



Date: 24/06/2025
Our ref: 01/FOI/25/014841/V

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/25/014841/V

I write in connection with your request for information dated 28/05/2025, received by Greater Manchester Police (GMP) for the following information:

I would be grateful if you would provide the following information under the terms of the FOIA 2000:

1. *In what year did your force start recording non-crime hate incidents?*
2. *Please provide any document laying out the policy for recording such incidents?*
3. *Please provide any email or document instructing your force to record such incidents, from for example the Home Office, Association of Chief Police Officers etc?*
4. *In each of the years your force has recorded such incidents, how many have been recorded in each year?*

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police to locate information relevant to your request. I can confirm that the information you have requested is held by Greater Manchester Police. However, I am not obliged to supply all the information you have requested as exemptions apply.

When refusing to provide such information because an exemption applies, Section 17(1) of the Freedom of Information Act 2000 requires GMP, to provide you - the applicant - with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The information requested in question 4 is exempt under **Section 21 – Information accessible to applicant by other means** and **Section 22(1)(a) – Information Intended for Future Publication**. GMP publish our hate crime statistics on our website. [The information you have requested up to April 2025 can be found here.](#)

Information for later months will be published on the afore mentioned website in due course. Consequently, this information is exempt under Section 22(1)(a). As Section 22(1)(a) is a qualified exemption a public interest test needs to be applied.

Factors Favouring Disclosure

Disclosure of the requested information at the present time would allow the public to have access to the information immediately, would enhance public knowledge of the subject and would promote the accountability and aid transparency of GMP.

Factors Favouring Non-Disclosure

Reviewing and formatting the data at the present time, in response to a Freedom of Information request, would be a duplication of work and would involve a disproportionate use of GMP resources and would not be an economical use of public funds. Additionally, should the data from the upcoming report be released prematurely, there is the possibility that it may contain inaccuracies if it has not been subject to full scrutiny procedures.

Balancing Test

When balancing the Public Interest Test, we must consider whether the Public Interest is best served by the release of the information into the public domain immediately or by the withholding of the information. Arguments need to be weighed against each other. The most persuasive reason for disclosure is the facilitation of transparency of GMP, which needs to be weighed against the strongest negative reason, which, in this case, is the disproportionate use of GMP resources and an uneconomical use of public funds. Therefore, the stance at this time is that the requested data is exempt from disclosure in response to a Freedom of Information request due to its future official publication by GMP.

In accordance with the S17 of the Freedom of Information Act 2000, this letter acts as a Refusal Notice for that information.

1. *GMP began to record non-crime hate incidents (NCHIs) using the current legislation from June 2023 onwards.*
2. & 3. Below is a copy of the NCHI Recording Process, a Chief Constable's Order and a Law Digest. Please see also the attached NCHI flowchart.

New Process for Recording Non-Crime Hate Incidents

Due to recent changes in College of Policing guidance about how Non-Crime hate incidents (NCHIs) should be recorded a new process for doing so is outlined below.

New process

As per normal practice districts will receive a non-hate incident (NCI) or non-crime hate incident (NCHI) - these will be identified by a D06 ASB hate opening code.

A supervisor should clarify that there is sufficient evidence of hostility or prejudice towards persons with a particular characteristic which meets either or both of the two conditions below:

- A real risk of significant harm to individuals or groups with a protected characteristic(s)
- A real risk that a future criminal offence may be committed against individuals or groups with a protected characteristic, including heightened community tensions.

If the answer is yes, then a NCHI can be recorded. No subject personal details should be recorded at this stage. An incident that shows hostility or prejudice only is not enough to add personal details.

Evidence of Intention

If there is evidence of intention by the subject, and risk of significant harm to individuals or groups with a protected characteristic(s) and/or a real risk that a future criminal offence may be committed against individuals or groups with a protected characteristic(s), then subject personal details **can** be recorded on the NCHI.

Even if there is evidence of intention but there is a less intrusive method to document risk of significant harm to individuals or groups with a protected characteristic(s) and/or a real risk that a future criminal offence may be committed against individuals or groups with a protected characteristic(s), for example using location data, then subject personal details should not be recorded on the NCHI. The least intrusive method should be recorded.

If the criteria needed to record a NCHI are not met more generally, the recording authority will be required to close the original or any corresponding non-crime incident record.

The recording authority should ensure that the non-crime incident record does not include any subject personal data before closing it, including those taken by the call taker. For any further advice please refer to CCO 2023/17.

Chief Constable's Order 2023/17 - Item 1 – Changes to Non-Crime Hate Incidents

GMP has signed a pledge to change how the force records non-hate crime incidents (NCHIs). NCHIs are recorded by the police to collect information on 'hate incidents' that could escalate into more serious harm or indicate heightened community tensions, but which do not constitute a criminal offence.

