



Hate Crime Policy

May 2021

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Our Vision

Excellent housing in vibrant communities.

Our Values

Respect

We see the positive in everyone, especially our tenants. We treat everyone fairly, regardless of age, race, gender, sexuality or background. We ask for opinions even if we know we might not like what we hear. And we address people's concerns in any way we realistically can.

Integrity

What we say in public is the same as what we say behind the scenes. If we say we'll do something, we mean it. Our tenants can count on us to solve their problems and make sound decisions.

Aspiration

We want the best for all our current and future tenants. We're not afraid to strive for things that won't be easy – or try things that haven't been done before. We seek out opportunities and welcome change. If it doesn't turn out as planned, we learn and improve again. And then we try again.

Our Strategic Objectives

- A) Building and sustaining popular neighbourhoods
- B) Creating and supporting greater life opportunities for all
- C) Developing greener spaces and community wellbeing
- D) Being a dynamic and listening community partner
- E) Treating people equally and with respect

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1.0 Introduction

- 1.1 Queens Cross Housing Association is very proud of its diverse and multi-cultural communities. We are committed to ensuring that all neighbourhoods are safe and welcoming places for all residents. We believe that everyone has the right to enjoy their home and communities without fear or intimidation.

Queens Cross Housing Association has signed up to the Glasgow Hate Crime Pledge (Appendix1). We are a recognised third party reporting centre for Hate Crime. There is also a separate guidance note for staff to support this policy.

This policy links to our Anti Social Behaviour Strategy. The purpose of this policy is to:

- Provide tenants and the communities we serve with reassurance that Hate Crime will not be tolerated.
- Help make local residents aware of our commitment to tackling Hate Crime and the resources we will commit to using when managing Hate Crime.
- What actions we will use when managing Hate Crime in order to reduce such behaviours and make our communities safer places to live and enjoy.
- Provide information to help local people know what they can expect from Queens Cross Housing Association and other agencies in terms of Hate Crime and what can we do to tackle such issues.

- 1.2 Hate crime legislation has five protected characteristics, which include:

- disability
- race (including ethnic or national origins, colour, and nationality)
- religion or belief (including lack of belief)
- transgender identity
- sexual orientation

The impact of hate crimes is that they are likely to make the victim feel frightened, humiliated or ridiculed and make them feel less confident in their own communities.

Hate crime towards other individuals within the community is a breach of the Scottish Secure Tenancy Agreement and we will take action against tenants or members of their household who are found to be responsible for such behaviour under our Anti Social Behaviour Policy.

Where we have evidence that the perpetrator of such behaviours are not tenants of the Association, we will work closely with Police Scotland to ensure action is taken against such perpetrators.

2.0 Scope of Policy

2.1 This document sets out the policy framework within which Queens Cross Housing Association will manage and investigate reports of Hate Crime. The policy will contribute to achieving the Associations Business Plan 2020-2025

2.2 We are committed to tackling all reports of Hate Crime effectively and this will be achieved through our commitment to being a third party reporting service and using the multi-agency approach bringing partners together to provide assistance and support to anyone who falls victim to Hate Crime. The Association will continue to work to create an environment where hate crime is less likely to occur by:

- understanding and defining what Hate Crime Incidents are.
- Aiming to acknowledge complaints, either in writing or by other appropriate method, within 24 hours of receiving them, being sensitive to the needs of the complainant or victim.
- Investigating reports of violence and/or harassment promptly, with sensitivity and respect where confidentiality is guaranteed.
- Providing interpretation services if required.
- Regularly keeping you up to date with our investigation and explain any action we have taken and fully consult with you before we take any further action.
- Deal with any repairs needed because of a hate crime within 24 hours of it being reported.
- Capture Photographic evidence of an incidence of offensive graffiti with the offensive graffiti being removed within 24 hours.
- Working in partnership with other agencies such as the Police, Social Work, and Local Authorities.
- detailing the legal and regulatory framework that provide us with the tools to respond to hate crime and incidents and that we are required to comply with
- Continuing to raise awareness of Hate Crime through media platforms and campaign events.
- Providing a -party reporting facility resourced with trained staff.
- Following our procedures to initiate action against perpetrators up to and including legal action if this is deemed necessary.

Dealing effectively with any form of Hate Crime or anti-social behaviour is critically important to the success of that work. Failure to act quickly or to deal effectively with incidents of Hate Crime or anti-social behaviour can severely impact on the quality of life of residents

3.0 Definition of Hate Crime

3.1 Hate Crime is generally described as a criminal act against property, an individual or a group that is motivated by prejudice malice or ill will due to Race, Colour, Ethnic origin, Nationality or National origins, Religion, Gender identity, Sexual orientation, or disability.

