

Criminal Law News

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“Ken Livingstone was to demand a judicial review in 2017. Do you remember?”



Mr. Ken Livingstone. Source: Google.

Mr. Ken Livingstone will be 77 years old in June 2022. Like Boris Johnson, Ken Livingstone had also been mayor of London.

Ken Livingstone has been leader of the Greater London Council (GLC) from 1981 until 1986 when it was abolished and in 1991 there was created a new title Mayor of London, which Ken Livingstone took on until the year 2008. Between the time when the position of “GLC Leader” was abolished and “Mayor of London” title was created, Mr, Livingstone had been successful in

becoming a Member of Parliament, representing Brent East from 1987 when he became very involved in addressing the wrongs suffered by minorities in his area of work.

However Ken Livingstone spoilt his copybook when he made an unwise remark and said that Adolf Hitler (the monster ruling Germany until Hitler committed suicide as it became obvious that the “game was up” for him. Livingstone had remarked that Adolf Hitler was s Zionist. This caused derision from London’s Jewish community representatives and the Labour Party to which he had had a long affiliation began to consider whether Livingstone should be disciplined by the Labour Party. This then prompted Livingstone to say that he will demand a judicial review, should he be so disciplined. He was suspended from his post as Mayor of London. Mr Jeremy Corbin was leader of the Labour Party at this time and was upset at the developments that followed. Livingstone wanted Corbyn to get rid of a number of Labour MPs who were undermining Corbyn.

Livingstone went on BBC Radio 5¹ to talk about the comments he had previously made about Adolf Hitler, the German Leader. He planned to ask the English courts to decide whether his Hitler comments were an accurate account of Adolf Hitler. He said during the Radio 5 interview that if his remarks about Hitler were accurate, should the Labour Party oust him instead of, as he suggested, the several MPs who were nasty to Labour Leader Jeremy Corbyn. Should expulsion from the Labour Party be the course taken, he would have grounds for seeking a judicial review.² He said:

“The issue will be: what was actually said, and what is the truth.

The Labour Party has got no chance of winning a judicial review.”

Barrister Jonathan Turner, chairman of UK Lawyers for Israel, argued that this was unlikely and Turner’s comment was:

¹ The BBC Radio 5 presenter was Ms. Emma Barnett.

² Mr. Livingstone maintained that he spoke correctly in 2016 when he said that Adolf Hitler was a Zionist ‘before he went mad and killed six million Jews.’

“I don’t think Mr Livingstone could claim for judicial review, since the Labour Party is not a public body. However, he could bring a claim for breach of the Labour party’s constitution or rules on the basis that they are contractually binding. He would have to show that there has been some failure to comply with an express or implicit Labour party rule.”

Livingstone accepted that his political career was over and that he was “retired,” but added:

“I’m not having my political career defined at the end that I’m anti-Semitic.”

Ken Livingstone said some of Labour’s anti-Corbyn MPs had jumped on his comments about Hitler to accuse him of anti-Semitism and voiced that such Labour Party MPs should be kicked out for their criticisms of the party leader, Jeremy Corbyn. Mr. Livingstone said:

“Those that have been most over the top I think should be suspended. Jeremy should re-introduce automatic re-selection. It’s really ridiculous that MPs in safe seats have a job for life ... I’m particularly talking about Chuka Umunna and Wes Streeting. Basically it’s the same group of MPs who were screaming that I had said that Hitler was a Zionist and so I was anti-Semitic. The Labour Party is not a public body.”

He also said that he could bring a claim for breach of the Labour party’s constitution or rules on the basis that the Labour Party’s rules are contractually binding. He said that he would have to show that there has been some failure to comply with an express or implicit Labour party rule.

In the BBC Radio interview, Ken Livingstone accepted that his political career may now be over and also stated that he was not prepared to have his political career ended by people saying that he is anti-Semitic. By painting him as anti-Semitic because of a remark he made, some Labour Party MPs had gone on to criticize the Labour leader Jeremy Corbyn and that it is they who should be made to leave the Labour Political Party. Finally he made these comments:

“Those that have been most over the top I think should be suspended. Jeremy should re-introduce automatic re-selection. It’s really ridiculous that MPs in safe seats have a job for life ... I’m particularly talking about Chuka Umunna and Wes Streeting. Basically it’s the same group of MPs who were screaming that I had said that Hitler was a Zionist and had decided on that basis that I was anti-Semitic.”

The war of words did not stop here however, because MP West Streeting retorted on the social media website, www.Twitter.com:



“I won’t be taking any lectures in loyalty from Ken Livingstone. I am not sure why he hasn’t yet been expelled from Labour.”



Mr. Jonathan Arkush. Source: Google

Shortly afterwards, the Chief Rabbi said that Livingstone should be kicked out of the party, and the Board of Deputies' president, Mr. Jonathan Arkush said:

“Ken Livingstone is an embarrassment to the party and should be expelled immediately.”

This is what Jewish Leadership Council chief executive Simon Johnson had then remarked:



Mr. Simon Johnson. Source: Google

Simon Johnson had then remarked:

“A less offensive way for Ken to get into the news would be to join the Big Brother House or do a streak at Lords. We’re tired of him, surely the media is too.”

Ken Livingstone’s BBC Radio 5 interview highlighted bitter divisions in the Labour Political Party many years ago. These divisions appear to be between the traditional left-wing pro-Corbyn faction and centrists (some of whom have since left the Labour party to pursue other interests).

Mr. Jeremy Corbyn spoke wisely

Mr. Jeremy Corbin was however, astute in seeing through the fog of disorder that it appeared that a spike in episodes of racial abuse has been occurring since the Brexit vote on the Government’s apathetic approach to human rights issues.



Mr. Jeremy Corbyn urged people to celebrate the UK's diverse communities rather than taking anti-Semitism words too seriously. He spoke in a video released to commemorate the United Nations (UN) International Day for the Elimination of Racial Discrimination on Tuesday, 21st March 2017. Mr. Jeremy Corbyn spoke these wise words:

'There could not be a more important time to redouble our efforts in fighting racism Islamophobia, anti-Semitism and all forms of discrimination. Labour will continue to fight against prejudice and fight for the communities we represent. We will not be divided. In place of division we must all come together to celebrate our diverse communities and our shared heritage.'

On a final note, concerning minority rights and minority people's poor representation by lawyers; poor treatment by police in this country, and other unjust and anti-human-rights behaviour by people in power in this country, this author would like the reader to ponder on these Tory Party facts coupled with the Police Force England's actions from year 2000 to year 2009 and thereafter. The Police Force Spent over 8 million pounds in eight years to set up help for minority rights groups; nothing happened, but they did take some black youth abroad for a holiday; and they had 1,000 calendars made so that minorities who were being harassed could note the dates in their calendars.

In years 2002-2008, police spent over eight million pounds setting up minority groups, and also 50 CCTV in the Birmingham Muslim area many years ago, dismantled after much furious shock at police monitoring of a certain group even though there was eight million pounds spent to persuade minorities to come to police with complaints of hate crimes, assaults, etc.

In year 2008, the ACPO, published a Guidance on Independent Advisory Groups (IAG)

Police and Race Equality Independent Advisory Group (IAG) relating to Jews, Asylum Seekers, Muslims, Black People, etc.

IAG

Members of IAG are initially chosen by the Chief Constable as being capable of critically analysing and developing policies and also as being representative of the local black and minority ethnic (BME) population.

IAG- Terms of Reference

The IAG has the following Terms of Reference:

To improve the trust of the BME community in the Police;

To review the investigation of racist crime;

To assess the impact of policies. For example- Stop and Search, and anything else that has an impact on the community.

It was then hoped since year 2002 that lay involvement will deliver transparency and accountability to police actions. With the exception of the Black Police Association (BPA), no police officer had a vote on the IAG as at year 2002.

Eight million pound Community Initiatives Programme Budget for 8 years 2000-to 2008

The CIP Budget is used to fund a wide variety of community consultation exercises. Since 1994 to 2002 (eight years), about £8.5 million has been spent on about a thousand projects.

Police claim that this money had been used to fund multi-agency racial harassment panels and a variety of LGB forums.

The Police Authority runs citizens panels, members of which panels are recruited from the electoral register to act as sounding boards. The panels were recently asked what reasons would stop an individual from contacting the Police.

Following the collection of their views, they assembled to discuss ways forward. We realise that the only way racist crime can be tackled effectively is in partnership, so we meet on a Policing and Community Networking on a Regular Basis in each of the Metropolitan Authorities' areas –called Multi-Agency Panels.

These groups are multi-agency and their membership is as varied as Members of Parliament, TUC officials, Victim Support, and colleges. Their rationale is to give strategic direction and to put in place best practice.

Community Networking-HQ Minorities Unit

At Police Headquarters there is a small Unit working full-time on community networking: The HQ Minorities Unit. The Unit's tasks are very varied and include:

Developing links with the BME community;

Developing links with the Lesbian, Gay, Bisexual and Transgendered (LGBT) community, and

Women's groups

One other new initiative that Police were working on in year 2002 was an Internet System where members of the LGBT community can report hate crime against themselves to allow a crime to be reported anonymously and/or without having to attend a police station. Certain sections of the community were suspicious of the Police; hence the internet-based system was allegedly supported by facilities to report crime through a third party. The Police is funding this initiative to a significant degree with other partner agencies like the Probation Service and Local Authorities making up the balance. UK police was, since 2002, conscious that, in the aftermath of the Stephen Lawrence murder, there is almost a window of opportunity to work with the community towards the common goal of bringing hate crime to an end. Yet we know how many years later the Stephen Lawrence Inquiry came to fruition and some were found guilty of his murder.

Muslim community encouraged to report racist crimes

Winning the confidence and trust of minority groups is a fundamental challenge. In an attempt to do this at a real grass-roots level, we have produced a calendar that is being circulated amongst the Muslim community, encouraging them to report racist crime. About a thousand of these calendars were circulated in the county in 2002. The perpetrators of hate crime often enjoy the comfort and anonymity of working from within the fabric of society against victims who are isolated from the mainstream. An initiative like the calendars is direct and really does get into people's homes.

Asylum Seekers

The subject of asylum seekers is always in the news. To reach out to communities whose experience of policing is very different from our own, needs visits for refugees. Unfortunately things do not always go to plan.

Police took some asylum-seeker children to the police dogs at the Dog-Training School at Niagara. However, when a short article appeared about it in the Barnsley Star it talked about how the Police had taken the children dog racing at Owenton Stadium.

District Minorities Officer Posts in 2002

As well as the Police HQ Minorities Unit, each of the six Police Districts has at least one District

Minorities Officer. He or she supervises the investigation of racist incidents.

The UK Police Force has accepted the McPherson Report's definition of “a racist incident”, and each officer who attends an incident that is racist does complete a report on it. During year 2001 police stated that they had over 100 across the whole county.

Policing and Community Networking and Cooperation

As a Force we are currently carrying out a cultural audit to ensure we are aware of each community in the county and how its varying needs and expectations can be met. The project often uncovers communities that police were unaware of. For example, there is a Congolese community in Sheffield, and a community from Southern Sudan based in Doncaster.

Public Order and Community Cohesion Reports

To update such communities, the UK Police Force had looked at the findings from the Public Order and Community Cohesion (POCC) Reports into the summer's riots of 2002. While the bulk of the reports concern work and challenges for Local Authority, there is meat for the Police Force also. The reports highlighted the extent of alienation of certain sections of the population, in particular youths of Pakistani and Bangladeshi origin. There are sections of society that are not going to be reached by the conventional, structured community consultation measures that are in place.

