

FOREWORD – DIVERSITY BOOKLET – Mr Latimer

The Scottish Police Service is committed, along with other partners to offering the best service to all communities across Scotland.

Scotland is home to a socially diverse, multi-ethnicity and culturally rich society, therefore the Scottish Police Service has to be prepared for the daily challenge of promoting equality and safety in our communities and the detection and prevention of crime.

The Scottish Police Service is determined to provide a quality service that is fair, accessible and meets the needs of all individuals.

Police Officers have to make decisions and take action in a multitude of situations, for which we cannot determine, therefore it is imperative that we enhance the knowledge and understanding of officers and supply them with the correct information and guidance to allow for best working practice.

We Police by consent, and this alone empowers the Scottish Police Service to offer a highly trained, professional and diversity aware work force to carry out effective policing and meet the needs of the communities across Scotland.

I welcome the introduction of this Diversity booklet, which in conjunction with individual Force Diversity training and information, will enhance the knowledge and understanding of officers and improve the quality of life and community well being of all those we serve.

AGE

When age is mentioned as a diversity strand, it is often older people who are thought about but discrimination and victimisation and harassment can occur at any age. It is acknowledged that while age discrimination is legislated for in employment, there is no anti-discrimination legislation covering service provision. That said, the Scottish Police Service strive to deliver a fair and non-discriminatory service to all who live and work in Scotland, therefore it is important to recognise the needs of people of all ages, but especially those who are seen as more vulnerable because of their age.

It is also important to recognise stereotypes created around people of different ages and bear these in mind when dealing with them.

It must be remembered the concept of age is a social construct which is variable. Age categories, i.e. 'middle age', has no definitive boundaries so care must be taken when using these. Being 'old' or 'young' is decided upon by the perspective of the user. Teenagers or young adults, may perceive someone in their 50's as being 'old' whereas to someone in their 70's, a 50 year old may be perceived as 'young'.

Children and Young People

To assist us, and other agencies to provide a better service to children, The Children's Charter was drawn up. This Charter guarantees children and young people of Scotland who are at risk of abuse or neglect that we (the Police and other agencies) will:

- Get them the help they need when they need it;
- Ensure the child is seen by a professional such as a teacher, doctor or social worker to make sure they are alright and not put at more risk;
- Listen seriously to the child and use our power to help them;
- Discuss issues in private when, and if the child wants to;
- Ensure they are involved in, and helped to understand, decisions made about their life, and
- Have a named person to help them.

We will also:

- Share information to protect them;
- Minimise disruption to other parts of their life;
- Work together effectively on their behalf;
- Be competent, confident, properly trained and supported, and
- Rigorously monitor services to continually improve how and what is done to help them.

These points have been developed through talking to children and young people who have experienced the need to be protected and supported. It is therefore important to acknowledge these points so the needs of children can be met.

Youths or teenagers can receive quite a lot of media coverage but it is estimated that eight per cent of this is positive, with the media preferring to concentrate on the anti-social behaviour displayed by a minority. Very little coverage is given to the positive work and initiatives involving youths which is carried out in our communities, giving the wrong message. So instead of being praised for the good they do, youths are reported in the media as being involved with alcohol and drugs and out of control. The stereotype of the 'hoodie' is often reinforced too and this culminates in a fear being created around youths, especially those who socialise in numbers, and the potential for youths to be treated differently because of this fear.

This negative stereotyping has an affect on Policing as we are called to move on groups of youths who it is felt are "up to no good". Complainers may have no proof of this, but because of the picture built up by the media, it is perceived they can't be doing anything good. Older people feel vulnerable and confine themselves to their homes after dark or in the evenings for a fear of being the victim of anti-social behaviour. Although research has shown that 61 per cent of households have never experienced anti-social behaviour and young men aged 16–24 are more likely to be the victim of crime.

When dealing with youths, especially reports of anti-social behaviour, the following should be considered:

- Tact and diplomacy must be adopted to deal with the situation
- Show appreciation and understanding for the position of both the informant and any youths.
- Each call should be dealt with on its own merits and on an individual basis.
- Beware of personal prejudices.
- Be prepared to listen to both sides of any report and create a reasonable and unbiased view of the situation.
- Deal with the situation appropriately at the initial report to avoid any unnecessary repeat calls.
- Give appropriate advice to all concerned to alleviate future issues.
- Remember that any member of the public can be a source of reliable intelligence.

