39 After reviewing the evidence in both the Pilkington and Asher cases, the Haden & Nardone paper's conclusions had implications for social housing policy and policing.

These included suggestions that:

- (i) policies such as the Localism Act (2011), implemented in England, could result in tenants who improve their circumstances having to move out of social housing, thereby increasing the concentration of marginalised groups in social housing. This, in turn, is likely to further accentuate the environment for anti-social behaviour. However, this element of the Localism Act is not applicable in Wales;
- (ii) there is a need for a greater understanding of how to assess and respond to the particular vulnerabilities of families; and,
- (iii) there is a need to better record and interpret multiple hate incident related calls from a person or family in order to deliver a correct, co-ordinated response.

Aims and objectives

1.40 As previously noted, the primary aims of the process and impact evaluation were:

- (i) to ascertain how widely the Toolkit is used, including identifying examples, and whether its aims have been met;
- (ii) to identify where the Toolkit has not been used, whether an alternative approach has been adopted and how successful this has been; and
- (iii) to identify whether improvements are needed to the Toolkit and suggest alternative processes for achieving the Toolkit's aims.

1.41 As well as answering the above broad questions about the Toolkit, the research expanded towards assessing what work social landlords are currently undertaking in order to tackle hate incidents in Wales and how their work could be improved.

1.42 The study also identifies improvements needed to the Toolkit and the Welsh Government's guidance on anti-social behaviour policies and procedures for social landlords and suggests alternative methods the Welsh Government could adopt to achieve the aims of the Toolkit.

Methodology and time frame

1.43 The Research Team undertook a process and impact evaluation of the document 'Tackling hate incidents – a Toolkit for social landlords'. The evaluation was undertaken between June 2012 and October 2012.

1.44 The evaluation involved consultation with social landlords, wider stakeholders and victims of hate incidents. The steering group for the project discussed which social landlords to be include in the study. It was decided that all Registered Social Landlords (RSLs) in Wales, plus the 11 Welsh local authorities who have retained housing stock, would be included. In addition, the steering group felt it was imperative to gauge the views of 'de minimus'¹⁷ landlords in Wales.

1.45 Social landlords were primarily asked for their views via an online questionnaire. The Research Team contacted social landlords by telephone and email. They were asked if they would complete a comprehensive online questionnaire which would not only evaluate the use of the Toolkit, but also establish the extent of the work being done by social landlords to tackle hate incidents in Wales.¹⁸

1.46 The Toolkit is aimed at frontline staff and those responsible for designing services and developing policies and procedures. The questionnaire therefore had questions

¹⁷ registered social landlords with less than 250 properties

¹⁸ A link to the survey can be found here:

<https://docs.google.com/spreadsheets/viewform?formkey=dHozZWJtWUIyaUU4bFRZN2Fra3JjY0E6MQ#gid=0>

pertaining to both strategy and frontline services and asked for monitoring data regarding hate incidents.¹⁹

1.47 A 'Word' document version of the questionnaire was made available to social landlords who were unable to complete the online version.

1.48 The Research Team received a response rate to the online questionnaire of around 80% from regulated social landlords. However, despite the Research Team's efforts to engage with landlords by telephone, email and post, few responses were received from 'de minimus' landlords.

1.49 One social landlord returned a survey by the post with 'not applicable' written after every question.²⁰ Another social landlord chose not to complete the questionnaire but rather provide us with qualitative information via email and told us their approach was roughly based on the Toolkit. Finally, another social landlord returned their response by email after the survey closing date.²¹ Two of the responses were not in a format to be entered into the online survey format and one response was received after quantitative analysis had begun. Therefore, quantitative survey analysis in this review is based on the 37 responses received to the individual survey questions.

1.50 The second stage of the research involved:

(i) a series of one-to-one interviews with 10 stakeholders (including social landlords). This was to discuss their approach to tackling hate incidents in more detail and to discuss emerging themes from the online survey. The stakeholders who took part in the research are shown in Appendix 1;

(ii) three focus groups with 47 interested stakeholders (shown in Appendix 1) to discuss their approach to tackling hate incidents in more detail and to discuss emerging themes from the research. Two focus groups were held in South Wales and one focus group was held in North Wales; and

¹⁹ Nevertheless, the monitoring data collected was not directly comparable between landlords and was of varying standards of quality.

²⁰ However, we later undertook a telephone interview with the social landlord in order to capture their views on the topic

²¹ However, the qualitative responses given by these social landlords were included in the research analysis

(iii) a series of one-to-one interviews with six victims of hate incidents in Wales.²² This was to discuss their personal experiences of hate incidents in Wales and, importantly, what support they would have liked from their social landlord when they experienced hate incidents themselves. The Research Team employed someone with experience of hate incidents, known as a Peer Research Officer, to help design the research interview scripts and interview participants alongside our Research Officers. The use of the Peer Researcher resulted in a more comfortable and productive interview experience for the research participants and provided the Peer Researcher with transferable research skills.

1.51 Finally, the methodology involved the collection of some good practice examples from social landlords and other stakeholders working to tackle hate incidents in Wales.²³

1.52 The Research Team liaised with the Project Manager of the All-Wales Hate Crime research project to discuss the nature of this study and how it could complement their work. The Project Manager also attended a focus group to feed in their thoughts on what social landlords could be doing to successfully tackle hate incidents in Wales. It was important to not duplicate the work of the All-Wales Hate Crime research project, so our examples of good practice primarily focus on social landlords and those working with them.

1.53 As noted, the scope of the research widened during the project period. It went from a targeted evaluation of the tackling hate incident Toolkit to a wider study of what social landlords are doing in Wales to tackle hate incidents.

1.54 This research does not purport to cover all of the work that social landlords are doing to tackle hate incidents in Wales, nor does it pertain to be a full review of wider work being undertaken in Wales to tackle hate incidents, which is outside the scope of the evaluation.²⁴

²² The findings of these interviews are reflected in the general results but we have written two accounts up as case studies. These case studies are shown in Appendix 2.

²³ These are written up in Appendix 3

²⁴ For a full review of good practice with regard to tackling hate incidents in Wales, please see: http://www.waleshatecrimeresearch.org.uk/good_practice

2. Key findings from the study

2.1 The research found that the Toolkit is quite widely used by social landlords in Wales (our survey indicated 37%), but less so by local authorities (who retain their stock) and the 'de minimus' landlords we spoke to during the research. The Toolkit is used mostly by Registered Social Landlords.

2.2 Social landlords who do not use the Toolkit stated that their methods follow the ethos of the Toolkit.²⁵

2.3 Stakeholders viewed the Toolkit as a helpful reference guide for social landlords.

2.4 The Toolkit is useful in ensuring social landlords' policies and practices are effective for tackling hate incidents.

2.5 The research identified a range of approaches and good practice that social landlords are using to deal with hate incidents.

2.6 The issues that arose during the study were grouped into themes. These can be summarised as follows:²⁶

- (i) awareness and recognition of hate incidents;
- (ii) consistency of response across Wales;
- (iii) a multi-agency approach to tackling hate incidents;
- (iv) barriers to victims and witnesses of hate incidents reporting the incident to their social landlord;
- (v) the monitoring of outcome data of hate incident work; and

²⁵ This was true for social landlords who had heard of the Toolkit but had not used it because they had already developed their methods for tackling hate incidents.

²⁶ Recommendations were also developed for how the Toolkit could be improved.

(vi) resolution of the hate incidents or crime.

2.7 Brief descriptions of these key findings are detailed below. Recommendations as to how the issues which arose might be addressed are presented in section 5 of this report.

Awareness and recognition of hate incidents

2.8 One of the major barriers to effectively tackling hate incidents is a lack of awareness amongst the general public (including victims and perpetrators of hate incidents) and organisations (including social landlord staff), of what a hate incident actually is and whom it affects. This suggested that some tenants might not realise that they had experienced a hate incident and therefore did not report it.

2.9 The research touched upon the complexities of hate incidents, the importance of adequate social landlord staff training and effective monitoring of hate incidents. The Toolkit was identified as a useful resource to increase an organisation's awareness of hate incidents and their ability to recognise them as such.

Consistency of responses across Wales

2.10 The research picked up on the issue of the consistency of responses to hate incidents from social landlords across Wales. Social landlords reported a wide range of different responses, depending on local context and need. Stakeholders emphasised the need to ensure awareness of hate incidents towards people with some of the lesser known protected characteristics in more rural areas of Wales.

A multi-agency approach to tackling hate incidents

2.11 There was evidence of effective partnership working between social landlords and other organisations to tackle hate incidents. Social landlords who use the Toolkit stated that they had good partnership working even before the implementation of the Toolkit.

2.12 It was clear that a multi-agency approach incorporating both local and national organisations (and service users) is required for social landlords to effectively tackle hate

incidents. However, the results indicated that there might be less engagement with agencies other than the police and community safety partnerships.

Barriers to reporting

2.13. Social landlords reported numerous ways in which tenants can report hate incidents, including telephone, email and third party reporting systems. However, as noted, hate incidents are notoriously under-reported, and this is also apparent in social housing.

2.14 There are thought to be numerous reasons why victims are reluctant to report hate incidents to their social landlord. These include victims' lack of awareness of what a hate incident actually is, the fear that nothing will be done after reporting the incident, fear of repercussions and issues - whether real or perceived - over the user-friendliness of the reporting systems.

The monitoring of outcome data of hate incident work

2.15 Our research found that there is a lack of formal monitoring of what is being done to tackle hate incidents, thereby making it difficult for social landlords to accurately measure the success of their approaches. However, some landlords do recognise this and are aiming to improve their monitoring of hate incidents and what they use the monitoring data for.

Resolution of the hate incidents or crime

2.16 The research found that hate incidents are dealt with by social landlords in a variety of ways, ranging from eviction to mediation and restorative justice. Essentially, many social landlords highlighted the need for the response and case resolution to be victim-centred.

