



MINORITY ETHNIC COMMUNITIES ADVISORY COMMITTEE  
8 SEPTEMBER 2005

Report of the Housing Equalities Advisor

## Harassment Complaints: Period 1 April 2004 – 31 March 2005

### RECOMMENDATION

1. To note the report.

### SUMMARY OF REPORT

2. This report advises Derby Homes Board about harassment complaints received from, or against, Derby Homes tenants and owner-occupiers and the outcome of the investigations, for the period 1<sup>st</sup> April 2004 to 31<sup>st</sup> March 2005.

### MATTER FOR CONSIDERATION

- 3.1 To keep Derby Homes Board updated an annual report on the number of harassment complaints was established. Under the 'Procedure For Handling Harassment Complaints By Derby Homes Tenants' all complaints of harassment, whether upon the basis of race, gender, sexuality, disability, age, HIV and religion are recorded, and where appropriate, investigated. Last year's report undertook to present the Board with data on the frequency of harassment complaints of different types.
- 3.2 In collating this year's report it became clear there was more consistency in completing the harassment incident reporting forms and the harassment investigation report forms e.g. in the previous report the ethnic origins of the victim and perpetrator of harassment were not always recorded, the time spent on dealing with complaints were frequently not recorded. However, the implementation of the new forms did not begin at the beginning of the reporting period. Information on time spent by officers processing a complaint has not been consistently completed and hence the data for the reporting period is not reliable. This weakness will be addressed by more rigorous monitoring by both the Harassment Response Officer and the Equalities Adviser.
- 3.3 In total, we received 23 complaints of harassment in the twelve-month period covered by this report. Only one recorded case of harassment was not of a racial nature. In this one instance, the harassment was based upon the victim's (alleged) sexuality but since the perpetrator could not be identified the case could not be investigated. The details of the outcomes of the complaints were:

## HARASSMENT COMPLAINTS RECORDED 2004-2005

Cases Recorded	Investigations Conducted	Cases Reported to police	Cases Upheld	Cases Not Upheld	NOSP issued
23	16	14	8	15	11

**Appendix 1** gives thumbnail sketch of the complaints received from tenants for the period 1<sup>st</sup> April 2004 to 31<sup>st</sup> March 2005.

- 3.4 The figures in **Appendix 2** compare the harassment figures for 2003/4 and 2004/5. It ought to be noted that investigations are only conducted when the perpetrator(s) can be identified. Appendix 2 also contains a breakdown of the harassment cases into the types of incidents involved e.g. verbal abuse, assault etc. In addition, the appendix contains a geographical breakdown of the cases recorded over the last year.
- 3.5 The number of instances when a case against the perpetrator(s) has been upheld has increased. There has also been a significant rise in the number of instances when Notices of Seeking Possession were issued. This demonstrates the commitment of Derby Homes to taking firm action against tenants who harass others.
- 3.6 In terms of geographical areas, about half of all reported cases of harassment occurred in the three areas of Cowsley, Old Sinfen and Allenton. The bulk of cases (15 out of 23) occurred in the south of the city.
- 3.7 The majority of cases reported to Derby Homes comprised instances of verbal racial abuse.
- 3.8 There are a variety of actions Derby Homes can take in response to harassment and these are outline in section 7 of the "Procedure for Handling Harassment Complaints by Derby Homes Tenants" e.g. use of Community Watch Patrol, use of CCTV, target hardening and use of Carelink if the victim is in need of an emergency lifeline telephone.
- 3.9 Derby Homes policy (section 7 of the "Procedure for Handling Harassment Complaints by Derby Homes Tenants") is to remove graffiti from any of our properties within 48 hours. Currently Derby Homes uses CAT Cleaning Service for this purpose. Instances of graffiti are logged on our harassment reporting form. Data on graffiti is collated for the purposes of BVPIs and forwarded to the appropriate council department. Occurrences of graffiti on non-Derby Homes properties are generally notified using the graffiti hotline.
- 3.10 As an organisation Derby Homes continues to encourage tenants to report instances of harassment to the police. To increase reporting to police, Derby Homes has liaised with the police to explore how victims of harassment can be encouraged to report incidents. Derby Homes has gained the permission of the police to use their anonymous reporting forms. These forms despite the lack of complainant's personal details assist the police in more accurately gauging the level of harassment district by district and in the city as a whole.

