

## Equality and Human Rights Impact Assessment (EQHRIA)

### Summary of Results

<b>Policy / Practice</b>	<b>Proceeds of Crime Act SOP</b>
<b>Owning Department</b>	<b>Specialist Crime Department</b>
<b>Date EQHRIA Completed</b>	28/10/16

<b>Purpose of Policy / Practice</b>	<b>To provide operational Police officers with a working knowledge of the Proceeds of Crime Act 2002 to enable them to have an awareness of how to use their Police Powers contained within the Act to impact on Criminality and Criminal Finances.</b>
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#### **A. Summary of Analysis / Decisions - What the assessment found and actions already taken.**

This Standard Operating Procedure is an information and guidance document to law enforcement on the implementation of Proceeds of Crime Legislation which is equally applicable to all protected groups.

No action taken by any police officer applying the content of this SOP should discriminate or disadvantage any group.

In relation to cash seizure for example the decision making process should only be based on whether the cash is recoverable property/ unlawful conduct as prescribed by the Act. The age, gender, race etc of the individual has no bearing whatsoever.

Officers are expected to conduct themselves in a proper manner when implementing this legislation as with any other duty when interacting with the community. Most community Advisors state that there would be no disadvantage or discrimination by officers seizing cash that is tainted by criminality.

There is potential for disadvantage where English is not the first language of the person being searched or where they may suffer from mental/physical disabilities. Officers should use the Interpreting and Translating Services SOP or Appropriate Adult SOP when applicable.

The assessment found that Articles 5/7/8 and Protocol 1, Article 1 could be potentially infringed by this SOP. The infringement was assessed carefully and mitigated accordingly. In addition this procedure was found to be protecting Article 6 of the ECHR.

#### **B. Summary of Mitigation Actions - What else we plan to do and how we are going to check that it has been done.**

**NOT PROTECTIVELY MARKED**

Owning Department will monitor changes in legislation/circumstances which may affect the SOP and assess how these changes may impact on the protected groups.

In addition they will be responsible for the cyclical review of both SOP and EqHRIA.