



THE REGULATOR OF SOCIAL HOUSING'S CONSULTATION ON EQUALITY OBJECTIVES

MEND SUBMISSION

Muslim engagement
& development

mend

The Regulator of Social Housing's Consultation on Equality Objectives

A Submission from Muslim Engagement and Development (MEND)

March 2020

MEND's contribution to the consultation

This submission from Muslim Engagement and Development (MEND) seeks to examine how the Regulator of Social Housing ('the Regulator') can combat Islamophobia in the context of social housing through the development and application of appropriate equality objectives.

MEND is a community-funded organisation that seeks to encourage political, civic, and social engagement within British Muslim communities through empowering British Muslims to interact with political and media institutions effectively. Our approach to achieving this involves a combination of community engagement (through education, community events, local campaigns to encourage voting etc.) and advocacy work (involving victim support, submissions to parliamentary inquiries, media analysis, election resources, briefings etc.).

Considering MEND's expertise in racial and religious equalities, and with a number of reports in recent times relating to issues of housing, we feel that we can provide valuable insights to this consultation. As such, MEND feels that incorporating our recommendations would help the Regulator achieve its legislative requirements under Part 2 of the Schedule to the Legislative Reform (Regulator of Social Housing) (England) Order 2018.

The Regulator has three consultation questions:

- 1) Do you agree the proposed objectives meet our obligations under the Equality Act?
- 2) Do you agree that we have identified appropriate activity to help achieve the overall objective?
- 3) Have you got any other comments on our consultation?

MEND will be responding to consultation questions 1) and 2). Our commentary within this submission extends only to our areas of expertise, namely upon issues surrounding Islamophobia, and is predicated upon data drawn upon research.

Islamophobia in the context of social housing

What is Islamophobia?

Islamophobia encompasses far more than simply hostility and hate crime. Islamophobia is demonstrated in, and articulated through, speech, writing, behaviours, structures, policies, legislation, or activities that work to control, regulate, or exclude Muslim participation within social, civic, economic, and political life, or which embody hatred, vilification, stereotyping, abuse, or violence directed at Muslims. Islamophobia includes any distinction, exclusion, restriction, or preference against Muslims that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

As such, Islamophobia infiltrates every aspect of public life and creates barriers to Muslims (or those perceived to be Muslim) in overt ways, but also in ways that are subtler, and thus much harder to detect and demonstrate. For example, hatred and physical abuse on the streets is overt and impossible to ignore. However, the CV that is passed over because it boasts a Muslim sounding name is an example that may be harder to detect, but which has dire repercussions on British Muslims' daily enjoyment of freedoms.

How does Islamophobia impact individuals and communities?

There is a notable dearth of any critical research into the psychological repercussions of Islamophobia (both in the form of hate crime and hate speech) upon its victims. However, anecdotal evidence can be found in the testimonies given by victims. According to these testimonies, victims of Islamophobic hate crime often experience severe negative impacts with regards to their confidence and mental health.

Fear about personal safety is common. Immediately after an attack the feeling of shock and disorientation can set in. It can take time for a victim to process the incident. Soon after, feelings of shame or anger can also be felt. To live in a perpetual state of anxiety following a hate incident or crime, particularly if it occurred close to one's home, has clear repercussions for the mental and physical wellbeing of the victim.

Behavioural changes are also a common theme. In some instances, reports (particularly from Muslim women) of victims being reluctant to leave their homes in the weeks immediately following an attack. A significant majority of victims reporting are women who are visibly Muslim (i.e. they wear a hijab, niqab, burka etc.) Following an attack, a small number of these women have reported that they subsequently decided to stop wearing the hijab after being targeted, which may perhaps be seen as an attempt to minimise or hide their religious identity for fear of being vulnerable to abuse.

While the individual victim themselves bears the most acute consequences of hate crime, an act of hate crime often affects the family network and wider community at large. Indeed, Islamophobic hate crimes create an atmosphere of heightened anxiety and fear amongst whole communities. Anecdotal evidence indicates that even members of these communities who have not been victims consequently avoid areas which are known to have been the location of previous hate-based incidents, they may also change their transport routes, change their style of dress, or take self-defence classes - all as protective measures against being attacked.¹

¹ "Hate Crime: A Thematic Review Of The Current Evidence". 2018. Home Office.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748140/hate-crime-a-thematic-review-of-the-current-evidence-oct2018-horr102.pdf

How does Islamophobia in social housing manifest itself?

Between 2017 and 2020, the second largest category of victim complaints revolved around housing. The data collected reveal concerning patterns in the manifestations of Islamophobia within the context of social housing. These extend beyond physical and/or verbal abuse and suggest that the ignorance or unwillingness to act on the part of social housing providers feeds into the further victimisation of those on the receiving end of Islamophobia.

As but two case studies:

- A tenant moved into his social housing property November 2013. Since then, he and his family (consisting of his visibly Muslim wife and his five children under the age of 14) have been victims of abuse and harassment by their neighbour. The tenant reported this to the housing provider and the police on numerous occasions but was ignored. When the tenant approached the housing provider regarding the need to move, he was met with discriminatory remarks, and three security guards then escorted him and his family out of the building.
- Another tenant, who wore the veil and was visibly Muslim, was attacked on two occasions by the same suspect, minutes away from her social housing property. On one occasion, her aggressor approached the front of her vehicle on foot and began to verbally abuse and intimidate her. On another, the tenant was walking through an alleyway near her house with her two children and was approached by the same aggressor and physically attacked. The aggressor shouted; “go back to your country” and “why are you wearing this [the veil]” while assaulting her. With the perpetrator living in very close proximity to the victim, this issue was raised to the social housing provider, but no efforts were made to support or safeguard the victim.