Hate crime can take many forms including:

- Physical attacks – such as physical assaults, damage to property, breaking windows, offensive or insulting graffiti, neighbour disputes and arson, rubbish being dumped on doorstep.
- Threats of attack – offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate others and unfounded, malicious

- complaints, literature being sent through the post.
- Verbal abuse or insults – offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes and bullying at school or in the workplace, minority focussed jokes or comments, abusive telephone calls.
- Attacks against property –graffiti, vandalism, theft, and damaging cars.
- Email or other electronic communication methods e.g., Facebook, twitter

4.0 Legal and Regulatory Framework

In Scotland we have a mixture of criminal law covering crimes that are motivated by prejudice based on the following characteristics:

- Race section 96 of the Crime and Disorder Act 1998 (includes nationality, skin colour or ethnicity)
- Religion section 74 of the Criminal Justice (Scotland) Act 2003
- Disability section 1 of the offences (aggravation by prejudice) (Scotland) Act 2009 (both physical and non-physical, including mental health and learning disability)
- Sexual Orientation section 2 of the Offences (Aggravation by Prejudice) (Scotland) Act 2009 (lesbian, gay, straight or bisexual)
- Transgender Identity section 2 of the offenses (Aggravation by Prejudice) (Scotland) Act 2009 (gender identity or expression that differs from gender assumptions made at birth)

Prejudice or hostility also lies at the heart of some other offences which are recognised as hate crimes. These are sometimes referred to as standalone hate crime offences and they criminalise behaviour specifically because it is motivated by racial prejudice. Currently, these standalone offences include:

- racially aggravated harassment: section 50A of the Criminal Law (consolidation) (Scotland) Act 1995
- stirring up of racial hatred section 18-22 of the Public Order Act 1986

The Equality Act 2010 introduced the Public Sector General Equality Duty. This places a duty on the organisation to:

- Eliminate unlawful discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Queens Cross Housing Association therefore views our commitment to tackle hate crime as key to fulfilling the organisation's requirement to meet the Public Sector General Equality Duty

5.0 How we manage Hate Crime Complaints.

- 5.1 We will acknowledge complaints of any form of hate crime (made in person, by

phone, email or by letter) within 24 hours of receiving it.

- 5.2 Queens Cross Housing Association are a third party reporting centre, and we would encourage anyone who has been affected by Hate Crime to report the incident to Police Scotland as per the Hate Crime and How to Report It leaflet (Appendix 2).
- 5.3 The Association will arrange a face-to-face discussion with complainant either on their own or with support and where appropriate with a named Housing Officer within 3 working days.
- 5.4 Investigate reports of violence and/or harassment promptly, proactively, with sensitivity and respect, and in line with our Anti-Social Behaviour Policy.

6.0 Confidentiality

- 6.1 Under the Data Protection Act 1998, all personal and sensitive information, however received, is treated as confidential. This includes:
- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff, or committee member.
 - sensitive organisational information
- 6.2 The Association will ensure that it only involve other agencies and share information with the consent of the residents concerned, unless:
- information is necessary for the protection of children.
 - Association is otherwise legally required.

7.0 Equality and diversity

- 7.1 The Association recognises the needs of a diverse population and always acts within the scope of the Equality Act 2010. We will work closely with all partners to ensure it has a clear understanding of its resident's community and clear regularly updated services user profiles. The Business Improvement Team along with Housing Services is responsible for recording, analysing, and monitoring information on ethnicity, vulnerability, and disability.

8.0 Monitoring and reporting

- 8.1 The Association will record data on all forms of Hate Crime and provide Glasgow Community Safety Services with monthly statistical information for recording purposes only.

9.0 Complaints

- 9.1 Anyone who is not an employee of QCHA who feels they may have a complaint under this policy or who thinks that QCHA may have acted in a discriminatory or unfair way can make a complaint which will be considered under QCHA's Complaints Handling Procedure.

- 9.2 Complaints information and trends will be monitored across the nine protected characteristics through tenant profiling information and this information will form part of QCHA Equality & Diversity performance management indicators.

10.0 Performance and monitoring

- 10.1 Performance in delivery of the Hate Crime policy will be monitored by Depute Director of Housing Services and will be reported to the Board annually as part of the Anti Social Behaviour End of Year Report
- 10.2 The Depute Director of Housing Service will ensure that the Board are updated on the outcomes of performance monitoring including recommendations and proposals for improvements to the Hate Crime policy as required.

