

Crowded Places:

Equality Impact Assessment
of Guidance and Response to
Recommendations

March 2010



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and Response to Recommendations**

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Chapter 1 Background

1.01 The UK faces a significant threat from international terrorism. In March 2009, the Government published an updated counter-terrorist strategy, known as CONTEST, to take account of the evolving threat, the lessons that have been learned and the new challenges that we face. The aim of the strategy is to reduce the risk to the UK and its interests overseas from international terrorism so that people can go about their daily lives freely and with confidence. The strategy has four main workstreams each with a clear objective:

- *Pursue* – to stop terrorist attacks;
- *Prevent* – to stop people becoming terrorists or supporting violent extremists;
- *Protect* – to strengthen our overall protection against terrorist attacks; and
- *Prepare* – where we cannot stop an attack, to mitigate its impact;

1.02 Crowded places are locations frequented by the public and which are judged to be possible terrorist targets by virtue of their crowd density.

1.03 On 25 July 2007 the Prime Minister asked Lord West (Home Office Parliamentary Under-Secretary of State for Security and Counter-Terrorism) to review how best to protect crowded places (and transport infrastructure and critical national infrastructure) from terrorist attack.

1.04 The results of the review, which was announced by the Prime Minister on 14 November 2007 (with further detail given in the Home Secretary's Written Ministerial Statement on the same date¹) showed that a substantial amount of work had been undertaken or was underway to increase levels of protective security, but that more was needed to turn available advice into action on the ground. A key finding of the

review was to highlight the importance of engaging with a wide range of local partners, in particular local authorities and local businesses, to implement counter-terrorism protective security advice.

1.05 The review also highlighted that individuals and businesses must be free to carry on normal social, economic and democratic activities and, as a result, there will always be some vulnerability to terrorist attack. Counter-terrorism protective security measures must be proportionate to the risk and one of the main purposes of the Government's strategic framework is to ensure that effort is directed to those areas where the counter-terrorism benefits will be the greatest.

1.06 The Government wants to reduce the vulnerability of crowded places at highest risk and to ensure that the right levels of protective security are in place that are proportionate to the risk, so that if a terrorist attack does take place any loss of life or serious injury are minimised.

2.01 Specific equality-related issues were raised in a number of consultation questions. These were added in consultation with a Home Office team whose responsibilities include helping integrate diversity issues into policy development. Responses to these questions were collated and analysed by Home Office analysts.

2.02 We noted three key mechanisms by which work undertaken to protect crowded places may have an impact on equality. These were confirmed by consultation responses:

- measures taken to protect crowded places may reduce access for disabled people, or make it more difficult to ensure their safety in case of emergency. These are similar to issues faced by town planners;
- groups who are more vulnerable to attack may incur additional costs because crowded places which they use require a higher degree of protection, and owners/operators pass these costs on to the user;
- some measures, such as searching on entry, may be applied disproportionately to people from specific ethnic groups because they are perceived by owners/operators or their staff to be more likely to engage in terrorist or criminal acts. Such measures, even if applied randomly, may also have an increased impact on people who perceive themselves as being targeted.

2.03 Any specific groups affected are likely to change over time, as the nature of the terrorist threat changes.

Chapter 3 Consultation and involvement

3.01 In developing its approach, the Government consulted a wide range of stakeholders (both internal and external groups), before embarking upon its public consultation in April 2009.

3.02 During the public consultation (April – July 2009) the Government continued to meet and brief stakeholder groups, as well as running five regional workshops (Birmingham, Edinburgh, Leeds, London and Cardiff) for stakeholders. As part of the consultation, all stakeholders were specifically asked to consider whether there were any communities or groups that the measures would have a greater impact upon, compared to the public at large.

Chapter 4 Assessment and analysis

4.01 In the main, the consultation process raised more specific instances of the concerns we had identified, but it also raised concerns about the possibility that the mechanisms used to manage protection for crowded places might affect relationships with specific communities, some of which had been built up over long periods. The more specific instances included:

On disability:

- increased pedestrian access and reduced vehicle access to sites could restrict access for disabled people, unless care is taken to provide suitable support, such as assistance on request or the loan of mobility scooters. It is important to include disabled people in consultations on design;
- access for emergency services vehicles is a key consideration;
- concerns that the guidance did not sufficiently emphasise compliance with the Disability Discrimination Act 2005;
- the height of bollards recommended should be increased to ensure minimal impact on the visually impaired, and the document should emphasise the importance of tonal or visual contrast, for the same reason; and
- the section on training of security personnel should include disability awareness training.

