



How to...

*tackle disability related
harassment*



How to... tackle disability related harassment

1

Disability related harassment: Hidden in plain sight?

In September 2011, the Equalities and Human Rights Commission (EHRC) published its final report into disability related harassment entitled *Hidden in plain sight*.

This report showed how:

- disability related harassment and hate crimes are a common experience for many disabled people
- a culture of disbelief and systemic institutional failures across different public service providers hinder effective prevention
- repeated harassment can quickly escalate into serious incidents.

According to research by learning disability charity Mencap, nine out of ten people with learning disabilities have experienced abuse or harassment.

Why is this an issue for housing?

Disability related harassment is an issue for housing because:

- the social rented sector provides homes to a high percentage of people living with different disabilities
- housing providers can support tenants and residents who have disabilities and liaise with a range of different service providers on their behalf to ensure their safety in communities
- a 2007 Ipsos/Mori poll, commissioned by the Disability Rights Commission found that one third of disabled adults did not feel safe in their locality, rising to nearly half of adults with a mental health condition
- housing providers are community anchors. They have an influential and long-term stake in the local communities which they serve and can foster good relations between different groups.

Fiona and Francessa Pilkington

In October 2007, Fiona Pilkington killed herself and her disabled daughter Francessa, after suffering abuse from local teenagers on the Leicestershire estate where they lived. The Independent Police Complaints Commission report found that hate incidents were too often dealt with by police officers in isolation and in an unstructured way. In addition, the road on which the family lived was not considered by the force to be an anti-social behaviour 'hotspot', and was therefore not targeted for a more proactive response. The report also identified that police officers should have picked up on Fiona's repeated claims that harassment was 'on-going' and that her family in particular was being targeted. Police officers did not consider the experiences of Fiona and Francessa as hate crime.

David Askew

David was a 64-year-old man with learning disabilities who lived in Hattersley, Greater Manchester. He died of a heart attack in March 2010 after local youths had reportedly tampered with his mother's mobility scooter. He had been subjected to harassment by at least 26 different people over a period of more than 12 years. Many incidents had been reported to agencies, including the police, social services, the council community safety team and David's housing association. The inquiry found that although some agencies took some action, it was neither joined up nor effective in dealing with the harassment and there was often a lack of urgency and no overall plan for resolving the issues.

Recommendations of the EHRC Hidden in plain sight report

The *Hidden in plain sight* report made a number of recommendations for public bodies. These included:

1. **Leadership:** there should be real ownership across service providers to ensure organisations respond appropriately to preventing and tackling disability related harassment
2. **Data:** data should be available which identifies the scale, severity and nature of disability harassment to support better monitoring and appropriate responses
3. **Access:** the criminal justice system should be more accessible and responsive to victims and disabled people and provide effective support to them
4. **Understanding:** service providers should have a better understanding of the motivations of perpetrators and be able to design more effective interventions
5. **Attitudes:** the wider community needs to have a more positive attitude towards disabled people and better understand disability related harassment
6. **Sharing what works:** successful approaches to preventing and responding to harassment should be shared more widely
7. **Training:** frontline staff should receive effective guidance and training in recognising and responding to disability related harassment.

Specific recommendations for housing

In addition to wider recommendations for public bodies, the EHRC made specific recommendations for housing providers including:

1. **Involve disabled people:** in service delivery and in the design and planning of social housing developments to ensure a safe environment
2. **Develop intervention strategies:** establish intervention strategies to prevent harassment occurring in the first place and develop responses to reduce the risk of escalation
3. **Consider appointing a 'harassment coordinator':** an identified member of staff or a named champion within an organisation with responsibility for improving and co-ordinating responses to incidents and/or to facilitate third-party reporting systems could support people experiencing disability related harassment to report crimes to police via their housing provider
4. **Raise awareness:** an awareness campaign could encourage people experiencing disability related harassment to report incidents
5. **Effective use of tenancy agreements:** provisions against harassment could be inserted in tenancy agreements
6. **Protecting the tenancies of disabled people:** a disabled person's tenancy conditions should not be compromised if they have to move home to avoid harassment.