At the time the UK Police Force was planning to have Asian youth workers with the specific remit to discuss that summer's riots. Some interesting work on Police and community consultation is being done in Ulster.

Police say they are trying hard to get away from colour-blind policing by treating everyone in the same way

Police decided that colour-blind approach is actually unjust and flawed because it fails to take account of the fact that different people have different reactions and needs. Failure to understand these means failure to deliver services appropriate to needs?

See Appendix 1 Below:

<p>APPENDIX 1 in Criminal Law News (ISSN 1758-8421) Issue 116 Jan – Mar 2022.</p>
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**Association of Chief Police Officer of England,
Wales & Northern Ireland**

Guidance on Independent Advisory Groups

Status: Race and Diversity Business Area Guidance on IAG's has been developed between the Association of Police Authorities and the Association of Chief Police Officers (ACPO) to reflect good practice and provides clear help and support for the police service in setting up, managing, supporting and working with an IAG. It is disclosable under the FOIA 2000, has been registered and audited in line with ACPO requirements and is subject of Copyright.

Implementation

Date:

April 2008

Review Date:

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Foreword (2008)

ACC David Collins, ACPO IAG LEAD

This is the first time that Guidance for the police service in relation to Independent Advisory Groups has been produced. The document is the product of 12 months work with input from a national Independent Advisory Group (IAG) Working and Advisory Team, made up of members from IAGs from across England and Wales. It therefore reflects good practice and provides clear help and support for the police service in setting up, managing, supporting and working with an IAG.

During the consultation stage of compiling this document, it became apparent that there are many strongly held but often opposing views as to what may constitute a successful IAG. Whilst I acknowledge that there may be local needs which require a slightly different approach, this new guidance provides practical assistance which is based upon evidence and experience.

The formation of an IAG is not mandatory, however Her Majesty's Inspectorate of Constabulary (HMIC) sees it as an important part of a wider consultative mechanism for the service. Advisors can, and do, see things from a different perspective and they are often able to anticipate how police responses to policing problems may be interpreted by communities, and this is one of their real values. IAGs provide a key strand of community engagement and consultation by working with usually excluded groups and can demonstrate, if effectively utilised as part of a wider strategy, a police force's willingness to consult and listen to diverse views and opinions.

It is hoped that this guidance will have a wider reaching positive effect by assisting to improve the quality of the police service provided in England and Wales in order to create safer communities for all citizens.

Bob Purkiss

Chair, APA Race & Diversity Policy Group

Involving and engaging local communities is at the very core of all that police authorities strive to do; and as such the APA welcomes this document which provides advice and guidance on establishing and managing an Independent Advisory Group (IAG).

Since the Metropolitan Police Service first introduced the concept of an IAG following the recommendation of the Stephen Lawrence Inquiry, more and more police forces and authorities

have realised the benefits that IAGs can bring to the business of local policing, either independently or in partnership.

This document provides the service with a clear framework which is the product of extensive research and consultation with stakeholders within the police service, including existing IAGs. Many will view this document as outlining the ‘gold standard’ and the APA stands by this approach. However, it is important to recognise that this guide and the recommendations and templates included should be viewed in light of the local context, and ought to be used very much in terms of a ‘pick and mix’ providing support and guidance in areas where current local arrangements have been found wanting.

IAGs have an important part to play in ensuring that the police service effectively involves and considers our many diverse communities and their views in local policing. Effective community engagement (which IAGs can form a part of) helps to enhance the development of true trust and confidence with our communities; which is vital to the concept of policing by consent. If the service is to be seen to truly embrace and champion equality and is to respect diversity in all its forms, then a better understanding of the community view point is fundamental and the effective use of IAGs can form a crucial part of this effective community engagement strategy to gain mutual understanding.

Guidance on Independent Advisory Groups

1. Introduction

- 1.1 This document provides advice and guidance on establishing and managing an Independent Advisory Group (IAG). It provides a framework and is the product of extensive research and consultation with stakeholders within the police service, police authorities and existing IAGs.
- 1.2 The contents of this guidance must be considered alongside other guidance and policy, which it does not seek to usurp or supersede.
- 1.3 It is recognised that it is impossible to produce a guidance framework without making recommendations. Any recommendations contained herein are based upon a consideration of all submitted views. It is a pragmatic document, based upon evidence and experience, offering practical guidance that can be readily implemented. Local needs may require a different approach.
- 1.4 The Stephen Lawrence Inquiry Report (1999) criticised the Metropolitan Police Service (MPS) for its loss of contact with communities, particularly black communities. The report recommended the involvement of local people in policing (recommendations 2(iv), 28, 30 and 50). One of the responses to this was the establishment of the Metropolitan Police Independent Advisory Group (IAG) in January 1999. Since then, Independent Advisory Groups have been extended to other forces and have been increasingly influential in shaping police service provision.
- 1.5 Independent Advisory Groups have been acknowledged as good practice by Her Majesty's Inspector of Constabulary (HMIC) in the report *Policing London – Winning Consent* and the series that comprise '*Winning the Race*'.

“HMIC...commends them (Independent Advisory Groups) as a positive step in improving accountability through a transparent approach”

- 1.6 Much has been done to improve community consultation and engagement since **Sir William McPherson's report** into the failings **during the Stephen Lawrence murder enquiry**. Crime and Disorder Reduction Partnerships (CDRPs), Safer Neighbourhood Groups, Police and Community Groups, Neighbourhood Policing Teams and extensive developments within Police Authorities have done much to redress the disenfranchisement from policing services experienced by some diverse groups in recent years. In addition, the Race Relations Amendment Act 2003 has had a huge impact in terms of how public sector organisations, including the police, talk to and engage with different groups. Independent Advisory Groups are a constituent part of the tool-kit of options for consultation with people who are not usually in dialogue with police, either because they:

- Are usually excluded (e.g. members of a small or remote population, acute socio-economically deprivation, language differentials, cultural / ideological barriers, social invisibility)
 - Are difficult to positively engage with (e.g. suspicious of the police)
 - Are challenging to listen to (e.g. critical of the police)
 - Have difficulty in communicating
- 1.7 The formation of an Independent Advisory Group is not mandatory. However, if an organisation chooses to convene an IAG, it is recommended that this document is used as a template for its formation and management.

- 1.8 For the sake of simplicity, a categorisation system continues to be developed to identify diverse groups. This system is referred to as The Strands of Diversity. The strands include:
- Age
 - Disability
 - Gender
 - Race
 - Religion and Belief
 - Sexual Orientation
 - Transgender
- 1.9 There are clearly many other strands of diversity and it is readily accepted that people are individuals: there are arguably many thousands of ways that people differ from each other, in both visible and invisible characteristics. The use of the system of categorisation referred to above does not seek to detract from the need to respect individuality and difference.
- 1.10 The Home Office research paper, *Widening Access: Improving Police Relations with Hard to Reach Groups (Jones & Newburn, 2001)* identifies that “consultation needs to be seen as part of broader framework of sustained and ongoing relationships with a range of groups in which consultation is a two-way process.” IAGs may be seen as an integral part of that consultation process.
- “Improved dialogue with marginalised groups may provide the opportunities for addressing aspects of policing that exacerbate adversarial relationships. At a minimum, it should enhance the possibility of achieving some workable compromises.”
- 1.11 Perhaps the greatest contribution of independent advice is its potential to prevent events developing into critical incidents and its capability to minimise the adverse effects of those incidents that have already developed. Independent Advisors can see things from a different perspective and are often able to anticipate how police responses to policing problems may be interpreted in communities. By so doing, the police response can be adjusted by considering workable compromises in solving problems. Where a critical incident has happened, Independent Advisors may have a degree of insight into the impact of the incident within diverse communities. Once again, policing responses can be adjusted, and on occasions re-designed, to ensure that these feelings and perceptions are addressed.
- 1.12 When communities are involved in defining the problem being addressed, and are able to inform the policing solution, there is likely to be an increase in levels of trust amongst those involved. The advantages of this can include:
- Greater “buy-in”
 - Less conflict
 - Lower fear of crime
 - Informed targeting of resources in resolving incidents and investigations
 - Communities have greater confidence of the police
 - Greater levels of public satisfaction with policing services
 - Increased social cohesion
- 1.13 This guide recognises the benefits of independent advice, and aims to highlight some areas of tension that can be mitigated through prescience of the issues.

2. What is meant by independence?

- 2.1 The use of the adjective “independent” has prompted much debate since the inception of IAGs. In creating this document, it has been necessary to define its context.
- 2.2 Independent Advisory Groups are convened by the host organisation (whether a police force, police authority or Local Criminal Justice Board) in partnership with communities, with the objective of improving quality of service provision. They are invariably supported and funded by that organisation, rather than existing as an external, self-sustaining entity.
- 2.3 The term “independent” therefore refers to the nature of the advisors and the advice they provide, rather than the relationship with the organisation. IAGs must exist with the aim of being genuine partners in driving service improvement and building positive relationships between the police service and diverse communities.
- 2.4 Whereas there are no proposals to rename IAGs, one might consider that the adjective “impartial” would perhaps be interchangeable with “independent” in describing the nature of IAGs.

3. What is advice?

- 3.1 In this context, independent advice is defined as guidance, advice or constructive appraisal / feedback given by non-police persons as members of a recognised advisory group, reflecting a perspective from the point of view of a member of a community. Their advice is independent of the police service and carries no responsibility or liability for the outcome of decisions based upon it. Advisors, although partners in a beneficial and positive relationship with the police service, are not answerable to the police and neither are the police responsible for Advisors’ actions, nor obliged to follow any of the advice they give.
- 3.2 It must be remembered that Independent Advisors represent themselves and not necessarily the view of any particular group within the community, although this may be the case on occasions. They do not bear responsibility for the consequences of decisions based upon their advice. The autonomy of the police decision-maker is not affected. A police officer may or may not follow advice. However, the dismissal of advice without careful consideration can be problematic, cause frustration and be perceived as disrespectful, leaving the individual feeling undervalued.
- 3.3 Feedback is an often overlooked aspect and the value of post-incident discussion cannot be over-estimated. Such debriefing can greatly assist in mutual learning and building relationships based on trust and respect.

4. Why have advisory groups?

- 4.1 The strengths of independent advice are:
- Ability to give real-time critical appraisal of police actions from the perspective of a recipient of policing services and a member of the community.
 - Immediate access to decision makers through involvement in strategic decision making.
 - Greater appreciation of resources within communities that may assist to resolve particular incidents.
 - Ability and willingness to engage in constructive dialogue with the police service.
 - Ability to identify wider options for resolution of policing problems.
 - Improved communications, consultation and engagement with communities.
- 4.2 These strengths can be used to help resolve policing problems at both strategic and tactical levels. A more appropriate and effective policing approach can result, leading to safer communities.

5. Types of Independent Advisory Group

5.1 Strategic IAG

5.1.1 The strategic IAG is generally comprised of the Chairs of the organisation's IAGs, and attended by the senior leaders of the business and key partners. It provides a forum to:

- Discuss issues affecting the whole organisation
- Consider policy and procedure
- Ensure a tiered approach to escalating/cascading important issues

5.1.2 The group will generally meet on a quarterly basis.

5.2 Area / BCU IAG

5.2.1 The cornerstones of the IAG process, geographically based IAGs, are most frequently aligned to Basic Command Unit or District boundaries.

