

# Provision of Information on Hate Crime

## 1. Background

This document sets out how more detailed information on all police recorded hate crimes should be entered within the crime management system.

Government, Justice Partners and other stakeholders all require detailed information on police recorded hate crime, to help assess the effectiveness of actions to tackle this issue. Good quality data provides the user with a valuable insight into the nature of hate crime in Scotland and supports the justice system to develop effective interventions in response.

Under Section 15 of the [Hate Crime and Public Order \(Scotland\) Act 2021 \("the Act"\)](#), Police Scotland are required to provide a specific set of more detailed information to Scottish Ministers on,

- a) offences aggravated by prejudice within the meaning of section 1 of the Act, and
- b) the new offences created through the Act.

This information must include, to the extent that these details have been recorded by the police, disaggregated data on a set of specified characteristics. For example, where a crime is aggravated by prejudice based on religion, information should be provided on the particular religion targeted.

Additional information is also to be provided where available on victims, perpetrators and suspected perpetrators, including: age, sex and ethnic or national origin.

It should be noted this document does not provide information on *how* a crime should be recorded or which hate aggravation should be applied to the crime. The recording of crime remains underpinned by and governed through the existing [Scottish Crime Recording Standards](#) (including Section 'I' on Hate Crime and Aggravators)

With the planned introduction of Section 15 over 2023-24, and the ongoing roll-out of a new national system for the recording of crime, this is an area of significant legislative and operational change for Police Scotland. In that context, the delivery of Section 15 is seen as a process, rather than a one-off event – and to support this process, analysts from both Police Scotland and Scottish Government will collectively review the data collected following year one of implementation. The purpose of this review will be to assess the quality of the resulting statistics, including whether any future changes to this document and how the crime management system is set up to collect the required data, would help maximise this.

One key area of the year one review will be to evaluate the use of the '*None of the above*' option for the type of prejudice shown across the different characteristics. This will help determine whether a specific type of prejudice not currently listed within this document is occurring frequently enough that there would be value in adding it below.

## 2. Introduction

For each hate crime offence, two types of information is required (where it has been recorded by officers),

- a) Information on victim(s) and perpetrator(s) or suspected perpetrator(s) and;
- b) Information on the specific type of prejudice shown.

### 2.1 Information on victim and perpetrator or suspected perpetrator

To the extent that it has been recorded, the Act requires the provision of information on the age, sex and ethnic or national origin of the victim and perpetrator or suspected perpetrator. This information is required within the crime management system for each crime recorded, and is covered in the training for the crime management system.

### 2.2 Information on specific types of prejudice shown

As listed in the Act, the information to be provided relates to hate crimes where prejudice is shown, based on the following characteristics;

- a) [age](#),
- b) [disability](#),
- c) [race](#), colour, nationality (including citizenship), or ethnic or national origins,
- d) [religion](#) or, in the case of a social or cultural group, perceived religious affiliation,
- e) [sexual orientation](#),
- f) [transgender identity](#),
- g) [variations in sex characteristics](#).

Sections 3 to 9 cover the more detailed information to be collected for each type of prejudice.

#### How information should be recorded

The information will be collected through a series of drop down menus within the crime management system. The drop downs will enable officers to click more than one option if there was more than one type of prejudice shown (for example where prejudice was shown against a person based on perceptions of both their race and religion). Whilst officers are encouraged to record as much information as possible, if there was no prejudice shown for a particular category, this does not need to be recorded (and the related drop-down menu would remain 'non-applicable').

In regards to the characteristic 'race, colour, nationality (including citizenship), or ethnic or national origins' – this is a single characteristic under the Act. However, where more than one of these has been targeted, multiple drop downs can be used to record more detailed information on the prejudice shown. For example, if the perpetrator or suspected perpetrator verbally abused the victim using phrases with skin colour and nationality, both the prejudice towards the colour of a person's skin and prejudice towards the nationality should be recorded using the drop downs.

### 3. Age

The legislation states;

where the characteristic is age, the particular age or age range recorded as being targeted,

As age-related hate crimes are newly introduced by the Act, there is currently insufficient information to advise the most appropriate age ranges which may be targeted. As such, following implementation of the Act, all cases of age-related hate crime will be jointly analysed and reviewed by Police Scotland and the Scottish Government. The outcome of this review will (i) include information that fulfils the requirement to report on the particular age or age ranges being targeted and (ii) inform the development of a suitable set of sub-categories in the form of drop down options for subsequent years.

3.1 Was the individual targeted due to their perceived age?

**Drop down options:** Yes  
No

### 4. Disability

The legislation states;

where the characteristics is disability, the particular type of disability to which the offence relates, including whether it is a physical impairment or a mental impairment,

The following drop-down selection will allow this to be provided. For any other prejudice against disability which does not fit into these categories, please use the None of the above option.