Older People

Older people are also stereotyped and are often seen as 'doddery but dear', and while this might be the case in some instances, it is not in all, so again, it is important that stereotyping is not allowed to affect the way we deal with older people. We must not make assumptions as to their capabilities nor patronise them.

Recognising Abuse

No matter what their age, people can be vulnerable. It may be because of a person's age or because they have a physical or learning disability or mental health issue. Unfortunately, due to this vulnerability, there is the possibility they may be more susceptible to abuse.

There are many reasons why abuse occurs and these may vary with each incident and many of the causes are not yet fully understood. Abuse can range from a spontaneous outburst to systematic premeditated assaults. Types of abuse and their prevalence are:

- Physical abuse
- Psychological abuse
- Sexual abuse
- Financial abuse
- Neglect
- Other

Physical Abuse and Indications of Physical Abuse

Physical abuse, and indications of physical abuse could include unexplained:

- Cuts
- Lacerations
- Puncture wounds
- Open wounds
- Bruises
- Welts
- Discolouration
- Black eyes
- Burns
- Bone fractures
- Broken bones
- Skull fractures

You should be aware of untreated injuries in various stages of healing or not being properly treated. Further indicators are poor skin condition and/or poor skin hygiene. You may also notice someone who is malnourished and/or dehydrated without an illness-related cause.

Weight loss, soiled clothing or bedding, broken eyeglasses or frames, signs that someone is being subjected to chastisement or noticing signs of restraints being used could all be signs of abuse. You may also notice someone looking as though they have been subjected to inappropriate use of medication by overdosing or in fact under-dosing. You need to listen and not be dismissive when an someone tells you that they have been mistreated in some form, it may actually be happening.

Psychological Abuse

Psychological abuse is the wilful infliction of mental or emotional anguish by threat, humiliation, or other verbal or nonverbal conduct, such as aggressive staring, hostile demeanour, pointing aggressively or encroaching into someone's personal space.

Indicators that this form of abuse has occurred might include:

- The abuser isolates the victim emotionally by not speaking to, touching, or comforting him or her.
- The victim has problems sleeping, exhibits depression and confusion, cowers in the presence of the abuser, is emotionally upset, agitated, withdrawn, non responsive or exhibits unusual behaviour usually attributed to dementia (e.g. sucking, biting, rocking).

Sexual Abuse

There is also the potential for sexual abuse, which includes any form of non-consensual physical contact. It includes rape, indecent assault, or any sexual conduct with a person, including those who lacks the mental capacity to consent. Physical indicators of sexual abuse indicators such as:

- Difficulty walking or sitting
- Inappropriate, unusual, or aggressive sexual behaviour
- Inappropriate sex-role relationship between victim and suspect
- Torn, stained, or bloody underclothing
- Bruises on external genitalia or inner thighs
- Genital or anal pain, irritation, or bleeding

Financial Abuse

Financial Abuse is defined as stealing or defrauding someone of goods and/or property. Concern may be raised by someone who is worried about the excessive amount of money being used on the care of the older person, but sees a lack of amenities such as television, personal grooming items, appropriate clothing, of which the elder person should be able to afford but do not have. Be aware of an elderly person being isolated from friends and / or family which would result in the carer having total control.

Some of these signs may be perfectly legitimate but you should still be aware of them:

- Signatures on cheques etc, that do not resemble the older person's signature, or are signed when the older person cannot write.
- Any sudden changes in bank accounts including: an unexplained withdrawal of large sums of money by a person accompanying the older person; the inclusion of additional names on an older person's bank account.
- Abrupt changes to, or sudden establishment of, wills.
- The sudden appearance of previously uninvolved relatives claiming their rights to an older person's affairs or possessions.
- The unexplained sudden transfer of assets to a family member or someone outside the family.

- Numerous unpaid bills, overdue rent, when someone is supposed to be paying the bills for them.
- Unexplained disappearance of funds or valuable possessions such as art, silverware, or jewellery.