## **IMPLICATIONS**

### **Consultation Implications**

4. This report will be presented to MECAC and shared with DACP. DECHA, (Derby Ethnic Communities Housing Advisory group) the community panel representing BME interests was re-established in May 2005 and this report will be presented to this group also.

### **Financial and Business Plan Implications**

5. None.

### **Legal and Confidentiality Implications**

- 6.1 The conditions of tenancy (set out in the Tenant's Handbook) require tenants to make sure that they, and other people living with them, including children and any visitors, do not harass, abuse or threaten neighbours because of their gender, race, colour ethnic or national origin, religion, disability, marital status, age, sexuality or because they are living with HIV/AIDS.
- 6.2 Legal action to obtain injunctions, possession orders and reduced tenancies and anti-social behaviour orders will be taken where this is warranted.

### **Personnel Implications**

7. As indicated in section 3.2 the time spent by staff investigating the complaints is incomplete and unreliable. This aspect will be addressed with the assistance of local housing office managers. Future reports will include a full set of data on this aspect.

### **Environmental Implications**

8. None.

### **Equalities Implications**

9. Full investigations of complaints of harassment or unequal treatment are an integral part of the Derby Homes' approach to Equalities.

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**Background Information:** None



## COMPLAINTS RECEIVED

### 1. Details of Complaint (7/4/04)

Woman harassed by group of youths outside her neighbour's house. They were causing a nuisance and damage to property. When challenged youths became abusive and resorted to racist name-calling.

#### Local Housing Office Involved

Cowsley

#### Outcome of the Investigation

NOSP served on two properties associated with two of the youths. One youth referred to Youth Offending Service. Police contacted. Complaint monitored.

#### Ethnicity of victim

Dual Heritage

#### Ethnicity of Offender(s)

White British

**Type of incident:** Racial verbal abuse

### 2. Details of Complaint (13/4/04)

Racial verbal abuse and threats against female tenant by stepsister. The family is known to local housing office and disputes in past have been dealt with as anti-social behaviour complaints.

#### Location

New Sinfen

#### Outcome of the Investigation

Both sisters given diary sheets to complete if they feel they are being harassed. An anti-social behaviour case drawn up and investigated in the event of diary sheets being returned.

Police could not investigate due to lack of evidence. Counter allegations made by sister.

#### Ethnicity of victim

Scottish

#### Ethnicity of Offender(s)

Dual Heritage

**Type of incident:** Racial verbal abuse

### **3. Details of Complaint (27/4/04)**

Woman subjected to racial taunts/abuse from neighbour and other residents in the area. History of reports of anti-social behaviour and police involvement but generally charges dropped because of agreement between parties.

#### **Local Housing Office Involved**

New Sinfen

#### **Outcome of the Investigation**

NOSP served on all parties involved in dispute. Community Watch conducted patrol for period of 4 weeks. Complaint monitored.

Appears to be a great deal of hatred and jealousy from all parties involved. Difficult to prove allegations of racial harassment which all the parties have made about each other.

#### **Ethnicity of victim**

White British

#### **Ethnicity of Offender(s)**

White British

**Type of incident:** Racial verbal abuse

### **4. Details of Complaint (27/4/04)**

Racial verbal abuse directed at household by youths outside the property after school hours and at weekends. Mixed gender group aged 11 - 13 but none identified. This family has suffered harassment before by unidentified youths.

#### **Local Housing Office**

Old Sinfen

#### **Outcome of the Investigation**

Community Watch Patrol monitors the property. Family applied to be re-housed.

Youths could not be identified. Incident not reported to police because family was afraid of repercussions.

#### **Ethnicity of victim**

Bosnian

#### **Ethnicity of Offender(s)**

Not known

**Type of incident:** Racial verbal abuse

**5. Details of complaint (27/04/04)**

Family subjected to racial verbal abuse by a group of unidentified youths (mixed gender). Stones had also been thrown at the victim's property.