11.0 Policy Review

- 11.1 This policy will be subject to review in 2024 and then every three years in consultation with Board, staff, customers, and other stakeholders. QCHA will make any necessary alterations to this policy in advance of a 3 year review in the event of any significant legislative or statutory changes or practices which requires incorporation into this policy.



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0808 143 2002

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Visit

www.qcha.org.uk

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Email: contactus@qcha.org.uk

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Queens Cross Housing Association, a registered society under the Co-operative and Community Benefit Societies Act 2014.

Registered with the Scottish Housing Regulator Registration No HCB172. VAT Registration No. 774 5444 04. Recognised Scottish Charity Number SC 036434. Registered Office: 45 Firhill Road, Glasgow G20 7BE.



GLASGOW HATE CRIME PLEDGE

We regard any hate incident to be unacceptable and are committed to working in partnership to eradicate hate crime across Glasgow. By signing this pledge, we commit ourselves to a Glasgow where all citizens are free to live, work and play without fear of hostility toward their race, religion, disability, sexual orientation or transgender identity.

We will work with our partners to:

- 1) **Stand up for the right of everyone in Glasgow to live free from hate.**
- 2) **Challenge attitudes and behaviors that underpin hate crimes.**
- 3) **Ensure that victims and witnesses are taken seriously and treated with respect.**
- 4) **Make it easy to report hate crime and support people to do so.**
- 5) **Raise awareness of the impact of hate crime.**

Signed by: _____

Designation: _____



www.hatecrimescotland.org



Hate Crime

and how to report it

English



Don't Stay Silent About Hate Crime

“Crime motivated by hatred is not only a wrong against the individual, but is an affront to our collective values as a community, creating division and fear. That is why the Crown treats hate crime so seriously and why it will continue to do so.

It is encouraging that many victims of hate crime have the confidence to report this type of offending and we would encourage all to do so.”

The Lord Advocate, James Wolffe QC

WHAT IS HATE CRIME

The Scottish Government defines Hate Crime as crime committed against a person or property that is motivated by ‘malice or ill-will towards an identifiable social group’. It is possible that you have been a victim or witness of a Hate Crime if you believe that you have been targeted, or witnessed someone being targeted, because of prejudice based on:

- Race (including nationality, ethnicity or skin colour).
- Religion
- Sexual orientation
- Transgender identity
- Disability (including physical disability, sensory impairment or learning disability).

If you believe that you have been targeted because of any of the above, please tell the Police about it. They take Hate Crime very seriously. If you tell them that you think an incident is motivated by prejudice, the Police must record and investigate this.

Hate Crime can take a number of forms, including, but not limited to:

- Physical assault
- Criminal damage to property e.g. graffiti, arson, vandalism.
- Intimidating or threatening behaviour including obscene calls or gestures.
- Online abuse such as Facebook and Twitter posts.
- Written materials such as letters, leaflets, posters.
- Verbal abuse or insults including name-calling.
- Emotional and psychological abuse.
- Bullying
- Acts of violence and murder

What to do if you experience or witness a Hate Crime or Hate Incident

If you experience or witness a Hate Crime and report it, this will be recorded and taken seriously by the Police. It doesn't matter how small or insignificant you think the incident is, or if you are unsure if it is a Hate Crime or not, please don't hesitate to make a report, as this information is valuable and helps to build up a picture of what is happening in the community and how to make things better.

You can make a report:

- Through independent organisations that will provide you with support to report.
- By calling Police Scotland on 101.
- Through the Online Reporting Form on the Police Scotland website. This can be completed anonymously so you don't need to give your name if you don't want to.

**REMEMBER – ALWAYS CALL THE POLICE ON 999
IF YOU NEED IMMEDIATE HELP.**

Why report a Hate Crime ?

There are a number of reasons why reporting Hate Crime is important.

- All reports help to build a picture of Hate Crime in Glasgow. They tell us if there's a problem in a particular neighbourhood or if a particular community is being regularly targeted. This helps us to tackle the problem.
- Reporting Hate Crime may prevent a situation from developing into a more serious one.
- If you are a victim you will get access to support and advice.
- It could stop the perpetrator from offending again.
- You will help to raise awareness of the issue, which in turn can lead to a change in attitudes.
- Your information may lead to an arrest and conviction.
- You will help law enforcement services prevent Hate Incidents in the future.

Why are there Independent Organisations providing Support to Report to the Police?

Many people, for various reasons, are reluctant to report crime directly to the Police. Victims and witnesses of Hate Crimes can report, without contacting the Police directly, through an independent organisation providing support to report. These organisations provide a safe and supportive space to discuss your complaint. If you want to report an incident to the Police, these organisations can do this on your behalf. The Police act on this as if they had received the report directly from you.