3 Detailed findings

Online survey responses

3.1 The Research Team received 40 responses from Welsh social landlords to our online survey evaluating the Toolkit. The vast majority of responses (approximately 80%) were from regulated landlords (both local authorities and RSLs). However, there was a disappointingly low response from the 'de minimus' landlords we contacted.^{27 28}

3.2 Further investigation of the low response of 'de minimus' landlords leads to the following assumptions:

- (i) due to the small nature of the 'de minimus' landlords, they do not have set hate incident policies and procedures and did not feel they could contribute to the survey questions;
- (ii) several social landlords believe that they have a small 'niche' tenant population which is not likely to be affected by hate crime. They therefore found the survey inapplicable;
- (iii) we were not confident that we were able to obtain an up-to-date list of 'de minimus' social landlords in Wales and we may therefore have missed a small number of 'de minimus' landlords in our invitation to participate in the research.

3.3 Some social landlords chose not to answer every question. Therefore, the figures shown are based on the percentage of social landlords who answered a specific question. Indications of the exact number of question respondents are shown when possible. Although we offer some interpretation of the survey responses, caution is warranted due to the low numbers involved. We feel that the results are generally applicable to social landlords in Wales. However, we would urge caution in extrapolating results beyond those social landlords who responded to our online survey.

²⁷ Attempts were made to send the survey to approximately 18 de minimus landlords

²⁸ The Research Team ensured that we spoke to at least two de minimus landlords during the semi-structured interviews in order to probe this issue further and gain an understanding of how they tackle hate incidents.

3.4 Only 37% of social landlords who completed the survey stated explicitly that they used the Toolkit to tackle hate incidents within their organisation. Therefore, the majority of social landlords (54%) who completed the online survey told us that they did not use the Toolkit. A few social landlords stated that they were not sure if their organisation used the Toolkit. However, they did complete the questionnaire.

Social landlords who do not use the Toolkit

3.5 The 'non-users' of the Toolkit tended to fall into two distinct groups:

- (i) those social landlords who feel the Toolkit is 'too simplistic' and have gone 'one step further' and developed policies and practices above and beyond what is in the Toolkit²⁹; and
- (ii) those social landlords who have not used the Toolkit for various other reasons. This includes those landlords who had not heard of it or felt that the risk of hate incidents was very low in their area and did not therefore feel the need to use it.

3.6 In the main, non-users indicated that their policies and procedures broadly follow the ethos of the Toolkit. They therefore feel that they already have an effective procedure in place. It is noteworthy that the local authority respondents stated that they do not use the Toolkit.

3.7 Of those social landlords who did not use the Toolkit (and answered the question), 17% said that they had never heard of the Toolkit before. However, 78% of those landlords stated that they would use the Toolkit in the future, while 22% said they would not.

3.8 *I find the Toolkit to be too restrictive and simplistic. Any decent social landlord should know how to address hate crime complaints. Although I accept that organisations/members of staff who lack confidence and knowledge may find the Toolkit useful.*" (Social landlord).

²⁹ Often their systems pre-dated the Toolkit hence why they did not use it

Using the Toolkit to tackle hate incidents

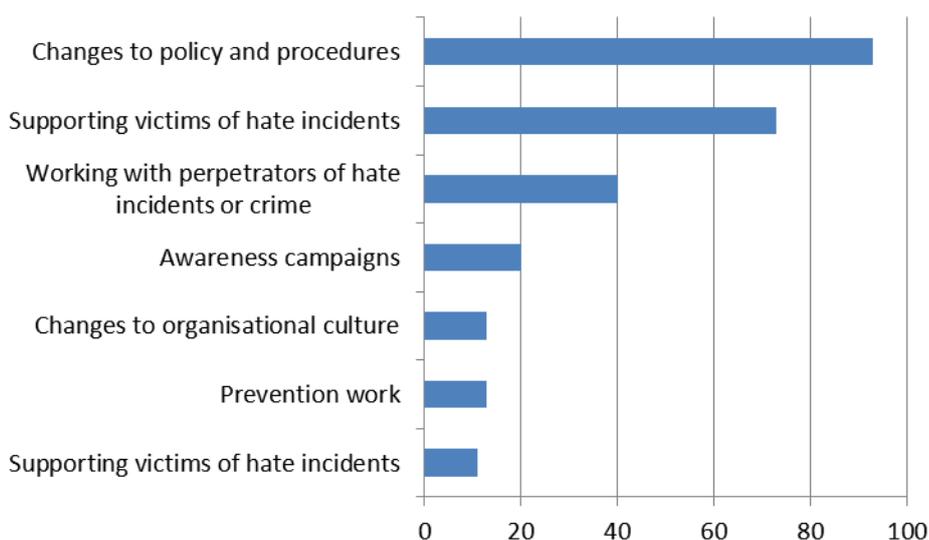
3.9 Overall, the Toolkit was highly thought of as a valuable reference resource for social landlords in their attempts to tackle hate incidents.

3.10 *“I would say that the toolkit is an excellent bible – good for reference and good to refer to. But I think that people do develop it their own way, what works for them as rural Pembrokeshire is going to be different to Cardiff so you do need to be holistic not one size fits all. It is good as a framework and reference to good practice, but you need something that is effective for you”* (Social landlord)

3.11 The length of time that social landlords have been using the Toolkit since its implementation ranged from five months to four years, with the average time being approximately 29 months.

3.12 We asked social landlords how the Toolkit had been used by their organisation. Figure 1 (below) illustrates the responses.³⁰

Figure 1: Percentage of social landlords who use the Toolkit for the following purposes



³⁰ Respondents were able to select more than one checkbox.

3.13 Figure 1 highlights that the Toolkit is most often used to make changes to the social landlord's policies and procedures (93% of respondents)³¹ and supporting victims of hate incidents (73%). Indeed, 81% of social landlords who answered the question in our survey agreed or strongly agreed with the statement that the Toolkit has enabled the organisation to develop clear policies and procedures in tackling hate incidents. It therefore appears that the Toolkit is especially useful to social landlords when it comes to improving organisational policy and practice.

3.14 Comments by organisations about specific ways in which the Toolkit has helped them refine policies and procedures include:

- (i) "Making sure we cover information and guidance on dealing with hate crimes in our policies and procedures." (Social landlord)
- (ii) "The toolkit was referred to throughout a recent review of our ASB Policy and Procedures." (Social landlord)
- (iii) "We have updated our policies and procedures to reflect the best practice evident in the Toolkit." (Social landlord)

3.15 Some social landlords have a separate hate crime policy. However, other organisations subsume their hate crime policy within their anti-social behaviour policy. Some social landlords told us that they would like to have a separate hate crime policy and that they intend to do so in the future.

3.16 *"We do not have a Hate Crime Policy in place currently. However, this does form part of the All -Wales ASB Management Standard. We will look to develop a policy as part of this work. The Tackling Hate Incidents Toolkit will be looked at as part of the All -Wales ASB Management Standard preparation."* (Social Landlord)

3.17 Nevertheless, it was noted that smaller organisations with limited resources might find it challenging to have a stand-alone hate crime policy as well as their general anti-social behaviour policy.

³¹ Of the 15 social landlords who answered this question

3.18 Figure 1 showed that only 13% of respondents use the Toolkit to aid hate incident prevention. Indeed, of the social landlords who answered the question in our survey, only six per cent agreed that the Toolkit has enabled them to prevent hate incidents.

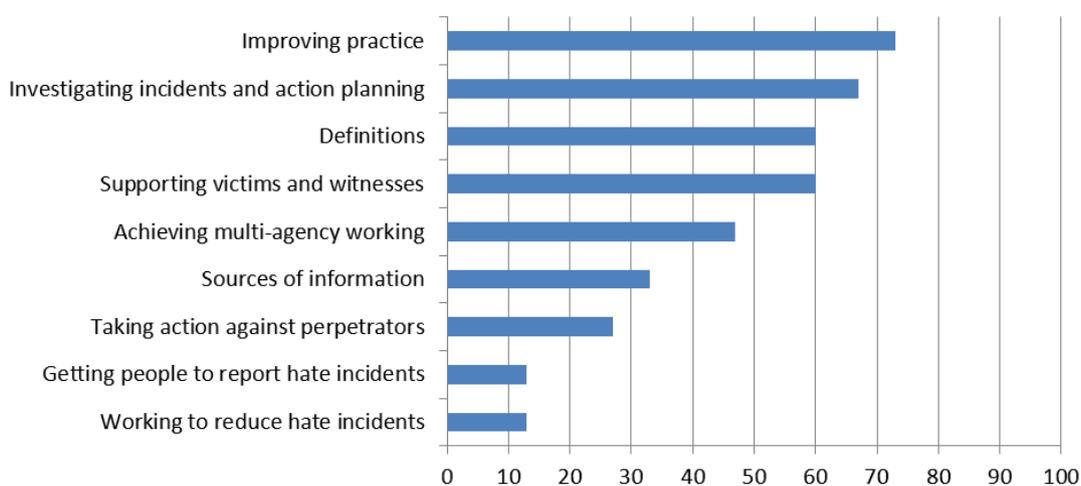
3.19 Similarly low scores were achieved for using the Toolkit to develop community cohesion activities, which are often part of prevention. However, 69% of social landlords who do not use the Toolkit rated their approach to working to reduce hate incidents as effective. Therefore, this might indicate that there is good prevention and community cohesion work going on amongst social landlords in Wales.

3.20 *“We are lucky in Cardiff that we have an excellent working relationship with Hate Crime Unit [South Wales Police] and attend the monthly multi-agency race forums. Due to this we have not had to rely on the Toolkit because joint working ensures a comprehensive response. It would be great to do more preventative work. However, we would ideally want to do this in partnership and I think there is lack of resources /initiatives for this.”*
(Social landlord)

3.21 We asked social landlords what parts of the Toolkit they find most valuable. Figure 2 (below) illustrates the responses.³²

.

Figure 2: Percentage of survey respondents who found the following sections of the Toolkit valuable



³² Respondents were able to select more than one checkbox.

3.22 'Improving practice' was rated as the most valuable part of the Toolkit with 73% of respondents finding this section valuable.³³ The second most valuable part was thought to be 'investigating incidents and action planning' (67%). The least valuable sections were 'getting people to report incidents' (13%) and 'working to reduce hate incidents' (13%).

3.23 This might suggest that these sections of the Toolkit are not as strong as some others. Alternatively, it could represent the ongoing challenges faced in trying to encourage victims of hate incidents to report those incidents and also the challenges social landlords face in preventing hate incidents.