On faith:

- some faith groups were particularly keen to work more closely with police Counter-Terrorism Security Advisers (CTSAs) to ensure that their specific security needs were met; and

- there were concerns about impacts on particular faith buildings and meeting places but it was not clear what the nature of the concerns was.

On targeting:

- specific measures which it was suggested might lead to targeting at an individual level if not carefully handled included vehicle slowing measures designed to allow security staff to check the occupants, bag searches on entry, and research into the type of visitors expected at an event or venue; and
- in addition, concerns were raised over impacts of physical security measures such as CCTV cameras in locations of cultural or religious importance, and suggested that these might have a negative impact on community cohesion.

Chapter 5 Recommendations

5.01 Explicit reference to the Disability Discrimination Act 2005 and to the fact that the guidance is most effectively considered at the concept and preliminary stages of the planning process alongside this legislation have been made within the document; where necessary these references should be strengthened.

5.02 Whilst considering the counter-terrorism design principles and application of the urban design principles, the guidance should be clear that there are challenges for designers and planners but that solutions are achievable that also meet the needs of the disabled. Explicit reference has been made to the fact that each site is different and there is no 'one size fits all' solution. Different sites present unique challenges and considerations that will result in bespoke solutions.

5.03 Specific references on traffic management and bollards should be accompanied by references to the relevant guidance on access for the disabled. The guidance should also refer more clearly to guidance on including the disabled within the design process.

5.04 The guidance should make it clear that it is not intended that any of these measures should lead to ethnic or racial profiling. The purpose of slowing a vehicle is to enable a check to be made that the driver is acting of his/her free will, and not driving under duress; random searches are by their nature random and are recommended as a minimum approach where a stadium cannot implement a full search regime; demographic and behavioural analysis at a particular event will allow the security staff to make appropriate security arrangements – for example, the needs for a sporting event will differ to those of a music festival.

5.05 The lead local partnership responsible for implementing protective security measures should ensure that it consults with the local community to try to

ensure that unintended damage to community cohesion does not occur and the guidance '*Working Together to Protect Crowded Places*' should be amended to that effect.

5.06 The risk assessment matrix used by police Counter-Terrorism Security Advisers (CTSAs) to assess the vulnerabilities of crowded places already looks to assess a number of sectors which may have specific vulnerabilities, one of which is places of worship and religious sites. CTSAs should be further encouraged to develop an understanding of the needs of such sites and communities within their local areas.

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Chapter 6 Response to Equality Impact Assessment recommendations

6.01 The Crowded Places Equality Impact Assessment contained a number of recommendations, specifically in relation to strengthening and providing clarity within the accompanying guidance. The following provides an update on progress against these recommendations:

- references to the requirements of the Disability Discrimination Act 2005 and more generally to the need to consider the interests of the disabled are referred to in the guidance *'Crowded Places: The Planning System and Counter-Terrorism'* and *'Protecting Crowded Places: Design and Technical Issues'*. The latter guide also refers to the fact that different sites present unique challenges and that bespoke solutions will be required including those that meet the needs of the disabled. It also refers to the fact that in considering hostile vehicle mitigation measures, relevant guidance on access for the disabled should be taken into account;
- the published guidance is focussed on achieving reductions in the vulnerabilities of crowded places to terrorist attack by putting in place appropriate protective security measures. In turn these are focussed on improving physical security. There is only limited reference to measures such as searching regimes which touch on people. Against that background, the Government believes that it is not necessary to amend this guidance to explain that profiling solely on the basis of personal characteristics has significant limitations as terrorists adapt their methods to use individuals who do not fit any particular profile. This is explained in the guidance produced on behalf of the Association of Chief Police Officers by the National Policing

Improvement Agency *'Practice Advice on Stop and Search in relation to Terrorism'*²;

- the *'Working Together to Protect Crowded Places'* guidance includes a reference to the value of the lead local partnership engaging a wider forum in delivery, in part to ensure that there is no unintended adverse impact on community cohesion; and
- the National Counter-Terrorism Security Office (NaCTSO) has worked with representatives from a range of faith groups to develop their recently published protective security guidance for places of worship. In addition, NaCTSO and police Counter-Terrorism Security Advisers (CTSAs) consult a range of representatives from local faith and community groups, as well as local policing teams, before issuing advice to a particular religious site.

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End notes

1. The Written Ministerial Statement can be found at:

www.publications.parliament.uk/pa/cm200708/cmhansrd/cm071114/wmstext/71114m0001.htm#07111429000008

2 The NPIA guidance can be found at

www.npia.police.uk/en/docs/Stop_and_Search_in_Relation_to_Terrorism_-_2008.pdf

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