5.2.2 These groups should be constituted from a representative cross section of the respective area's demography and diversity.

5.3 Strand-based IAGs

5.3.1 Some organisations are host to a number of IAGs formulated to represent the interests of a single, discrete strand of diversity.

5.3.2 Whilst affording the benefit of a pool of knowledge for each element of diversity, the corollary is that there is a risk of the IAG becoming single-issue, rather than reflective of all communities within the organisation's customer base.

5.4 Specialist IAGs

5.4.1 Whilst IAGs were created to assist in Diversity issues, some forces are considering their use in specialist areas (drugs, firearms, terrorist-related matters). At this stage, it may be too early to report upon the benefits that may be derived from this. However, these developments will be reviewed over the next 12 months and this guidance will be updated.

5.5 Good Practice between IAGs

5.5.1 Where a number of IAGs are operating within a force area there can be merit in arranging liaison meetings between representatives of the host organisation and Chairs of the IAGs, as a means to discuss more general issues relating to the functioning and development of IAGs. It also offers the opportunity for IAGs to 'cross-pollinate' and share good practice and experiences. The Chair of each Area IAG will be invited to be members of a Strategic IAG. This will ensure consistency and allow a better understanding of wider, corporate policing issues and activities.

6. Initial Considerations

6.1 This document provides a simple guide to setting up an IAG. Many of the points to consider will be for the host organisation to decide, perhaps in consultation with the IAG. It is recognised that each police area is different and therefore each IAG may vary slightly in the way it is set up and operates, but it should always aim to be representative of the strands of diversity and reflective of the specific social and cultural pluralism within the area. It is important that there is an understanding of the demography and diversity within the area to inform the development of a truly reflective IAG

6.2 In order to be effective, it's imperative that IAGs have the full support of the organisation's senior management.

6.3 IAGs represent an enhancement to other community contacts that the police service has developed over the years, and in particular to enhance the range of community engagement structures being developed through the Neighbourhood Policing agenda.

6.4 IAGs can be a proactive tool for gaining community advice, in addition to their input during a critical incident/major investigation. The Chief Officer Group, Police Authority and key stakeholders may agree that IAGs will be used to advise on strategy, policy development and monitoring, training, local policing issues, relevant operations, and other issues, e.g. anti-social behaviour, critical incidents & investigations.

6.5 Define Terms of Reference

6.5.1 It is important that there is an understanding of the purpose of an IAG. The primary role is to give advice to the host organisation. The role is not, nor should it be encouraged to become, one of scrutiniser or pressure group.

- 6.5.2 When an IAG is formed, the first task will be to outline what the IAG aims to address, e.g. Area policy, training, critical incidents, policing operations etc. This will be specific to the needs of the individual organisation. A full Terms of Reference document should then be written by the organisation, in consultations with, the Independent Advisory Group. An example template is attached at [Appendix A](#).
- 6.6 *Consider Who Should Be Members*
- 6.6.1 The membership of the IAG will be open to individuals who reside, whether permanently or temporarily, within the area. It is imperative that recruitment to the IAG must be conducted in an open, fair and transparent manner.
- 6.6.2 Advice may be obtained from the organisation's Human Resources/Personnel Department, taking account of employment legislation and codes of practice, with effective diversity monitoring throughout the process.
- 6.6.3 The IAG should consist of a cross-representation of the area's diverse communities. This does not, however, imply that they represent or speak on behalf of those communities. Across the country IAGs vary in membership size from 7 to 40, although the optimum number appears to be 15. This then allows for a fair chance for all views around the table to be heard, and also means that if attendance drops to 50% due to the short notice of meetings and other personal commitments of the IAG members, that the meeting and its advice would still constitute a representative mix of views. Local needs may also require variance to accommodate circumstances in that area.
- 6.6.4 Individuals who are interested in, and wish to contribute to, making their communities safe should always be encouraged to volunteer their services. IAGs provide one of the options they may wish to consider. The greatest value often comes from seeking the participation of hitherto untapped sources, particularly from communities who have not historically been actively engaged in consultation with the police service. Experience has shown that some communities actually consider the Police Service to be the "hard to reach" group.
- 6.6.5 Local needs may require a different approach, however it is recommended that members will serve for a term of four years with no more than two terms in the role (maximum eight years).
- 6.6.6 An Independent Advisor may apply to serve a second term, subject to the support of the respective IAG, and with the agreement of the host organisation's lead for IAGs. It is recommended that this concept is applied retrospectively to existing IAG members.
- 6.7 *How to Recruit IAG Members*
- 6.7.1 ***In so far as is practicable, appointment of members of IAGs should be in line with Recommendation 14 of the Morris Inquiry (2004) and the Nolan Principles for public appointments should apply:***
- 6.7.1.1 ***They should be appointed in a transparent way, following open competition by public advertisement;***
- 6.7.1.2 ***The terms of their appointment, including tenure of office and any remuneration, should be made public; and***
- 6.7.1.3 ***Candidates should be assessed for their suitability against a person specification, which should also be made public.***
- 6.7.2 ***It is recommended good practice that (as a minimum) the organisation conducts an annual recruitment and selection process. IAG members should be consulted and allowed to participate in the selection process during each stage to ensure transparency.***
- 6.7.3 ***The media used for recruitment will need to be appropriate to ensure that the process is inclusive to all communities. This may be through advertisements: in the local press; using broadcast media; placed in community centres or places of worship; posted on the internet; or by encouraging interest through existing community contacts. [Appendix C](#) identifies the key skills and knowledge an advisor would be required to have.***
- 6.7.4 ***Appointment of and to the IAG will be the responsibility of the organisation, in partnership with the IAG.***
- 6.7.5 ***Discussions are in progress with the Office of the Commissioner for Public Appointments to help develop a recruitment framework consistent with the spirit of Recommendation 14 of the Morris Enquiry. An update will be released when this process is concluded.***

6.8 *Security Checking*

6.8.1 The topic of security checking of potential applicants and existing members provokes impassioned debate amongst IAGs. The considerations in reaching a decision are complex, and often mutually exclusive. The choice as to what, if any, level of checking that members must undergo ultimately rests with the Chief Officer of the host organisation, taking into consideration the relevant risks and benefits along with existing ACPO policy on vetting.

6.8.2 Any security policy should take account of:

- **The Human Rights Act, particularly Article 8 (Right to Respect for Private and Family Life) and Article 9 (Right to Freedom of Thought);**
- **The distrust of the police service endemic in certain minority communities;**
- The deterrent effect on recruiting that robust security checks might have;
- The potential benefits of engaging with individuals who have a police record;
- **The need for Chief Constables to exercise their duty of care to protect staff, premises and the public;**
- The necessity to protect sensitive police intelligence, and the legal obligations imposed by the Data Protection Act;
- The nature of the work that the member will be involved in.

6.8.3 There is a potential adverse impact on having such a security policy in place, with regard to engaging with groups. These include:-:

- Members of the Gypsy Traveller community may not have permanent or previous addresses for any vetting to be conducted;
- New and emerging communities who have come from countries where the police do not have the best of intentions. There would be problems in conducting criminal checks and validating previous addresses;
- Those who have had an arranged marriage. It could be difficult to obtain personal information, i.e. addresses or banking information, from spouses who have only recently moved to this country or who live in another country;
- The transgender community. There could be reluctance to reveal information about their previous identity, or current identity, that could jeopardise their privacy.

- 6.8.4** There are an array of available options for security checking members:
- No vetting, with IAG members being trusted by the police service;
 - A tiered security policy, with no checking for any member unless involved in sensitive matters;
 - Full security checks for all full members of IAGs, but with no checks for “affiliate” advisors;
 - Checks on the Police National Computer and operational intelligence systems for all members, to ensure that they are not currently involved in relevant criminal activity.
- 6.8.5** It is imperative that all parties understand the sensitivities of this matter, and that any policy decision is likely to be met with resistance from some stakeholders. However, this must not hinder a decision being taken on a clear and objective rationale.
- 6.8.6** This guidance recommends that IAG members should be subject to a level of security checking commensurate with the roles required of the individual and group. The vetting level should be determined locally in accordance with the professional lead on vetting criteria, and in consultation with IAG members, considering the role of the IAG. The options laid out in the Guidance should be considered locally.
- 6.8.7** The benefit of conducting a basic security check of applicants is to:
- 6.8.7.1** Corroborate the identity of the applicant, in order that the validity of their potential contribution can be assessed;
- 6.8.7.2** Ascertain whether the applicant should be admitted to police premises (where applicable)
- 6.8.7.3** Determine if there should be any restrictions on the subject areas in which the applicant could be engaged
- 6.8.8** Criminal convictions should not prevent an applicant from being appointed, unless there is reasonable concern that engaging the applicant in the provision of independent advice would represent a substantial threat to the security of policing operations. Where an applicant has a criminal record, an assessment should be made by the host organisation of any restrictions upon the individual’s terms of engagement that might be necessary to minimise the risk to policing operations. In relation to previous offending, there should be a presumption in favour of appointing the applicant *unless* there are sound and justifiable reasons to the contrary.
- 6.8.9** In the case of advisors being deployed in particularly sensitive subject areas, it is recommended that the organisation considers a higher level of security checking, commensurate to the situation.
- 6.8.10** Where an existing advisor is convicted of an offence, the same principles outlined at 6.8.4 should be considered. In the event that the nature of offending is so serious that continuation as an advisor would represent a substantial threat to the security of policing operations, consideration must be given to the cessation of their appointment. Again, it must be emphasised that there should be a presumption in favour of retaining the advisor *unless* there are sound and justifiable reasons to the contrary.
- 6.8.11** It is recommended that access to police property and protectively marked information should be restricted until such time as appropriate security checks have been conducted and the Official Secrets Act signed.

6.9 *Practical Issues for Consideration*

6.9.1 The following list sets out a wide range of practical issues, which must be considered and resolved but it should not be seen as exhaustive. In addition, there may be issues specific to a particular area that do not occur elsewhere:

- Frequency of meetings?
- Times and days of meetings?
- Where to hold meetings?
- How to ensure accessibility?
- Who would chair the group?
- Code of conduct?
- Translation issues?
- How to contact members?
- What are the staff implications of taking and distributing minutes?
- What are the cost implications?
- What are the confidentiality issues, both for police and the advisors?
- How will conflicts of interest be addressed?
- How will the role of Independent Advisors be portrayed in the media?
- Consider establishing a press strategy early in an incident and consult the advisors on how their role will be described?

6.9.2 At [Appendix D](#) is a Code of Conduct and Declaration of Interests document which should form part of the discussion at the initial IAG meeting.

6.10 *Welfare and other issues*

6.10.1 Police officers are increasingly involving advisors in their work. As Independent Advisors are exposed to more aspects of police work, officers and advisors need to consider what support is required for those involved.

6.10.2 Examples are:

- Access to counselling
- Force support networks
- Training in critical incidents
- Dealing with the press
- What is the police role in dealing with conflict and tension in the group?

6.11 *Roles of groups and their members*

6.11.1 The primary role of an IAG is to act as a Critical Friend to the host organisation. They are constructed so as to challenge conventional thinking, give an independent perspective on issues and to work as genuine partners with the organisation to inform improvements in service delivery.

6.11.2 The role of an IAG is not to provide ‘specialist advice’ on policing issues. Rather, they are designed to provide advice on how policing services may be, or are being, perceived by communities. Specialist Advisory Groups, which are constituted to consider specific topics, have a different focus and objective that are not dealt with in this document.

