

Text highlighted in blue must not be changed

EQUALITY IMPACT ASSESSMENT

The Equality Impact Assessment Standard Operating Procedure/Guidance **must** be used when completing this form:

http://intranet.aware.mps/Corporate/Policy/Territorial_Policing/SOP/Equality_Impact_Assessment_SOPs.htm

Protective Marking:	Not Protectively Marked		Publication	Yes	
Title:	Operation Nexus – Management of Offending by Foreign Nationals				
Branch / OCU:	SC&O 33 Operation Nexus				
Date Created	28.09.2012	Review Date:	1.11.2012	Version:	3
Author:	DCI Mark Gower				

Person c	ompleting EIA:				
Signed:	DCI Mark Gower			Date:	13/11/2012
Person s	upervising EIA:			_	
Signed:	DSU Stuart Dark			Date:	14.11.2012
Quality A	assurance approval:			_	
Name:	John Wilson	Unit	DCFD	Date	15.11.2012
		_		_	

Decision Making			
Decision Maker: OCU Commander – Operation Nexus			
Name: Richard Martin	Rank or Grad	de: Cmdr	
What is the decision?			
Reject the proposal	Yes		No 🗌
Implement the proposal	Yes		No 🗌
Produce an alternate proposal (if so, a new impact assessmust be completed)	nent Yes		No 🗌
SMT / (B)OCU/Management Board endorsing decision			
Name:	Rank or Grad	de:	

1. Aims and Purpose of Proposal – see step 1 of the guidance

London has changed greatly over the past decade. It is now a World City with foreign nationals accounting for over a third of its residents. However, our approach to migration and the significant threat posed by Foreign National Offenders (FNOs) is currently characterised by a series of disconnected 'cottage industries' rather than the co-ordinated, systematic approach now required. Whilst the vast majority of migrants to the UK are decent law-abiding citizens, it is also the case that our currently available data suggests;

- One third of all arrests are now identified as foreign nationals
- One fifth of 'highest risk' violent offenders are now FNO's (including gang, sex offender, firearms supplier, drugs supplier and robbery cohorts)
- One fifth of organised crime nominals are now FNOs
- Whilst exact numbers are unavailable at this time due to the recent restructuring of CT databases, a number of CT persons of interest are now foreign nationals
- London FNOs are 52% non-European and 48% European
- 46% of London based prisoners in HMP are now foreign nationals
- The issue of foreign national offending is disproportionately affecting the Capital. (London accounts for 12% of UK population yet has one third of the UK prison population as foreign nationals from MPS courts) based on prison data.

It is estimated that the total number of offenders that are foreign nationals in London is likely to number 100,000, being susceptible to powerful immigration law intervention and our current organisational impact on the issue is very limited. The MPS delivered meaningful, quantifiable activity (over the last 12 months) in just 1,100 cases or 1.1% of the total potential cohort. Whilst the scale of foreign national offending creates significant policing challenges and opportunities, it should be borne in mind that this phenomenon is not disproportionate but merely reflective of the diversity of London's current foreign national population. It also suggests that two thirds of all crime is committed by British Citizens.

On a small scale, the MPS Operation Bite (now national best practice) has proved that the proactive use of existing immigration legislation against FNOs alongside UKBA enables them to be effectively targeted in an extremely cost effective and impactive manner, as anyone administratively removed or deported from the UK cannot legally return for at least 10 years.

The MPS had created a new SC&O Command (SC&O 33) Operation Nexus to deliver an altogether more ambitious agenda across a broader front.

It is based on two fundamental principles;

<u>PRINCIPLE 1</u> - Our core processes (both *reactive* - following stop/arrest and *proactive* – 'washing' of key nominal data) must systematically identify an offenders nationality and then exploit international criminal intelligence data to the full.

<u>PRINCIPLE 2</u> – Where an offender is identified as a foreign national The databases and intelligence systems will be utilised to ensure the most effective intervention activity is brought to bear as quickly as possible, prioritised on a 'risk/harm' basis.

The immediate objectives of the new approach are as follows;

<u>Objective 1</u> - Full compliance with core data requirements including custody name checks, finger mark checking and regular data washing of 'highest risk' nominal lists.

<u>Objective 2</u> – Establish effective processes and an accurate benchmark figure for removing a number of the 70,000+ offenders that are foreign nationals coming into MPS custody in the next 12 months.

Objective 3 - Expand Operation Bite (High harm methodology) to proactively identify and then target 2,000+ 'highest risk' offenders alongside UKBA drawn from MPS gang, violence and OCG data sets and those being referred from custody (20% of total pool).