3.24 Preventing hate crime is one of the areas considered for inclusion in the Welsh Government Framework for Action against Hate Crime. There are clear links between housing, the hate crime prevention agenda and community cohesion. In fact, hate crime prevention in housing, amongst others, forms part of the national community cohesion strategy, 'Getting on Together' (Welsh Government, 2009).

3.25 However, the recent report 'Mainstreaming Community Cohesion - Guidance for Local Authorities in Wales' (Welsh Government, 2012) states that "evidence from the national evaluation of 'Getting on Together' suggests that some local authorities and staff working in certain policy areas remain uncertain about how or why they should contribute." Therefore, it could be suggested that greater mainstreaming of community cohesion within housing organisations could help prevent hate crime from occurring.

3.26 We asked social landlords who use the Toolkit how it might be improved, if at all. Figure 3 (below) illustrates the response³⁴ It shows that 47% of social landlords³⁵ do not think that the Toolkit could be improved at all. The area that most people thought could be improved was 'getting people to report hate incidents' (33%).³⁶

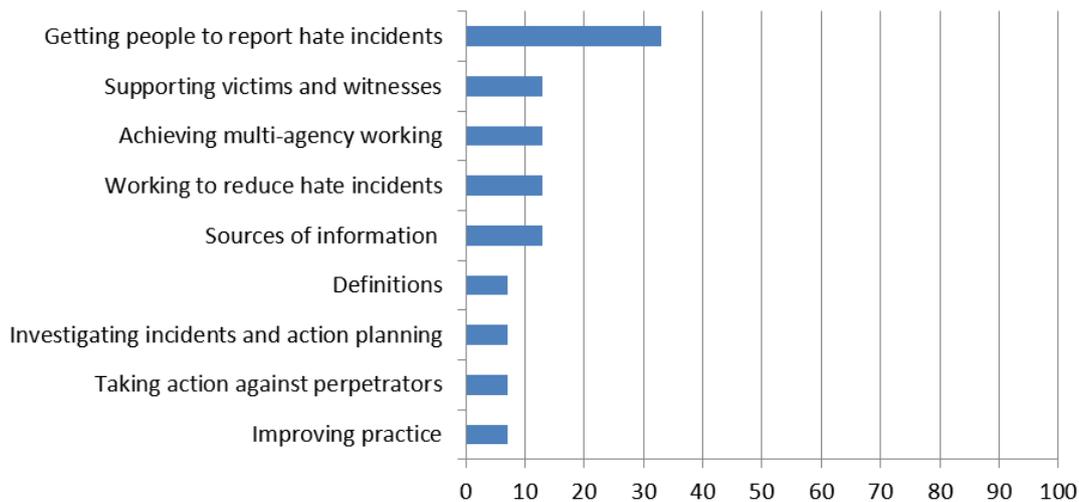
³³ Of the 15 social landlords that answered this question

³⁴ Respondents were able to select more than one checkbox

³⁵ Of the 15 social landlords who answered this question

³⁶ Nevertheless, 47% of respondents stated that they thought no area of the Toolkit could be improved.

Figure 3. Percentage of survey respondents who think the following areas of the Toolkit could be improved



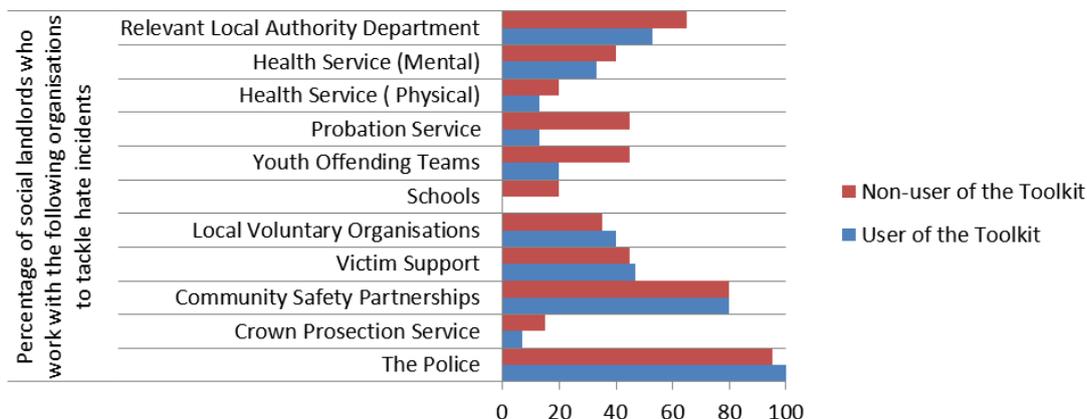
3.27 It is therefore clear that barriers to getting victims to report hate incidents still exist. Indeed, only seven per cent of social landlords who answered the question stated that victims and witnesses of hate incidents are more likely to report an incident following organisational changes they have made through the Toolkit, possibly indicating that there are wider barriers to reporting hate incidents than the Toolkit can provide answers to.

3.28 Despite the difficulties in comparing the responses of users and non-users of the Toolkit and despite the subjective nature of the survey responses, it appears that some users of the Toolkit could benefit from the practices of some non-Toolkit using social landlords when it comes to encouraging victims to report hate incidents.³⁷

3.29 We asked social landlords who used the Toolkit what organisations they worked with to tackle hate incidents. Figure 4 (below) illustrates the response compared to social landlords who stated in the survey that they do not use the Toolkit.

³⁷ An example of this is given in Appendix 3: Wrexham County Council

Figure 4: Percentage of social landlords who work with the following organisations to tackle hate incidents.³⁸



3.30 Figure 4 suggests that social landlords who do not use the Toolkit are more likely to work with a number of organisations, most notably schools but also including Youth Offending Teams, health services and probation services. This could be because a proportion of social landlords who do not use the Toolkit are those who state that they go ‘above and beyond’ what is in the Toolkit.

3.31 If this is the case, then it must be ensured that the Toolkit does not discourage social landlords from developing their own initiatives and multi-agency working links. It also suggests that those who do go ‘above and beyond’ the Toolkit should feed their good practice into the Toolkit in order to help other social landlords follow suit. However, due to the low numbers involved in the study, the above result could be anomalous. Caution is therefore warranted in interpretation.

3.32 While most social landlords reported working with the police, community safety partnerships and relevant local authority departments, very few reported links with other types of services (eg schools, probation services, health services, the Crown Prosecution Service etc). We do not know the reason behind this lack of partnership arrangements and information sharing in some areas. We can speculate that it may be due to an unwillingness to co-operate on the part of social landlords or potential partnership agencies.

³⁸ Users of the Toolkit (respondents to question: n=15)/ Non-users of the Toolkit (respondents to the questions: n= 20)

3.33 The Toolkit currently provides information and good practice advice on multi-agency working. However, it was developed before any recommendations were made to develop Multi-Agency Risk Assessment Conference (MARAC) structures for hate crime cases which, for example, involve common risk assessments and principles based on Domestic Violence MARACs. Such recommendations were made by the Equality and Human Rights Commission and stakeholders informed us that pilot MARACs are being developed in some areas while they are already operational in others.

Social Landlords' perspectives on strengths and weaknesses of approaches to tackling hate incidents in Wales

3.34 We asked social landlords to list the strengths of their approach to tackling hate incidents as well as ways in which their approach could be improved. Answers included the following:

Strengths:

- (i) being victim centred and user-led;
- (ii) a variety of ways that Hate Crime can be reported;
- (iii) a variety of locations that Hate Crime can be reported;
- (iv) staff more aware of what to look out for;
- (v) multi agency response to Hate Crime;
- (vi) robust standards in place;
- (vii) believing the complainant;
- (viii) speed of action; and
- (ix) taking appropriate action against the perpetrator.

What social landlords would like to improve about their approach:

- (i) measuring outcomes and effectiveness, both short and long-term;
- (ii) raising awareness of hate incidents;
- (iii) standardising procedures;
- (iv) more training for all staff members needed;
- (v) more prevention work needed; and

(vi) more specific hate crime policy (outside of ASB).

3.35 It is worth noting that all of the above suggestions with regard to improvements in practice are also reflected throughout the survey findings and in the feedback from focus groups. The fact that similar suggestions, eg in relation to robust standards, were reported above as strengths but also as weaknesses suggests inconsistency of approach and practice throughout Wales. This indicates the need to further promote good practice through the Toolkit and provide some leadership and policy guidance in relation to the issues outlined throughout this report.

3.36 As noted, we asked social landlords who use the Toolkit how it might be improved. We also raised this question during interviews and focus groups with a wide range of key stakeholders. Suggestions included wider promotion of the Toolkit, both to social landlords and to partners in areas other than housing in order to ensure a joined up approach.

3.37 There were also aspects of the Toolkit that some social landlords disagreed with. This included references to practices in England which do not apply in Wales and excluding references to the good work of some key organisations. However it is also understood that many developments in Wales have taken place since the Toolkit was published and, because of this, they might not have been included in the Toolkit.

3.38 It was also suggested by stakeholders that the Toolkit needs to be kept up to date as new legislation and good practice is brought in. Some stakeholders suggested that annual training on the Toolkit would be helpful in order to keep it 'alive' in people's minds.

3.39 One stakeholder in the focus group highlighted the merits of presenting a model of definitive good practice for social landlords within the Toolkit. For example, a fictional case study illustrating a step-by-step account of a tenant experiencing and reporting a hate crime and a social landlord's 'gold standard' response. Other stakeholders also stated that these 'case-study' examples may be equally powerful for social landlords if the Toolkit also presented case studies of poor practice, eg what social landlords should not do when dealing with a hate incident'.

3.40 However, the main suggestion for improvement to the Toolkit was in reference to the user-friendliness of the document.

3.41 Many social landlords stated that the length of the Toolkit means that accessibility is reduced. Some social landlords would like to see a briefer document to supplement the larger document. They would welcome an online version which they can refer to as and when required (eg, a document tabbed and with a search option which would allow people to access the information they need with ease).

3.42 It was noted that this would be particularly useful for social landlords who do not experience a high number of hate incidents as they would be able to refer to the manual when needed. This would also facilitate inclusion of more examples of good practice in the Toolkit and make it easier to update without making the document appear to large.