Neglect

There are certain areas to be aware of regarding neglect within a person's environment. Dirt, faecal or urine smell, or other health and safety hazards despite carer assistance, may be signs of neglect.

Further signs to be aware of:

- Evidence of rashes and sores
- Inadequate clothing
- Malnourishment or dehydration
- Untreated medical conditions
- Poor personal hygiene
- Withholding medication or over prescribing
- Lack of assistance with eating and/or not eating
- General standard of cleanliness throughout the premises

Conclusion

The behavioural indicators of abuse highlighted in this section are ways victims and abusers act or interact with each other. Some of the indicators listed can be explained by other causes and no single indicator can be taken as conclusive evidence of abuse. Do not be dismissive of someone who may seem confused when telling you they have been abused or mistreated in some way.

Everyone needs to be alert to the possibility of abuse happening and thoroughly investigate suspected circumstances. If you have concerns you are better to raise them rather than do nothing.

Remember - abuse can happen anywhere and any person can be responsible.

DISABILITY

It is believed that as many **as one person in four** has a disability as defined by the Disability Discrimination Act (DDA) and their rights with regard to employment, education, the provision of goods and services and the buying and letting of land or property, are protected under this legislation.

As a police service we must not discriminate against people with disabilities when delivering our service.

The police are under legal obligation to make reasonable adjustments to ensure people with disabilities receive the same level of service as those who are non-disabled, even if that means treating a person with a disability more favourably. Reasonable adjustments are varied and can range from renovating public offices to providing information in different formats such as large text or Braille if requested.

The DDA defines disability as:

"A physical or mental impairment which has a substantial and long term adverse effect on a person's ability to carry out normal day to day activities."

Examples of *"physical and mental impairment"* include:

- Deafness or hearing impairment
- Blindness or visual impairment
- Restriction of mobility
- Learning disability
- Speech impairment
- Facial disfigurement
- Mental ill health (see separate section on mental health)

Cancer, HIV and AIDS and multiple sclerosis are also listed under the definition of disability and are covered from the point of diagnosis.

The Act also includes examples of *"day to day activities"*:

- Mobility - moving from place to place.
- Manual dexterity.
- Physical co-ordination.
- Continence.
- Ability to lift and carry or move ordinary objects.
- Speech, hearing or eyesight.
- Memory or ability to concentrate, learn or understand. Ability to recognise physical danger.

It must never be assumed that, just because someone doesn't appear to be disabled, that they aren't. There are a number of disabilities that are not obvious and this should be borne in mind when dealing with someone who, perhaps may not be responding to you in the manner you expect. This may be compounded by the fact that due to society's

attitude towards disability, that people may not be prepared to disclose their disability to you and may, for example, put their visual or hearing impairment down to old age.

Please remember do not make assumptions about someone's capabilities just because they have a certain disability as individual needs can be very different. Ask if there is any further assistance required.

General advice when dealing with someone with a disability:

- Ensure the person you are dealing with is aware you are a police officer or member of police staff.
- Speak directly to the individual - not through a third party - even when a third party is there for communication purposes, e.g. a signer or interpreter.
- Only ask questions about, or refer to, a person's disability if it is relevant.
- Avoid behaviour that could be seen as patronising or impatient, e.g. finishing sentences for someone with speech impairment, leaning on a person's wheelchair or moving someone's walking stick without asking.
- Avoid using discriminatory or insensitive language. Don't use words like cripple, retarded, defective, handicapped, affliction or incapable, etc.
- Don't use phrases like blind as a bat, deaf and dumb, victim, mentally deficient, confined to, wheelchair bound, suffering from, crippled by, etc.
- Do keep it simple and clear, e.g. "A person with learning difficulties", or "a person who uses a wheelchair".
- Be specific, e.g. "Rachel has epilepsy" or "Richard has MS".

People who have a Significant Hearing Loss

8.7 million people in the UK have varying degrees of hearing loss; that's **1 in 7 of the population**. Deafness is not visible as many deaf people do not wear, or would not benefit from wearing, a hearing aid. However, if you see someone wearing a hearing aid, do not assume they can hear you. Some profoundly deaf people wear a hearing aid to assist in monitoring their own voice.

