



Hate Crime and Public Order (Scotland) Act 2021

2021 asp 14

PART 4

FURTHER PROVISION RELATING TO HATE CRIME

Reports relating to hate crime

15 Publication of reports on hate crime recorded by police

- (1) The chief constable of the Police Service must, as soon as reasonably practicable after the end of each reporting year, provide the information that the Scottish Ministers require in order to publish a report in accordance with this section.
- (2) The Scottish Ministers must, as soon as reasonably practicable after receipt of information under subsection (1), publish a report on records made by the Police Service during that reporting year of cases categorised by the Police Service as—
 - (a) offences aggravated by prejudice within the meaning of section 1, and
 - (b) offences under this Act.
- (3) The report must include the following information in respect of each recorded offence to the extent that this information has been recorded by the Police Service—
 - (a) the age, sex, and ethnic or national origins of any person recorded as being a victim of the offence,
 - (b) the age, sex, and ethnic or national origins of any person recorded as being a perpetrator or suspected perpetrator of the offence.
- (4) The report must include the following information to the extent that this information has been recorded by the Police Service—
 - (a) in respect of each record of an offence under section 3 and each record of an offence under section 4(1), the particular race, colour, nationality (including citizenship), or ethnic or national origins recorded as being targeted,
 - (b) in respect of each record of an offence aggravated by prejudice within the meaning of section 1 and each record of an offence under section 4(2)—

Changes to legislation: There are currently no known outstanding effects for the Hate Crime and Public Order (Scotland) Act 2021, Section 15. (See end of Document for details)

- (i) the particular characteristic mentioned in section 1(2) or 4(3) which is recorded as being targeted,
 - (ii) where the characteristic is age, the particular age or age range recorded as being targeted,
 - (iii) where the characteristic is disability, the particular type of disability that is recorded as being targeted, including whether it is a physical impairment or a mental impairment,
 - (iv) 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,
 - (v) 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,
 - (vi) 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,
 - (vii) 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.
- (5) The report must not include information in respect of any recorded offence—
- (a) which identifies any individual, or
 - (b) from which the identity of any individual may be ascertained.
- (6) The report may be in any form that the Scottish Ministers consider appropriate and (in particular) may be part of another document.
- (7) In this section—
- “Police Service” means the Police Service of Scotland,
 - “reporting year” means a period of one year ending on 31 March.

Commencement Information

II S. 15 in force at 1.4.2024 by S.S.I. 2024/82, reg. 2 (with reg. 3)

Changes to legislation:

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