3.43 However, the focus groups with a wide range of stakeholders voiced concern at the suggestion of a more concise version of the Toolkit due to fears that social landlords would only refer to the 'summary' version and could miss out on crucial information contained within the Toolkit. The Toolkit is a description of how best to help the victim and that should remain a priority and override time concerns over the length of the document.

Summary

3.44 The Toolkit is quite widely used by social landlords in Wales (our survey indicates 37%), but to a lesser extent by local authorities and 'de minimus' landlords. Those social landlords who do not use the Toolkit state that their methods follow the ethos of the Toolkit.

3.45 The Toolkit is well thought of as a helpful reference guide for social landlords. It is especially useful in ensuring that an organisation's policies and practices for tackling hate incidents are as effective as possible.

3.46 There is clearly a lot of work required amongst social landlords in order to effectively tackle hate incidents, both from those who use the Toolkit and those who do not.

3.47 The Toolkit is not widely used to develop preventative approaches, including community cohesion initiatives, allocation considerations and changing organisational

cultures. While non-users reported on some initiatives focused on the above themes, it is not clear to what extent these form part of organisational strategies.

3.48 Users of the Toolkit would like to see it made more user-friendly by providing an online version which can be searched and tabbed to information as and when needed. The Toolkit would also benefit from being able to be easily updated as new legislation and good practice come to light.

4 Key themes arising from the report

In brief

4.1 As noted, the current research broadened its original remit of evaluating the Toolkit to exploring what social landlords are doing to tackle hate incidents in Wales. This included identifying barriers to social landlords tackling hate incidents and exploring potential solutions to overcome barriers, including how the Toolkit might help landlords achieve these aims.

4.2 The results below are derived from the online survey with social landlords, focus groups with 47 key stakeholders across Wales, individual interviews with 10 key stakeholders from across Wales and six victims of hate incidents.

Awareness and recognition of hate incidents

4.3 One of the major barriers to effectively tackling hate incidents is a lack of awareness amongst the general public (including victims and perpetrators of hate incidents), and organisations (including social landlord staff) of what a hate incident is and whom it affects.

4.4 This was a regular issue to arise during the current study. It was thought that there is a reasonable understanding of hate incidents affecting the protected characteristics of race and homophobic hate. However, there was a general lack of understanding that individuals with other protected characteristics can be victims of hate incidents.

4.5 We were given particular examples of the lack of awareness of the issues of harassment towards bisexual people, people of religion/faith, Gypsy and Traveller communities, older people and disabled people (both mental and physical).

4.6 In fact, the majority of social landlords who use the Toolkit thought that it had helped them to assist victims of hate crime under all of the protected characteristics but especially race/ethnicity and nationality. This might not be due to the particular design of

the Toolkit, but the general awareness of different characteristics amongst social housing providers and a historical focus on race/ethnicity.

4.7 *“Religion/belief is under-regulated and monitored. People tend to put race, religion and belief into one category rather than individual categories. For example, Muslim incidents are often dealt with as race incidents rather than a religious incident.”* (Key stakeholder)

4.8 One danger of a lack of awareness is that tenants might not realise that they have become targeted due to a particular characteristic and thus not report the incident as hate-related to the social landlord. Many tenants will only report a hate incident when dealing with it becomes unbearable and housing staff might not be aware of past incidents. This might happen partly because tenants perceive the incidents as “bullying” and have no awareness that such behaviour is unacceptable and often illegal. The problem with the terminology of “hate crime” contributes to this issue. The general public (and much less often staff) will be used to the notion of crime as physical violence or damage rather than threats or verbal abuse.

4.9 Another related barrier is understanding the complexities surrounding some cases of hate incidents. For example, in cases of ‘mate hate’, victims may feel that, because they were ‘friends’ with the perpetrator, then it is a ‘non-reportable’ incident.

4.10 Another issue with regard to tackling incidents is the need to ensure that social housing staff are adequately trained to identify when a tenant is the victim of a hate incident. It was reported by some stakeholders we spoke to that there is often a failure to distinguish between more general anti-social behaviour and a targeted hate incident. There might also be issues with social landlords failing to identify cumulative ‘low-level’ incidents and the impact that these can have on an individual.

4.11 A number of smaller social landlords told us that they did not have a specific policy for dealing with hate incidents as they have never had a hate incident and do not envisage any arising. Nevertheless, one landlord admitted that the reason that there have been no reported incidents could be down to a lack of awareness or training on the staff’s part to recognise these incidents for what they are.

4.12 *“We have not identified a need to train staff in how to tackle hate crime specifically as yet.”* (Social landlord)

4.13 *“There needs to be more awareness amongst the elderly – we have never had any incidents of reports. But this could be because we are not aware of it.”* (‘De minimus’ social landlord)

4.14 During our research, we did see evidence that some social landlords are providing training for their staff. However, this was often anti-social behaviour training which included hate incidents elements as opposed to specific hate incident training. Indeed, during our online survey, 24% of the social landlords who did not use the Toolkit stated that their approach to staff training on hate incidents was ineffective to some degree.

4.15 A stakeholder in one of our focus groups told us of several incidents they were aware of where untrained care home staff had to challenge residents who were abusive to fellow residents who were known to be gay. When it was asked if more training was required for staff, the stakeholder told us that there is a large turnover of staff each year in some care homes³⁹ and, therefore, some homes did not see training as a cost-effective option. Nevertheless, this is an issue of real concern.

4.16 In our online survey, 69% of social landlords who answered the question stated they agreed or strongly agreed that the Toolkit had helped their organisation to understand the meaning of hate incidents. Meanwhile, 62% agreed or strongly agreed that the Toolkit had increased the confidence of the organisation to recognise hate incidents (even if they are not reported as a hate incident).

4.17 Thus, the Toolkit is a useful resource for increasing an organisation’s awareness of hate incidents and their ability to recognise them as such. It was stated by stakeholders that, ideally, each social landlord should have one specific person who is fully trained and equipped to deal with the issue of hate incidents (although other, especially frontline and customer contact, staff members, would have basic training to understand and recognise them as such). Nevertheless, it was noted in focus groups that some smaller social landlords might experience resource issues with this.

³⁹ National care home forum survey, 2008: Personal Statistics. A Survey of NCF member organisations

4.18 Finally, stakeholders we spoke to saw a major role for social landlords in tackling hate incidents. Whilst a service user reported an incident whereby a social landlord told the victim that the issue was a 'personal' problem. Nevertheless, the stakeholders we spoke to believed that social landlords should be taking a social responsibility and embracing an equality and diversity culture within their organisation.

4.19 *"Sending out partnership letters and doing joint visits with the police I think is useful. and provides re-assurance to people and encourages victims to come forward. Where we have taken action (antisocial behaviour injunction) we have written out to all the neighbours to publicise action taken. Again I think this provides reassurance. We have also held estate walkabouts with the police - though not specifically in relation to hate crime. I think this demonstrates to residents that we work together and will tackle criminal incidents and ASB together hence increasing confidence. Our tenancy agreement also contains robust clauses in relation to harassment etc and this is really useful for warnings and enforcement."* (Social landlord)

Consistency of response across Wales

4.20 The purpose of the Toolkit was to develop a common approach based on best practice that enables social landlords to deliver a focused service to victims of hate crime based on individual needs within a common framework. However, how consistent are social landlords' responses to hate incidents across Wales? Social landlords provided us with details of their response to hate incidents. Information included:

4.21 *"Incidents of hate crime are logged, detailed statements are taken and a package of support offered - this ranges from target hardening of victims' addresses, regular feedback to victims and liaison with relevant support agencies etc. We work closely with hate crime officers in South Wales Police and, where sufficient evidence has presented itself, have taken enforcement (e.g. injunctive proceedings) action against perpetrators."* (Social landlord)

4.22 *"Once a report⁴⁰ has come in, there is a range of responses depending on what the victim wants. If they want support then I co-ordinate that in a way that is appropriate. If*

⁴⁰ This social landlord uses third party reporting

they do not want support then I record the details in an online system. If they do want support. then I can co-ordinate a multi-agency meeting to assess what different organisations can do to support the individual/family. Sometimes this is with the victim present in a Case Conference type meeting or, if it is a more complex issue, then we use a MARAC type approach. From these meetings we develop an action plan which I then chase up to ensure that all of the actions have been carried out.” (Social landlord)

4.23 *“No hate incidents have occurred to date. In the event of an incident, would actively encourage the resident to report to the police, and to offer appropriate support to do so.”* (Social landlord)

4.24 Some social landlords tailored the approach to local need, whereas others, often smaller social landlords, did not have a set approach (as they had yet to deal with a hate incident). There was also a noted difference in the response times to hate incident reports from 24 hours to three days and interview within 10 days.

4.25 Stakeholders stated that there is a need for a clear and consistent approach across Wales. Nevertheless attention has to be paid to the local situation and the response should always be victim-led. Eighty per cent of social landlords who answered the question in our survey explicitly agreed with the statement that their approach to hate incidents takes a victim-centred approach involving service users at every stage.

4.26 It was highlighted that work needs to be done to raise the profile of all types of hate incidents in the more rural areas of Wales. This is important as there is a chance that a person with an uncommon protected characteristic may move into any community, thus landlords need to be aware of the variety of hate incidents and how to effectively recognise and deal with them.

4.27 *“We are probably a lot different to other housing associations in areas that are more populated than Pembrokeshire, as we don’t have a diverse community. That’s why we mainly have Learning Difficulty and Disability hate in our area. I think there is a need for flagging hate crime and being aware of it here as other areas are more aware.”* (Social landlord)

A multi-agency approach to tackling hate incidents

4.28 There was plenty of evidence of effective partnership working between social landlords and other organisations to tackle hate incidents. This partnership working was often evident before the implementation of the Toolkit.

4.29 *“We have had invaluable support from the neighbourhood policing teams and it has been excellent. They are supportive and their follow-up action is excellent. They have regular forums across country that agencies attend. It’s necessary and all other agencies are there.”* (Social landlord)

4.30 These sentiments of effective partnership working with social landlords were also echoed by other stakeholders, such as the police, who attended our focus groups.

4.31 *“The police have monthly meetings with social housing providers to provide supportive measures and action plans.”* (Key Stakeholder)

4.32 The Crown Prosecution Service also provided us with details of their specific policies for dealing with hate incidents. Nevertheless, there was also evidence that social landlords could be doing more partnership working with wider stakeholders.