<u>Objective 4</u> – Assist UKBA to track down 2,000 immigration bail absconders connected to criminality in London (currently standing at 3500).

<u>Objective 5 -</u> Assist UKBA Criminal Casework Division (CCD) in effectively identifying, prioritising and targeting London based foreign national prisoners currently in criminal detention post sentence.

<u>Objective 6 -</u> Create a system whereby a 'police interest' marker is put on UKBA's case management system (SIDS) for all FNOs coming to notice in London, to assist in the tracking of those persons through the UKBA process.

Objective 7 – To work with UKBA and UKBF to develop systems and operations at ports (both entering and leaving the UK) which would identify foreign national and 'home grown' wanted offenders in a timely fashion and the intelligence surrounding them.

Objective 8 -To create an environment through operational activity and the positive application of a media strategy whereby the majority of foreign national offenders in London become aware of their vulnerability to removal as a way of deterring criminality.

It is anticipated these objectives would deliver meaningful, quantifiable, interventions against upwards of 5000 offenders in the first 12 months. The potential impact of this activity is clear particularly when one considers that the total London based prison population (both FNO and British citizens in HMP establishments) currently numbers 4,022 individuals. If this number reflects the sum total of all MPS enforcement activity resulting in the removal of an offender from London's streets, an additional 5,000 interventions in 12 months would equal an exponential increase in MPS productivity and impact. Clearly, not all interventions will result in a removal from the UK, but where such removals are achieved (for a minimum of 10 years), the impact on crime will be very significant.

To achieve this, it is estimated that the MPS will need a team of approximately 200 staff to manage the caseload, to coordinate operations and support local officers. This figure is based on an extrapolation of current staffing and an understanding of the methodologies currently being utilised (see 'staffing' ante).

The total potential cost of such a proposal would be £10.7M. Such costs however do not amount to growth given the intention to re-profile existing capacity (see 'staffing' ante).

Whilst this proposal nevertheless represents a significant investment, it is contested that this approach is significantly more impactive, more timely and more cost effective than the traditional enforcement methods currently employed against 'high harm' offenders. Costs external to the MPS concerning prosecution, imprisonment and post sentence interventions of such offenders have not been calculated but they will represent a significant drain on scarce public resources.

There is also the potential for EU funding in the longer term due to the international nature of the activity. This is being actively explored.

It is proposed to use a mix of resource reallocated from SO, SC&O and TP and aligning these under a single focussed command structure, alongside relevant existing immigration focussed activity (such as Operation Swale, organised immigration crime and Extradition Unit/international assets).

It is further suggested that pan-MPS FNO activity should sit under Commander Intelligence and Covert Policing (currently Commander Richard Martin). This is because increased proactivity against FNOs will be predominantly intelligence-based, requiring the establishment and promulgation of effective identification and processing methodologies throughout the MPS and the effective sharing of intelligence data with partner agencies (such as UKBA, UKBF, NCA and the Prison Service). This work is also closely aligned to the developing 'Lifetime Offender Management' framework. Both of these areas of pan-MPS responsibility already sit within Commander Intelligence and Covert Policing's portfolio.

To instil a sense of purpose and to assist in clear identification by the public, staff and partners it is recommended that the new pan-MPS operational focus against FNOs should be branded under one name. It is proposed that this should be 'Operation Nexus').

2. Examination of Available Information – see step 2 of the guidance

The information examined includes:

Management Board Business Case – Policing a World City (previously Operation Terminus) 30.05.2012

Management Board update report from 2.07.2012 to end September 2012 Operation Terminus TP Borough FNO Custody Rollout Programme – Performance Regime 27.09.2012

TP Custody & Criminal Justice – Offender Management presentation
TP Custody & Criminal Justice – Offender Management – flowchart August 2012
Operation Terminus Presentation to Community Group 28.09.2012 (Now "Nexus") (this list is not exhaustive)

3. Screening Process for relevance to Diversity and Equality issues – see step 3 of guidance Does this proposal have any relevance to: Age Yes X No No XDisability Yes b) \boxtimes Gender Yes No

d)	Gender Reassignment	Yes		No	\boxtimes
e)	Marriage and Civil Partnership (employment only)	Yes		No	\boxtimes
f)	Pregnancy and Maternity	Yes		No	\boxtimes
g)	Race	Yes	\boxtimes	No	
h)	Religion or Belief	Yes	\boxtimes	No	
i)	Sexual Orientation	Yes		No	
j)	Other Issues	Yes		No	

4. From the answers supplied, you must decide if the proposal impacts upon diversity or equality issues. If yes, a full impact assessment is required.				
Full Impact Assessment Required?	Yes	\boxtimes	No	

5. Consultation / Involvement – see step 5 of the guidance

Who was consulted?