A NCHI is described as "an incident or alleged incident which involves or is alleged to involve an act by a person ('the subject'), which is perceived by a person *other* than the subject to be motivated - wholly or partly - by hostility or prejudice towards persons with a particular characteristic".

Additional threshold test

An additional threshold test now applies, which the recording authority should consider if they are seeking to include a subject's personal data in a NCHI record.

The least intrusive method must be used to progress the incident, and actions taken must be proportionate and necessary using judgement and common sense.

The question to be asked is “does the actions of the subject fall under the freedom of expression protections?” (see Protecting freedom of expression – updated guidance | College of Policing).

For further information on the new process you should read Appendix A and consult the NCHI flow chart or contact the Prevention Team.

Law Digest 24 of 2023 - Code of Practice for non-crime hate incidents

The Home Office has published a Code of Practice on non-crime hate incidents (NCHI) to assist police officers and staff when making decisions about the recording of non-crime hate incidents and relevant personal data.

The Code of Practice came into force on 03rd June 2023 and has been provided for in the Police, Crime, Sentencing and Courts Act 2022.

The Code of Practice will:

- Include guidance relating to whether and how the personal data of an individual who is the subject of an NCHI report should be processed as part of an NCHI record;
- Provide detailed information on the right to freedom of expression, and clear case studies to illustrate how this right should be taken into account in the context of NCHI recording;
- Clarify that debate, humour, satire and personally-held views which are lawfully expressed are not, by themselves, grounds for the recording of an NCHI; and
- Set out that an NCHI should not be recorded if the report is deemed by the police to be trivial, irrational, malicious, or if there is no basis to conclude that it was motivated by intentional hostility.

The Code of Practice also introduces the additional threshold test, which clarifies that personal data should 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 or characteristics; and
- That a future criminal offence may be committed against individuals or groups with a particular characteristic or characteristics.

For the purposes of the Code of Practice, a ‘particular characteristic’ means race, religion, sexual orientation, disability or transgender identity, as defined in hate crime legislation. This test will enable the police to intervene where necessary to safeguard vulnerable individuals and communities.

The Code of Practice can be accessed by clicking on the link below:

Non-crime hate incidents: code of practice - GOV.UK (www.gov.uk)

The College of Policing publish non-statutory Authorised Professional Practice (APP) guidance on NCHI recording and as a result of the Code of Practice, it has published an updated version of that guidance that aligns with the content of the Code.

The updated APP can be accessed by clicking on the link below:

New Code and guidance for non-crime hate incidents | College of Policing

4. Exempt under S21 & S22, see above.

Further information can be found on the [College of Policing website](#).

None Crime Hate Incident

Non-crime hate incidents (NCHIs) are recorded by the police to collect information on 'hate incidents' that could escalate into more serious harm or indicate heightened community tensions, **but which do not constitute a criminal offence**. (if recordable offences are identified and motivated by a hate a Hate Crime must be recorded)

NCI & NCHI procedure

Incident reported to the police by the Informant (term victim not to be used) - is there evidence of hostility or prejudice towards persons with a particular characteristic

No

Yes

None Crime Incident recorded
Informant must be updated at time of recording that there are no offences and incident will be closed.

Additional Threshold Test-Real risk of significant harm to individuals or groups with a protected characteristic(s) and/or a real risk that a future criminal offence may be committed against individuals or groups with protected characteristics?

Yes

No

None Crime Hate Incident Recorded.
Informant must be contacted with update and VCOP tab updated

None Crime Incident recorded
Informant must be updated at time of recording that there are no offences and incident will be closed

If the criteria needed to record an NCHI are not met more generally, the recording person will be required to close the original non-crime incident record. The recording person should ensure that the non-crime incident record does not include any subject personal data before closing it

NB if there are criminal offences a hate crime must be submitted The least intrusive method must be used to progress. Actions taken must be proportionate and necessary using judgement and common sense. Do the actions of the subject fall under the freedom of expression protections.?

If there are any original corresponding non-crime incidents ensure that the non-crime incident record does not include any personal data before closing it.

Should the subject (term offender not to be used) details need to be added to the NCHI ?

NO if there is a less intrusive method i.e using location data to document risk of significant harm to individuals or groups with a protected characteristics, and/or a real risk that a future criminal offence may be committed against individuals or groups with a protected characteristics

Yes if there is evidence of intention by subject and risk of significant harm to individuals or groups with a protected characteristics, and/or a real risk that a future criminal offence may be committed against individuals or groups with a protected characteristics

Useful Links

[Non-Crime Hate Incidents_v02.pdf \(publishing.service.gov.uk\)](#)

[Hate crime | College of Policing](#)

[Responding to hate | College of Policing](#)

[Protecting freedom of expression – updated guidance | College of Policing](#)