Not all deaf people use sign language and not all deaf people are expert lip-readers. Lip-reading is largely intelligent guesswork and made difficult because only about 30 - 40% of what people say is visible on the lips.

Consider:

- Is there the requirement for a British Sign Language interpreter (ensure they are a Member of the Register of Sign Language Interpreters (MRSLI) if there is a possibility of further legal proceedings)?
- Do you need to use a hearing loop?
- Does the person understand what is being said, especially if they are lip-reading?
- Does someone who is deaf need their glasses to lip-read?
- The continued use of handcuffs. If a detained person uses sign language handcuffing them will severely restrict their communication. This can lead to frustration and further communication difficulties. **NOTE: Officer safety is paramount and the appropriate use should be made of handcuffs.**

When assisting someone who has a significant hearing loss:

- Make sure you attract their attention first to get eye contact - this may be by waving or gently tapping the person's shoulder or arm.
- Be patient.
- Cut down on background noise where possible.
- Speak clearly, maintaining normal rhythm.
- Remember that the optimum distance for lip reading is two metres.
- Don't exaggerate words as this distorts your lip pattern.
- Don't chew gum or eat sweets as this, again, will distort lip pattern.
- Don't shout - you will look angry.
- Don't turn away or cover your mouth whilst talking.
- Don't simply repeat the same sentence over and over again. If you are not being understood, rephrase or find another way to make your point - writing or drawing could be alternative options.
- Beards and moustaches can mask lip pattern. If this applies to you, be patient.
- Consider lighting. If you stand with your back to a window your face may be in shadow, move around. In the dark (such as the roadside at night), it may be too dark to read your lips. Consider shining a torch on your face when talking.
- Gestures can aid communication.
- Do not refer to someone who is deaf and cannot speak as 'deaf and dumb' as this is offensive. 'Deaf and without speech' is acceptable.
- Consider using a pen and paper, **but be aware** that Deaf Sign Language users' first and preferred language is BSL meaning that English is a second language to them. This leads to a possibility of misunderstandings. Best practice is to arrange communication support.

People Who Have a Significant Sight Loss

Very few people see nothing at all; most have some vision however limited. The majority of people with a significant sight loss do not read Braille.

Consider:

- Has any relevant documentation been produced in a font size and style suitable for the individual? P16 Ariel Bold is recommended.
- Will any documentation need to be produced in Braille or in an audio format?
- Do they need assistance to read and/or sign any documents?

When assisting someone who has a significant sight loss:

- Use speech and if possible a light touch to attract attention or advise them you are there.
- When offering assistance, ask what they would like you to do. If you are required to guide them, firstly offer your arm (the person will normally grasp it around the elbow region), walk slightly in front, allowing the person to follow at a comfortable pace for them. Tell them about steps (going up or down) and other obstacles as they occur.

- When welcoming individuals into an unfamiliar room, give a brief description of the layout relative to their position. Point out potential hazards such as steps, hot radiators or waste paper bins, also mention if there is anyone else in the room.
- If you are required to assist individuals in sitting down, place the person's hand on the seat of the chair so they can gauge the height. Hold the chair steady if it has wheels.
- If the person uses a guide/assistance dog never pat, stroke or feed it without first asking the owner and never fuss over the dog when it is wearing a harness.
- When meeting, always introduce yourself and any other people present, asking them to say something. This will enable the person to match the voice to a name.
- Use the person's name before asking questions. Without visual clues it can be difficult for individuals to realise that a specific question or comment is actually directed at them.
- Let people know if you intend moving away to avoid the potential embarrassment of them talking to an empty space.

People with Mobility Impairments

Mobility impairments can stem from a wide range of causes and be permanent, intermittent or temporary. Among the most common permanent disorders are musculoskeletal disabilities such as partial or total paralysis, amputation or severe spinal injury, types of arthritis, muscular dystrophy, multiple sclerosis, head injury and cerebral palsy. Additionally, conditions such as respiratory and cardiac diseases may also impair mobility. Any of these conditions may impair someone's strength, speed, endurance, coordination and dexterity. The effects of mobility impairments may be visible or invisible and include the inability to walk and/or use the arms, hands and fingers, which can result in the use of aids such as wheelchairs, callipers, crutches or walking sticks.