4.33 *“We are part of Safer Swansea Community Partnership. We don’t often see a lot of representation from social landlords. The main source of interaction is through Community First teams but don’t see many social landlords and even less from private landlords. I’m not aware of specific housing partnerships to deal with hate crimes.”* (Stakeholder)

4.34 A strong theme that arose was the importance of working with schools to tackle hate incidents.⁴¹ Many stakeholders believe that schools are the ideal place to start with regard to raising awareness and teaching both pupils and teachers about issues of equality and diversity, what hate crime is, the impact it can have on victims and what can be done about it.

4.35 It was suggested that a barrier to partnership working is information sharing between organisations. It was noted in focus groups that social landlords, as well as other

⁴¹ The Research Team contacted two schools, however, neither were able to comment on tackling hate incidents.

stakeholders, are nervous about what data and information that can share and with whom they can share it. Nevertheless, the Toolkit currently indicates the services (such as social services and health) with which social landlords can liaise and share information, as well as providing information about the relevant legislation.

4.36 Finally, the issue of service user partnership working was raised. There is a call for more service user input into social landlords' policies and procedures in tackling hate incidents. In our online survey, eighty percent of social landlords who used the Toolkit explicitly agreed with the statement that their approach to hate incidents takes a victim-centred approach involving service users at every stage.

Barriers to victims and witnesses of hate incidents reporting the incident to their social landlord

4.37 In our online survey, we asked social landlords to give us examples of the means by which tenants can report hate incidents to them. Their responses included the following:

- (i) telephone
- (ii) e-mail
- (iii) text
- (iv) in person
- (v) third person - police, support worker, neighbour, member of staff etc.
- (vi) website
- (vii) digital TV.

4.38 *"I have developed a Third Party Reporting system where I have trained various organisations across Wrexham to take reports. We have 37 organisations where they have front line staff that deal with the public for a variety of reasons [Housing, A+E, CAB, BAWSO etc.]. This allows the victim to go to them to report hate crime without it being apparent why they are going."* (Social landlord)

4.39 As noted, hate incidents are notoriously under-reported and this is also apparent in social housing. There are thought to be numerous reasons why victims are reluctant to report hate incidents to their social landlord.

4.40 As already noted, a lack of awareness of hate incidents - and where to report the incident - is a barrier to reporting. Respondents noted that there need to be clear guidelines for social tenants with regard to where to report hate incidents. There is also a need for clear guidelines for tenants as to what constitutes a hate incident (including low-level abuse).

4.41 *“There should be a protocol with clear guidelines stating what will happen when a hate incident is reported. The reports (phone calls, etc.) should be recorded. There should be a housing officer to enforce policy and make it clear to perpetrators that there will be consequences.”* (Victim of hate incidents)

4.42 The fear that nothing will be done even if the victim reports the incident is a major barrier to reporting the hate incident to a social landlord.

4.43 Fear of repercussions for the victim is a major barrier to reporting hate incidents. Therefore, social landlords need to ensure that their response is ‘victim-centred’. While social landlords need to deal with perpetrators and send a clear message as part of their duties, not all victims of hate incidents want to report the incident to the police and not all victims wish for the perpetrator to be arrested.

Monitoring of hate incidents and their outcomes

4.44 Our research found that there is a lack of formal monitoring of what is being done to tackle hate incidents, thereby making it difficult for social landlords to accurately measure the success of their approaches. However, some landlords do recognise this and are aiming to improve their monitoring of hate incidents and what they use the monitoring data for.

4.45 *“Monitoring is important. It’s something that we haven’t done very well in the past – we still get under-reporting. From the few reports we get it’s hard to see patterns so it’s only possible to work on a case by case basis as best you can.”* (Social Landlord)

4.46 Despite some good instances of monitoring of hate incidents by social landlords (for example, some social landlords use the ‘Housemark ASB benchmarking’ to record information as a standardised procedure), only 44% of social landlords who answered the

question agreed or strongly agreed that the Toolkit has assisted them to develop effective monitoring systems for hate incidents. However, the reasons for this are unknown in light of the fact that the toolkit already provides some information on monitoring, benchmarking and improving services.

4.47 A Good practice example of how monitoring data is used was provided by Swansea Council who stated that:

“All hate crime incidents are reported to the Corporate Equalities Officer for inclusion in the Equality and Diversity Annual Review Report, which is presented to the Equality and Human Rights Commission.”

4.48 A lack of appetite for monitoring data in the Welsh Government was also perceived as a barrier to collecting and using hate crime data for some local authorities.⁴²

4.49 *“One issue is that this is not a performance indicator collected by Welsh Government so agencies are not reporting on that. But they should, look at performance and if it is affecting the customer.”* (Rural social landlord)

4.50 One stakeholder told us that there is a danger that social landlords might under-report hate incidents because a high level of incidents would not look good on their Key Performance Indicators. They called for a different monitoring system as they felt that it could otherwise be “seen as the reporting agency’s fault that there were crimes.”

4.51 Monitoring hate incidents and low level reports is important for the organisation as it can lead to the recognition of a hate incident developing. Several stakeholders told us how numerous hate incidents can start as a neighbourhood dispute (an example was given about a parking dispute that, over time, developed into a hate incident). Monitoring is also important to benchmark against what other social landlords are doing and to identify trends which might lead to improvements in service.

4.52 One focus group member suggested a way in which social landlords could be encouraged to develop effective monitoring of tackling hate incidents in Wales. They

⁴² This is currently part of the regulatory function of the Welsh Government for Housing Associations but not local authorities.

recommended a Welsh Government driven recognition reward scheme for social landlords who exhibit outstanding good practice for tackling hate incidents in Wales. The stakeholder stated that, for fairness, there would have to be recognition for the best practice shown in large organisations and a separate one for smaller landlords. It was suggested that standards could be benchmarked against the good practice detailed in the Toolkit. It was felt that a reward scheme might serve as an incentive for landlords to effectively tackle hate incidents, encourage good practice and to raise awareness of hate incidents and the importance of tackling them amongst social landlords. This approach could be used alongside the regulatory powers of the Welsh Government.

Resolution of the hate incidents or crime

4.53 Although not a barrier as such, the issue of how perpetrators of hate incidents are dealt with was raised during the research. The research revealed that, on occasion, perpetrators are evicted by their landlord.

4.54 *“In one of the few prominent cases where there was an incident of homophobic attacks, the perpetrator was evicted and remains excluded from the housing register.”*
(Social landlord)

4.55 However, this does pose the question as to whether perpetrators of hate incidents are just being moved to another area without the root cause of the problem being resolved. It could then be argued that the perpetrator might continue to commit hate incidents in a different area and that eviction is simply ‘moving the problem’.⁴³

4.56 The fear is also that the eviction approach is not always victim-centred. The victim might not always want the perpetrator evicted. This could be for a number of reasons, including:

- (i) the fear of escalation of the hate incidents and repercussions from the perpetrator or family still living in the area; and

⁴³ For example, see Dillane J; Hill M; Bannister J; and Scott S ‘Evaluation of the Dundee Families Project, Edinburgh, Scottish Executive 2001.

(ii) the victim might simply want the hate incidents cease rather than punitive action being taken against the perpetrator. Thus, some social landlords are taking other approaches where relevant and, if it is what the victim wishes, mediation or restorative justice can be a possible resolution to the incident.⁴⁴

4.57 *“Big Lottery Innovation Programme in Swansea is targeted at perpetrators of hate crime. I would love to see it established as a course that perpetrators have to go on.”*
(Stakeholder)

4.58 On the other hand, however, numerous stakeholders told us how often it is the victim of hate incidents who has to move following such incidents. One stakeholder stated that this often occurs as the hate incidents have not been picked up when they were accumulating at a low level over a long period of time. Therefore, by the time the hate incident is identified by the social landlord, the victim simply wants to leave their home.

4.59 Hence the need for the early recognition of hate incidents to stop the kind of escalation which might result in the victim wanting to leave their home. Additionally, on a practical level, moving the victim is often a quicker solution (in comparison to long legal processes). Whereas this is currently the case, respondents agreed that such an approach might send the wrong message to victims and perpetrators. It is essential to ensure that, in such situations, the perpetrator faces the consequences of their behaviour. There are additional issues with the victim moving including, in the case of disability hate crime, the lack of an adapted property in another area. The victim might also have to face leaving their support networks and/or family and friends, hence the need for a timely, victim-led response to hate incidents from social landlords.

⁴⁴ Please see Appendix 3 for an example of good practice regarding social landlords using alternative approaches to dealing with perpetrators.

5. Conclusions and Recommendations

Conclusions

5.1 The aim of this research was:

- (i) to ascertain how widely the Toolkit is used, including identifying examples, and whether its aims have been met;
- (ii) where it has not been used, to identify whether an alternative approach been adopted and how successful this has been;
- (iii) to identify if improvements are needed to the Toolkit or suggest alternative processes for achieving the toolkits aims; and
- (iv) further capture what work social landlords in Wales are doing to tackle hate incidents and how this work could be improved.

5.2 The research found that the Toolkit is viewed a useful reference guide to assist social landlords in recognising and addressing hate incidents. The Toolkit is used mainly by RSLs and less so by local authorities (who retain their stock) and 'de minimus' social landlords.

5.3 Appendix 2 details two case studies from the perspective of victims of hate incidents in social housing.

5.4 This research identified a range of approaches and good practice for dealing with hate crime. These are summarised throughout the report and in Appendix 3.

5.5 Recommendations have been developed using the evidence detailed in the report, and were developed under the three broad themes of:

- (i) promotion of the Toolkit and better awareness;

(ii) partnership working; and

(iii) changes to the Toolkit.

5.6 The Research Team has included specific recommendations to the Welsh Government and social landlords regarding how the recommendations could be implemented.

Recommendations

Promotion of the Toolkit and better awareness

5.7 The Welsh Government should:

(i) ensure that the Toolkit is further promoted to social landlords who had not heard of it in order to ensure that their organisation is best equipped to deal with hate incidents. The Toolkit should also be further promoted amongst stakeholders such as victim support and voluntary organisations, police, probation service, Crown Prosecution Service and others.

