

Anti-social behaviour guidance notes



Harassment and hate crime

This document gives you (our residents and service users) advice about what to do if you experience harassment or a hate crime. It may also provide useful information to those living near L&Q residents.

What is harassment and hate crime?

Harassment is inappropriate behaviour which upsets or disturbs another person. This can include, but is not limited to, any of the following:

- Any behaviour or actions which threaten the physical health, mental health, safety or security of any other person
- Any behaviour or actions which have a hurtful, detrimental or destructive effect on any person's peaceful enjoyment of their home or surrounding environment
- Damage or threats of damage to property belonging to another person including damage to any part of a person's home;
- Writing threatening, abusive, offensive, or insulting graffiti;
- Any action or omission calculated to interfere with the peace or comfort of any other person or to inconvenience such a person.

Hate crime is a term often used to describe instances when an individual is subject to harassment because they are of a different race, ethnicity or faith, but also for other reasons, such as a disability, sexuality or age. The harassment can include all or some of the actions listed above.

Domestic violence is a term used to describe violence or threatened physical, sexual, mental or emotional abuse from a partner or other member of a household. The abuse can take place within or outside the home. Separate procedures are in place to manage this type of incident - please speak to your Tenancy Services Officer.

Bullying and intimidation are other general terms used to define harassment. At times it is recognised that such acts may take place for reasons that remain unclear - for example one person takes a dislike to another. At other times such acts will take place in connection with specific events, such as a court case.

Many forms of harassment are criminal offences, and we work with the Police to stop the offending behaviour and take action against the offenders. If the offenders are residents or members of their family or their visitors, the tenant could face being evicted.

If you have experienced or witnessed this type of incident

There are a range of things that you and we, as your landlord, can do. How appropriate the suggestions listed below will depend on the type of incidents that have taken place, the amount of evidence available and the type of tenancy agreement that the parties involved have signed. It will also depend on whether or not violence or threats of violence are involved. If you are unsure what to do, or fear that the action you take could make matters worse, then get advice before taking any action on your own.

What you can do:

- If the incident is serious, or you are in immediate danger contact the police, dialling 999 for emergencies. At other times call your local police station who should put you through to an officer trained to investigate this type of crime
- Report all incidents to us. Contact your tenancy services officer during office hours or use the free 'out of hours' hate crime report line at all other times. You can call the line on - 0800 056 3451 - where trained operators will handle your call
- Make a clear record of any incident/s that take place, including the time they occur, where they happen, and a description of all those involved. An incident record form, available from your local housing office, will help you do this
- Ask others living nearby if they are experiencing similar problems
- Consider making an approach to those responsible and ask them to stop the behaviour that is causing you distress

Do not do this where you have been subject to violence, threats of violence or you think this will make matters worse

- Consider mediation. In certain situations, where the problem is not serious and you agree, sessions hosted by a trained independent mediator may help all parties concerned agree how differences can be resolved

What will we do?

- Meet you to make an initial assessment of your reports within three days, or 24 hours where violence or threats of violence are involved
- Take steps to minimise threats to your safety or the safety of your household
- Treat all complaints you make in confidence and not take action that will reveal you identity to others without getting your permission first. If you wish to remain anonymous we will discuss how this may affect the actions we can take
- Ask you what action you would like us to take
- Ask you to make a record of incidents that occur
- Keep you informed of progress and confirm in writing when the case is closed or we think there is no case to review

Following the initial assessment of your case we could also:

- Check whether there have been any similar incidents involving the parties concerned
- Talk (with your permission only) to those parties found to be causing reported incidents and talk to others who live near you, to see if they have experienced similar problems
- Discuss the options for action, taking into consideration the nature of reported incident/s, the evidence available and whether those responsible are our residents

Where action is to go ahead this may include the following:

- *Issuing a written warning to the person causing the harassment*
- *Working with our partners to ask those causing the harassment to sign an anti-social behaviour contract (a good behaviour agreement)*
- *Seeking support from other agencies, such as the police or local authority*

Where the problem is serious we will consider:

- *Taking legal action, which could include: asking the court to demote a secure or assured tenancy agreement to a shorthold tenancy; seeking injunctions; seeking anti-social behaviour orders; or possession action*

- Offer support and advice to any complainants, victims or witnesses attending court
- Work with partners, through crime reduction partnerships where they exist, to exchange information and take part in joint enforcement and preventative measures
- Where the harassment amounts to a criminal offence, work with the police to support your case through legal proceedings