What is housing doing?

In March 2012, Habinteg hosted a round table meeting with CIH and partners from the EHRC, Places for People, Ocean Housing Group, South Essex Homes, Housing Diversity Network (HDN) and Breakthrough UK, to discuss how the housing sector can ensure disabled people are protected from disability related harassment in their homes and communities.

Paul Gamble, Chief Executive of Habinteg said:

“Habinteg was established to demonstrate how inclusive housing can be achieved and how it can enable disabled people to live the lives they choose, so we are highly committed to supporting the sector to tackle disability related harassment which has been highlighted so sharply in the *Hidden in plain sight* report. We think that improving overall disability confidence within the sector is vital. Factors such as the design of housing stock, accessibility of services and communications and the employment of disabled staff can all strengthen an organisation’s ability to anticipate, consider and respond to the needs of disabled tenants. When considering strategies to tackle disability related harassment, this kind of holistic approach to could underpin many of the specific responses suggested in this ‘how to’.”

John Thornhill, Senior Policy and Practice Officer at CIH said:

“As landlords, housing providers can exercise an influential role challenging prejudice and combating discrimination against tenants and residents who have disabilities in communities. They also have a key role to play in facilitating better joined up working between a range of community partners to ensure disabled tenants are safe and their needs, aspirations and concerns are addressed.”

Further actions from this meeting will be announced later in the year. In the mean time we have pulled together the following initial checklist and case studies to get organisations thinking about practical steps that they can take to tackle disability related harassment:

- display posters, leaflets and place information on your website to communicate a zero-tolerance approach to disability related harassment and hate incidents and state clearly the action you will take against perpetrators
- use monitoring and customer profiling to develop a clearer understanding of the service needs and requirements of customers who have a disability
- promote positive attitudes towards disabled people: make sure information is accessible to people with different disabilities and contains disability-positive imagery
- allocations, lettings and transfers policies and procedures should minimise the risk to individuals of disability related harassment and hate incidents
- ensure inclusive and representative tenant participation structures which can contribute to tackling disability harassment and hate incidents
- encourage and support the reporting and monitoring of disability related harassment and hate incidents and develop partnerships to support this. This might include nominating a co-ordinator or a named champion in the organisation with responsibility for improving and co-ordinating responses to incidents
- make use of the Home Office Risk Assessment Matrix to help assess the level of risk affecting a disabled person (see page 4)

- make use of community advocates and representative groups to raise awareness among staff, tenants and service users of the needs and experiences of different sections of the community who may be vulnerable to harassment and hate incidents
- develop partnerships with local agencies (such as the police, social services, Primary Care Trusts, schools and community advocates) to identify and to map hate incidents
- in consultation with service users and partners, develop and implement a protocol for sharing information about harassment, hate incidents and perpetrators with other local agencies within the limits of the Data Protection Act 1995
- refer victims of racial harassment to effective and sensitive counselling services and protect victims and witnesses where threats of violence are made against them
- provide safe temporary housing for victims and witnesses of harassment and hate incidents if they fear for their immediate safety. Permanent transfers should be offered if there is no prospect that a victim can return to their own home safely but their tenancy terms and conditions should be protected
- provide training for staff in understanding disability related harassment and in meeting the support needs of victims and witnesses
- monitor and assess the satisfaction of customers in terms of how they perceive your organisation has dealt with reports of disability related harassment and respond accordingly
- consider the role that the immediate physical environment may have had in the harassment taking place. Are there any adjustments that can be made to minimise the apparent differences in properties where disabled tenants live?
- consider including a clause in tenancy agreements which specifically prohibits harassment on the grounds of disability.

If you'd like to contribute to the body of examples of work in this area, or you'd like to keep up to date with the topic in general please contact john.thornhill@cih.org

Learning from others

CIH's Positive Action for Disability scheme supports disabled people in the first steps of their career in the housing sector. Traineeships combine work placements with academic study to develop the talents and knowledge of disabled employees whilst increasing their professional expertise.