(ii) ensure that the Toolkit promotes a consistent but local and personalised response to hate incidents and a response which is victim-centred. The Toolkit should further encourage consultation and engagement with victims of hate incidents to ensure a victim-centred service.

(iii) ensure that social landlords in areas less exposed to particular protected characteristics are fully aware of hate incidents. The Toolkit should be further promoted to social landlords in more rural areas of Wales.

(iv) consider these recommendations in the evaluation of the Wales Housing Management Standard for Tackling Anti-Social Behaviour and in the Welsh Government Framework for Action on Hate Crime.

5.8 Social landlords should:

- (i) ensure that the use of the Toolkit is accompanied by regular training of management and all frontline staff to raise awareness of hate incidents and ensure consistent, cross-organisational commitment and approach to dealing with such incidents. Training should be given on all protected characteristics affected by hate incidents and crime, including potential additional vulnerability of some individuals (eg, mental health issues, learning disabilities, age etc.) even if landlords feel they do not have hate incidents in their area.
- (ii) ensure that, if social landlords do not use the Toolkit, their policies and procedures follow the best practice stated in the Toolkit, even if they believe the incidence of hate crime is low in their area.
- (iii) raise the awareness of what a hate incident is with tenants (including examples of hate incidents). The Toolkit could assist with this by providing a template/example information for social landlords to personalise.
- (iv) through The All Wales Social Landlords ASB Forum, continue its work on promoting good practice in relation to dealing with hate crime. The Forum should continue encouraging larger social landlords with established hate incidents policies to link with smaller social landlords in order to support and share good practice.
- (v) offer and publicise accessible and user-friendly ways of reporting hate incidents. Such publicity should be accompanied by information on what victims can expect from their social landlord and what will happen next. The Toolkit could supply more information and details of good practice in this area.

Partnership working

5.9 The Welsh Government should:

- (i) consider promoting more good practice on multi-agency working through the Toolkit or other means. This could involve examples of cases where Multi-Agency Risk Assessment Conference (MARAC) structures are involved, including common risk assessment, examples of information sharing protocols, MARAC principles,

terms of reference and co-ordination mechanisms. Where MARAC pilots are being developed, these should involve social landlords and the results of pilots be promoted to social landlords.

5.10 Social landlords should:

(i) in the case of local authorities, further develop preventative approaches, embed community cohesion and hate crime prevention into their Single Integrated Plans, policies and practices as advised in the 'Getting On Together – a Community Cohesion Strategy for Wales' and subsequent 'Mainstreaming Community Cohesion - Guidance for Local Authorities in Wales' (Welsh Government, 2012). The guidance provides information on how to embed community cohesion and hate crime prevention into housing strategies, policies and practices. This will address gaps identified by some research participants in the work regarding hate crime prevention.

(ii) housing associations should work in partnership with local authorities in making sure that the guidance is implemented. Housing associations should follow similar practice and work in partnership with local authorities in making sure that the guidance is implemented.

(ii) ensure they are members of local multi-agency hate crime partnerships where these exist. Where there are no formalised partnerships, social landlords should work with relevant agencies on a case by case basis.

Changes to the toolkit

5.11 The Welsh Government should:

(i) further investigate effective means of encouraging people to report hate incidents, multi-agency working (including with schools), and reduce hate incidents demonstrated in this research by non-users of the Toolkit in order to include such good practice in the Toolkit for the benefit of other social landlords.

(ii) give consideration to converting the Toolkit into an online tool. This would ensure quick access through cross tabulation and search options as well as

providing an opportunity for regular updates in relation to changes in legislation, guidance and emerging good practice. This would prevent the document from becoming too bulky whilst offering an opportunity to add new content.

(iii) consider including in the Toolkit template/example information on what a hate incident is, so that social landlords can personalise it in order to raise awareness of hate incidents amongst tenants.

(iv) consider providing more information on ways to prevent hate crime (including good practice examples), which could form a bigger part of the toolkit. This is because evidence suggests that the Toolkit is not widely used at present to reduce hate crime through prevention, including community cohesion initiatives and allocation considerations, although this might be due to a number of wider factors.

(v) ensure that the Toolkit encourages further partnership between social landlords and wider stakeholders, including working with schools and other statutory and voluntary agencies.

(vi) ensure that the Toolkit supplies more information and examples of good practice in relation to encouraging reporting and accessible and user-friendly ways of reporting hate incidents. For the benefit of social landlords, this could be accompanied by examples of information on what victims can expect from their social landlord and what will happen next.

(vii) ensure that the Toolkit promotes common performance standards, standardised monitoring and supports social landlords to do this through providing templates and encouraging them to share their results with other social landlords. The Toolkit should focus on how monitoring data can be utilised to improve performance and outcomes for victims.

(viii) ensure that the Toolkit further promotes victim-centred case resolution. An option of mediation or restorative justice should be available to the victim and perpetrator where appropriate and where they wish to pursue that line of resolution. Action needs to be taken to secure early intervention (to prevent escalation and the need to move).

(ix) a strong message needs to be given to the perpetrators and the community about action being taken where relevant. Where the victim agrees, perpetrators should face appropriate consequences of their behaviour.

5.12 Social landlords should:

(i) utilise monitoring data to regularly review their hate crime/ASB policies. This should also involve consultation with victims and victim support organisations.

Appendix 1: Stakeholders involved in the research⁴⁵

1. Abbeyfield
2. Aelwyd
3. Age Cymru
4. Barnardos
5. BAWSO
6. Bi Cymru/Wales
7. Bridgend Coalition of Disabled People
8. Bro Myrddin HA
9. Cadwyn Housing Association
10. Caerphilly CBC
11. Caerphilly CBC
12. Caerphilly County Borough Council
13. Cardiff Council
14. Carmarthenshire
15. CC Gwynedd
16. Charter
17. Charter Housing Association
18. City and County of Swansea
19. Clwyd Alyn Housing Association
20. Community member
21. Community member
22. Conwy Older People's Champion, Chair NW Police LGBT liaison, Chair N Wales Society for the Blind.
23. Cymdeithas Tai Cantref
24. Cymdeithas Tai Clwyd
25. Cymdeithas Tai Eryri
26. Cymdeithas Tai Eryri
27. Cynon taf
28. Disability Wales
29. Ethnic Youth Support Scheme
30. First Choice
31. Flintshire Council
32. Flintshire Council
33. Flintshire County Council
34. GWALIA
35. Gwent Police
36. Gwent Police - DNA
37. Gwynedd Council
38. Gwynedd Council - DNA
39. Hafan Cymru
40. Housemark
41. Keyring - DNA
42. Linc-Cymru Housing Association
43. Liverpool University

⁴⁵ Please note that, on occasion, we received responses and attendance from more than one member of staff from the same organisation

44. Melin Homes
45. Mencap
46. Mencap
47. Mencap
48. Merthyr Council - DNA
49. Monmouthshire HA
50. Monmouthshire Housing Association
51. MTHA
52. MV homes
53. Newport City Homes
54. Newport Housing Trust
55. Newydd Housing Association
56. North Wales Police
57. North Wales Police - DNA
58. NPT Homes
59. NWAHA
60. Pembrokeshire County Council
61. Pembrokeshire Housing
62. Pembrokeshire Housing
63. Powys County Council - Housing
64. Race Equality First
65. RCT council
66. RCT Homes
67. Research Officer for an AM
68. Richard Newton Consultancy representing LGBT community
69. South Wales Police
70. South Wales Police
71. South Wales Police
72. South Wales Police
73. South Wales Police
74. South Wales Police
75. South Wales Police - DNA
76. South Wales Police - DNA
77. Stonewall
78. Swansea Council
79. Taff Housing Association
80. Tai Ceredigion Cyf.
81. Tai Pawb
82. Tai Pawb
83. Torfaen Council
84. Unique Transgender Network
85. De minimus landlord
86. De minimus landlord
87. Valleys to Coast Housing
88. VIVA LGBT
89. Wales and West Housing
90. Wales Probation
91. Wales Probation Service

92. Welsh Local Government Association
93. West Rhyl Young People's Project
94. WLGA
95. Wrexham Council
96. Wrexham Council
97. Wrexham Council

Victim interviews

1. Service user 1 - Ebbw Vale
2. Service user 2 - Penarth
3. Service user 3 - Wrexham
4. Service user 4 - Abergavenny
5. Service user 5 - Abergavenny
6. Service user 6 - Cardiff

Appendix 2: Hate incident victim case studies

Although our interviews with victims have influenced the overall results and recommendations of this research, we have also documented two case studies from the information given to us by victims of hate incidents. This gives an illustrative description of what it was like to experience a hate incident in social housing in Wales.

Following the two case studies we have offered a brief analysis of their case and identified where social landlords might have been more responsive to their tenants' needs regarding hate incidents.

Case Study 1

Kevin experienced hate incidents in Wales in 2009

Kevin experienced harassment from his neighbours on the local authority estate where he lived. Kevin recognised it was a homophobic hate incident and reported it to the landlord and the police.

Kevin did not feel he was taken seriously by the agencies and the landlord made him feel as if it was a 'personal problem' rather than one that the landlord needed to deal with.

He was offered another house by the local authority. However, he was harassed by neighbours when he was viewing the property. Due to his previous experience, Kevin did not report this incident to the local authority.

Kevin declined the house feeling that if he took it then the hate incidents would continue. After declining the house he reported that the local authority refused to help him further.

Brief analysis:

Despite Kevin recognising the incident as a hate incident, Kevin felt that the authorities did not believe that to be the case.

This is a major barrier to reporting hate incidents. The landlord referred to the hate incident as a 'personal problem'. As noted throughout this report, it is imperative that social landlords do not view hate incidents as a personal problem that they do not need to deal with.

Further, Kevin was not kept up to date on his complaint and was left feeling that nothing at all was done about the incident.

This is very disempowering for a victim of hate incidents and, as we see, Kevin refused a property where he felt that he would face similar discrimination.

However, it is not clear whether or not Kevin explained his reasons for refusing the property to the local authority. If not, it could have been because he was feeling disempowered after previously reporting hate incidents and receiving an unsatisfactory response from the social landlord.