6.11.3 IAGs are not independent scrutinisers, as this function is carried out via existing, established mechanisms. Specific tasks might involve a critical assessment of an operation, policy or incident, but the aim should always be to identify ways to add value to policing services for all communities. IAGS do not represent the views of the community as a whole, they represent the views of the IAG members. Therefore the IAG should not be seen as allowing the organisation to “tick” the community involvement/engagement box. IAGs are only one part of a wider picture.

6.11.4 The work of Independent Advisors can be demanding. Depending on how a group is set up, advisors may attend meetings of the whole group, sub-groups and Gold/Strategic groups. They may also be called in to assist with critical incidents.

6.11.5 Independent advice should be sought about an issue as soon as possible. There is a danger of seeking advice after key decisions have been made. For independent advice to be most effective, it must inform every stage of the decision making process. Once Independent Advisors have been involved

in a decision making process, they should be involved throughout. Their continuing contribution ensures that the organisation does not lose sight of community concerns.

- 6.11.6 Advisory groups can give advice about a range of issues. They can assist by offering a community-based perspective on policing plans and crime and disorder strategies. Decisions about policy and strategy at all levels of the organisation will have an effect on the community. Advisory groups allow the community to be involved wherever possible, allowing the process of policy making to be open and transparent.

7. Critical Incidents, Major Incidents and Major Investigations

- 7.1 A critical incident is defined as any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, their family and/or the community. The police response to certain critical incidents may need to endure for some time and in such circumstances the advice of an IAG may be of benefit. However, it may prove impossible to assemble an IAG during the live phase of a critical incident due to timeframe, but there may be great value in enlisting IAG assistance in reviewing policy or training issues after the incident as part of the de-briefing process.
- 7.2 Due to the sensitivity and requirement for confidentiality with these incidents, there will be an increased need for security checking of IAG members, dependent upon the circumstances.
- 7.3 A major incident is defined as any emergency that requires the implementation of special arrangements by one or more of the emergency services, the NHS or the local authority for:
- The initial treatment, rescue and transport of a large number of casualties.
 - The involvement either directly or indirectly of large numbers of people.
 - The handling of a large number of enquiries likely to be generated both from the public and the news media usually to the police.
 - The need for the large scale combined resources of two or more of the emergency services.
 - The mobilisation and organisation of the emergency services and supporting organisations, e.g. local authority, to cater for the threat of death, serious injury or homelessness to a large number of people.
- 7.4 **Detailed below are some other examples where the advice of IAGs should be considered:**
- 7.4.1 **Major investigations, which may be defined as:**
- **an inquiry involving the investigation of suspected major or serious crime, or**
 - **a complex investigation of potential offences involving the use of multiple investigative resources and the HOLMES system. HOLMES is defined by its developers, UNISYS, as “an investigation management system to assist law enforcement organisations in their management of the complex process of investigating serious crimes. It enables them to improve effectiveness and productivity in crime investigations, helping to solve crimes more quickly and improve detection rates.”**
- 7.4.2 **Major crimes, which include:**
- **Homicide**
 - **Kidnap and extortion**
 - **Stranger rape**

- 7.4.3 Serious crimes, which include:
- Human trafficking
 - Serious violence
 - Serious public disorder
 - Terrorism
 - People smuggling
 - Organised immigration for the purposes of prostitution
 - Organised immigration using forged / false documents
 - Supply of Class A drugs
 - Serious sexual offences against children
 - Organised armed robbery
 - Organised volume crime
 - Organised use or distribution of counterfeit currency
 - Organised road freight crime
 - Intellectual property crime
 - Organised wildlife crime
 - E-crime
 - Cultural property crime
 - Organised burglary
- 7.4.4 **In appropriate circumstances, the independent advice of an IAG at an early stage and during the course of any of the above events can be a significant contribution to the successful conduct of such enquiries.**
- 7.5 **When seeking independent advice in any of these circumstances, it is important that the member of staff seeking advice considers the role of the Independent Advisor. Clear terms of reference must be agreed with the advisor at an early stage. It is also important to establish rules about confidentiality. Accurate record keeping of policy decisions is advised.**
- 7.6 There are roles to which great thought must be given prior to involving Independent Advisors. Advisors should not be involved as mediators and/or advocates. There is a clear distinction between an advisor and a mediator or advocate. Mediation and advocacy can involve interaction with victims, families and/or witnesses. Involvement with these people may lead to the mediator or advocate taking on personal liability for their actions and becoming witnesses themselves. The rules of evidence may then apply to them. It is for these reasons that clear documentation should exist and Independent Advisors should not be used in these roles.
- 7.7 A base line rule is not to involve advisors with victims, witnesses or their families. Similarly, it is recommended that advisors are not tasked with visiting a crime scene during the active phase of the investigation, although attendance at Silver Command may assist fulfilment of their role (at the discretion of the senior officer commanding the incident).
- 7.8 Where an independent advisor knows the witness/suspect/victim, consider carefully if the advisor can be truly independent. This relationship may not necessarily preclude the advisor from becoming involved but will affect how 'independent' they are.
- 7.9 Independent Advisors usually form part of the Gold (strategic decision-making) Group at critical and major incidents and during major investigations. The advisor's role is to give a community perspective. Advice is normally gathered by forming meetings at which interested parties are represented. All present should be introduced and have their roles clearly defined. Consideration must be given to administrative arrangements, e.g. minutes of meetings. These may become disclosable. As part of the Gold Group, advisors need not meet victims/witnesses, or visit crime scenes. It is easier to keep their role to that of advice.

- 7.10 In exceptional circumstances, it may be considered necessary to bring an advisor to a Forward Command Position, e.g. Silver command vehicle at a firearms incident. Advisors may be able to pass information to the community or advise on how the assistance of the community can best be enlisted to by being close to the scene. It is important that detachment from the incident itself is maintained. The Advisor must be consulted about any decision to request their presence at Silver Command or any forward control point and it is advisable to do this at an early stage. **The safety of the advisor must be considered at all times, through documented risk assessments.** They must not be placed, nor encouraged to place themselves, in any position where their personal safety may be compromised.
- 7.11 Wherever the Advisor is liaising with the community at incidents, consideration must be given to ways of differentiating the role of the Advisor from that of police spokesperson.
- 7.12 Decisions and rationale whether or not to seek independent advice must be recorded on the policy log.

8. Proposed Policing Operations

- 8.1 Where a pre-planned operation is proposed, Independent Advisors can help to ensure that these activities have the support of the community and any community resources can be identified. Advisors may also be able to alert the police to any negative effects of proposed actions, and thereby prevent tension between the police and communities.
- 8.2 It is important that Independent Advisors are involved at the early stages of planning an operation. By doing so, the decision maker can have a full range of options and can consider all aspects before making a decision.

9. Support

9.1 Administration

- 9.1.1 When involving Independent Advisors in decision making, it is important to consider how their meetings will be structured and what administrative support will be required.
- 9.1.2 Each advisory group will be structured in a different way, reflecting local needs. Meetings will need to be minuted and members will need to send and receive correspondence. The person to carry out such administrative tasks will need to be identified and funded.
- 9.1.3 The administration of the strategic issues relating to IAGs will be carried out by the appropriate department within the organisation, e.g. the Diversity Unit, where present.

9.2 Feedback

- 9.2.1 IAGs are an important means of extending the range and breadth of communication between the police service and the communities it serves. The way that the police service communicates is often the subject of criticism, and has historically been a factor in social unrest.
- 9.2.2 Feedback is an essential part of effective communication. Ensure that when advice is given there is a 'feedback loop'. When advice is given and there is no feedback, this can create resentment and suspicion, and may be perceived as disrespectful. Lack of feedback can seriously damage the relationship between the police service, its advisors and the wider community.

9.3 Emotional Support

- 9.3.1 Independent Advisors may become involved in traumatic incidents through their work with the police. By keeping the Advisors' work restricted to that of giving advice, the possibilities of psychological effects are limited. However, officers in charge of investigations should be aware that advisors may suffer ill effects. Anyone who is concerned about their Advisors should contact the Health and Welfare Unit who should consider putting them in touch with appropriate support services. Advisors should also be self-aware, particularly of the possibility of suffering ill effects from involvement in critical incidents.

9.4 Training

- 9.4.1 IAG members are unlikely to have a police background and therefore some in-house induction training (e.g. about the structure of the police service and the host force, basic race and diversity training, etc) should be considered.
- 9.4.2 In addition to this, IAG members should be encouraged to identify areas of training they require. Inputs from various groups such as the local Black Police Association (BPA) and Gay Police Association (GPA) may be valuable in highlighting work that is being carried out within the police service in relation to diversity issues.

- 9.4.3 It may be advisable to allow new members of an Independent Advisory Group to ‘shadow’ experienced members of the group. If this is not appropriate, consider Advisors in other areas who may be able to assist as mentors.
- 9.4.4 It is strongly recommended that members are given an appropriate input into Data Protection, Information Security and confidentiality.

10. Press and other media

- 10.1 Ensure that the independence of the Advisors is retained by considering the way their involvement is portrayed in the media. The public perception of their independence may change if their role/involvement is not described appropriately. Before disclosing the involvement / personal details of advisors in any capacity, their permission must be sought.
- 10.2 It is best to involve advisors in formulating any relevant press releases and media strategies where their role is subject of comment. They can then express any misgivings they may have about the way in which their role is described.
- 10.3 If it is decided to publicise the creation of the group, the role must be clearly stated. It is important to establish that the group is independent of the police and is intended to give advice.
- 10.4 At critical incidents / investigations / policing operations, it may be considered appropriate to publicise the involvement of advisors at the outset of the event. When doing so, follow the steps outlined above.

11. Press releases

- 11.1 The following words have been agreed as appropriate by the Metropolitan Police Service’s advisory group when publicising the involvement of Independent Advisors, and is considered good practice:

“Independent Advisors have been involved in advising police officers at a strategic level in the investigation (Policing operation). They have not been responsible for decisions made in this case. The advice has assisted the police officers involved to make fully informed decisions.”

- 11.2 be impracticable to consult each member of the group. The above statement from MPS may be used as a template. It is important that their role is described as being that of an advisor, rather than a decision-maker. By doing so, the police avoid the danger of portraying advisors in a way that might compromise their independence.
- 11.3 In cases where, following consultation, an advisors role has gone beyond the giving of strategic advice, the media strategy will need to be agreed.

12. Credibility

- 12.1 There is a danger of Independent Advisors becoming too closely involved with the police service. Such closeness is likely to undermine the credibility of Advisors and impact negatively upon the value they can add. The relationship between Independent Advisors and police service should be one of mutual respect between service delivery partners.

13. Membership

- 13.1 For policing to assess the needs of the community, as many views as possible should be heard. Those views should then be taken into account in any policing decision. It may not always be possible to have every group's views represented, but the organisation should strive to ensure that the make-up of the IAG reflects the specifics of social and cultural pluralism within the relevant area.
- 13.2 Consider any accessibility issues. Some members may need assistance with written and aural materials or with physical features of a building. People for whom English is not their first language may need interpreters. Ensure that access is available for all, to provide the widest range of views and advice for policing the area.
- 13.3 Consider what skills an advisor may bring to the group. Advisors need to be capable of articulating constructive criticism. It may be that a decision is made that a particular body needs to be represented.