Consider:

- If meeting someone, are the premises accessible to them?
- Are the toilets accessible? If arranging a meeting in a commercial premises, i.e. hotel, go and check the accessibility of the building and facilities, don't just take the word of staff.
- Is there suitable parking in close proximity?
- Will further assistance be required when writing or filling in forms?
- Will they need to bring an assistant and will further arrangements need to be made to accommodate them?

When assisting someone with a mobility disability:

- Ensure there is a suitable chair available, preferably without wheels, for someone to sit down.
- Do not lean on a person's wheelchair, it is part of their body space and it may move.
- When talking to a person who is either seated or using a wheelchair, get down to the same level to avoid them getting a stiff neck.
- Come round to their side of the reception desks or high counters.
- Offer to help with heavy doors or with carrying bags or other belongings.

- If pre-arranging a visit to a police station, consider and discuss the options for entering the building beforehand.
- If the person will be required to write, offer a clipboard or other firm surface for them to press on.
- If the person has an assistant with them, remember to talk to the person and not the assistant.

People with Learning Disabilities

All levels of learning disability are points on a spectrum, and there are no clear dividing lines between them or between people with mild learning disabilities and the general population. Most can communicate using spoken language and have reasonable skills. Some people with mild learning disabilities may not be diagnosed because they function and adapt well socially. People with moderate to profound learning disabilities, however, often need more care and support. This may include special help with communication, a higher degree of risk assessment and protection and more physical help with mobility, continence and eating. The causes of learning disabilities are not fully classified but are mainly environmental or genetic factors or chromosomal abnormalities. Having a learning disability is not the same as having a mental illness.

Consider:

- Does the person understand what is happening or is being said to them?
- Is there a need for an appropriate adult to be present?

When assisting someone with a learning disability:

- Be patient.
- Relax and make eye contact.
- Give the person plenty of time if there are decisions to be made.
- Start by thinking that you will be understood.
- Always be prepared to explain more than once.
- Ask the individual what helps them to remember or learn.
- Remember to smile to re-assure if appropriate.
- Even if accompanied by a friend or relative, ensure that you talk directly to the person and not the companion.
- Use Appropriate Adults if necessary when interviewing vulnerable/at risk adults.

People with Speech Impairment

There are different types of speech impairment – articulation, i.e. difficulties in forming sounds, and fluency, i.e. stammering or stuttering, and these can occur individually or in combination. The causes also vary. In some cases it is a 'primary disorder' (no obvious other cause for the impairment) while a 'secondary disorder' means the impairment is caused by another factor such as an accident, condition or disease.

It is possible when dealing with people with a speech impairment that communication can breakdown and this can cause frustration on all sides. Breakdown can consist of the basic gist of the conversation being understood while details remain unclear, or in

extreme cases, the opposite meaning to that intended being drawn due to a misunderstanding of a few vital words.

A common misconception is that a speech impairment or a difficulty in communicating suggests a lack of intelligence. Often those with communication difficulties have alternative methods of expressing their thoughts, feelings and ideas.

When a speech impairment is severe, normal communication may be totally disrupted. This may be most noticeable in front of strangers or when the person is conscious of the attention of others. It may lead to the person trying to avoid speaking altogether.

Consider:

- Is there a need for another type of communication support to be used, e.g. Makaton?

When assisting someone with a speech impairment:

- Be patient.
- Be encouraging. Stammering can undermine confidence so it is important to focus on it positively.
- Concentrate on **listening** to what is being said rather than **how** it is being said. Don't correct or speak for the other person and don't be tempted to finish their sentences.
- If you do not understand completely, don't pretend. Repeat what you do understand and let the person's reaction guide you.
- Avoid barriers like glass partitions.
- Try to create as relaxed an atmosphere as appropriate so those concerned can feel confident about speaking as stress and attention can exacerbate the impairment. If possible, use a private room or an area where there is less distraction and noise.
- Try to ask questions that only require short answers or a nod or shake of the head.
- Be aware of the speed of your own speech – if it is too fast, you may need to slow down a bit.

