

Text highlighted in blue must not be changed

DRAFT

EQUALITY IMPACT ASSESSMENT

The Equality Impact Assessment Standard Operating Procedure/Guidance **must** be used when completing this form:

<http://intranet.aware.mps/TP/DCF/index.htm>

Protective Marking:	Not Protectively Marked	Publication	Yes		
Title:	Protection of Individuals by Witness Protection Units Policy				
Branch / OCU:	SCD10 Criminal Justice Protection Unit				
Date Created	Awaits	Review Date:	Awaits	Version:	1.0
Author:	SCD10 Criminal Justice Protection Unit.				

Person completing EIA: DS Mark Roberts DPS Policy Unit.			
Signed:	_____	Date:	23/02/2010
Person supervising EIA: DCI Steve Wallace SCD7			
Signed:	_____	Date:	24/02/2010
Quality Assurance approval: Awaits			
Name:	_____	Unit	DCFD
		Date	_____

Decision Making	
Decision Maker: Head of Profession Covert Policing	
Name: Peter Spindler	Rank or Grade: Commander
What is the decision?	
Reject the proposal	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Implement the proposal	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Produce an alternate proposal (if so, a new impact assessment must be completed)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
SMT / (B)OCU/Management Board endorsing decision	
Name: Covert Policing Standards Board	Rank or Grade: N/A

1. Aims and Purpose of Proposal – see step 1 of the guidance

<http://intranet.aware.mps/TP/DCF/index.htm>

The policy, together with two Standard Operating Procedures (SOP): Acceptance criteria for individuals referred for witness protection measures and The management of individuals by Witness Protection Units sets out the MPS arrangements for managing individuals involved in investigations or proceedings where the risk to their safety is so serious and life-threatening, that relocation and a change of identity may be necessary. The policy and its associated procedures describe the MPS operational arrangements for protecting witnesses and other persons in accordance with Section 82 of the Serious Organised Crime and Police Act 2005 (SOCPA).

The desired outcome of this policy and its associated procedures will be to ensure consistency across the MPS by setting corporate minimum standards for the management of individuals by Witness Protection Units. It will benefit staff by providing a single point of reference from which they can access any instructions and guidance they need to perform their role. It will also help inform and manage the expectations of individuals being considered for inclusion in the Witness Protection Programme.

MPS stakeholders include the SCD10 Criminal Justice Protection Unit (CJPU) and the Directorate of Professional Standards Witness Protection Unit (DPS WPU), responsible for delivering this level of protection in the MPS, and the Covert Policing Standards Board (responsible for covert policing standards development, monitoring and compliance).

2. Examination of Available Information – see step 2 of the guidance

<http://intranet.aware.mps/TP/DCF/index.htm>

The Association of Chief Police Officers (ACPO), the Witness Protection Governance Group, the Witness Protection Advisory Panel, the National Policing Improvement Agency (NPIA) and the Central Witness Bureau (CWB) have developed the National police standards and practitioners guidance for Witness Protection Units and the Witness Protection Programme.

The MPS policy and SOPs have been developed with reference to the following material:-

- Legislation and case law; particularly Sections 82 to 94 of the Serious and Organised Crime and Police Act which provide a statutory guidance for the protection of witnesses where the risk to their safety is so serious and life threatening that relocation or even a change of identity is necessary.
- ACPO Guidelines on Witness Support
- Practitioner Guidance published by the NPIA.
- Working practices developed within the CJPU and DPS.

In relation to the impact of the policy and associated SOPs on diversity and equality issues the following information has been taken into consideration.

The CJPU have in place a number of measures to monitor the impact of their service delivery in accordance with the Policy and SOP's set out in this proposal. The CJPU collect data in variety of ways that include 'quality call back' where managers seek feedback from individuals on the witness protection scheme, the debriefing of counsellors employed to support individuals within the scheme and the collection of performance data

that includes a diversity profile of protected witnesses. These measures, which have now been adopted by the DPS Witness Protection Unit, provide opportunity to identify a range of issues that include equality impact. The feedback and performance data are scheduled within the agenda of the quarterly CJPU management meetings where any issues are addressed.

One issue that has been identified from these monitoring processes is the differential impact on visible ethnic minorities. As a result CJPU managers discuss performance information with the Operation Trident Independent Advisory Group during their quarterly meetings. Consultation has also taken place between the Detective Superintendent who leads in relation to Operation Trident witness protection measures and the Operation Trident Independent Advisory Group.

3. Screening Process for relevance to Diversity and Equality issues – see step 3 of guidance <http://intranet.aware.mps/TP/DCF/index.htm>

Does this proposal have any relevance to:					
a)	Age	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
b)	Disability	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
c)	Faith	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
d)	Gender	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
e)	Race	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
f)	Sexual Orientation	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
g)	Other Issues	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

4. From the answers supplied, you must decide if the proposal impacts upon diversity or equality issues. If yes, a full impact assessment is required. <http://intranet.aware.mps/TP/DCF/index.htm>

Full Impact Assessment Required?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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5. Consultation / Involvement – see step 5 of the guidance <http://intranet.aware.mps/TP/DCF/index.htm>

Who was consulted?
Persons on the Witness Protection Scheme.
Counsellors employed to support individuals within the Witness Protection Scheme.
CJPU managers discuss performance information with the Operation Trident Independent Advisory Group during their quarterly meetings. Consultation has also taken place between the Detective Superintendent who leads in relation to Operation Trident witness protection measures and the Operation Trident Independent Advisory Group.
Date and method of consultation
Quality Call Back Scheme - ongoing Debriefing of Counsellors – ongoing Quarterly meetings with Trident IAG – ongoing