Contact: Graham Findlay graham.findlay@cih.org

The Home Office with partners have devised a **Risk Assessment Matrix** which is designed to enable practitioners to assess the extent to which a vulnerable complainant or witness is at risk of experiencing harm. It is designed to enable practitioners to identify the factors that are putting the complainant at risk and to tailor the support offer based on these factors in order to reduce the risk of harm.

Wirral Partnership Homes (WPH) are part of Wirral's Race Hate Task Group, Domestic Abuse Steering Group and Multi Agency Risk Assessment Committee for Domestic Abuse (MARAC). A service level agreement with the Council's Wirral Anti-Social Behaviour Team gives WPH access to multi-agency expertise in tackling ASB, including police and fire officers. Intelligence is pooled to inform multi-agency responses and target hot spots. Databases record racial, domestic abuse and all other hate incidents along with a data sharing protocol. In addition the agreement provides access to the Council's commissioned Family Intervention project and Parenting project. WPH is active on the ground with other agencies to address ASB.

Learning from others

Beechdale Community Housing has worked closely with tenants who are survivors of hate crime to review and improve the services and information available. Feedback from tenants has also shaped how these services are publicised based on the experience of service users. Promotion of services and support for survivors of hate crime is well developed. Survivors of incidents have been supported to sustain their tenancy and remain living safely in their homes, for example through the use of a sanctuary scheme, and improved security for their home. The association has worked with survivors to design information for other tenants, including how the information is distributed. This helps to ensure that other tenants or residents of the estate know what help is available to them, and how to get access to that help without jeopardising their safety.

PIP Pack in Action, led by people with learning difficulties PIP Pack in Action works in partnership with the police and other services to stop bullying, harassment, abuse and hate crime in Herefordshire. They have developed a Keep Safe scheme where shops and local businesses can display a sticker in their window to show they are a place of refuge where someone with a learning difficulty can get help if they feel threatened.

www.pippack.org/default.asp

The **Multi Agency Data Exchange (MADE) in Lancashire** project collects and processes data on behalf of all the agencies responsible for working towards a safer Lancashire. The team publish community safety profiles of wards and other small areas. This intelligence informs the commissioning of community safety services, the evaluation of initiatives, monitoring of progress and service planning. MADE@lancashire.gov.uk

Northwards Housing believe that it is the right of every individual to be treated with respect and dignity, and to live in an environment free from harassment, hatred and abuse. Northwards Housing takes a zero tolerance approach to all forms of hate crime or incident. They have produced a leaflet for tenants giving them advice on what to do and what their landlord will do if they experience a hate incident. This is also available in Braille, large print, different languages and on CD.

www.northwardshousing.co.uk/news_publications/publications/pdfspub/2010leaflets/asb/hate_incident.pdf

Southend-on-Sea Borough Council, Essex County Council (through the Essex Safeguarding Adults Board) and **Thurrock Council** in partnership run a 24-hour telephone helpline which provides support to people experiencing harassment as well as guidance on how to report this. In addition a booklet has been written called *Adult Abuse is Wrong* which is available to download from Southend-on-Sea Borough Council's website. Hate crime workshops are being delivered to children in a variety of schools throughout Essex.

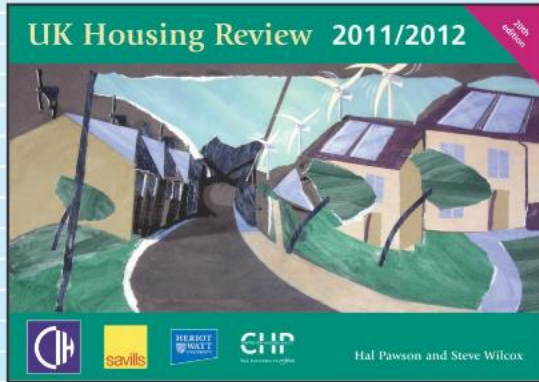
www.southend.gov.uk/news/article/692/help_us_combat_learning_disability_hate_crime