**Local Housing Office**

Old Sinfen

**Outcome of complaint**

The perpetrators could not be identified therefore no further action could be taken. However Community Watch Patrol alerted and the complaint was monitored for a further 2 months. Police not contacted, as family were afraid of reprisals.

**Ethnicity of victim**

Bosnian

**Ethnicity of Offender(s)**

Not Known

**Type of incident:** Racial verbal abuse

**6. Details of complaint (12/05/04)**

Tenant and children subjected to racial verbal abuse from neighbour and visitors to neighbour's property.

**Local Housing Office**

Mackworth

**Outcome of investigation**

Two families served with a Notice of Seeking Possession and in addition, referrals made to the Youth Offending Service. Subsequently Acceptable Behaviour Contracts were imposed on two of the youths involved in the incidents. A strong warning letter was sent to the neighbour. Police contacted.

**Ethnicity of victim**

Pakistani

**Ethnicity of Offender(s)**

White British

**Type of incident:** Racial verbal abuse

## 7. Details of complaint (13/05/04)

Proprietor of a Post Office subjected to racial verbal abuse from a group of youths. The victim had identified two of the youths who had been barred previously from the shop.

### Local Housing Office

Allenton

### Outcome of complaint

Notice of Seeking Possession served on one family and a strong warning letter sent to the other family of the perpetrators. Complaint further monitored. Police contacted.

### Ethnicity of victim

Indian

### Ethnicity of Offender(s)

White British

Type of incident: **Racial verbal abuse.**

## 8. Details of complaint (17/05/04)

Tenant's partner subjected to racial verbal abuse by a group of unidentified youths. The tenant's partner was also targeted when visiting local amenities.

### Local Housing Office

Sussex Circus

### Outcome of complaint

Perpetrators could not be identified therefore no further action could be taken. Community Watch Patrol alerted to monitor the area/property. The police were not contacted, as family were afraid of reprisals.

### Ethnicity of victim

Iranian

### Ethnicity of Offender(s)

Not Known

Type of incident: Racial verbal abuse

## 9. Details of complaint (21/05/04)

Tenant's children allegedly assaulted and racially abused by tenant of another registered social landlord. Our tenant was also racially abused by the



perpetrator in front of the Normanton Neighbourhood Wardens. The police were called to the scene of the incident.

**Local Housing Office**

Austin

**Outcome of complaint**

Complaint referred and reported to Walbrook Housing to inform them of their tenant's behaviour and for them to take further action as necessary. Police contacted to determine what action they are planning to take. Complaint further monitored and Normanton Neighbourhood Wardens continued to patrol the area. Police contacted.

**Ethnicity of victim**

Pakistani

**Ethnicity of Offender(s)**

White British

**Type of Incident:** Racial verbal abuse and assault

**10. Details of complaint (22/06/04)**

Owner occupier's grandchildren subjected to racial verbal abuse from Derby Homes tenant. Witnesses were also present at the time of the incident.

**Local Housing Office**

Stockbrook Street

**Outcome of complaint**

Notice of Seeking Possession served against the perpetrator. Community Watch Patrol monitored the locality. Complaint further monitored. Police contacted.

**Ethnicity of victim**

Dual Heritage

**Ethnicity of Offender(s)**

White British

**Type of incident:** Racial verbal abuse

**11. Details of complaint (29/06/04)**

Tenant subjected to constant racial abuse by partner of another tenant. Perpetrator had forced his way into victim's flat on one occasion.

**Local Housing Office**

Cowsley

**Outcome of complaint**

Court action taken against perpetrator. Injunction granted for 1 year attached with a power of arrest and excluding the perpetrator from entering in the area where the victim resides. Police contacted.

**Ethnicity of victim**

African Caribbean

**Ethnicity of Offender(s)**

White British

**Type of incident:** Racial verbal abuse

**12. Details of complaint (14/07/04)**

Family subjected to racial verbal abuse by a large group of drunken youths and adults. Perpetrators attacked the property and caused substantial criminal damage. Riot police were called to the scene of the incident and restrained the large group of offenders.