14. Ownership of the process

- 14.1 The organisation must jointly own the process with the IAG. This is a partnership: the balance must enable both sets of participants to express views and raise issues in a safe and supportive environment. Some disagreement is both inevitable and necessary. The process must be able to withstand this tension and resolve it constructively and productively.

15. Monitoring

- 15.1 From a review of the Metropolitan Police Service's IAGs, the following statement was made:

“From an MPS viewpoint, the IAG provides a wide range of professional expertise and experience which it would be costly and time-consuming to access if the IAG did not exist.”

- 15.2 resources are being used to their best effect. Therefore, there must be a system in place to:
- Monitor resources being used to support the advisory process examining both financial costs and staff costs.
 - Monitor the outcomes.
- 15.3 It is recommended that the Chair of each IAG submits a short report at the end of each financial year, outlining:
- The nature and volume of issues the group has been asked (or has asked) to advise upon
 - The number of call-outs
 - Feedback received from the host organisation
 - Feedback given to the host organisation by the group
 - Recruitment activity that has taken place within the past 12 months
 - Costs, accounts and expenditure

15.4 It is suggested that the IAG Chair submits a short annual report, which in turn may be submitted to the local Police Authority. It is important where a force hosts an IAG without the involvement of the Police Authority that the Authority is kept in the picture in terms of how the IAG is functioning, and what the benefits and outputs are from the IAG as set against the financial commitment of the force.

15.5 The nature of the report should be such as to provide both quantitative and qualitative results to the host organisation, and may be enhanced through copies of minutes being maintained to minimise bureaucracy.

16. Costs

16.1 Independent Advisors will not generally be paid for their advice, unless by agreement with the organisation in relation to specific tasks. However, it is important that advisors feel valued and a system should be put in place to ensure that any reasonable expenses (travelling, subsistence etc) are paid as quickly and efficiently as possible. Slow payment of expenses can be a cause of irritation to advisors.

16.2 Ensure proper auditing procedures are in place for expenses paid to advisors so any costs are accountable and open to monitoring.

17. Conflicts of interest

17.1 Consider any conflict of interest that may affect the independence of advisors. Such conflicts are for the independent advisor and the organisation's IAG Lead to consider and decide whether it is so great as to preclude their suitability as an independent advisor. (See [Appendix D](#))

17.2 The organisation should keep a register of interests for Independent Advisors. There need to be protocols in place locally covering issues such as access to the register and what details need to be disclosed.

18. Structure & Frequency of meetings

18.1 The frequency of meetings should normally be bi-monthly. Ideally, the Area IAGs should meet in the same month, with the Strategic IAG meeting in the following month. Chairs of Area IAGs should be included within the Strategic IAG, thereby helping to ensure an effective two-way exchange of information.

19. Chairing and official representation at meetings.

19.1 The IAG will require a chairperson, who should be appointed by, and from, the group. The role will involve being the first point of contact in the event of an urgent need for an advisor, or for immediate decision-making on behalf of the group.

19.2 The method of selection for the role will need to be agreed. It is recommended that this person be an independent member of the group, rather than a member of the police service.

19.2 It may be necessary to select a person(s) to deputise for the chair of the group. The method of selection will need to be considered in the same way as the chair.

19.4 The police officer attending the meetings will normally be:

- a member of the Chief Officer group (either Chief / Deputy Chief / Assistant Chief Constable), dependent on portfolio owner and the issues being discussed, for the Strategic IAG Meeting.
- the Area Commander or Supt. (Ops) at Basic Command Unit (BCU) level.
- Other senior officers, dependent on the purpose and focus of the IAG.

20. Transparency

20.1 Consideration must be given to making minutes of meetings and reports available to the public. The means of allowing openness and transparency will also need consideration, e.g. inclusion of the minutes on the Force web site or information board at public meetings.

20.2 Levels of confidentiality need to be negotiated and agreed.

21. Additional Responsibilities in Wales

21.1 This guidance acknowledges that Welsh Forces have additional statutory responsibilities, placed upon them by the Welsh Language Act 1993.

21.2 Essentially, the Act:

- Set up the Welsh Language Board, answerable to the Secretary of State for Wales, with the duty of promoting the use of Welsh and ensuring compliance with the other provisions
- Gave Welsh speakers the right to speak Welsh in court proceedings under all circumstances
- Obligated all organisations in the public sector providing services to the public in Wales to treat Welsh and English on an equal basis.

21.3 Some of the powers given to the Secretary of State for Wales under this Act were devolved to the National Assembly for Wales, but others have been retained by Westminster.

21.4 The Act requires public bodies in Wales to adopt and implement a Welsh Language Scheme. The Scheme should note clearly how the public body will treat the Welsh and English language on the basis of equality when providing services and communicating with the public, and should also contain information on the following:

- Publishing bilingual documents
- Promoting a bilingual corporate identity
- Promoting the use of the Welsh Language in public meetings
- Answering the phone bilingually
- Corresponding with the public bilingually
- Ensuring that third party organisations provide services in Welsh
- Providing bilingual services
- Mainstreaming the Welsh Language into policies and services

Appendix A

[Insert Name] Independent Advisory Group **Constitution**

Independent involvement and advice is the process which takes place when, people independent of the police service, monitor, observe or advise on aspects of policing, both in terms of the functions and policies of the service and the way in which the police interact with the broader community.

1.0 Article 1 – Name

1.1 The group’s official name will be “[Insert Name] Independent Advisory Group’.

2.0 Article 2 – Address

2.1 [Insert Correspondence Address]

3.0 Article 3 – Aims

3.1 To work as partners with the police service to:

3.1.1 Increase trust and confidence in policing amongst all communities;

3.1.2 Provide constructive advice to the organisation on ways to improve the quality of service delivery to all communities

3.2 Objectives

3.2.1 To critically appraise organisational policies, practices and procedures.

3.2.2 To make significant contributions to both strategic and tactical considerations, particularly with reference to critical incidents.

3.2.3 To make observations both within the police service and the role it plays in the wider community.

3.2.4 To instil just and fair relations between the police and the communities they serve, as well as between communities.

4.0 Article 4 – Membership

4.1 The membership of the IAG will be open to individuals who reside, either permanently or temporarily, in the area.

4.2 Appointment to the IAG will be the decision and responsibility of the host organisation, in consultation with the IAG.

4.3 Appointments to the IAG will be transparent to public scrutiny, as will the details of tenure and remuneration.

4.4 The IAG will consist of a cross-representation of the area’s diverse communities.

4.5 It is expected that members will serve for a term of four years with a maximum of two terms. An Independent Advisor may apply to serve a second term, subject to the support of the respective IAG Chair, and with the agreement of the host organisation’s lead for IAGs.

4.6 The group will consist of no less than seven members, and no more than 15 members.

- 4.7 Members of the IAG may be de-selected by the host organisation in the following circumstances:
- The member has failed to attend three consecutive meetings of the IAG without giving an apology or acceptable reason, other than special or urgent meetings.
 - Failure to fulfil designated actions or prepare for meetings.
 - The representative's membership would undermine the credibility and legitimacy of the group or fundamentally weaken aspects of its work.
 - Any breach of the operating protocols set out within this policy.
 - The member has broken the Code of Conduct as set out in Appendix D to this policy.

5.0 Article 5 – Election of the Executive Committee

- 5.1 The elected officers of the IAG MAY consist of a Chair, Vice-Chair, and Secretary and elections will take place once a year: this group will be the Executive Committee. Failure to appoint one or more of these positions will not render the work of the executive invalid.
- 5.2 The Chair, Vice-Chair and Secretary shall be elected by those present and voting at the meeting.
- 5.3 At least two calendar months notice will be given of an election.
- 5.4 The term of office for executive members is one year. They may apply to serve a second term, subject to the support of the respective IAG Chair, and with the agreement of the host organisation's lead for IAGs.
- 5.5 Temporary vacancies among the executive shall be filled by nomination.

6.0 Article 6 – Executive Committee

- 6.1 The duty of the Executive Committee will be to:
- manage the IAG
 - ensure meetings are planned, reviews are undertaken of minutes and papers
 - act as a point of contact between meetings.

7.0 Article 7 – Meetings

- 7.1 The IAG will meet as often as required but should meet at least 6 times a year, dates will be set as far ahead as members find convenient.
- 7.2 Members are expected to allow and encourage all colleagues to fully participate in discussions in an open, free and constructive manner.
- 7.3 It is a fundamental principle of the group that it is opposed to discrimination on the grounds of political opinion, religion, race, gender, sexual orientation, disability, or age and that it shall not practice such discrimination. The group shall not give a platform to extremist political or religious groups. There should be mechanisms in place to remove members from the group, if they incite racial hatred or advocate discrimination on the grounds outlined above.
- 7.4 In order to fulfil its primary purpose of providing independent advice to the police service, IAGs must have access to relevant, up-to-date information.
- 7.5 Access to some information may be prohibited by law e.g. Official Secrets Act, Data Protection Act. Additionally some information may be so sensitive that its divulgence

would be inappropriate. This might include confidential matters relating specifically to individuals, specific intelligence in relation to a proposed sensitive policing operation, or intelligence which might compromise the safety of individuals or the police or the public at large.

8.0 Article 8 – Quorum

- 8.1 The numbers of full voting members required to be physically present to make decisions at regular meetings will be 4. Where it is necessary to make decisions regarding the IAG working methods, IAG membership or rules of the group then a simple majority of full voting members must be physically present to vote
- 8.2 The group needs active participation so members who fail to attend 3 consecutive meetings in any one-year without satisfactory reason can be asked to resign if the Chair proposes it and the majority of members present agree.

9.0 Article 9 – Finance

- 9.1 Where relevant, the Police will reimburse all members for reasonable out of pocket expenses.
- 9.2 Claims for reimbursement of incurred expenses will be in line with normal force procedure.
- 9.3 The control for the funding of the IAG will be done by the Police in line with standard operating procedures, and must be fully auditable.

10.0 Article 10 – Dissolution Procedure

- 10.1 If the Executive Committee, by a simple majority, decides at any time that it is necessary or advisable to dissolve the network, it shall call an Extraordinary General meeting of all members of the IAG who have the power to vote.

11.0 Article 11 – Code of Conduct

- 11.1 The Code of Conduct for the time being shall be that every member shall discharge their duty with integrity, fairness, politeness, tolerance, courtesy, respect, openness and truthfulness and without fear or favour. In particular, every member shall:
- Avoid all form of harassment, victimisation, unreasonable discrimination, abusive or derisive attitudes or behaviour towards other individuals and groups;
 - Behave in a manner that does not bring discredit to the group;
 - Avoid favouritism to any particular individual or group;
 - Treat any information that comes into their possession during the course of their duties as confidential, and shall not use it for personal benefit, nor shall they divulge that information to other parties except in the proper course of the IAG business.
- 11.2 Any member of the IAG who knowingly breaches the aims of the Group (Article 3), or commits any act (by word or deed), which may be deemed by the Executive Committee, as being detrimental to the Group, shall have his or her membership, revoked upon a majority vote of the Executive Committee.

12.0 Article 12 – Miscellaneous

- 12.1 Members who advise police are not liable for the outcomes of police decision-making and are not answerable to the police.
- 12.2 The police are not obliged to follow advice given by members, although appropriate explanations should be given where advice is not taken.

Appendix B

FREQUENTLY ASKED QUESTIONS

What is an Independent Advisory Group?

It is, quite simply, a group of members of the community who provide independent advice to the police, with the aim of improving the quality of policing services to all communities.