Magna Housing Association has developed a 3rd party helpline if people experiencing harassment or hate incidents do not want to report to the police. Instead they can talk with a member of the organisation's ASB team. In addition, they provide 'useful contacts' locally on their website to assist people experiencing harassment or hate incidents.

www.magnaha.org.uk/Home/Residentsinfo/Antisocialbehaviour/Hatecrimes/tabid/2015/Default.aspx

The UK Housing Review 2011/2012 2011/2012

'It's more than just a bible for statistics anoraks – the articles are insightful, and the tables are indispensable for anyone trying to get a broad understanding of housing-related data.'
Sue Anderson, CML Head of External Relations.



The **UK Housing Review** is the key source of information for those involved in housing.

Celebrating twenty years of publishing comprehensive housing statistics covering England (and its regions), Wales, Scotland and Northern Ireland, the latest **Review** looks at the dramatic growth of and future prospects for private renting, the help available for homeowners in mortgage difficulties, the different housing policies now emerging in Wales, Scotland and Northern Ireland, and the impacts on housing of migration.

Price: £45 plus postage.

Discounts apply to CIH members and HouseMark subscribers. Order online or phone/email for discount.

Order online: www.cih.org/thebookshop

Discounts and other information:
 phone 024 7685 1752 or email bookshop@cih.org

'At a time of growing public concern about Britain's housing needs, the importance of good, up-to-date information and perceptive analysis of market trends and relevant financial data cannot be over-emphasised. The UK Housing Review admirably fulfils this role.'
Nick Raynsford, MP and former local government minister.

Table 1.1 Percentage growth of private rented housing stock in England, 1985-2010

Year	1985	1990	1995	2000	2005	2010
England	100	100	100	100	100	100
London	100	100	100	100	100	100
Rest of England	100	100	100	100	100	100

Figure 1.1.1 Percentage of private rented housing stock in England, 1985-2010

Table 1.2.1 Affordable homes

Year	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
London	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Rest of England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Figure 2.1.1 House prices in London

Table 2.1.1 Affordability Index

Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
London	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Rest of England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Table 4.1 Average enhancement payments for households in 10 enhancement policies

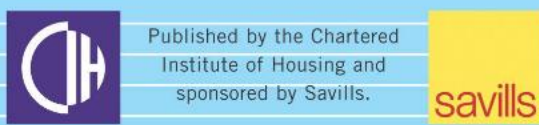
Policy	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
London	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Rest of England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Table 4.2 Percentage of households with enhancement policies

Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
London	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Rest of England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Table 4.3 Average enhancement payment per household in 10 mortgage

Year	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
London	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Rest of England	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100



Useful resources and information

EHRC (2011) Hidden in plain sight report

www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report

CIH (2012) Community Harm Statement: guidance notes for social landlords

www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/Community%20Harm%20Statement%20guidance%20notes.pdf

CIH ASB Services www.cih.org/asbservices

Stop Hate UK: a charity that provides independent and confidential support to people affected by hate crime www.stophateuk.org

Quarmby K (2011) Scapegoat: why we are failing disabled people, London, Portobelo www.amazon.co.uk/scapegoat-why-Failing-Disabled-People

Welsh Government (2011) Autistic Spectrum Disorder: A guide to housing management for practitioners and people in rented housing, Cardiff, Welsh Government

www.wales.gov.uk/docs/dhss/publications/110324asdhousingen.pdf

National AIDS Trust (2009) HIV and Housing, London, NAT

www.nat.org.uk/Information-and-Resources/Housing.aspx

Quarmby K (2008) Getting Away With Murder: disabled people's experience of hate crime in the UK, London, Disability Now, UK Disabled People's Council, Scope www.scope.org.uk/sites/default/files/pdfs/Campaigns_policy/Scope_Hate_Crime_Report.pdf

Office for Disability Issues <http://odi.dwp.gov.uk>

Chartered Institute of Housing

Octavia House

Westwood Way

Coventry CV4 8JP

Tel: 024 7685 1700

www.cih.org