



Hate Crime and Public Order (Scotland) Act 2021

2021 asp 14

PART 4

FURTHER PROVISION RELATING TO HATE CRIME

Reports relating to hate crime

14 Publication of reports on hate crime convictions

- (1) The Scottish Ministers must, as soon as reasonably practicable after the end of each reporting year, publish a report on convictions during that reporting year for—
 - (a) offences aggravated by prejudice within the meaning of section 1, and
 - (b) offences under this Act.
- (2) The Scottish Ministers must provide information about the groups to which the offences relate by including in the report—
 - (a) information about convictions for offences which, by virtue of being offences under section 3 or 4(1), relate to groups defined by reference to race, colour, nationality (including citizenship), or ethnic or national origins,
 - (b) in respect of each conviction for an offence aggravated by prejudice within the meaning of section 1, information about the type of prejudice by which the offence was aggravated (by reference to one or more of the characteristics mentioned in section 1(2)), and
 - (c) in respect of each conviction for an offence under section 4(2), information about the characteristic to which the offence relates (by reference to one or more of the characteristics mentioned in section 4(3)).
- (3) The Scottish Ministers must—
 - (a) take reasonable steps to establish whether the information provided under subsection (2) about the groups to which the offences relate may be supplemented by information about any subgroups to which the offences relate, including (in particular) where a conviction is for an offence relating to a group defined by reference to—

Changes to legislation: There are currently no known outstanding effects for the Hate Crime and Public Order (Scotland) Act 2021, Section 14. (See end of Document for details)

- (i) age, the particular age or age range to which the offence relates,
 - (ii) disability, the particular type of disability to which the offence relates, including whether it is a physical impairment or a mental impairment,
 - (iii) race, colour, nationality (including citizenship), or ethnic or national origins, the particular race, colour, nationality (including citizenship), or ethnic or national origins to which the offence relates,
 - (iv) 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 to which the offence relates,
 - (v) sexual orientation, whether the offence relates to 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,
 - (vi) transgender identity, whether the offence relates to 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, and
- (b) if they establish that the information provided under subsection (2) may be so supplemented, take reasonable steps to obtain that supplementary information and include it in the report.
- (4) The report must not include information in respect of any conviction—
- (a) which identifies any individual, or
 - (b) from which the identity of any individual may be ascertained.
- (5) The report may be in any form that the Scottish Ministers consider appropriate and (in particular) may be part of another document.
- (6) In this section, “reporting year” means a period of one year ending on 31 March.

Commencement Information

II S. 14 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

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