**Local Housing Office**

Chaddesden Park

**Outcome of complaint**

Victims were re-housed immediately to another area due to the seriousness of the incident. Police became involved and subsequently a couple of youths were charged.

**Ethnicity of victim**

Bosnian

**Ethnicity of Offender(s)**

White British

**Type of incident:** Racial verbal abuse/criminal damage

**13. Details of Complaint (16/07/04)**

Council tenant subjected to verbal abuse on grounds of her sexuality by an unidentified male.

**Local Housing Office**

Osmaston

**Outcome of Complaint**

Male offender could not be identified therefore no further action could be taken. Incident had not been reported to the police. Complaint monitored. Police not contacted, as tenant was afraid of possible reprisals.

**Ethnicity of victim**

White British

**Ethnicity of Offender**

Not Known

**Type of incident:** Verbal abuse

**14. Details of Complaint (21/07/04)**

Tenant subjected to racial verbal abuse from neighbour. Incident not reported to the police.

**Local Housing Office**

Alvaston

**Outcome of Complaint**

Strong warning letter sent to perpetrator. Incident was not reported to the police. Complaint monitored.

**Ethnicity of victim**

Irish

**Ethnicity of Offender**

White British

**Type of incident:** Racial verbal abuse

**15. Details of complaint (29/07/04)**

Tenant's foster son subjected to racial verbal abuse whilst playing outside with other children. The incident had not been reported to the police.

**Local Housing Office**

Alvaston

**Outcome of Complaint**

Victim withdrew the complaint due to fear of reprisals therefore no further action could be taken.

**Ethnicity of victim****Ethnicity of Offender**

Pakistani

Dual Heritage

**Type of incident:** Racial verbal abuse

**16. Details of complaint (03/08/04)**

Tenant's daughter subjected to racial verbal abuse from neighbour. The incident was not reported to the police.

**Local Housing Office**

Allenton

**Outcome of complaint**

Victim withdrew the complaint therefore no further action could be taken. However situation monitored.

**Ethnicity of victim**

**Ethnicity of Offender**

Dual Heritage

Not Known

**Type of incident:** Racial verbal abuse

**17. Details of complaint (0308/04)**

Tenant subjected to racial verbal abuse by a group of unidentified youths. Tenant's visitor had also been physically attacked by the same group of youths. These youths were also throwing missiles at the tenant's property and banging and kicking on the front door. Tenant also complained about his children being subjected to racial abuse on school premises.

**Local Housing Office**

Cowsley

**Outcome of Investigation**

Perpetrators could not be identified therefore no further action could be taken. However Community Watch Patrol was alerted to monitor the property for further anti-social behaviour. Letters were sent to the children's school in relation to the alleged racial abuse from other students. The police were also informed about the harassment. Complaint monitored further.

**Ethnicity of victim**

**Ethnicity of offender**

Kosovan

White British

**Type of incident:** Racial verbal abuse and criminal damage

**18. Details of complaint (23/08/04)**

Tenant subjected to verbal racial abuse by another tenant on a regular basis. Victim also complained that her son had also been physically attacked on the way back from school by another youth who is also a tenant.

**Local Housing Office**

Old Sinfen

**Outcome of Investigation**

Alleged perpetrator interviewed about the allegations of racial harassment and subsequently a strong warning letter was sent. Letter sent to the school in relation to the alleged bullying. Complaint was further monitored. Police not contacted, as family were afraid of possible reprisals.

**Ethnicity of victim**

Bosnian

**Ethnicity of offender**

White British

**Type of incident:** Racial verbal abuse and assault

**19. Details of complaint (27/08/04)**

Tenant subjected to racial verbal abuse from a group of unidentified adult males. Members of the group had been drinking and urinating outside the tenant's property.

**Local Housing Office**

Stcokbrook St Area

**Outcome of complaint**

Perpetrators could not be identified therefore no further action could be taken. Normanton Neighbourhood Wardens were alerted to monitor the property and to capture video evidence. Complaint monitored further. Police contacted.