Why independent advice?

We are keen to make sure that we deliver the highest quality police services to all of the communities within the area. However, we need the advice from members of the community to make sure that our services match the communities' needs as closely as possible.

What is an independent advisor?

Independent Advisors may be any members of the community. They need to have an interest in policing and its effects upon their community. We want the members to point out any criticisms they may have but also to be able to offer suggestions about things could be done better. Members' own experiences, and those of friends and family may put them in a position to advise from experience.

On whose behalf will Independent Advisors provide advice?

We are asking for people who reflect the composition of our communities, not necessarily to represent it. Consultation through representation takes place in other ways. However, we may also ask Advisors to speak with family and friends to seek their opinion, too. Ultimately, the only person an Advisor represents is *themselves*. However, people from a community may have a better understanding of the issues affecting its members than someone who is not part of the community.

What qualifications are needed?

No formal qualifications, though we may ask for advice on formal documents. An ability to read English is desirable, but may not be essential. If the member needs to have the document in a specific format, e.g. on audio-tape or written in a specific language, we will endeavour to arrange for that to be done.

What will the police do with the advice?

The police will carefully consider the advice and will be responsible for any actions they take. IAG members will not be responsible for the actions of the police. There may be occasions when the police do not take any action after members have advised them. This doesn't mean that we don't value the advice. However, if we do not respond to the advice, we will be responsible if anything goes wrong. We will also be expected to explain this to IAG members.

How often will the groups meet?

We anticipate that all of the members of each group will meet 6 times a year. As well as this, there may be times when a few members of the group will come together to provide advice on a specific issue. This could be, for example, to advise on the impact that a critical incident could have on a community. This could mean the police calling for independent advice at short notice, but we would try to make sure that this was done only when necessary.

Will Members Get Paid?

No, this is not a job and one of the most important things about these arrangements is that we are seeking independent advice. However, we do want to show that we value the advice that we are given and the time that members have given up, so we will seek to pay reasonable expenses for coming to meetings.

Will there be any training?

To ensure independence, we don't generally provide any structured training. However, we believe that it may be helpful for members to have an understanding of the police organisation. We will discuss what information and training is needed with the individual members and arrange for it to be provided as required. Most importantly, members do not have to attend any input sessions if they don't want to and non-attendance will not prevent anyone becoming a member.

What Rules Are There?

We do not want to impose any unnecessary rules and conditions on the Independent Advisory Groups. However, we do believe that it will help the groups to work more effectively if they have an understanding of what the police consider to be important. We have written a 'Code of Conduct and Declaration of Interests'. This is quite detailed but is intended to help to make sure that the advice that is provided is truly independent.

Appendix C

KEY KNOWLEDGE AND SKILLS

These are the key knowledge and skills that you will need to enable you to carry out the role of Independent Advisory Group member.

It is important for you to:

Be able to:

- Consider other people's views
- Question and challenge the views of others in a constructive way
- Consider your own biases and prejudices
- Work as part of a team and contribute to the success of a group initiative
- Work with people from all areas of the area
- Work with people from diverse backgrounds
- Work with people with and without disabilities
- Work with people from a variety of faiths and cultures
- Work with people who may be gay, lesbian, bisexual or transgender
- Work as part of a team
- Make a contribution to influence policing strategy, policy and training.
- Contribute the time, energy and commitment to attend regular meetings.

It would also be useful if you:

Have experience of:

- **Working with other people on issues of mutual interest over a period of time (e.g. voluntary work)**
- **Sharing your views and understanding of issues with others (e.g. in a family, community or work setting)**
- **Situations where you needed to compromise**
- **Balancing commitments and time in an effective manner**
- **Interacting or working with people of all ages**
- **Interacting or working with people who have different political view and/or religious beliefs**
- **Interacting or working with people who are physically and/or mentally impaired**
- **Attending meetings**
- **Working and taking decisions as part of a team or group.**

Have an interest in:

- Policing issues and current affairs, specifically in respect of the ways in which they affect the people of your area

- Challenging and combating institutional discrimination
- How Hate Crime incidents should be handled
- The issues associated with recruiting, promoting and retaining staff from under represented groups.
- How police officers and police staff should be trained.

Appendix D

CODE OF CONDUCT & DECLARATION OF INTERESTS

Guiding Principles

Members of an IAG will abide by the seven Nolan Principles of Public Life:

1. **Selflessness**
Members of an IAG should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
2. **Integrity**
Members of an IAG should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
3. **Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, members of an IAG should make choices on merit.
4. **Accountability**
Members of an IAG are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
5. **Openness**
Members of an IAG should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
6. **Honesty**
Members of an IAG have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
7. **Leadership**
Members of an IAG should promote and support these principles by leadership and example.

Confidentiality

1. As a member of an Independent Advisory Group, you will necessarily learn of and acquire information that has not yet been made public and is still confidential. It will be regarded as a betrayal of trust to breach such confidences. You should never disclose or use confidential information arising from the work of the Group for personal advantage of you or of anyone known to you or to the disadvantage or discredit of the Group, Police Service or anyone else.
2. **Apart from the breach of trust there may be cause for prosecution under the Data Protection Act for the breach of confidential information.**

Identification

1. Any identification badge supplied must be worn when on IAG business only, and remains the property of the Force. The badge must be returned when the IAG membership terminates. The identification should be worn and prominently displayed whenever you are attending police premises.

Gifts and Hospitality

1. You will need to treat with caution any offer of gift, favour or hospitality that is made to you personally, knowing you to be a member of the IAG. The person or organisation making the offer may be doing so to obtain information or trying to influence a decision.
2. You are personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding the risk of damage to public confidence in the IAG.

Disclosure of Interests

1. If you have an interest in a matter arising at a meeting of the IAG or through its work you should always disclose it. Having declared an interest you may be asked to withdraw from the meeting during discussion. It is open to you to declare an interest in any work of the IAG. Consider whether the public would regard your interest as so closely connected with the matter in question that you could not be expected to put it out of your mind.
2. The opportunity to make a declaration of interest will be given at the start of each meeting. However, members can at any point during a meeting declare an interest when it becomes apparent they have one.
3. You should at all times avoid any occasion for suspicion and any appearance of improper conduct. You should not allow the impression to be created that you are, or may be, using your position to promote a private or personal interest, rather than forwarding the general public interest. You should ask yourself whether members of the public, knowing all facts of the situation, would reasonably think that you might be influenced by it.
4. IAG Members should declare any interest, membership, or subscription to any political party, organisation or group that may have inappropriate views on religion, race, sexual orientation, gender or disability.
5. Having made a declaration it will be open to the IAG to decide if the work of the Group requires you to continue to take part in a meeting that is discussing a matter in which you have an interest. If opinion is divided and there is equality of votes the decision of the Chair shall be final.
6. If in doubt about the need to disclose an interest, disclose it anyway and take the advice of the Group on whether you should continue to take part in the business under consideration.

You are required as a member of the IAG to sign the disclosure below that you will abide by the conditions set out above.

Signed.....

Date.....

Appendix E

INDEPENDENT ADVISORY GROUP – MEMORANDUM OF UNDERSTANDING

You are being requested to act as a ‘Critical Friend’ to the Police and assist with

.....
This Memorandum of Understanding is not legally binding, but is a pledged undertaking for the need and understanding of confidentiality in relation to sensitive, personal and evidential aspects of the case. It is necessary for the integrity of the investigation and in the public interest.

During the course of your involvement you may be exposed to harrowing details surrounding criminal cases and you may also have sensitive information disclosed to you. You will be asked to enter into the Memorandum of Understanding, together with the Senior Investigating Officer who will represent the Chief Constable.

Role of IAG Member:

- To comment and advise on the subject in question from the perspective of diverse communities.
- To work with the police service with the aim of improving service delivery to all communities.

The Process:

You may be requested to attend a series of meetings at a time convenient to all parties concerned. The Police will try to provide full details and access to known circumstances, background information, investigative strategies, progress and proposed future actions. Where any information can not be disclosed an explanation will be given.

The Police will be open, transparent and wish to take on board any comment, advice or criticism in regard to all aspects of the investigation. The Police may not always be in a position to action any such suggestion made by the Advisory Group. However, in these circumstances an explanation will be provided as to the reason for no action.

The Police will meet all reasonable and necessary travel expenses.

Minutes will be taken at all meetings, which will be distributed, to all IAG members involved in this case.

1. Under the [Data Protection Act 1998](#), the Chief Constable is required to put in place an agreement in writing with any organisation or individual who processes personal data on his behalf, governing the processing of that data.
2. Under the terms of reference of the Independent Advisory Group, agreement has been made between the Chief Constable and you whereby you may be provided with information which identifies a living person (‘Personal Data’) and asked to utilise that information to achieve the aims and objectives of the Independent Advisory Group.

By signing this memorandum of understanding, you agree that you shall:

1. *Process the Personal Data strictly in accordance with the terms of reference of the IAG, this form and the Chief Constable’s instructions from time to time or his nominated representative; (All further references to the Chief Constable include reference to his nominated representative, who is You will be notified of any change to the nominated representative in writing.)*

2. *Take appropriate steps to ensure against the accidental loss or destruction of, or damage to, the Personal Data*
3. *Ensure that only you shall have access to the Personal Data.*
4. *Process the Personal Data only in accordance with the laws of the United Kingdom;*
5. *Assist the Chief Constable promptly with all subject access requests, which may be received from individuals who are the subject of the Personal Data ('Data Subjects'). The Chief Constable shall reimburse you for any reasonable costs, which you incur in complying with this requirement.*
6. *Not use the Personal Data for any purposes which may be inconsistent with those notified to the Data Subject on or before the time of collection provided that the Chief Constable has previously supplied copies of all such notices to you.*
7. *Not disclose the Personal Data to a third party in any circumstances other than at the specific request of the Chief Constable or as otherwise specified in this form.*
8. *Promptly carry out any request from the Chief Constable requiring you to amend, transfer or delete all or any part of the Personal Data;*
9. *Notify the Chief Constable immediately upon receiving any notice or communication from any supervisory or government body which relates directly or indirectly to the processing of the Personal Data;*
10. *If requested in writing by the Chief Constable from time to time, provide to the Chief Constable a copy of the Personal Data in the format and on the media reasonably specified by the Chief Constable;*
11. *If any Personal Data in the possession or control of you becomes lost, corrupted or rendered unusable for any reason, promptly inform the Chief Constable ;and*
12. *Not transfer any Personal Data outside the European Economic Area unless authorised in writing to do so by the Chief Constable.*

Signed

Name.....

Time/Date.....

Signed

Name.....