You can ask the organisation that is supporting you to report, to give as much or as little personal information to the Police as you want - you don't have to give your name if you don't want to.

These organisations have received appropriate training and can provide you with additional support or advice. They can also signpost you onto other support services.

You can find a selection of a few of the Glasgow organisations that provide support to report at the end of this leaflet. For a full list please visit the website:

www.scotland.police.uk

How do I report to the Police online?

Online reporting lets you make a direct and confidential report to Police Scotland through its website. The report can be anonymous although this may limit the action that the Police can take. To report online visit **www.scotland.police.uk** and click on Report Hate Crime.

What Happens After You Report



The Police will record the incident and investigate the circumstances to **determine whether or not a crime has occurred**



If this is the case, they will **investigate** the circumstances further and **gather evidence**



If there is sufficient evidence, the perpetrator will very likely be **arrested** and a **report will be submitted to the Procurator Fiscal**



The Procurator Fiscal (PF or Fiscal) **works for the Crown Office and Procurator Fiscal Service (COPFS)**, which is the body responsible for prosecuting crime in Scotland



The Procurator Fiscal (PF) considers the Police report and decides if there is sufficient evidence to proceed. If there is, the Procurator Fiscal will then decide what, if any, action it is appropriate to take



Actions range from **prosecution in court**, direct measures such as **warnings, fiscal fines, compensation offers** and **social work diversion**



The Procurator Fiscal can also decide to **take no action**. When this happens, **the victim can ask for an explanation of the decision**



If court proceedings are appropriate, **the PF will decide which court these should be taken in.** This decision will depend on:

- the nature of the offence
- the sentencing powers of the respective courts
- whether the accused has a criminal record

Organisations that can support you to report a hate crime

Amina Muslim Women's Resource Centre

Citywall House
32 Eastwood Avenue
Glasgow, G41 3NS
0808 801 0301

Amina Muslim Women's Resource Centre

Citywall House
32 Eastwood Avenue
Glasgow, G41 3NS
0808 801 0301

British Deaf Association (Scotland)

Suite 58, 93 Hope Street
Glasgow, G2 6LD
0141 248 5554

DRC Generations

102 Kingsway
Glasgow, G14 9YS
0141 584 3211

Elderpark Housing Association

31 Garmouth Street
Govan
Glasgow, G51 3PR
0141 440 2244

Glasgow Centre for Inclusive Living

117-127 Brook Street
Glasgow, G40 3AP
0141 550 7468

Glasgow Disability Alliance

Unit 301 Templeton Business Centre
Templeton Street
Glasgow, G40 1DA
0141 556 7103

Glasgow Women's Library

23 Landressy Street
Bridgeton
Glasgow, G40 1BP
0141 550 2267

Govanhill Housing Association

Samaritan House
79 Coplaw Street
Glasgow, G42 7JG
0141 636 3636

LGBT Youth Scotland

3/2, 30 Bell Street
Glasgow, G1 1LG
0141 552 7425

Luke and Jack

45 Virginia Street
Glasgow, G1 1TS
0141 552 5699

Maryhill Integration Network, SCIO

35 Avenuepark Street
Glasgow, G20 8TS
0141 946 9106

Positive Action in Housing

98 West George Street
Glasgow, G2 1PJ
0141 353 2220

Queens Cross Housing Association

45 Firhill Road
Glasgow, G20 7BE
0141 589 7424

Scottish Ethnic Private Hire Welfare Association

71-73 Kingston Street, 2nd floor
Glasgow, G5 8BJ
07859 995637

Scottish Refugee Council

Floor 6, Portland House
17 Renfield St
Glasgow, G2 5AH
0141 248 9799

The Well Multicultural Advice Centre

42-44 Albert Road
Glasgow, G42 8DN
0141 424 4523

Victim Support Scotland

Abbey House, 2nd Floor
10 Bothwell Street
Glasgow, G2 6LU
0141 553 2415
Helpline - 08001601985
(Mon-Fri, 8am-8pm)

West of Scotland Racial Equality Council (WSREC)

39 Napiershall Street
Glasgow, G20 6EZ
0141 337 6626
Email: reportit@wsrec.co.uk

Waverley Care African Health Project

12 Queen's Crescent
Glasgow, G4 9AS
0141 332 2520

For a complete list of up to date organisations that can support you to report, visit:

www.scotland.police.uk/contact-us/hate-crime-and-third-party-reporting/



Eastgate, 727 London Road, Glasgow G40 3AQ.

Tel: 0141 276 7400