MPS Management Board -

Internal/External Briefings delivered following MPS Corporate communication strategy.

DCFD engaged at earliest opportunity prior to MPS roll out.

DCFD Director Denise Milani supported Op Nexus consultation process, provided staff to assist EIA development, community engagement and information capture.

Home Office consulted through corporate development unit

UK Border Agency -There is an ongoing process of dialogue and engagement, this includes suitably placed members attending the Community reference group meetings to answer questions on behalf of UKBA.

Federation/Unions, MOPAC, Operation Emerald, Custody Visitors, Highly respected community representatives of various Nations and communities. A presentation was delivered to a group that numbered nearly 20 at NSY on 28/09/12. From that day onwards DCFD and CTSET Community Tension Strategic Engagement Team supported Op Nexus by managing a process of community tension monitoring that required daily feedback via each borough.

This process was carried out by capturing comment from Local Boroughs kins Opinion formers, community groups and boroughs via a daily feed from Grip and Pace Centres on each borough. This information capture is fed through to the Op Nexus team who manage the feedback and assess associated risk on a Red/Amber/Green basis.

This process remained in place for 2 weeks and curtailed as advised by CTSET.

Community Reference Group meetings took place (28.09.12) (06/11/12) whereby respected community representatives were invited to form a core cast in persons who could discuss issues raised within communities and provide advise on various aspects of the operation, how it would impact on communities and where there were likely to be any corporate concerns.

Runnymede Trust were invited to a presentation on 12/11/12, key messages were delivered and concerns captured.

Corporate Stakeholders received key messaging regarding Operation Nexus on 09/11/12 from DMC. As a result of this process of messaging, that not only targeted Corporate stakeholders embarked upon a further process of tension monitoring and a return based process managed by CTSET.

Borough kins Opinion formers, community groups feedback returns received through this process from 09/11/12

Date and method of consultation

Management board - Ongoing process since conception.

DCFD - Ongoing process since original advice and support pre launch through a series of meetings and telephone communications.

UKBA - Ongoing process through strategic meetings.

Community Reference Group meetings (28.09.12) (06/11/12) group meetings chaired by MPS Op Nexus staff, attended by respected community members and supported by UKBA and DCFD.

Corporate Stakeholders, mail shot delivered (09/11/12)

Runnymede Trust meeting D/Supt Dark provided presentation and answered questions around Op Nexus (12/11/12)

MPS Borough community teams conducted scoping of feeling and concerns within communities from (28/09/12) & (09/11/12) by communicating messages and soliciting feedback through their partners, opinion formers and respected community members.

Where are the consultation records stored?

SC&O 33 S Drive retain documents associated with this process under specific folder pertaining to this aspect of Op Nexus

Give a brief summary of the results of the consultation / involvement? How have these affected the proposal?

DCFD shaped the terminology to make reference to Offenders that are found to be foreign national as opposed to foreign national offenders.

DCFD supported this process by staff engagement and identifying key people within the communities representing certain groups that ought to be included in the process.

The most significant feedback captured from the CTSET tension monitoring process received is the belief from the vast majority that this work (Op Nexus) is being done already by police and UK Border Agency. By delivering key messages in a number of ways including personal briefing/presentation and community reference group meetings has allowed this view to be fully explained that it is about learning more about those individuals we know less about. Operation Nexus is about dealing better with offenders that are found to be foreign national.

UKBA managers have attended the reference group meetings demonstrating transparency in the process and enabled direct questions and made UKBA more accessible to members of those community groups.

The fears were that certain communities or groups within communities would be targeted due to this project. Through the meeting process these fears were allayed and the aspect of miss-messaging / mixed messaging could be prevented.

To mitigate concerns raised they were discussed at the reference group meetings and where appropriate disseminated to borough staff for local intervention or disseminated centrally by operation Nexus. This process is managed on a RAG basis where concerns are recorded and actioned as appropriate.

Community Reference Group (28.09.12) Notes of attendees, points raised, new thoughts on actions for Op Nexus inc establishment of a Pan London Reference/Advisory Group.

Focused messaging followed reference group meeting on 06/11/12, newsletter for Bocus to send out their own good news stories / observations and further capture feedback.

6. Full Impact Assessment – see step 6 of the guidanceExplain the potential impact (whether intended or unintended, positive or negative) of the proposal on individuals or groups on account of:

Age

Statistic show that individuals from new and emerging foreign communities are predominantly from younger age groups when reference is made to high harm. Although, no individuals or communities will be targeted by this operation it is likely that offenders from younger age groups may feature predominately.

