

Non-Crime Hate Incidents (NCHIs)

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The topic of non-crime hate incidents (NCHI) is a contentious issue and has been in the mainstream media recently. There have been recent calls to abolish in it's entirety, the recording of non-crime hate incidents by the police following a report by the Policy Exchange Think Tank. This is a complex topic, which often divides opinion.

A hate incident is defined as "Any Incident where a crime has not been committed, but where it is perceived by the person reporting or any other person that the incident was motivated by hostility or prejudice". For recording purposes, the perception of the victim, or any other person is the defining factor in recording the "hostility" or "prejudice" element of a hate crime or non-crime. There is no legal definition of hostility therefore consideration should be given to ordinary dictionary definitions, which include ill-will, ill-feeling, spite, contempt, prejudice, unfriendliness, antagonism, resentment, and dislike.

The College of Policing guidance on when not to record a hate incident is as follows;

"A non-crime hate incident must not be recorded if the complaint is trivial, malicious or irrational, and a hate or prejudice qualifier should not be added in these instances. For example, if there is no evidence to support the perception of the complainant – or any other person – that the incident is motivated by hostility or prejudice against a monitored or particular characteristic, a NCHI must not be recorded. There are two subsets of the NCHI record, those that include personal data of the subject and those that do not. 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 recording officer should utilise judgement to determine if this threshold has been met. This may include examples where the behaviour of the subject falls short of criminal conduct but may later be evidence of a course of criminal conduct, for example, may lead to harassment offences. If an incident does not pass this threshold test, but all the other criteria required to record an NCHI are met an NCHI without personal data may be recorded instead. In these instances, the recording authority should ensure that any personal data that may have previously been recorded on policing systems in relation to the initial incident report is removed. For example, if personal information relating to the subject was recorded by the call taker when the initial report was made, this personal information relating to the subject should be deleted from the relevant policing system by the recording authority once it has been determined that the threshold test has not been met.

Some social commentators have publicly questioned why police deal with NCHI and think that resources are being wasted investigating these incidents where no offences have been committed. There are examples from across the UK of NCHI recorded on the think tank paper linked. [Non-Crime-Hate-Incidents.pdf](#)