

## DIVERSITY IMPACT ASSESSMENT

Title of policy/procedure: TIC (Offences Taken into Consideration by a Court)
Policy author/assessor: DS 4029 Ali Smith
Department: FCMU
Date of assessment: 23/01/08
<b>PART ONE</b>
<b>Aims of the Policy/Function</b>
<a href="#">See Notes</a> 1.1. From the first of March 2008, Thames Valley Police will adopt a new approach to Offences Taken into Consideration by a court (TICS)  1.2. This new approach has the backing of the CPS and the judiciary covering the Thames Valley Area.  1.3. When a suspect is to be charged with an offence, and where there is reasonable suspicion of their involvement in further outstanding offences, the Police and Criminal Evidence Act 1984 allows for them to be questioned about those offences.  1.4. The intention of this policy is to; <ul style="list-style-type: none"><li>• Promote the ethical use of TICs as a cost effective method of detecting crime</li><li>• Provide more victims with the satisfaction of knowing that the offender for 'their' crime has been brought to justice</li><li>• Improve performance in the detection of notifiable offences</li><li>• Reduce crime by utilising intelligence gained through TIC interviews</li></ul> 1.5. This will be achieved by;

- Adopting a transparent, ethical and auditable TIC process
- Training nominated staff in the detail of obtaining TICs e.g. Prison Intervention Units, Priority Crime Teams, (Case Directors as advisors) and any other staff demonstrating ability in establishing rapport with offenders
- Training front line officers in the basic principles of obtaining TICs and ensuring they have access to specialist advice
- Briefing Custody staff in their role in the process
- Ensuring continued support from the judiciary, CPS etc

**1.2** Which individuals and organisations are likely to have an interest in or likely to be affected by the policy or function?

- All investigating Officers and Supervisors
- Performance Group
- LPA and BCU Commanders
- Force Crime Manager
- Force Crime Registrar
- Custody staff
- Crown Prosecution Service
- Courts
- Victims of Crimes subject to TIC procedures
- All Individuals in custody for crime offences, irrespective of age, disability, faith, religion, gender
- Defence Solicitors

[See Notes](#)

Age

No apparent discrimination or scope for promoting good relations. However the Police and Criminal Evidence Act 1984 Code of Practice C deals with the detention, treatment and questioning of persons by police officers, and special protective measures are in place for vulnerable people and juveniles under the Act.

Disability

No clear potential for discrimination exists. The disability equality duty requires forces to actively promote the integration of disabled people into society. However, the Police and Criminal Evidence Act 1984 Code of Practice C deals with the detention, treatment and questioning of persons by police officers, and special provision is made for

<p>these circumstances. Under the Act, Chief officers are responsible for making sure appropriate arrangements are in place for provision of suitably qualified interpreters for people who are deaf. When the Custody Officer cannot establish effective communication with a person charged with an offence who appears deaf or there is doubt about their ability to speak or to understand English, arrangements must be made as soon as soon practicable for an interpreter to explain the offence and any other information given by the custody officer. This includes the content of the TIC notice. Special protective measures are also made for vulnerable people and those with mental disorders under the Act.</p>
<p>Faith or Religion No apparent discrimination or scope for promoting good relations</p>
<p>Gender (including transgender) No apparent discrimination or scope for promoting good relations</p>
<p>Race In the interests of promoting good relations between people of different races and ethnicity (part of the race equality duty) some consideration should be given to accessibility and clarity when dealing with offenders for whom English is not their first language. However, the Police and Criminal Evidence Act 1984 Code of Practice C deals with the detention, treatment and questioning of persons by police officers, and special provision is made for these circumstances. Under the Act, Chief officers are responsible for making sure appropriate arrangements are in place for provision of suitably qualified interpreters for people who do not understand English. When the Custody Officer cannot establish effective communication with a person charged with an offence or there is doubt about their ability to speak or to understand English, arrangements must be made as soon as soon practicable for an interpreter to explain the offence and any other information given by the custody officer. This includes the content of the TIC notice. Consideration is also being given to providing the TIC information packs in a number of the most common non English languages.</p>
<p>Sexual Orientation  No apparent discrimination or scope for promoting good relations</p>
<p><b>Evidence</b></p>
<p><b>2.1</b> What <b>quantitative</b> information is available about the subject matter of the policy/function and its effect on each diversity target group? <a href="#">See Notes</a></p>
<p>Age None available for the specific diversity group</p>

