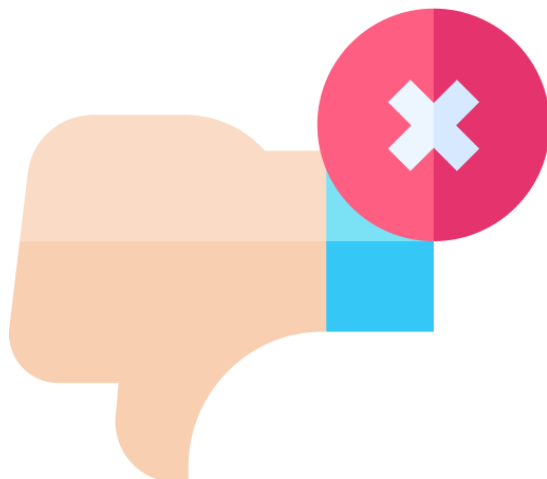




Adullam

Homes Transforming Lives

Adullam and Anti-Social Behaviour (ASB)





Section 4 - DEFINITIONS - WHAT ARE ASB & HATE CRIME?

This section of Adullam's Anti-Social Behaviour (ASB) Policy explains the descriptions of ASB and of hate crime that Adullam uses throughout its work. The descriptions help to understand the types of behaviour concerned, as well as the types of people who might be affected by Hate Crime.

4.1 The way that the **Crime and Disorder Act (1998)** describes anti-social behaviour is how it is usually identified.

The Act says that anti-social behaviour is:

'Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as (the defendant).'



A simpler way of saying this is that anti-social behaviour is behaving in a way that either has caused, or is likely to cause, other people who don't live at the same address as the person causing the trouble to feel troubled or afraid.

4.2 A more detailed description of what anti-social behaviour can be found in **Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014**.

This adds a few more details that are important to tenants and residents because they say it is behaving in a way that is a nuisance or annoying to a person in relation to where they live (their home) and/or behaving in a way that causes housing-related nuisance.



4.3 The definition covers a wide range of situations and so careful consideration has to be given to decide if something is anti-social behaviour and if action is needed.

4.4. Adullam uses the definition of a Hate Crime that is used by the Police and Crown Prosecution Service.





Their definition says: *“A hate crime is defined 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 race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'”*

A simpler way of saying this is that a hate crime is a crime that the person targeted, or any other person feels is the result of prejudice or aggressive feelings about a particular characteristic they have.



4.5 The law recognises five types of characteristics in relation to hate crime. They are:

Race



Religion



Disability



Sexual orientation



Transgender identity



4.6 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.





4.7 Someone can be a victim of more than one type of hate crime. These crimes are covered by law, and this means prosecutors can apply for a more serious sentence for those convicted of a hate crime.



4.8 Adullam will investigate any allegations or suspected hate crime by our staff, using our disciplinary procedures where appropriate.



4.9 Adullam will make sure that staff are aware of the effect that racial harassment can have on both ethnic and non-ethnic minorities, in particular on their mental and physical wellbeing.

Adullam will make sure that relevant support is provided to victims by making referrals to suitable organisations such as Victim Support.