**Ethnicity of victim**

Pakistani

**Ethnicity of Offender(s)**

Not Known

**Type of incident:** Racial verbal abuse

**20. Details of complaint (10/11/04)**

Racist graffiti sprayed on tenant's property.

**Local Housing Office**

Allenton

**Outcome of complaint**

Perpetrators could not be identified therefore no further action could be taken. However Community Watch Patrol was asked to monitor the area. Police contacted.

**Ethnicity of victim**

African

**Ethnicity of Offender(s)**

Not known

**Type of incident:** Racist graffiti

**21. Details of complaint (24/02/05)**

Tenant subjected to racial verbal abuse by a group of youths who visited the neighbour's property. Previous incidents included the youths entering the victim's back garden and smashing bottles.

**Local Housing Office**

Spondon

**Outcome of complaint**

A Notice of Seeking Possession served against the perpetrator for allowing or otherwise encouraging her visitors to act in this manner. Community Watch Patrol alerted to monitor the area. Police contacted.

**Ethnicity of victim**

Dual Heritage

**Ethnicity of Offender(s)**

White British

**Type of incident:** Racial verbal abuse

**22. Details of complaint (25/02/05)**

Tenant's property targeted by a group of youths. The youths were throwing stones and other items at the windows.

**Local Housing Office**

Old Sinfen

**Outcome of complaint**

Perpetrators could not be identified therefore no further action could be taken. However Community Watch Patrol was asked to patrol the area. Police not contacted, as family were afraid of possible reprisals.

**Ethnicity of victim**

Bosnian

**Ethnicity of Offender(s)**

White British

**Type of incident:** Criminal damage

**23. Details of complaint (30/03/05)**

Council tenant subjected to racial verbal abuse by three youths on bikes. The youths proceeded to push the victim and demanded that he fight with them.

**Local Housing Office**

Cowsley

**Outcome of complaint**

Perpetrators could not be identified therefore no further action could be taken. However complaint was further monitored. Police not contacted, as tenant was afraid of possible reprisals.

**Ethnicity of victim**

Kurdish

**Ethnicity of Offender(s)**

Not known

**Type of incident:** Racial verbal abuse/assault

**HARASSMENT COMPLAINTS 2003-5****Table 1**

<b>REPORTED HARASSMENT CASES 1<sup>ST</sup> APRIL 2003 – 1<sup>ST</sup> APRIL 2004</b>					
<b>Cases Recorded</b>	<b>Investigations Conducted</b>	<b>Cases Reported to police</b>	<b>Cases Upheld</b>	<b>Cases Not Upheld</b>	<b>NOSP issued</b>
19	17	13	4	15	2

**Table 2**

<b>REPORTED HARASSMENT CASES 1<sup>ST</sup> APRIL 2004 – 31<sup>ST</sup> MARCH 2005</b>					
<b>Cases Recorded</b>	<b>Investigations Conducted</b>	<b>Cases Reported to police</b>	<b>Cases Upheld</b>	<b>Cases Not Upheld</b>	<b>NOSP issued</b>
23	16	14	8	15	11

Below is a geographic analysis of harassment incidents reported to Derby Homes between 01 April 2004 and 31 March 2005.

**Table 3**

<b>LOCALITY</b>	<b>NUMBER OF INCIDENTS REPORTED</b>
Cowsley	4
New Sinfen	2
Old Sinfen	4
Allenton	3
Mackworth	1
Osmaston	1
Alvaston	2
Stockbrook	2
Spondon	1
Austin	1



Sussex Circus	1
Chaddesden Park	1

A total of 22 racist incidents and 1 incident on the grounds of sexual orientation were reported from 01 April 2004 to 31 March 2005. The figures were broken down into categories or types of incidents. (Note that some incidents involve two or more types/categories e.g. a combination of racial verbal abuse and criminal damage)

**Table 4**

<b>CATEGORY</b>	<b>NUMBER OF OCCURANCES</b>
Racial Abuse	21
Physical Assault	3
Racist Graffiti	1
Criminal Damage	3
Racist Literature	0