Consultation question 1: Do you agree the proposed objectives meet our obligations under the Equality Act?

MEND would agree that the Regulator’s proposed objectives would meet its obligations under the Equality Act. The objectives are as follows:

1. Ensure that where equality and diversity concerns are raised through our enquiries process they are considered in line with our statutory objectives.
2. The regulator will review its methods of communicating to ensure that it does so in an inclusive way.
3. We will provide a supportive and inclusive working environment for all.

Consultation question 2: Do you agree that we have identified appropriate activity to help achieve the overall objective?

Objective one:

Regarding the first objective, “ensure that where equality and diversity concerns are raised through our enquiries process they are considered in line with our statutory objectives”, the Regulator aims to deliver it by:

- “Ensuring that our enquiries team and staff who handle complaints receive training on discrimination, harassment and equality legislation,

- Ensuring that complaints with an equality, diversity or inclusion (EDI) dimension are properly recorded and dealt with in accordance with our consumer regulation guidance,
- Ensuring that our annual report on consumer regulation includes any lessons learned from discrimination cases and enquiries,
- Investigating technological solutions to improve collation and analysis of EDI data arising from enquiries.”

In undertaking this delivery, MEND would recommend that the Regulator engages with representative and grassroots Muslim organisations, including MEND, with regards to developing a specialised training program on issues regarding Islamophobia. This training program must include understandings of:

- What Islamophobia is,
- How it manifests itself,
- Socio-political factors,
- Islamophobia in the context of the Equality Act 2010,
- The intersection of multiple protected characteristics (for example, the discrimination faced by a Muslim woman may function on the level of religion, gender, and ethnicity),
- How to respond effectively to such complaints.

Furthermore, MEND would also recommend that the Regulator provides greater clarity on how and if it intends to implement a system of segregated data collection to monitor and examine complaints that are made regarding differing protected characteristics and categories within them. This must include factors such as:

- The protected characteristics of victims (including those that are not necessarily the basis upon which the initial complaint is made),
- The demographic profile of perpetrators,
- Forms of abuse.

Objective two:

Regarding the second objective, “the regulator will review its methods of communicating to ensure that it does so in an inclusive way”, the Regulator aims to deliver it by:

- “training for staff on accessible communication skills (particularly around mental health and learning disabilities),
- Ensuring that the regulator’s publications are as accessible as possible,
- Ensuring that our communications, such as responses to enquiries, meets the individual’s communication needs where reasonable,
- Proactively engaging with the Government Digital Service about what changes can be made to our website to make it as accessible as possible.”

MEND would recommend that the Regulator further clarifies its terms of reference for such a review, including its strategy for identifying accessibility requirements that are relevant to the communities it serves. MEND would recommend that the Regulator considers the following:

- Comprehensive data collection of the religion, ethnicity, gender, and other protected characteristics of social housing tenants,
- Community engagement strategies, including roundtables and listening exercises,
- An exploration of language requirements,
- “Safe space” consultations (for example, roundtable sessions that are designed for women only),
- An investigation into potential barriers that may prevent individuals from engaging with the regulator.

Objective three:

Regarding the final objective, “We will provide a supportive and inclusive working environment for all”, the Regulator aims to deliver it by:

- “Collating data on gender pay to establish our gender pay gap. Data to be collected and published in accordance with the regulator’s People Strategy,
- Improving the collation of equality and diversity data in order to identify barriers to underrepresented groups to recruitment and progression within the regulator’s workforce,
- Using data to inform how the regulator embeds equality and diversity into its approach to developing policies and/or strategies for staff to support continuous improvement,
- Using data to review how effective the policies we have in place are at delivering the desired outcomes,
- Carrying out learning and development activity to further foster an inclusive working environment,
- Actively promoting equality, diversity and inclusion in the workplace.”

MEND would recommend that the Regulator pioneers initiatives designed to address Islamophobia and other forms of discrimination in the workplace through targeted interventions at all stages of recruitment, retention, and promotion, including through the use of name-blind applications if it does not already do so.

Again, MEND would also recommend that the Regulator engages with representative and grassroots Muslim organisations, including MEND, with regards to developing a specialised training program on issues regarding Islamophobia. This training program should accommodate the needs of both Human Resources departments and general staff and must include understandings of:

- What Islamophobia is,
- How it manifests itself,

- Socio-political factors,
- Islamophobia in the context of the Equality Act 2010,
- The intersection of multiple protected characteristics (for example, the discrimination faced by a Muslim woman may function on the level of religion, gender, and ethnicity),
- How to respond effectively to such complaints.

How MEND can assist parliamentarians, policymakers, and community stakeholders

- Providing briefings, information, analysis, and expertise on issues impacting Muslim communities.
- Arranging opportunities for parliamentarians, policymakers, and community stakeholders to engage with their local Muslim communities.
- Conducting research within Muslim communities.
- Connecting parliamentarians, policymakers, and community stakeholders to other local stakeholders.

If MEND can be of any assistance to your work, please feel free to contact info@mend.org.uk