Where are the consultation records stored?
<p>CJPU and DPS WPU maintain statistics in relation to diversity profiles of protected persons and the results of the quality call back scheme and debriefing of counsellors.</p> <p>Interaction with the Trident IAG will be captured within minutes of the quarterly meetings.</p>
Give a brief summary of the results of the consultation / involvement? How have these affected the proposal?
<p>Much of the information gained during the consultation has been used to enhance the level of service provided to protected persons.</p> <p>The policy and SOPs set minimum corporate standards, and while the impact on visible ethnic minority groups is recognised, this impact cannot alter standards that have been set with a view to ensuring the safety of the protected person after relocation.</p> <p>It is important that all witnesses whose risk to safety is serious and life-threatening are referred to the CJPU for assessment for suitability for inclusion on the Witness Protection Scheme, and that there is not a reluctance to make a referral because of their ethnicity and a perception that they will not meet the criteria requirements. It is this issue that makes implementation and awareness of the acceptance criteria SOP so important.</p>

<p>6. Full Impact Assessment – see step 6 of the guidance http://intranet.aware.mps/TP/DCF/index.htm Explain the potential impact (whether intended or unintended, positive or negative) of the proposal on individuals or groups on account of:</p>
<p>Age</p> <p>There is nothing at this stage to suggest that the policy or standard operating procedures will have any impact on 'Age'. The age range of individuals currently recruited to the witness protection scheme is wide and extends to very young children and elderly relatives of some witnesses.</p>
<p>Disability</p> <p>There is nothing at this stage to suggest that the policy or standard operating procedures will have any impact on disability. Individuals with disability can be, and are included on the witness protection scheme. The CJPU and DPS Witness Protection Units have established protocols with partner government agencies responsible for delivering support to those with a disability.</p>
<p>Religion and Belief</p> <p>There is nothing at this stage to suggest that the policy or standard operating procedures will have any impact on religion or belief.</p>
<p>Gender</p> <p>There is nothing at this stage to suggest that the policy or standard operating procedures will have any impact on gender.</p>
<p>Race</p> <p>It has long been recognised that a disproportionate number of witnesses from ethnic minority groups have not been accepted on to the witness protection scheme. This problem is replicated Nationally. A number of reasons have been identified, these include</p>

<p>reluctance for the witness to be relocated and comply with a requirement to be disconnected from other members of their community. There is a propensity for some ethnic communities to cluster in geographic pockets across the UK and relocation to another pocket does not guarantee anonymity because they tend to be acquainted.</p> <p>Many of these issues are being dealt with independently by the Detective Superintendent who leads in relation to Operation Trident witness protection measures and often a bespoke protection solution is brokered for the individual concerned.</p> <p>It is important that, in the first instance, all witnesses whose risk to safety is so serious and life-threatening are referred to the CJPU for assessment for suitability for inclusion on the Witness Protection Scheme and that there is not a reluctance do so because of their ethnicity and a perception that they will not meet the criteria requirements. To monitor this situation the CJPU have been collecting data that captures the ethnicity of individuals failing Stage One - Assessment Phase. The operation Trident IAG are supplied with quarterly management data that demonstrates the number of referrals from individuals from minority groups and the number assessed as not suitable for the Witness Protection Scheme.</p> <p>There are no alterations that can be made to the policy to reduce or eliminate this adverse impact since the acceptance criteria is currently aligned to the resources and funding available to the CJPU and DPS Witness Protection Unit. Managing this issue within the CJPU would require significant growth to both resources and funding.</p>
<p>Sexual Orientation</p>
<p>There is nothing at this stage to suggest that the policy or standard operating procedures will have any impact on sexual orientation.</p>
<p>Other issues</p>
<p>N/A</p>

<p>7. Monitoring – see step 7 of the guidance http://intranet.aware.mps/TP/DCF/index.htm</p>
<p>a) How will the implementation of the proposal be monitored and by whom?</p>
<p>The monitoring of the impact that this policy has on diversity and equality issues will be ongoing and affected by capturing data in the manner describe above and acting on this information when it is presented at quarterly management meetings within the CJPU and DPS Witness Protection Unit.</p> <p>The Detective Inspector CJPU and Detective Inspector DPS Witness Protection Unit will continually monitor the implementation of the policy and SOPs. They will complete an annual report demonstrating the degree of compliance to the new standards and the results of the statistics collated in relation to equality and diversity profiling.</p> <p>Additional monitoring of this policy will be by way of inspections and reviews conducted by internal and external bodies that might include Metropolitan Police Authority Audit, Her Majesty’s Inspectorate of Constabulary and the MPS Covert Policing Standards Unit.</p>
<p>b) How will the results of monitoring be used to develop this proposal and its practices?</p>

Recommendations arising from reports completed by internal and external review bodies will be communicated to the Head of Profession Covert Policing.

The Chair of the Protected Persons Working Group will consider the annual monitoring report. If the report identifies that any changes need to be made to the policy or SOPs this will be communicated to the Head of Profession through the Covert Policing Standards Board for action.

c) [What is the timetable for monitoring, with dates?](#)

Annually, on the anniversary of publication of this policy.

8. Public Availability of reports / result – see step 8 of guidance

<http://intranet.aware.mps/TP/DCF/index.htm>

[What are the arrangements of publishing, where and by whom?](#)

The MPS Strategy Unit will publish these documents of the Internet and Intranet.