



Time to act

Police forces will now be compelled by legislation to ensure they take into account the impact of their policies on disabled people. Anne McGuire MP, minister for disabled people writes

This month police forces will need to demonstrate that they are complying with the Disability Equality Duty. They will need to produce evidence that they are monitoring the impact of their policies on disabled people, in the same way that they do for people from ethnic minorities under the Race Relations Act.

For example, forces might monitor their practices concerning rates of arrest, to obtain evidence that disabled people are being treated fairly. If monitoring revealed an unusually large number of hate crimes being

committed against disabled people, it would mean giving the same priority to developing appropriate policies to deal with this situation as to any other form of persistent crime.

The government strengthened the Disability Discrimination Act (DDA) in 2005 and an integral part of the legislation is the Disability Equality Duty for the public sector, which came into force on December 4 this year and places a legal duty on public sector authorities, such as the police, to promote equality for disabled people.

This means that each police force and every police officer, irrespective of their rank, will be under a duty to promote equality of opportunity for disabled people. This should complement the wider values of the police service, as well as its existing commitment to diversity and equality. It already has a responsibility to eliminate discrimination within the service and to promote good relations between police and the population in its local communities.

It will be important that both police officers and police staff receive

appropriate training to ensure that everyone is familiar with what the law will require of them. The police will have to review their procedures and policies to eliminate unlawful discrimination, and to examine how changes might lead to greater equality of opportunities for disabled people.

This does not mean, for example, that every police cell and interview room must be equipped with a hearing induction loop. Each police force will have to judge how many custody suites they need in each area in order to ensure that people with hearing impairments can be accommodated suitably.

Neither does it mean that disabled people will get preferential treatment under the law. The duty placed on forces does not replace or overrule existing legislation. It is about ensuring the existing provisions are exercised in a way that does not discriminate unfairly against disabled people.

In the case of disability, there are many things which an organisation such as the police could do to promote equality for disabled people. For example, the Metropolitan Police Service has agreed to work with local disabled people to set up a Disability Independent Advisory Group. The group will provide a pool of expertise on issues relating to disability and policing.

The goal was to recruit a group of disabled people, with diverse impairments and reflecting a broad cross-section of community experience, who have a track record in working on police and community safety issues.

Job descriptions and person specifications were drawn up reflecting these requirements, and in consultation with disabled people. Application packs were provided in alternative formats, including Easy Read, and the vacancies were widely advertised, taking into account the best routes for attracting the attention of disabled people.

Over a hundred applications were received and members were selected

by independent consultants against agreed criteria. These criteria included a requirement to reflect a broad range of diversity experience and application forms requested applicants to disclose gender, age, religion, sexuality and race as well as indicate the nature of their impairment.

The group appoints its own chair, sets its own agenda and can co-opt additional members. Group members

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Photography: Police Federation

Police forces would ensure those with hearing impairments are given suitable access

are paid an attendance fee, as well as expenses, for attending the meetings.

The idea is that by examining the way they work and how they deliver their services, the Metropolitan Police is looking at their impact on disabled people and thinking about how to tackle the causes of inequality.

There are four key elements to the Disability Equality Duty, which require public authorities to carry out their functions with ‘due regard’ to the need to:

- Eliminate unlawful disability discrimination and disability-related

harassment

- Promote equality of opportunity for disabled people, taking steps to take account of disabled people’s disabilities
- Promote positive attitudes
- Encourage disabled people to take part in public life

To show how they will do this, significant public sector organisations, including the police, have been asked to produce a Disability Equality Scheme, which sets out how they will implement the duty.

An important point in the duty is the ‘due regard’ because it recognises that it is not the only factor public authorities need to think about. For example, while the police should only fill positions with appropriately qualified candidates, they will have a duty to encourage disabled people to participate in public life. So they should consider what steps might make the appointment process accessible to disabled candidates.

The duty on forces should encourage them to think ahead and to plan for better policing practice in relation to disabled people. Bad practice is rarely cheaper – it costs time and money, and saps disabled people’s confidence in the police.

By ensuring that police training and operational planning reflects the needs of both disabled and non-disabled people, police forces will avoid these adverse consequences. Equality and diversity for everyone, including disabled people, has benefits for both the police force and the people it serves. The more closely the police service reflects the people it represents, the more effectively it can protect and support those people.

Ending discrimination is not just about making police stations accessible by putting in ramps or producing information documents in alternative formats. Rather, it is about systematically identifying barriers and reducing inequalities.

By planning ahead and promoting equality and diversity in its practises the police force can lead by example, tackling discrimination and stamping out discrimination.