(Nominated representative of the Chief Constable)

Appendix F

Definitions of Terms & Acceptable Language

Adverse Impact	This is a significant difference in patterns of representation or outcomes between racial groups, with the difference amounting to a detriment for one or more racial groups.
Attributed Gender	The gender and sex that one is taken to be by others. This is usually an immediate, unconscious categorisation of a person as being a man or a woman, irrespective of their mode of dress.
Best Value	Legislation aimed at the public sector, which abolishes competitive tendering, and amongst other things develops the concept of ‘Compare – Compete – Consult – Challenge’, together with continuous improvement.
Bisexuality	Is where the sexual preference is either or both sexes
Black	This term is used to describe non-white people with heritages in Asia, Africa and the Caribbean, who share a common experience of discrimination on the basis of their skin colour, racial origin and culture.
Consultation	Asking for views on policies or services from staff, colleagues, service users or the general public. Different circumstances call for different types of consultation. For example, consultation includes public meetings, focus groups, surveys and questionnaires, and meeting with experts.
Coloured	This is considered a derogatory term in Britain at the moment. It makes the assumption that white is the norm to which everyone else is compared. It is also considered offensive because it echoes the use of the term in the apartheid regime in South Africa, in which white people divided black people into three categories: ‘Blacks’, ‘Indians’, and ‘Coloureds’.
Critical Friend	Independent Advisors who constructively advise and challenge organisations on their policy, procedures and practices, advising them accordingly on how to improve these key areas, so their policing performance is improved.
Critical Incident	Is any incident where the effectiveness of the police response is likely to have a significant impact on the confidence of the victim, the family and/or the community.
Direct Discrimination	Occurs when a person is treated less favourably than others on the grounds of race, colour, religion, gender, ethnic or national origin and disability.
Disablism	Discriminatory, oppressive, or abusive behaviour arising from the belief that disabled people are inferior to others. Unlike racism or sexism, it is not defined in most dictionaries but is commonly used by people to describe.

Disability

The Disability Discrimination Act 1995 defines a disability as ‘a physical or mental impairment which has a substantial or long term adverse effect on the person’s ability to carry out normal day to day activities.

Disability Equality Duty (DED) came into force in December 2006 and was created by the Disability Discrimination Act (DDA) 2005 that amended the Disability Discrimination Act 1995. The General Duty means that authorities when carrying their functions must have due regard for the need to:

- Promote equality of opportunity between disabled people and other people
- Eliminate unlawful discrimination under the DDA
- Eliminate disability-related harassment
- Promote positive attitude towards disabled people
- Encourage participation by disabled people in public life
- Take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

The Specific Duties area intended to help the organisation to meet the general duty. This includes the development and implementation of a Disability Equality Scheme (DES) which includes an action plan. In drawing up the DES organisations are required to:

- Involve disabled people
- Set out their arrangements for gathering and using information
- Set out their methods for carrying out impact assessments
- Produce an action plan
- Report annually on progress made
- Review and revise the scheme every three years.

Disparity

The difference in representation or outcomes between different groups that may not amount to a detriment for a particular group (or groups).

Due Regard

The weight given to an issue that should be proportionate to its relevance. In practice, this approach means giving greater consideration and resources to functions and policies that have most effect on the public, or on employees.

Ethnocentricity

Viewing the world from the perspective of a particular ethnic group usually based on assumptions about one's race and the superiority of one's own culture.

Ethnic Minority

The term is used most frequently to describe people who share a common sense of identity based on shared kinship, culture, language, religion, history, or country of origin. It tends to be defined by social rather than physical characteristics.

Ethnic Monitoring

A process for collecting, storing and analysing data about individuals' ethnic (or racial) background and linking this data and analysis with planning and implementing policies.

Focus Group

Focus group research involves organised discussion with a selected group of individuals, to obtain information about their views and experiences on a particular topic. Focus group interviews are particularly suited for obtaining several perspectives about the topic.

Gender

Expressed in terms of masculinity and femininity. It is largely culturally determined and affects how people perceive themselves and how they expect others to behave.

Gender Equality Duty (GED) came into force in April 2007 and was created by the Equality Act 2006. This Act amends the Sex Discrimination Act 1975 to place a statutory duty on public authorities, when carrying out their functions, to have due regard to the need to:

- Eliminate unlawful discrimination and harassment; and
- Promote equality of opportunity between men and women.

In addition to this General Duty, there are Specific Duties to:

- Prepare and publish a Gender Equality Scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives
- In formulating overall objectives, consider the need to address the causes of any gender pay gap.

Gender Identity The gender to which one feels one belongs.

Gender Reassignment Process of medical treatment to enable transsexual people to alter their bodies to match their chosen gender identity.

Gender Dysphoria The medical name given to the biological condition whereby an individual's biological sex does not match their anatomical and/or physical appearance. Some of the symptoms of the biological condition may be that an individual experiences anxiety, uncertainty or persistently uncomfortable feelings about their birth gender. This may lead to a fear of expressing their feelings and a fear of rejection, which may lead to deep anxiety, leading to chronic depression and possibly attempted suicide. Sometimes, once an individual has been diagnosed with gender dysphoria they may embark on a course of hormone treatment and surgical procedures to physically align their external appearance to their true biological sex, this phase of treatment is referred to as "transsexualism" or the "transsexual phase" whereby an individual could define themselves in monitoring forms of being from within this category. Any individual who is receiving treatment is protected by the Gender Re-assignment Regulations 1999, The Sex Discrimination Act 1975, The Gender Duty 2006 and also the Gender Recognition Act 2004. Please note that Gender Re-assignment is not a "sex change" but merely a process that aligns the true biological sex of an individual to their external physical appearance. Also please be aware most individuals from the "Trans" community to not like the term Gender Dysphoria as it gives the impression that it is a Mental Health problem and a medical condition that individuals should be cured of. Gender Dysphoria is purely a medical term and should not be commonly used to describe an individual but should be used purely to aid the understanding of the biological condition.

General Duty The duty stated in section 71 (1) of the Race Relations Act 1976. This gives the public authorities listed in the schedule to the Act a legal responsibility when carrying out their functions to have 'due regard' to the needed:

- to eliminate unlawful racial discrimination

- to promote equality of opportunity and good relations between persons of different racial groups
- to promote good relations between persons of different racial groups

Harassment	In the workplace, this is unwanted conduct affecting the dignity of men and women. It may be related to sex, race, disability, religion, nationality or any personal characteristics of the individual. It may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.
Homophobia	An intense fear or hatred of homosexual people.
Homosexuality	Sexual attraction is felt for people of the same, rather than the opposite sex.
Indirect Discrimination	Where a requirement is applied equally to all groups, but has a disproportionate effect on the members of one group because a considerably small number of that group can comply with it.
Institutional Racism	‘Institutional racism consists of the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, cultural or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amounts to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.’ (Stephen Lawrence Inquiry Report)
Inter-sex	A term covering a wide range of conditions in which the sex may be indeterminate to some degree at birth. Such people are often subject to ill conceived attempts at surgical ‘correction’ early in life which may cause major problems later, some including gender dysphoria.
PACE	The Police and Criminal Evidence Act – this amongst other things, are the codes of practice that govern ‘Stop and Search’ powers and the detention, treatment and questioning of a person in police detention.
Policies	The set of principles or the criteria that define the different ways in which an organisation carries out its role or function and meets its duties. Policies also include formal and informal decisions made in the course of their implementation.
Positive Action	Is legal under the Race Relations Act 1976. It is often confused with positive discrimination, which is not legal. Positive action involves providing a level playing field in order that everyone can compete equally. For example, providing training in post or pre-entry to equalise opportunities for employment or promotion.
Policy/Service Delivery	Public Authorities that are bound by the employment duty must set out how they will monitor the impact of the policies they have adopted, or are proposing to adopt on promoting race equality. This applies to all functions and policies that are relevant to the general duty. The code of practice defines functions as the full range of a Public Authorities duty and powers. It defines policies as the formal and informal decisions a Public Authority make to carry out its duties and use its power.
Prejudice	Literally to pre-judge an individual or group in a negative way. A preconceived idea or notion based on little or no fact.
Qualitative Data	Information gathered from individuals about their experiences. Qualitative data usually gives less emphasis to statistics.

Quantitative Data	Statistical information in the form of numbers normally derived from a population in general or samples of that population. This information is often analysed using descriptive statistics, which consider general profile distributions and trends in the data, or using inferential statistics, which are used to determine significance within relationships of differences in the data.
Race Equality Duty	This term is used to refer to both the general duty and, where appropriate, the specific duties, placed on public authorities under section 71(1) of the Race Relations Act 1976, as amended and the Race Relations Act 1976 (Statutory Duties) Order 2001 and Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002.
Race Equality Policy	A written statement of an establishments or organisations policy on race equality, which is put into practice and monitored.
Race Equality Scheme	Most Public Authorities bound by the general duty have a specific duty to produce a Race Equality Scheme. This is a document setting out how the Public Authority plans to meet its statutory duties under section 71(1) of the Race Relations Act 1976 and in particular articles 2(2) and 2(3) of the Race Relations Act 1976 (Statutory Duties) Order 2001 and articles 2(3) and 2(4) of the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002.
Racial Group	Any group of people who are defined by reference to their race, colour, nationality (including citizenship) or ethnic or national origin. For example, this term could include travellers, refugees or asylum seekers.
Racism	Ideas and attitudes that imply members of one race are superior to another.
Race Impact Assessment	is a systematic way of finding out how a proposed policy is likely to affect the promotion of race equality.
RR(A)A – 2000	The Race Relations (Amendment) Act came into force on the 2nd April 2001, it is the Government’s response to the Stephen Lawrence Inquiry. It strengthens the 1976 Act by imposing a statutory duty on all public services to address institutional racism. The Act imposes a ‘general duty’ on all public bodies to promote race equality. The ‘general duty’ to promote race and equality should be through the ‘specific duty’ i.e. a Race and Equality Scheme. Public bodies were also required to produce and publish a ‘Race Equality Scheme’ which is basically an action plan that sets out how they will promote race equality in their organisations.
Relevance	For the purpose of the Race Relations Act, ‘relevance’ means ‘having implications for’ (of affecting) the general duty. A function or a policy will be relevant to race equality, if it has, or could have, implications for promoting race equality. Relevance is about how far a function or policy affects people – as members of the public and as employees of the authority.
Reliable/Valid Data	Reliable data is consistent information – a record of the same results on repeated occasions, that is, your findings would be similar to someone else’s if they were to repeat your research. Validity refers to the notion that the information you gather is about the topic in question. For

	<p>example, in an interview, the respondent may give the replies they think the interviewer wants to hear, or they may just go off the point. If this happens, we could say that the data collected is not valid, that it is not relevant to the topic. Research is also seen as invalid if the people who take part in it are not representative.</p>
Religious Groups	<p>Any group of people defined by reference to their religious belief or lack of religious belief. For example, this would include Christians, Hindus and Muslims and different sects within these religions. It would also include people with no religious belief at all.</p>
Sexism	<p>Ideas and attitudes that one gender is superior to the other and therefore entitled to higher status, or better conditions. Most often used in reference to the behaviour of men towards women.</p>
Specific Duty	<p>A duty imposed by the Race Relations Act 1976 (Statutory Duties) Order 2001 and the Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002.</p>
Stereotype	<p>Generalised perceptions leading to predictions of behaviour.</p>
Transgender	<p>A term used to include transsexuals, transvestites and cross dressers. A trans-genderist can also be a person who, like a transsexual – sometimes with the help of hormone therapy and/or cosmetic surgery – wishes to live in the gender role of choice, but has not undergone, and generally does not intend to undergo surgery.</p>
Transsexual	<p>A person who feels a consistent and overwhelming desire to transition and fulfil their life as a member of the opposite gender. Most transsexual people actively desire and complete Sex Reassignment surgery. However, it is important to note that not all transsexual people will go through surgery, sometimes because they cannot, for medical reasons.</p>
Transvestites	<p>People who dress in the clothing of the opposite sex, but will not normally wish to change their physical characteristics. They are not covered by legislation.</p>

Appendix G

Useful Contacts

General Diversity Issues:

British Institute of Human Rights	020 7848 1818	www.bihhr.org
Commission for Equality & Human Rights		www.cehr.org.uk
Discrimination Law Association	01933 228742	www.discrimination-law.org.uk
Equality and Diversity Forum	020 7843 1597	www.edf.org.uk
Fawcett Society	020 7253 2598	www.fawcettsociety.org.uk
Homeless	020 7960 3010	www.homeless.org.uk
JUSTICE	020 7329 5100	www.justice.org.uk
Liberty	020 7403 3888	www.liberty-humanrights.org.uk
Miss.Dorothy.Com	0870 759 3388	www.missdorothy.com

Age Issues

Age Concern	0800 009966	www.ageconcern.org.uk
Age Positive	0113 232 4444	www.agepositive.dwp.gsi.gov.uk
Childline	0800 11 11	www.childline.org.uk
Help the Aged	0808 808 6565	www.helptheaged.org.uk
Third Age Employment Network	020 7843 1590	www.taen.org.uk

Disability Issues

Connections	020 7803 1100	www.connections.org.uk
Mental Health Foundation	020 7803 1100	www.mentalhealth.org.uk
National Disabled Police Association		www.ndpa.info
RNIB	0845 766 9999	www.rnib.org.uk
RNID	0808 808 0123	www.rnid.org.uk

Gender Issues

Women's National Commission	020 7215 6933	www.thewnc.org.uk
British Association for Women in Policing		www.bawp.org
Gender Recognition Panel	0845 355 5155	www.grp.gov.uk
Gender Trust	01273 234024	www.gendertrust.org.uk
GIRES	01372 801554	www.gires.org.uk
Press for Change		www.pfc.org.uk

LGB Issues

Beyond Barriers	0141 574 0242	www.beyondbarriers.org.uk
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Broken Rainbow	08452 604460	www.broken-rainbow.org.uk
FFLAG	0845 6520311	www.fflag.org.uk
National Gay Police Association	07092 700 000	www.gay.police.uk
LGBT		www.lgbt.org.uk
Stonewall	020 7881 9440	www.stonewall.org.uk

Race Issues

Forum against Islamophobia & Racism	020 8992 6636	www.fairuk.org
Gypsy Traveller Law Reform Coalition	07985	684921
		www.travellerslaw.org.uk
Gypsy Council	01708 868986	www.thegypsycouncil.org.uk
National Black Police Association	020 7259 1280	www.nbpa.co.uk
Refugee Council	020 7346 6700	www.refugeecouncil.org.uk
Runnymede Trust	020 7377 9222	www.runnymedetrust.org
Travellers Times	01432 344039	www.travellerstimes.org.uk

Religion or Belief Issues

British Humanist Association	020 7079 3580	www.humanist.org.uk
Christian Police Association	01234 272865	www.cpauk.net
Churches Together in Britain & Ireland	020 7654 7254	www.ctbi.org.uk
Jewish Police Association		www.jewishassociation.org.uk
Muslim Council of Britain	020 8432 0585	www.mcb.org.uk
Inform	020 79557654	www.inform.ac
Multi-Faith Centre	01332	591285

Appendix H**Glossary of Terms**

Making sense of the jargon – these are some of the abbreviations used by the police, that you may come across in your role as an Independent Advisor.

ACC	Assistant Chief Constable
ACPO	Association of Chief Police Officers
AFO	Authorised Firearms Officer
ANPR	Automatic Number Plate Recognition
APA	Association of Police Authorities
ARV	Armed Response Vehicle
ASBO	Anti-Social Behaviour Order
AVLS	Automated Vehicle Location System
BCU	Basic Command Unit
Bridewell	Police Station (usually with cells)
C&C	Command and Control
CBM	Community Beat Manager
CBO	Community Beat Officer
CC	Chief Constable
Ch. Supt	Chief Superintendent
CI	Chief Inspector
CID	Criminal Investigations Department
CJB	Criminal Justice Board
C&PS	Complaints & Professional Standards
CPS	Crown Prosecution Service
CRSBO	Criminal Related Anti-Social Behaviour Order
CRO	Criminal Records Office
CRR	Community & Race Relations
CSI	Crime Scene Investigator
CSU	Criminal Support Unit
CTU	Counter Terrorism Unit
D&D	Drunk and Disorderly
D&I	Drunk and Incapable
DAAT	Drug and Alcohol Action Team
DC	Detective Constable
DCC	Deputy Chief Constable
DI	Detective Inspector
DOHR	Director of Human Resources
DP	Detained Person
DS	Detective Sergeant
DV	Domestic Violence
DVI	Disaster Victim Identification
EFQM	European Foundation for Quality Management
EGT	Evidence Gathering Team
EOD	Explosives Ordnance Disposal
FCR	Force Control Room
FLO	Family Liaison Officer
FTA	Fail To Appear
FTS	Fail To Stop
H2H	House to House
HMIC	Her Majesty's Inspector of Constabulary
HO	Home Office

HOLMES Home Office Large Major Enquiry System
HR Human Resources

Insp	Inspector
ITAP	Independent Training Advisory Panel
LALO	Local Authority Liaison Officer
MAPPA	Multi Agency Public Protection Arrangements
MAPPP	Multi Agency Public Protection Panel
MAPS	Multi Agency Problem Solving
MFH	Missing from Home
MIRSAP	Major Incident Room Standard Administrative Procedure
MODACE	Management of Disaster and Civil Emergency
NAFIS	National Automatic Fingerprint Identification System
NASS	National Asylum Support Service
NCRS	National Crime Recording Standards
NFA	No Fixed Abode/No Further Action
NIM	National Intelligence Model
NOK	Next of Kin
NP (NHP)	Neighbourhood Policing
NPIA	National Policing Improvement Agency
NPO	Neighbourhood Police Officer
NSIR	National Standards for Incident Recording
NVC	Non Verbal Communication
OIC	Officer In Charge
PACE	The Police and Criminal Evidence Act
PACT	Police and Communities Together
PC	Police Constable
PCSO	Police Community Support Officer
PDR	Professional Development Review
PEA	Public Enquiry Assistant
PI	Participating Informant / Performance Indicator
PII	Public Interest Immunity
PNC	Police National Computer
POLSA	Police Search Advisor
POP	Police Oriented Policing
PPE	Personal Protective Equipment
PPU	Public Protection Units
PR	Personal Radio
PSD	Professional Standards Department
PSU	Police Support Unit
PYO	Persistent Young Offender
QC	Quality Counts
RIPA	Regulation of Investigatory Powers Act 2000
ROTI	Record of Taped Interview
RPG	Road Policing Group
RTC	Road Traffic Collision
RVP	Rendezvous Point
SB	Special Branch
SDT	Staff Development Team
Sgt	Sergeant
SIO	Senior Investigating Officer
SMT	Senior Management Team
SMV	Stolen Motor Vehicle
SOCO	Scenes of Crime Officer
SOCU	Serious and Organised Crime Unit
SPOC	Single Point Of Contact
T&CG	Tasking & Co-ordination Group

TUMV Theft from Unattended Motor Vehicle
YOT Youth Offending Team

SECTION C - ACPO EQUALITY IMPACT ASSESSMENT TEMPLATE (DIVERSITY AUDIT) AS AGREED WITH THE CRE

C1. Identify all aims of the guidance/advice

C.1.1 Identify the aims and projected outcomes of the guidance/advice:
To provide national guidance on the management of Independent Advisory Groups.
C.1.2 Which individuals and organisations are likely to have an interest in or likely to be affected by the proposal?
All Police Forces, Police Authorities and Independent Advisory Group members

C2. Consider the evidence

C.2.1 What relevant quantitative data has been considered?	
Age	There was no previous national guidance in place. The format of other consultation groups has been considered. The Guidance encompasses consultation with all diverse groups. The National Guidance was consulted with IAG members made up of diverse backgrounds.
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.2.2 What relevant qualitative information has been considered?	
Age	There was no previous national guidance in place. The format of other consultation groups has been considered. Access to confidential data has been considered. The Guidance encompasses consultation with all diverse groups.
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.2.3 What gaps in data/information were identified?	
Age	Whilst we recognise there is no data available, the information gathered from the consultation that has taken place will form a baseline for gathering data.
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.2.4 What consideration has been given to commissioning research?	
Age	The current situation formed the baseline for research, together with consultation with members to produce the Guidance. A Gap Analysis has been produced to identify the work necessary to comply with the guidance.
Disability	
Gender	
Race	
Religion / Belief	

Sexual Orientation	
--------------------	--

C3. Assess likely impact

C.3.1 From the analysis of data and information has any potential for differential/adverse impact been identified?	
Age	No. This document caters for the diverse requirements for all groups, which has been identified by the IAG Working Group.
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.3.2 If yes explain any intentional impact:	
Age	N/A
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.3.3 If yes explain what impact was discovered which you feel is justifiable in order to achieve the overall proposal aims. Please provide examples:	
Age	N/A
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.3.4 Are there any other factors that might help to explain differential /adverse impact?	
N/A	
Age	N/A
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	

C4. Consider alternatives

C.4.1 Summarise what changes have been made to the proposal to remove or reduce the potential for differential/adverse impact:	
This is an inclusive document to further the interests of diverse groups through consultation.	
C.4.2 Summarise changes to the proposal to remove or reduce the potential for differential/adverse impact that were considered but not implemented and explain why this was the case:	
The changes made referred to consultation, e.g. Welsh Authorities to translate documents.	
C.4.3 If potential for differential/adverse impact remains explain why implementation is justifiable in order to meet the wider proposal aims:	
N/A	

C5. Consult formally

C.5.1 Has the proposal been subject to consultation? If no, please state why not. If yes, state which individuals and organisations were consulted and what form the consultation took:	
Age	Association of Police Authorities
Disability	National IAG Working Group members, from other forces and IAG members.
Gender	
Race	Consultation took place throughout the process, hence several
Religion / Belief	versions/updates of the Guidance produced resulting in Version 10.
Sexual Orientation	
C.5.2 What was the outcome of the consultation?	
Age	Contribution and feedback towards the construction of the document.
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
C.5.3 Has the proposal been reviewed and/or amended in light of the outcomes of consultation?	
Several times, final draft is Version 11.	
C.5.4 Have the results of the consultation been fed back to the consultees?	
Yes, as part of the IAG National Working Group meetings.	

C6. Decide whether to adopt the proposal

C.6.1 Provide a statement outlining the findings of the impact assessment process. If the proposal has been identified as having a possibility to adversely impact upon diverse communities, the statement should include justification for the implementation:
<i>An Impact Assessment Working Group has been established and findings will be communicated and implemented. See separate comments under C31.</i>

C7. Make Monitoring Arrangements

C.7.1 What consideration has been given to piloting the proposal?
The Guidance has been created and pulled together from best practice across the country. In North Yorkshire Police, a gap analysis and action plan has been produced to address the gaps.
C.7.2 What monitoring will be implemented at a national level by the proposal owning agency and/or other national agency?
This document is guidance rather than mandatory and therefore subject to local interpretation. It is subject to scrutiny by HMIC under their Diversity Inspections, and evaluation by the Independent Advisory Group.
C.7.3 Is this proposal intended to be implemented by local agencies that have a statutory duty to impact assess policies? If so, what monitoring requirements are you placing on that agency?
Yes, it will be monitored through gap analysis and an Action Plan towards meeting the Guidance.

C8. Publish Assessment Results

C.8.1 What form will the publication of the impact assessment take?

The impact assessment will be produced on the North Yorkshire Police Impact Assessment template and published on the North Yorkshire Police website.

ENDS+



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