People with Facial Disfigurement

At least 400,000 people in the UK have disfigurement, some of whom have been born with the disfigurement and other who have acquired it through an accident, burns, disease or illness. Due to prevailing beliefs and social attitudes, living with a disfigurement can be a major challenge for many individuals, with staring, curiosity, teasing and name-calling being common experiences. Facial disfigurement does not mean that the individual is less able than anyone else.

When assisting someone with a disfigurement:

- Make eye contact but don't stare.
- If you feel awkward and uncomfortable, try not to let the person see this.

- Concentrate on what they are saying and respond naturally, ignoring any curiosity you may have.
- Don't ask "What happened to you?"
- Someone with a disfigurement may also have a speech impairment so take into consideration the above advice.

Please remember that the above are examples and offer practical suggestions but it must be borne in mind that the list of disabilities is endless. Don't be embarrassed to ask the individual(s) if there are any special requirements they need.

FAITH

Baha'i Faith

Introduction

The Baha'i Faith is the youngest of the World Faiths. It has been in Scotland around 100 years.

The Baha'l faith began in Iran (Persia) in 1844 when a person known as the Bab (gate or door) proclaimed that he was a Messenger from God and also the herald of 'the Promised One', a messenger greater than himself. He and his followers were severely persecuted by the Persian authorities and the Bab was executed in 1850.

In 1863, a person known as Baha'u'llah (the Glory of God) claimed to be the one whose coming the Bab had foretold. He announced that he had come to help bring about a new age of global civilisation which would be characterised by unity and peace. Due to his personal influence and powerful teachings, Baha'u'llah was banished from Persia and later exiled to the prison fortress of Akka in Palestine. He died at a place called Bahji near Akka in 1892. Baha'u'llah's shrine in Bahji, Israel, is today the holiest shrine of the Baha'l world and is both the spiritual and physical focus of the Baha'l global community.

Baha'u'llah's son Abdu'l Baha succeeded him in promulgating the faith. After his passing in 1921, he nominated his grandson Shoghi Effendi (1899–1957), as 'Guardian' of the Baha'i Faith. Shoghi Effendi was also instrumental in spreading the teachings of Baha'u'llah around the world and was responsible for translating his writings into English. The affairs of the Baha'l faith are administered by 'Spiritual Assemblies' which consist of nine people elected by the Baha'l community. These democratic assemblies operate at local, national and international level. The international administrative body is known as the Universal House of Justice and is based on Mount Carmel in Israel.

The key teachings of the Baha'i Faith are that there is one God, one mankind and all religions came from God being 'revealed' progressively to meet the needs of the age in which they are revealed. With these core teachings, it is no surprise that Baha'is are very active in areas of social cohesion despite their limited numbers and resources.

Baha'is are forbidden in the strongest terms by the teachings of Baha'u'llah, the founder of their faith, to involve themselves in partisan politics and in any kind of action that would undermine the good order of the government under whose jurisdiction they reside and of the country in which they live. Extremism is wholly antithetical to the spirit and form of the Baha'i Faith.

Beliefs/Teachings

- Baha'is uphold the unity of God, the unity of His prophets, and the oneness of the entire human race, with the view that it is necessary and inevitable that all humankind will be united
- The primary duty of the Baha'is is to search after truth

- The main practices are prayer, meditation and fasting
- One is obliged to say prayers daily, including the recitation of one of three obligatory prayers, the shortest of which is to be said between noon and sunset, and other prayers recommended by Baha'u'llah. These require washing of face and hands and the longest prayer requires prostrations. Exhortation is required through the day
- Baha'is are encouraged to meditate upon a passage of scripture twice daily, in the morning and evening
- Fasting is observed from sunrise to sunset for 19 days from the 2 March to 20 March. Pregnant women, the sick and elderly are exempt from fasting. Baha'is meet to worship, discuss the faith and have fellowship together.
- The principles of equal rights and opportunities
- Pilgrimage to the Shrines of Baha'u'llah in Acre (Israel) and the Bab in Haifa is encouraged

Communication

The point of contact for a local Baha'i community is the Local Spiritual Assembly, found in most cities. Elsewhere or on a national level the Baha'i Council for Scotland covers the whole country. These elected institutions are the only authorities. There are no clergy and for all requirements, these bodies constitute the leadership.