Data gathering and monitoring will provide evidence.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London

There is no negative impact identified on police officers transferred to Operation Nexus due to their age.

Disability

No negative impact identified on individuals from disabled communities at this stage but data gathering and monitoring will provide evidence.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London

There is no negative impact identified on police officers transferred to Operation Nexus due to disability at this stage. However, if there is to be a change of location MPS policies on reasonable adjustments, access to buildings etc must be taken into account on an

individual basis.

Gender

Although no individuals or communities will be targeted by this operation it is likely that male offenders may feature more prominently than females. However, data gathering and monitoring will provide evidence.

There may be a high impact on females who are offenders because of Sex Trafficking/Drug related crimes and these females may also be seen as victims. Where such cases are identified the appropriate agencies and MPS units will be notified and appropriate actions taken.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London

There is no negative impact identified on police officers transferred to Operation Nexus due to their gender.

Gender Reassignment

No negative impact identified on individuals from this protected characteristic at this stage but data gathering and monitoring will provide evidence and appropriate guidance exists within MPS Policies and Procedures.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London

There is no negative impact identified on police officers transferred to Operation Nexus due to gender reassignment.

Marriage and Civil Partnership (employment only)

There is no negative impact identified on police officers transferred to Operation Nexus.

Pregnancy and Maternity

No negative impact identified on individuals from this protected characteristic at this stage but data gathering and monitoring will provide evidence.

Offenders in custody who identify as pregnant will be treated in line with standard operating procedures for custody suites.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London

There is no negative impact identified on police officers within this protected characteristic who are transferred to Operation Nexus.

Race

This operation is targeted at the management of offending by Foreign Nationals so will have a high impact on individuals from many racial groups. Data gathering and monitoring has already provided evidence of which racial groups are impacted on the most to date but

these groups will not be a constant.

The original name of the Operation "terminus" may have negative connotation for some Racial groups. This issue will be raised with community reference groups.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London. Where the impact is found to be high within certain racial groups, liaison will be maintained with community leaders and other significant partners to reaffirm that the Operation is not racially targeted.

There is no negative impact identified on police officers transferred to Operation Nexus due to their gender.

Religion and Belief

This operation is targeted at the management of offending, ensuring that all available opportunities to establish background of offenders is carried out and where offenders are found to be foreign nationals all efforts are made to deal appropriately with regard to them as a criminal and as a foreign national. So, should not have a high impact on individuals within this protected characteristic. Data gathering and monitoring will provide evidence.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London.

There is no negative impact identified on police officers transferred to Operation Nexus due to their religion or beliefs.

Sexual Orientation

No negative impact identified on individuals from this protected characteristic at this stage but data gathering and monitoring will provide evidence.

The purpose of this operation is to develop a consistent approach to all offenders and to build up trust and confidence between the police and all communities of London.

There is no negative impact identified on police officers transferred to Operation Nexus due to their sexual orientation.

Other Issues

7. Monitoring – see step 7 of the guidance

a) How will the implementation of the proposal be monitored and by whom?

Key performance indicators and outcome measures will be established and monitored within the OCU

Periodic Management Board reports

Periodic UKBA Management reports

Operation Nexus Community Reference/Advisory Group reports and minutes

Home Office reporting

b) How will the results of monitoring be used to develop this proposal and its practices?

Identifying good practice

Transparency of operation and consultations

Six monthly review of Equality Impact Assessment and associated action plan

c) What is the timetable for monitoring, with dates?

Six month review of trial programme from 1.10.2012

8. Public Availability of reports / result – see step 8 of guidance What are the arrangements of publishing, where and by whom?

Available through SC&033 shared drive, to be published on Op Nexus web page.

