

## Hate Motivation Definitions

Hate crime is defined as any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic. PSNI also use the principles of this definition to record non-crime hate incidents<sup>1</sup>. Within PSNI there are six strands of hate motivation that are monitored; Race, Homophobia (sexual orientation), Sectarianism, Faith/religion (non-sectarian), Disability and Transphobia.

### Race

A racial group can be defined as a group of persons defined by reference to race, colour, nationality or ethnic or national origins (this includes UK National origins i.e. Scottish, English, Welsh and Irish) and references to a person's racial group refer to any racial group into which he/she falls. Racial group includes the Irish Traveller community.

### Homophobia (sexual orientation)

Homophobia can be defined as a fear or dislike directed towards lesbian, gay or bisexual people, or a fear or dislike directed towards their perceived lifestyle, culture or characteristics. Sexual orientation can be defined as an individual's preference for a particular sex (be it the opposite or the same), or an individual's view of their own sexuality.

### Sectarianism

The term 'sectarian', whilst not clearly defined, is a term almost exclusively used in Northern Ireland to describe incidents of bigoted dislike or hatred of members of a different religious or political group. It is broadly accepted that within the Northern Ireland context an individual or group must be perceived to be Catholic or Protestant, Nationalist or Unionist, or Loyalist or Republican. However sectarianism can also relate to other religious denominations, for example, Sunni and Shi'ite in Islam.

### Faith/Religion (non-sectarian)

A faith or religious group can be defined as a group of persons defined by reference to religious belief or lack of religious belief. This would include Christians, Muslims, Hindus, Sikhs and different sects within a religion. It also includes people who hold no religious belief at all.

### Disability (or Disablist)

Any disability including physical or sensory disability, learning disability, long-term illness and mental health.

### Transphobia

Includes people who are transsexual, transgender, transvestite and those who hold the gender recognition certificate under the Gender Recognition Act 2004.

### The Perception Test

Evidence is not the test when reporting a hate incident; when an incident or crime has been reported to police by the victim or by any other person and they perceive it as being motivated by prejudice or hate, it will be recorded and investigated as a hate incident or crime. The perception of the victim, or any other person is the defining factor in determining whether an incident is a hate incident, or in recognising the hostility element of a hate crime. Perception-based recording refers to the perception of the victim, or any other person. It would not be appropriate to record a crime or incident as a hate crime or hate incident if it was based on the perception of a person or group who had no knowledge of the victim, crime or the area, and who may be responding to media or internet stories or who are reporting for a political or similar motive. The other person could, however, be one of a number of people, including: police officers or staff; witnesses; family members; civil society organisations who know details of the victim, the crime or hate crimes in the locality, such as a third-party reporting charity; a carer or other professional who supports the victim; someone who has knowledge of hate crime in the area – this could include many professionals and experts such as the manager of an education centre used by people with learning disabilities who regularly receives reports of abuse from students; a person from within the group targeted with the hostility, eg, a Traveller who witnessed racist damage in a local park.

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<sup>1</sup> A crime will be recorded as having a hate motivation where it meets the relevant definition provided above. Not all hate motivated incidents will result in the recording of a crime, as what has occurred in the incident may not be of the level of severity that would result in a notifiable offence being recorded. Where crimes with a hate motivation are recorded they are classified according to the Home Office Counting Rules and form a subset of the overall police recorded crime statistics. Further details of the background and recording practice in relation to police recorded crime statistics are available in the [User Guide to Police Recorded Crime Statistics](#). An explanation of what constitutes an incident and a crime is provided in Section 2.1 of this guide, while reference to hate motivated incidents and crimes is available in Section 6. These recording practices, methods of counting outcomes and allocation of crime types apply equally to crimes with a hate motivation.