

Date published	07 April 2025
Type	FOR ACTION
Deadline	25 April 2025
Subject	Review of Non-Crime Hate Incidents
Author	Operational Standards Strategic Adviser College of Policing
Key Points Full details in attachment(s)	has agreed to lead a comprehensive review of the policing response to NCHI's. This approach has been mutually agreed upon by NPCC, College of Policing and Government. - Once in place, we will provide SPOC's with more details of the process to follow, including requests for details of notable incidents and any research or evaluation work already in place locally to quantify the impact of our responses to NCHI's
Action required	Email and the following - Executive point of contact - definitive data to quantify the number of NCHI's recorded and subsequently work to estimate the cost and effectiveness of police responses to those incidents. - provide information by Friday, April 25, 2025 <i>Please ensure that you copy Environmental Scanning in your response for our records. Thank you.</i>
<i>Please note that links within attached documents will <u>not</u> work unless you have been given access to the NPCC Intranet. All referred documents are attached in this email.</i>	

07 April 2025

To all Chief Officers
(Via ChiefsNet)

Review of Non-Crime Hate Incidents (NCHI's)

Dear Chief Officers,

██████████ has agreed to lead a comprehensive review of the policing response to NCHI's. This approach has been mutually agreed upon by NPCC, College of Policing and Government. I have been asked to Support ██████████ and ██████████ to support this review and to ensure broad engagement across policing.

The Terms of Reference for the review are attached to this letter for your information.

This subject has become publicly and politically contentious in recent years, creating local and national challenges. I have agreed to maintain contact with police executives and serve as a conduit to convey any concerns or views during the review process. I will provide regular updates to forces and be available for any discussions that arise. I will be working alongside ██████████ (national police advisor - hate crime), and ██████████ from the College, who will also be available to forces seeking engagement in the work.

The overarching aim of the review is to determine whether the current police approach to reporting and recording incidents which are not crimes, but which may have been motivated by hate or hostility, is fit for purpose and ensures that there is the appropriate balance between preventing harm and protecting human rights freedoms, including legitimate free speech. As part of the Review, a deep dive into current practices will be used to develop an evidence basis upon which recommendations will be made.

To facilitate the review, I have two initial requests for assistance from all forces:

1. Executive Point of Contact:

The hate crime portfolio has a network of force hate crime leads who represent forces. They will receive regular updates, but for the duration of the review, I would also request that you nominate an executive officer from your force to serve as a Single Point of Contact.

2. Data Request

In 2007, CJS partners established a [shared definition of hate crime, and NCHI's](#). This allowed for the collection of national data. A decision was made at that time, and reasserted by ministers overseeing the Annual Data Requirements on policing, that NCHI should be monitored and measured locally rather than gathered nationally. The absence of robust national data means that we do not have an accurate understanding of the extent and cost of police responses to NCHI. To inform and support the review we require definitive data to quantify the number of NCHI's recorded and subsequently work to estimate the cost and effectiveness of police responses to those incidents.

To facilitate this process, please send your responses to [REDACTED] and [REDACTED]. I request that you provide the following information by Friday, April 25, 2025:

The number of NCHI's recorded by your force between April 1, 2022, and March 31, 2025, categorized by quarterly totals for each target strand, including:

- Disability
- Race
- Religion/faith
- Sexual Orientation
- Transgender identity
- Other

Once in place, we will provide SPOC's with more details of the process to follow, including requests for details of notable incidents and any research or evaluation work already in place locally to quantify the impact of our responses to NCHI's

Yours sincerely,

[REDACTED]

[REDACTED]
Operational Standards Strategic Adviser
[REDACTED]

College of Policing

Review of Non-crime Hate Incidents

Terms of Reference (ToR)

Strategic Aim:

The overarching aim of the review is to determine whether the current police approach to reporting and recording incidents which are not crimes, but which may have been motivated by hate or hostility is fit for purpose and ensures that there is the appropriate balance between preventing harm and protecting human rights freedoms, including legitimate free speech. As part of the Review, a deep dive into current practices will be used to develop an evidence basis upon which recommendations will be made.

The review will:

- a) Consider the rationale and necessity for how relevant reports are recorded
- b) Consider relevant statutory obligations and limitations
- c) Consider the time and cost of recording and responding to NCHIs and the impact on police resources
- d) Examine how reporting and recording can help to monitor and respond to vulnerability and community tension, and contribute to the reduction of future harms
- e) Collate force data on recorded non-crime hate incident (NCHIs) pre and post publication of the Code to understand volume and type of cases
- f) Use force data to examine current recording and response practices, to inform the recommendations of this review
- g) Consider the findings and recommendations in the HMICFRS Inspection into Activism and Impartiality in Policing.
- h) Make recommendations that ensure that reports which are not crimes but which may have been motivated by hate or hostility, are managed in a way that will help keep individuals and communities safe, build confidence in policing and enable the most appropriate use of police resources.

Background:

The Home Office Counting rules (HOCR) state that 'all reports of incidents, whether from victims, witnesses or third parties and whether crime related or not, will, unless immediately recorded as a crime, result in the registration of an auditable incident report by the police'.

For those that don't involve a crime the National Standard for Incident reporting (NSIR) defines an incident as 'a single distinct event or occurrence which disturbs an individual, group or community's quality of life or causes them concern'.

A non-crime hate incident (NCHI) is an incident where a crime has not been committed, but it has disturbed an individual, group or community's quality of life or causes them concern, and the complainant perceives that the incident was motivated by hate or hostility towards a personal characteristic.

Hate or hostility is a motivating factor for the incident, not the incident itself, which may include, for example, anti-social behaviour.

The policy of recording of hate crimes and non-crime hate incidents (NCHIs) is based on recommendations 12-14 of the Stephen Lawrence Inquiry Report 1999 that stated that all allegations of racist crimes and incidents should be recorded based on the perception of any person. Hate crimes or incidents now include Race, Religion, Sexual orientation, Transgender or Disability. Forces can also currently record hate or hostility against any other personal characteristics if the hate it is a factor in motivation, for example, in the murder of Sophie Lancaster, the hostility was directed toward the way Sophie and her boyfriend dressed and their lifestyle choices.

The police response to NCHIs was set out in the ACPO 2014 Hate Crime Operational Guidance (HCOG). Following a judicial review relating to this guidance, the College published revised Authorised Professional Practice (APP) at [Hate crime | College of Policing](#) in July 2022. This included, directing officers and staff, irrespective of the complainant's perception, not to record personal information about the subject of an NCHI allegation where the report is assessed as trivial, malicious or irrational, or where the incident engages article 10 through legitimate and lawful debate.

In June 2023 the Home Office published a Code of Practice to govern the recording and retention of personal information relating to NCHIs setting out an additional threshold for the recording personal data.

'Personal data may only be included in an NCHI record if the event presents a real risk of significant harm to individuals or groups with a particular characteristic(s) and/or a real risk that a future criminal offence may be committed against individuals or groups with a particular characteristic(s).'

The HMICFRS inspection into activism and impartiality in policing highlighted concerns that forces were not implementing the new Code, and that officers and staff found the code and supporting APP and eLearning confusing. This feedback also reflected course feedback and concerns raised by forces over managing NCHIs on force recording systems.

The Home Secretary has called for a more common-sense approach to reporting and recording NCHIs. This approach should protect freedom of expression but ensure that community tensions can be accurately monitored.

This review reflects an offer from the NPCC, supported by the College of Policing to undertake a full review of reporting, recording and police response practices for NCHIs.

Timescale:

Completion by the end of summer 2025.