

## Hate Crime Policy and Procedure

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### Introduction

This policy sets out how Harborne Parish Lands Charity will deal with hate crime and should be used in conjunction with our Anti-social Behaviour Procedure and Equal Opportunities statement.



### Definition of Hate Crime

Hate crime is defined by the Police and Crown Prosecution Service (CPS) as: “*Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person’s disability or perceived disability; race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; transgender identity or perceived transgender identity.*”

The law recognises five types of hate crime on the basis of:

- Race
- Religion
- Disability
- Sexual Orientation
- Transgender Identity

Any crime can be prosecuted as a hate crime if the offender has either:

- demonstrated hostility based on race, religion, disability, sexual orientation or transgender identity

Or

- been motivated by hostility based on race, religion, disability, sexual orientation or transgender identity.

## Hate Crime Policy and Procedure

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There is no legal definition of hostility so the CPS use the everyday understanding of the word which includes ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike.

A victim of hate crime does not have to be either a member of a minority or someone who is generally considered to be a “vulnerable” person. For example, the friends of a visible minority ethnic person, lesbian or refugee may be victimised because of their association.



### Procedure

Any reports of hate incidents or hate crime from staff or residents will be responded to within one working day and will be dealt with by a senior staff member.

Incidents can be reported to HPLC in whatever way is easier. These include:

- Face to face.
- Telephone
- Email

We will always take a victim-centred approach. Action will be taken according to the victim's wishes and beliefs.

We will:

- Report the incident to the police either by online chat or by ringing 101, or in an emergency, 999.
- Carry out a full investigation and gather evidence.
- Agree an action plan with the victim and keep them informed of what is happening.

## Hate Crime Policy and Procedure

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- Arrange to interview the alleged perpetrator(s).
- Review cases monthly until satisfactorily resolved or closed.

We will work closely with other agencies to tackle hate crime, such as the police, other landlords, local authorities, mental health teams and youth support services.

Where the police are investigating a hate crime incident, they will be the lead agency and we will work with them to ensure appropriate and timely responses to requests for support and action.



### Legislation

Anti-Social Behaviour, Crime and Policing Act 2014

Equality Act 2010

Housing and Regeneration Act 2008

Human Rights Act 1998

Crime and Disorder Act 1998

Crime and Security Act 2010

Criminal Justice Act 2003

Protection from Harassment Act 1997

Freedom of Information Act 2000

HCA Regulatory Framework 2012

Safeguarding of Vulnerable Groups Act 2006

The Health and Safety at Work Act 1974

The Management of Health & Safety at Work Regulations 199



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