Disability None available for the specific diversity group
Faith or Religion None available for the specific diversity group
Gender (including transgender) None available
Race None available for the specific diversity group
Sexual Orientation
<b>2.2</b> What <b>qualitative</b> information is available about the subject matter of the policy/function and its effect on each diversity target group?  <a href="#">See Notes</a>
Age None available for the specific diversity group
Disability None available for the specific diversity group
Faith or Religion None available for the specific diversity group
Gender (including transgender) None available for the specific diversity group
Race None available for the specific diversity group
Sexual Orientation None available for the specific diversity group
<b>2.3</b> What are the gaps in the available data?  There is no data available for the specific diversity groups although the use of TICs in general are monitored through the Business information Department and Performance Group  <a href="#">See Notes</a>

Age	“
Disability	“
Faith or Religion	“
Gender (including transgender)	“
Race	“
Sexual Orientation	“
<p><b>2.4</b> Have you considered doing new research? If not, state why not.</p> <p>New research based on victim satisfaction with the process could be undertaken for victims of crime from the specific diversity groups, with a view to amending the policy to prohibit certain types of crime from being valid for TICs, e.g. Hate crime should not be dealt with by way of TIC unless the victim has been contacted and agrees with the course of action. This research would need to be co-ordinated by the Corporate Development Department. New research into customer satisfaction from the suspects in custody could also be conducted, however there is an operational need to comply with this policy and the process outlined within it is held as best practice nationally. In addition, the care and treatment of all suspects within custody is dictated by the Police and Criminal Evidence Act which gives clear instructions for the care, treatment, communication with and interviews of specific diversity groups</p> <p><a href="#">See Notes</a></p>	
Age	“
Disability	“
Faith or Religion	“
Gender (including transgender)	“
Race	“

Sexual Orientation
<b>Assess the likely impact – negative impact</b>
<p><b>3.1</b> From the information available, and your knowledge and experience of the policy or function, could it (if properly followed) have a negative impact on any one of the diversity target groups? State how. <a href="#">.See Notes</a></p>
<p><b>Age</b> The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should prevent a negative impact on any of the diversity target groups</p>
<p><b>Disability</b> The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should prevent a negative impact on any of the diversity target groups</p>
<p><b>Faith or Religion</b> The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should prevent a negative impact on any of the diversity target groups</p>
<p><b>Gender (including transgender)</b> The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should prevent a negative impact on any of the diversity target groups</p>
<p><b>Race</b> The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should prevent a negative impact on any of the diversity target groups</p>

target groups
<p>Sexual Orientation</p> <p>The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should prevent a negative impact on any of the diversity target groups</p>
<p><b>3.2</b> If the answer to 3.1 is yes, is there any negative impact which is intended or justified under law? Explain. <a href="#">See Notes</a></p>
<p>Age N/A</p>
<p>Disability N/A</p>
<p>Faith or Religion N/A</p>
<p>Gender (including transgender) N/A</p>
<p>Race N/A</p>
<p>Sexual Orientation N/A</p>
<p><b>3.3</b> If the answer to 3.1 is yes, explain any negative impact which you feel is justifiable in order to achieve the overall policy/function aims. Give examples. N/A <a href="#">See Notes</a></p>
<p>Age N/A</p>
<p>Disability N/A</p>

Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A
<b>3.4</b> Are there other factors that might explain the negative impact?
Age N/A
Disability N/A
Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A
<b>Assess the likely impact – positive impact</b>
<b>4.1</b> Could the policy or function have a positive impact on any of the diversity target groups, by promoting equality or improving relations between those groups and other employees or service users outside each group?  Say how.  <a href="#">See Notes</a>
Age The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all

cases (paragraph 3.3). Compliance with the policy and PACE should improve relations between the police and the community as a whole.
<p><b>Disability</b></p> <p>The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should improve relations between the police and the community as a whole.</p>
<p><b>Faith or Religion</b></p> <p>The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should improve relations between the police and the community as a whole.</p>
<p><b>Gender (including transgender)</b></p> <p>The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should improve relations between the police and the community as a whole.</p>
<p><b>Race</b></p> <p>The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should improve relations between the police and the community as a whole.</p>
<p><b>Sexual Orientation</b></p> <p>The policy emphasises the need to act with integrity and to comply with The Police And Criminal Evidence Act 1984 in all cases (paragraph 3.3). Compliance with the policy and PACE should improve relations between the police and the community as a whole.</p>
<p><b>4.2</b> If there is no evidence that the policy or function promotes equality or improves relations between diversity target groups and other people, what amendments could be made to achieve this?</p> <p>If there are no such amendments, please say so.</p>
<p><b>Age</b></p> <p>No amendments required</p>
<p><b>Disability</b></p> <p>No amendments required</p>
<p><b>Faith or Religion</b></p> <p>Consideration could be given to including a paragraph in the policy ensuring that Hate crime offences are prosecuted</p>