MP 63/11

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Company Name	Amount Paid
Blue Triangle Buses Limited - <i>Go Ahead</i>	£607,899.88
First Capital East Limited - <i>Firstgroup</i>	£4,416,022.28
Ct Plus Community Interest Company	£809,739.21
Centrewest London Buses Limited - Firstgroup	£10,565,797.23
Abellio London Limited - Abellio Transport Holdings Bv	£4,989,077.35
Docklands Buses Limited - Go Ahead	£857,546.84
HR Richmond Limited - <i>RATP</i>	£731,581.10
East London Bus & Coach Company Limited - Stagecoach	£12,675,004.93
Arriva (Kent Thameside) Limited - Arriva Passenger Services Ltd	£1,685,522.21
London Central Bus Company Limited - Go Ahead	£9,071,292.34
Arriva (The Shires) Limited - Arriva Passenger Services Ltd	£1,059,206.22
London General Transport Services Ltd - Go Ahead	£11,152,624.73
London United Busways Limited - <i>RATP</i>	£11,166,792.89
Metrobus Limited - Go Ahead	£4,548,609.33
Metroline Travel Limited - <i>Metroline plc</i>	£16,556,270.89
Arriva London North Limited - Arriva Passeger Services Ltd	£15,278,731.82
The Original London Sightseeing Tour Ltd - Arriva Services Transport Lt	£203,191.76
South East London & Kent Bus Company Ltd - Stagecoach	£5,915,327.82
Arriva London South Limited - Arriva Passenger Services Ltd	£8,289,909.43
London Sovereign Limited - <i>Transdev</i>	£1,787,879.06
Abellio West London Limited - Abellio Transport Holdings Bv	£1,485,186.07
	£123,853,213.39

Payments cover financial Period from 8 January 2011 to 4 February 2011

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Company Name	Amount Paid
Blue Triangle Buses Limited - <i>Go Ahead</i>	£607,170.02
First Capital East Limited - <i>Firstgroup</i>	£4,569,720.01
Ct Plus Community Interest Company	£905,603.52
Centrewest London Buses Limited - <i>Firstgroup</i>	£10,574,583.88
Abellio London Limited - Abellio Transport Holdings Bv	£5,055,791.36
Docklands Buses Limited - Go Ahead	£857,738.75
HR Richmond Limited - <i>RATP</i>	£731,947.29
East London Bus & Coach Company Limited - Stagecoach	£12,836,743.14
Arriva (Kent Thameside) Limited - Arriva Passenger Services Ltd	£1,687,309.40
London Central Bus Company Limited - Go Ahead	£8,953,715.94
Arriva (The Shires) Limited - Arriva Passenger Services Ltd	£1,075,964.56
London General Transport Services Ltd - Go Ahead	£11,288,810.45
London United Busways Limited - RATP	£11,107,123.26
Metrobus Limited - Go Ahead	£4,583,225.36
Metroline Travel Limited - <i>Metroline plc</i>	£16,539,937.56
Arriva London North Limited - Arriva Passeger Services Ltd	£15,320,122.01
The Original London Sightseeing Tour Ltd - Arriva Services Transport Ltd	£203,038.79
South East London & Kent Bus Company Ltd - Stagecoach	£5,890,984.52
Arriva London South Limited - Arriva Passenger Services Ltd	£8,305,795.58
London Sovereign Limited - <i>Transdev</i>	£1,791,474.60
Abellio West London Limited - Abellio Transport Holdings Bv	£1,479,605.98
	£124,366,405.98

Payments cover financial Period from 5 February 2011 to 4 March 2011.

846/2013 Appendix 3

Company Name	Amount Paid
Blue Triangle Buses Limited - <i>Go Ahead</i>	£588,124.70
First Capital East Limited - <i>Firstgroup</i>	£4,980,736.49
Ct Plus Community Interest Company	£969,092.83
Centrewest London Buses Limited - <i>Firstgroup</i>	£14,763,865.40
Abellio London Limited - <i>Abellio Transport Holdings Bv</i>	£6,940,604.61
Docklands Buses Limited - <i>Go Ahead</i>	£959,398.56
HR Richmond Limited - <i>RATP</i>	£745,625.18
East London Bus & Coach Company Limited - Stagecoach	£13,604,406.00
Arriva (Kent Thameside) Limited - Arriva Passenger Services Ltd	£1,639,976.29
London Central Bus Company Limited - <i>Go Ahead</i>	£12,717,727.09
Arriva (The Shires) Limited - Arriva Passenger Services Ltd	£1,178,594.45
London General Transport Services Ltd - Go Ahead	£12,514,449.22
London United Busways Limited - <i>RATP</i>	£11,179,204.33
Metrobus Limited - Go Ahead	£5,214,797.19
Metroline Travel Limited - <i>Metroline plc</i>	£21,002,737.33
Arriva London North Limited - Arriva Passeger Services Ltd	£18,095,954.22
The Original London Sightseeing Tour Ltd - Arriva Services Transport Lt	£436,727.93
South East London & Kent Bus Company Ltd - Stagecoach	£6,348,491.79
Arriva London South Limited - Arriva Passenger Services Ltd	£9,203,884.95
London Sovereign Limited - <i>Transdev</i>	£1,791,822.19
Abellio West London Limited - Abellio Transport Holdings Bv	£1,476,965.35
	£146,353,186.10

Payments cover financial Period from 5 March 2011 to 31 March 2011.