4.1 Disability perceived to be targeted (select all that apply):

Drop down option
Not applicable
Learning disability
Other mental impairment
Physical impairment
None of the above

*Validation rule: If 'Not applicable' selected, no other options can be selected*

### 5. Race aggravation

The legislation states;

where the characteristic is race, colour, nationality (including citizenship), or ethnic or national origins, the particular race, colour, nationality (including citizenship), or ethnic or national origins recorded as being targeted,

The below drop down menus allow one or more categories of prejudice against race (etc.) to be recorded.

Evidence from research<sup>1</sup> carried out by Scottish Government has been used to help populate the below drop down menus, however as outlined on page 1 these will be reviewed after the first year – including the types of prejudice being recorded under the ‘None of the above’ category.

5.1 Skin colour perceived to be targeted (select one option):

Drop down option
Not applicable
Black
Brown
White
None of the above

5.2 Nationality perceived to be targeted (select one option):

If there is evidence of prejudice against a particular nationality, please use list below to select the most appropriate description;

Drop down option
Not applicable
Afghan
British (not country specific)
Chinese
English
Indian
Iranian
Irish
Italian
Pakistani
Polish
Romanian
Russian
Scottish
Spanish
Syrian
Turkish
Ukrainian
Welsh

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<sup>1</sup> [Police recorded hate crime - characteristics: updated study - gov.scot \(www.gov.scot\)](http://www.gov.scot)

### 5.3 Ethnicity perceived to be targeted (select one option):

If there is evidence of prejudice against a particular ethnicity, please use list below to select the most appropriate description;

Not applicable
African
Arab
Asian
European
North American
Oceanian
South American
None of the above
Migration status e.g. Asylum seeker/ Refugee
Gypsy / Traveller
Roma

### 5.4 General prejudice to race (select one option):

Some cases of race-related hate crime can be more general in nature, and don't include any evidence of prejudice targeting a particular skin colour or country/ethnicity/nationality. For example this might include general xenophobic comments about the victim. The below drop down may be used to record these types of incident.

<b>Drop down option</b>
Not applicable
General xenophobia

## 6. Religion

The legislation states;

where the characteristic is religion or, in the case of a social or cultural group, perceived religious affiliation, the particular religion (including lack of religious belief) or religious affiliation recorded as being targeted,

The dropdown menu below includes a list of religions, for any other prejudice against religion which does not fit into these categories, please use 'None of the above'.

### 6.1 Religion perceived to be targeted (select one option):

<b>Drop down option</b>
Not applicable
Buddhist

Christian – Catholic
Christian – Protestant
Christian – Other
Hindu
Jewish
Muslim
Paganism
Sikh
Lack of religion
None of the above

## 7. Sexual Orientation

The legislation states ;

where the characteristic is sexual orientation, whether the sexual orientation that is recorded as being targeted is sexual orientation towards persons of the same sex, towards persons of a different sex, or towards both persons of the same sex and persons of a different sex,

The dropdown menu below includes the categories as specified in the legislation. For any other prejudice against sexual orientation which does not fit into these categories, please use None of the above.

7.1 Sexual orientation perceived to be targeted (select one option):

<b>Drop down option</b>
Not applicable
Bisexual/Biphobia
Homophobia – Gay
Homophobia – Lesbian
Non-gendered homophobia
Heterosexual/straight
None of the above

## 8. Transgender Identity

The legislation states;

where the characteristic is transgender identity, whether the transgender identity that is recorded as being targeted is identity as a female-to-male transgender person, as a male-to-female transgender person, as a non-binary person, or as a person who cross-dresses.

The dropdown menu below includes the categories as specified in the legislation. For any other prejudice against transgender identity which does not fit into these categories, please use None of the above.

8.1 Transgender Identity perceived to be targeted (select one option):

Drop down option
Not applicable
Transgender (General)
Transgender (Female to male)
Transgender (Male to female)
Non Binary
Person who cross dresses
None of the above

## 9. Variations in sex characteristics

Where someone develops physical or biological characteristics not typically associated with males or females are being targeted.

9.1 Was the individual targeted due to perceived variations in sex characteristics?

Drop down options: Yes  
No

## 10. Validation Rules

*If 4.1 equals 'Not applicable', no other options within 4.1 can be selected*

*If hate crime (need to know field and value to identify this) one of 3.1, 4.1, 5.1, 5.2, 5.3, 5.4, 6.1, 7.1, 8.1 and 9.1 must not equal not applicable (in 3.1 and 9.1 no = not applicable)*