separately (wherever CPS agree this is appropriate) and are not dealt with by TIC unless the victim has specifically consented.
Gender (including transgender) Consideration could be given to including a paragraph in the policy ensuring that Hate crime offences are prosecuted separately (wherever CPS agree this is appropriate) and are not dealt with by TIC unless the victim has specifically consented.
Race Consideration could be given to including a paragraph in the policy ensuring that Hate crime offences are prosecuted separately (wherever CPS agree this is appropriate) and are not dealt with by TIC unless the victim has specifically consented.
Sexual Orientation Consideration could be given to including a paragraph in the policy ensuring that Hate crime offences are prosecuted separately (wherever CPS agree this is appropriate) and are not dealt with by TIC unless the victim has specifically consented.
<b>Amendments to policy</b>
<b>5.1</b> Which diversity target groups were identified as being negatively affected by the policy or function?  Summarise the negative impact for each group (you may do so by reference to your answers at 3.1 above if appropriate)
Age N/A
Disability N/A
Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A

<b>5.2</b> Have you removed or reduced the possibility of negative impact by making changes to the policy or function?
Explain what changes were made.
Age N/A
Disability N/A
Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A
<b>5.3</b> If changes were considered but not made, explain why this was the case.
Age N/A
Disability N/A
Faith or Religion See 4.2. Awaiting decision from Force Crime Manager
Gender (including transgender) Awaiting decision from Force Crime Manager
Race Awaiting decision from Force Crime Manager
Sexual Orientation Awaiting decision from Force Crime Manager

**5.4** If the possibility of negative impact remains despite amendments, explain why implementing the policy is justifiable to meet the wider policy aims.

What alternative options have you considered for delivering the policy or function's aims?

[See Notes](#)

Age  
N/A

Disability  
N/A

Faith or Religion  
N/A

Gender (including transgender)  
N/A

Race  
N/A

Sexual Orientation  
N/A

**IMPACT LEVEL – (CONSULTATION)**

	Scoring	Age	Disability	Faith or Religion	Gender (and transgender)	Race	Sexual Orientation
Does the policy or function affect TVP staff?(i.e. officers or staff)	Yes = 1 No = 0	0	0	0	0	0	0
Does the policy or function affect the public served by TVP?	Yes = 1 No = 0	0	0	0	0	0	0

Does the policy or function involve the use of a statutory power?	Yes = 1 No = 0	1	1	1	1	1	1
Does the policy, when properly followed, allow for the exercise of discretion by the person implementing it?	Yes = 1 No = 0	1	1	1	1	1	1
Do you perceive the function to be politically or socially sensitive?	Yes = 2 No = 0	0	0	0	0	0	0
Insert your answer to Question 3.1 above (Yes/No)	Yes = 2 No = 0	0	0	0	0	0	0
Insert your answer to Question 3.2 above (Yes/Partly/No)	Yes = -2 Partly = -1 No = 0	0	0	0	0	0	0
Insert your answer to Question 5.2 above (Yes/Partly/No)	Yes = -2 Partly = -1 No = 0	0	0	0	0	0	0
Insert your answer to Question 4.1	Yes = 1 No = 0	1	1	1	1	1	1

above (Yes/No)							
Add your scores for each column	Total score	0	0	0	0	0	0
Impact Level:	1-3 = Low 4-5 = Medium 6-8 = High	3	3	3	3	3	3

## PART TWO

### Formal consultation

**6.1** Has the policy or function been consulted upon?

If not state why not.

If yes, state which individuals and organisations were consulted and what form the consultation took.

[See Notes](#)

Age

Not required as low impact

Disability

Not required as low impact

Faith or Religion

Not required as low impact

Gender (including transgender) Not required as low impact
Race Not required as low impact
Sexual Orientation Not required as low impact
<b>6.2</b> What was the outcome of the consultation?  State briefly what the recommendations or comments arising from the consultation consisted of.  <a href="#">See Notes</a>
Age N/A
Disability N/A
Faith or Religion N/A
Gender (including transgender) N/A
Race N/A

Sexual Orientation N/A
<b>6.3</b> Has the policy or function been revised or amended as a result of the consultation?  State how
Age N/A
Disability N/A
Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A
<b>6.4</b> Have the results of the consultation been fed back to the consultees? How?  <a href="#">See Notes</a>
Age N/A

Disability N/A
Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A
<b>Monitoring</b>
<p><b>7.1 Make monitoring arrangements</b></p> <p>Will monitoring be at force, BCU/ Dept level? Monitoring means scrutinising, following up and evaluating the policy/function</p> <p>It should be comprehensive enough to inform future policy making and development.</p> <p><a href="#">See Notes</a></p>
Age N/A
Disability N/A

Faith or Religion N/A
Gender (including transgender) N/A
Race N/A
Sexual Orientation N/A