Case study 2

Jennie and Rachel are a retired couple who experienced hate incidents in Wales in 2007

Jennie and Rachel were living in a flat in sheltered accommodation in Wales. They had retired and were pleased with the complex. They liked the scheme manager and Jennie

had relatives living nearby. They both became involved in the local community and had neighbours who, to begin with, were pleasant and charming.

The incidents began when Jennie and Rachel completed a “Peace of Mind” form about the alarm system in the complex. They had previously postponed it because they felt uncomfortable answering the “next of kin” and “nature of relationship” questions.

They listed each other as next of kin, crossed out the word “marriage” and wrote “civil partnership” next to it. According to Jennie, within weeks their neighbours “started cutting us dead”. The neighbouring couple refused to speak to, or acknowledge, Jennie and Rachel. Other residents of the complex also began avoiding and ignoring the couple, which they found very upsetting.

To begin with, the couple could not figure out why they were suddenly being treated as outcasts. Jennie “couldn’t think what had happened” to cause the change in their neighbours’ behaviour. Later, both women came to suspect that they were being ostracised by the community because of their same-sex relationship.

Jennie spoke to the Community Development Officer, who arranged a meeting between the couple and the perpetrators. However, Jennie stated that she had to chase the officer a number of times before the meeting took place. By this time, the bullying had been going on for six months and none of the residents in the 26 flat complex were speaking to the couple. At the meeting, none of the residents revealed why they did not wish to speak to the couple.

Jennie then made a complaint to the Housing Authority Scheme Manager. When asked what they thought the cause of the bullying was, the couple said they believed it to be homophobia. The Scheme Manager told them “this is serious”.

She e-mailed the housing authority Assistant Director. A week later, the Director contacted Jennie and Rachel and told them they needed to make a complaint to the Housing Officer. When Jennie and Rachel did so, they were told “We’ll get back to you”, but the Housing Officer did not respond for five weeks.

The Housing Officer finally visited them at their flat. Rachel said she saw him speaking to the perpetrators for 10 minutes before he arrived at their door. This made him late to their appointment and he seemed angry.

Rachel said his hands were trembling. He told them twice "You're playing the homophobia card." When Jennie demanded to know what would be done about the situation, he stormed out of their flat.

Jennie and Rachel's complaint was then passed on to the Deputy Director. By this point, Jennie said "we didn't care what was causing it, just get the behaviour stopped." The Deputy Director did not believe their complaint. He sent them a letter saying they did not have any evidence to prove "sexual discrimination" and made no reference to homophobia or hate incidents.

Jennie and Rachel asked the housing association four times for mediation. Finally, it was agreed. During one session, a perpetrator began to wave his finger at Rachel and said "it's your gender I don't like". The attempts at mediation were not successful.

Jennie and Rachel made another complaint about the hate incidents to the housing association. Again, they received no response for weeks and were eventually told that they had no evidence to support their complaint. They decided to move out of the sheltered accommodation and moved into private rented accommodation locally.

Jennie and Rachel said they felt very stressed and almost "paranoid" while living in the private accommodation, because they continued to see members of the housing community in town.

Jennie and Rachel feel very dissatisfied with their experience with the housing association following the incidents. The bullying and ostracism went on for 18 months. During that time, Jennie and Rachel spoke to 10 different members of staff at the housing association. They also spoke to the Deputy Chief Constable, who referred them to the Housing Ombudsman, but this did not result in any progress on the situation.

They did speak to Victim Support, Age Concern, Stonewall Cymru, the Gwent LGBT Liaison Officers, and the LGBT Excellence Centre. They found these organisations to be

very supportive. It was suggested that they take legal action but they are on a fixed income and do not know how they would be able to pay for a legal case. They have also completely lost all confidence that their legal action would result in a positive outcome..

One year ago, they wrote to the Chairman of the Board of the housing association, but have not received any reply. Jennie and Rachel have since moved to private accommodation in England. They say their plans for retirement were completely disrupted. They wanted to retire in an area of Wales that they were fond of and did not have any reserve plan in place. They have no outside support and feel very isolated. They both feel very upset whenever they visit friends in sheltered accommodation because they are reminded of their painful experiences.⁴⁶

Brief analysis:

Firstly, Jennie and Rachel did not immediately realise that they were being targeted due to homophobia. Hence the need to continue to raise awareness of hate incidents amongst all tenants. This will contribute to the early identification of hate incidents.

As noted, the couple started to experience 'low-level' incidents for a long period of time before they were identified as hate incidents. The escalation of the incidents meant that, in the end, Jennie and Rachel just wanted to leave their home. They are now in private rented accommodation in England and remain isolated and traumatised by their negative experiences in social housing in Wales.

This case also highlights the need for awareness of hate incidents around all the protected characteristics, including older people. Older people were noted as an area of under-awareness for hate incidents in stakeholder focus groups⁴⁷.

Nevertheless, the research indicated that some social landlords feel that hate incidents are unlikely to impact their tenants because they cater for the elderly. In addition, it was noted that the turnover of staff in care homes is so high⁴⁸ that landlords might feel that hate incident training is not feasible.

⁴⁶ The Research Team has since sent the couple details of additional support services which they can access in England and both parties continue to stay in contact

⁴⁷ Crimes against older people are increasingly being recognised and monitored similarly to hate crime – for example, the Crown Prosecution Service

⁴⁸ National care home forum survey, 2008: Personal Statistics. A Survey of NCF member organisations

However, the case of Jennie and Rachel shows that hate incidents do affect older people and they do occur in a social housing setting. There was also a clear lack of understanding of hate incidents on the part of the social landlord as, at one point, they incorrectly referred to Jennie and Rachel's complaint as 'sexual harassment'. This further highlights the need for all social landlords to be trained in hate incidents and crime.

The case also demonstrates a slow response from the social landlord. It shows that the victims were not believed and that they were not kept informed about their case. There appeared to be a lack of communication within the housing organisation, with Jennie and Rachel needing to speak to 10 members of staff and still not receiving a satisfactory outcome.

The above case study highlights many of the bad practice examples and barriers to tackling hate incidents referred to in this report. Jennie told us that, despite this case, the housing association concerned has since received a 'Rainbow Mark'.⁴⁹

Appendix 3: Examples of what social landlords and their partners are doing to tackle hate incidents in Wales

Example 1: Taff Housing Association, which has used the Toolkit

When working with complainants in anti-social behaviour cases and if they have reason to believe that the complaint may be hate-related, Taff Housing Association always discusses with the complainant what this means and what action they take in relation to hate-related incidents. Therefore, all actions are clearly communicated to the victim.

All hate-related incidents are given the most serious categorisation, meaning prompt investigation into the incident. Taff Housing Association considers it crucial that all complainants are kept fully up to date throughout all stages of the investigation and are given all the support they require to report further incidents in complete confidence.

⁴⁹ The Rainbow Mark is an equality initiative sponsored by the Welsh Government and supported by the Welsh Local Government Association and Tai Pawb – a signifier of good practice, commitment and knowledge of the specific needs, issues and barriers facing lesbian, gay, bisexual, and transgender (LGBT) people in Wales.

Details of how they tackle incidents of hate crime are clearly advertised in their handbook and on their website. This raises tenants' awareness of hate incidents and they then feel empowered to report incidents. It is important that all complainants and witnesses have the confidence to report these issues to Taff Housing Association.

They make great efforts to take full details of all complaints from tenants by whatever method the victim feels most comfortable with, eg by telephone, in writing, in the office or at home. This is done as quickly as possible and within 24 hours from initial report.

Their primary concern is the safety of victims and witnesses of hate-related incidents. They are always clear with complainants and witnesses about what action they propose to take and they seek their signed agreement/approval before doing so. Therefore, the approach is user-led.

They also build confidence with the victims and witnesses from the outset by being sensitive, discreet and clear and ensuring quick responses to any complaints. Many victims are repeat victims. It is therefore important to demonstrate an effective and professional approach from the outset to ensure they feel confident to report such matters in the future.

They are quick to refer any victims or witnesses to supporting bodies, again only with express permission from the victim. Hence it is clear that Taff Housing Association staff demonstrate considerable understanding of hate incidents and the impact they have on victims.

They refer all hate-related incidents to the police, provided clear approval from the complainant is given. The police are given a full breakdown of the incident and the housing association works with a dedicated officer throughout the progress of the case and ensure that victims are kept fully informed.

They have forged excellent links with support providers and other RSLs who may be involved in any cases involving their tenants. This demonstrates effective joint working.

They make efforts to interview the perpetrator as soon as possible and always within three working days of the initial report. In hate-related incidents, perception is very important and

they will always investigate it as hate-related incident if the victim perceives that to be the case.

In many cases, perpetrators might be shocked to discover they are being investigated for a hate-related incident. For this reason, they do not immediately reveal to the perpetrator that this is reason for the appointment.

When dealing with all perpetrators, they remain impartial and treat the initial stages as an information gathering exercise. All discussions are always followed up in writing and agreements sought with perpetrators over future actions. If necessary or appropriate, perpetrators are offered support to help them manage their tenancy in a more constructive manner.

Cases of extreme or persistent hate-related incidents may lead to Taff Housing Association taking more immediate tenancy enforcement actions to protect victims. This is particularly relevant when it is clear that the perpetrator has committed a serious act, especially if it has involved violence or serious intimidation and harassment.

As an organisation, Taff Housing Association reviews every hate-related incident reported to them to ensure good practice. They review all anti-social behaviour (ASB) on a weekly basis in meetings with housing officers, where all progress is discussed on all cases. Those cases involving hate crime must meet strict service standards and these are checked during these meetings.

They report on their ASB cases on a monthly basis and part of this reporting involves a manual check on all 'Category 1' hate-related cases. They report internally on how many of these cases are meeting their service standards (which involves a 24 hour deadline on response and referral to police and/or other relevant bodies within this time). If there is ever a case where service standards are not met at any stage, this will be drawn to the attention of the relevant housing officer for an explanation and solutions will be sought to ensure it does not happen again.

They also monitor to check if there are any repeat cases and whether all the related referrals have been made. All information about all cases is kept on their database so it can be reviewed at any point.

Example 2: Melin Homes and how they deal with perpetrators of hate incidents

Melin Homes offers a unique opportunity to change lives through the use of its counselling service, called 'BE: Me'.

'BE: Me' is a service that utilises cognitive behavioural therapy techniques (CBT). The therapy challenges negative thoughts and responses and encourages people to view life in a more positive way.

The main aim is to develop residents' skills to tackle certain problems and issues themselves by putting into practice what has been learned in between sessions. The service is unique in that it drills down to the core of behaviour, translating negativity into positivity. This is not solely used for hate crime. It is a tool that Melin Homes uses to help tenants change their behaviour and sustain their tenancy.

The service was originally developed to assist victims of Anti-social behaviour (ASB) through what can often be a confusing and lengthy process, especially when legal enforcement is underway. Additionally, it can give victims of lower level ASB the confidence to deal with the matter themselves.

Their service has been available for just over a year and has seen success in helping people who have problems with anti-social behaviour, victims of domestic abuse, or those who are suffering hardship. It has even been recognised as good practice by other organisations.

The project workers told us that, since April 2011, they have referred over 40 of their tenants. Feedback from the surveys issued to clients at the end of the therapy is reported as being "extremely positive".

One of the residents referred was Phillip from Torfaen. Phillip had been suffering from stress and depression as a result of problems with his neighbours. He was also a recovering alcoholic and had previously had doubts about therapy, "...but when I walked into that first counselling session I was a free man" Phillip told the team. "I had good days and bad days throughout the process. It was a bit like a roller coaster, but the counselling

helped me tremendously. It's made a big difference - I'm calmer now and my health has improved."

The project workers anticipate that the 'BE: Me' service will expand as welfare reforms are implemented. They started off with one counsellor in Pontypool and now also have counsellors in Newport, Brynmawr, Caerphilly, Wells and Glastonbury. The service is also being used by Tai Calon and is currently being trialled by Avon and Somerset Police, in conjunction with Aster Housing.

The project workers told us that the exact benefits of the service cannot be completely quantified due to the confidential nature of the counselling offered. They pointed to the fact that their legal budget was reduced this year due to an underspend the previous year. The project worker believes that this underspend occurred because a lot of people referred to 'BE: Me' were perpetrators of Anti-social behaviour and the counselling led to them modifying their behaviour. Finally, the project worker stated that, by not evicting people, they are also saving money on void costs and not simply "moving the problem" elsewhere.

Example 3: Swansea City Council stated in their response to the online questionnaire that they do not use the Toolkit. Below they detail their approach to dealing with Hate Crime

Hate crime on council estates in Swansea is dealt with using their Anti-social behaviour (ASB) guidelines, but it is recognised as a crime and is given the highest category three priority of 'Personal Harm'.

All complainants are interviewed within a day and are given a named officer who will deal with their case. Category three cases are immediately referred to the specialist ASB Support Team who will undertake a risk assessment and agree an appropriate action plan.

Support measures will be put in place, which may include Neighbourhood Support Unit patrols, a 24 hour report and response telephone number, CCTV recording equipment and alarms capable of generating a direct police response. In addition, the case will be referred to the police hate crime officer and the police Crime Reduction Tactical Advisor. Target hardening can be arranged or, if the circumstances require, rehousing may be arranged. Cases are reviewed at regular intervals to ensure that quality is being maintained.

All complainants are contacted regularly and kept informed of any progress. If the complainants have any ancillary support needs they may, with their agreement, be referred to the Tenancy Support Unit for additional support.

Should the council take a case to court, officers will arrange for the complainants to meet the legal team, who will offer reassurance and explain the court procedures. The complainants can be accompanied on the day of the hearing and officers will liaise with the court to ensure that the complainants can feel secure while at court by arranging access to a separate waiting room. After the case has been heard, the complainants will have the court judgement and any implications explained to them and follow up contact will be maintained.

All hate crime incidents are reported to the Corporate Equalities Officer for inclusion in the Equality and Diversity Annual Review Report, which is presented to the Equality and Human Rights Commission.

Example 4: Wrexham County Borough Council stated that they had a system in place to report hate crime that pre-dated the Toolkit. Therefore, they have not used it.

In 2009, Wrexham County Borough Council developed a County Borough wide Third Party Reporting system. The aims of the project are to:

- (i) increase reporting;
- (ii) increase support for victims and their families;
- (iii) increase understanding of hate crime and its impact; and
- (iv) over time, increase the number of prosecutions for hate-related crime.

They currently have 37 organisations with frontline staff who routinely deal with the public, including all Housing Estate Offices, Citizen's Advice Bureau, Black Association of Women Step Out, Welsh Refugee Council and Keyring.

These venues have been chosen because of their frontline service, which makes them best placed to build relationships with people who may be victims of hate crime. People may attend the venues for a wide number of reasons, including reporting damage to a property, paying rent, advice and support.

This enables the victim to report hate crime confidentially and with confidence. This process also provides an opportunity for the frontline staff to recognise repeat victims or to identify the signs of hate crime and encourage the individual to speak out.

Once a report is received, the co-ordinator will input the details into a confidential database that can only be accessed by the cohesion team. Because it is a victim-centred project, the victim controls what happens to their information. However, safeguarding protocols are always adhered to. If they would like support in dealing with the issue, the co-ordinator will notify the relevant agencies and ensure that they provide the support required.

There is scope for the co-ordinator to analyse all the reported information to identify geographic hot spots, trends etc.

If there are serious issues regarding a hate report, the co-ordinator will either call a case conference or a Multi-Agency Risk Assessment Conference (MARAC) to support the victim. If the issue is around one individual or family, a case conference, where the victim is present, is used to see what can be done to resolve the issues. If there are concerns that the case affects multiple people or that there are growing community tensions, then a MARAC will be called to discuss the possible support that can be offered by agencies. Progress reports on the project are provided to the Community Safety Partnership on a regular basis.

To enable the frontline staff to understand and recognise potential indicators of hate crime, the Council has developed a two hour training package. This is delivered to frontline staff in their place of work as it is often not possible to get frontline staff released for a whole day. The training covers:

- (i) the legal definition of hate crime;

- (ii) types of hate crime;
- (iii) barriers to reporting hate crime;
- (iv) the significance of reporting; and
- (v) how to take a report.

Taken together, Wrexham offered an excellent example of enabling victims of hate incidents to report the incident, a co-ordinated victim-led response and staff training.

Example 5: Emotion behind the commotion scheme - Community Safety and Equality

The project was developed in response to the occurrence of Anti-social behaviour (ASB) and/or discriminatory behaviour within the Rhydyfelin area. A workshop aimed at local young people was written, developed and facilitated by local Police Community Support Officers, youth workers and service users.

Disability Hate Crime awareness is a prominent part of the project with some anonymised local cases used to illustrate points and promote consequential thinking with the young people as part of this interactive workshop session. The ethos of the project is to raise awareness of the impact of such behaviour and actions and promote understanding and empathy for vulnerable individuals as well as always promoting positive thinking about disability and challenging prejudice ideas and assumptions around disability.

Example 6: How Dyfed-Powys Police deal with hate incidents via “Pegasus”. Helping to overcome barriers to reporting hate incidents⁵⁰ [change to 49]

In an attempt to encourage the reporting of disability hate crime, Dyfed- Powys Police is committed to providing the best possible service to everyone, and has introduced ‘Pegasus’, a service aimed at those whose disability or illness makes it difficult for them to communicate when calling or speaking face to face.

⁵⁰ Even though this is not an example of good practice by social landlords, given the issue of under-reporting of hate incidents, it is something that social landlords could learn from [change to 49]

Pegasus was designed from an already existing prototype. However, Dyfed-Powys Police wanted to recreate the concept and make it even easier to contact them quickly and easily both uniquely with emergency 999 calls as well as non-emergency 101 calls. In its simplest form, Pegasus is a secure database which contains details registered by those participating.

It is a free service and frontline staff, including those within their call centre, can access the database and be able to see the information provided. This enables them ensure the best possible and most appropriate assistance.

All participants are given an information pack and, once registered with their own chosen password, they receive a Pegasus key fob which can be utilised when they are out. Callers will only need to say Pegasus and give their chosen, approved password and Dyfed-Powys Police will be able to assist quickly and professionally.

Their staff will be aware of the scheme and, due to this, have a broader awareness and understanding of disability issues which might prevent people ordinarily calling or approaching the police.

The process was launched on 2 April 2012. Before this, however, there had been a vast amount of partnership collaboration, between Dyfed-Powys Police and potential service users - as in People First and Mencap - those being staff as well as service users.

The collaboration was extremely worthwhile and extremely cost effective and the Force has produced, through consultation, an information booklet and application form in 'easy read', as directed by the Third Sector organisations - which can be read, understood and completed independently if required. The images, wording and logo were selected and discussed in collaboration.

Pegasus benefits members of the community who find it difficult to communicate and might ordinarily feel uncomfortable contacting the police. It offers much easier access to the individual. The information that this individual has disclosed on their application form will be seen, thereby assisting the call handler and the officers by providing a person's details in terms of name, address, contact number, carer details, their condition and the

manner in which they would like to be dealt with. Pegasus will encourage people to report disability hate crime.

In terms of the service and the staff, it will assist the call handlers who may otherwise struggle to obtain details that are needed while also preventing inaccurate assumptions being made due to a caller's communication difficulties.

It will also assist the police officers who attend to the individual in person as well as on the telephone. A member of Pegasus can also show the Pegasus key fob to an officer on the street, which again may prevent misunderstandings and assumptions being made, thereby allowing for a better quality of service to be offered to the person concerned.

Pegasus will contribute to the ongoing understanding of the particular needs of vulnerable/disadvantaged individuals and groups within the community and will ensure regular testing of Dyfed-Powys Police's equality of service provision across all protected groups.

Pegasus will enable Dyfed-Powys Police to support the Government's objectives of sustaining safe and vibrant communities. This will include working to improve community safety in its widest context and provide support for disadvantaged communities and individuals, thereby improving overall life chances.

Dyfed-Powys Police has a dedicated Diversity and Community Cohesion team, consisting of the Force Diversity Officer and a Hate Crime Community Engagement Officer, as well as 85 police officers trained as Hate Crime Support Officers throughout the Dyfed and Powys area

Hate Crime Support Officers are provided with the most updated information on hate crime and training.