Baha'is in Scotland generally speak English and or Scots/Gaelic. There is no specific language required to communicate with Baha'is.

As with other religions Bahais are offended by the abuse of the names of the founders of the worlds religions and the use of "God" as an expletive. Baha'is will generally be happy to help with pronunciations of important Baha'i names and terms.

Place of Worship

Baha'is at present have no Temples in Scotland (only a site for a future Temple). They do however have Centres in Edinburgh and Orkney. Most meetings are open to all. 'Feasts' are for Baha'is only. Where there are no centres, Baha'is meet in hired venues or private houses.

Practical Considerations

Non Operational matters (attending Baha'i events as a guest)

- Officers or representatives may be invited to enjoy our hospitality as guests at Baha'i Holy day celebrations (see Festivals). There are no particular requirements.

Operational matters (Attending a gathering to deal with an incident)

- Interrupting prayers should not be considered except in emergencies. The Baha'i Council for Scotland can provide details of the Local Spiritual Assemblies contact numbers should officers wish to find out more.

Searching

- Where a person must be searched, officers of the same sex should be used and this should be done with care and sensitivity.

Custody

- A Baha'i being detained will require Baha'i scriptures morning and evening, a prayer book and access to washing facilities for obligatory prayer. They may request to be able to face the direction of the Holy Land (east) while praying.
- Prayers are ideally 'intoned' therefore to ask a Baha'i to pray silently is asking them to compromise.
- During the Fast of nineteen days (fasting takes place between sunrise and sunset each day) they will request a watch or clock, also more fluids before and after daylight.
- If they are in a medical wing they may request access to the Baha'I spiritual care giver who will be found through any major hospital or the Baha'I Council for Scotland.

Attending a Baha'i house

- There are no specific requirements, only respect and courtesy.
- A Baha'i home may display 'the greatest name of God'. This symbol is considered very sacred and should be treated accordingly. They may also display photos of Baha'i figures such as Abdu'l Baha, son of the founder of the Faith and exemplar for Baha'is. Though revered, the photo is not sacred as such but is treated respectfully. The Baha'i scriptures are considered Holy but they also belong to all and there are no restrictions on who may touch or handle the books, provided they are treated with respect.

Scriptures

- The Baha'i scriptures comprise the Writings of Baha'u'llah, Founder of the Faith and of his forerunner, the Bab. The Writings of Abdu'l-Baha, Baha'u'llah's eldest son and successor, are also included in the Baha'i Canon. Baha'is may read the scriptures in any language, so it is preferable in the UK to provide English-language editions.

Daily Acts of Faith and Worship

- Every Baha'i aged 15 years and over must recite daily one of three obligatory prayers. This should be done privately and facing the 'Point of Adoration' (the Shrine of Baha'u'llah, roughly south east from the UK), as well as reading a passage from the Bahá'í scriptures each morning and evening. Before reciting the prayers, Baha'is wash their hands and face, but ablutions do not require special facilities. A prayer book and book of Baha'i Scriptures are essential for a Baha'i to fulfil their daily obligations of prayer and study. Some Baha'is require an aid to counting such as beads to keep count on obligatory devotions.

Diet

- Baha'is abstain from alcohol, but can take it if medically prescribed. Foods made with alcohol are not appropriate for Baha'is. Strictly speaking, food produced by cruelty to animals are contrary to Baha'i teachings on kindness to animals.

Dress

- There are no special requirements other than modesty.

Sudden Deaths

- There are no special religious requirements for Baha'is who are dying, but they may wish to have a family member or friend to pray and read the Baha'i scriptures with them.
- Funerals should be carried out 'with dignity and honour' since death marks the passage from this life to the next phase of existence. Cremation is prohibited since, in accordance with the laws of nature, the body should be allowed to decompose naturally. Burial of the body must take place in a location no further than one hour's journey from the place of death.
- Special prayers are recited at the funeral and subsequently for the benefit of the deceased. For those who die without having made a will, there are recommendations for the division of wealth.
- While there is no concept of ritual purity or defilement relating to the treatment of the body of a deceased person. Respect however is expected to the highest standards of the undertakers profession. This respect should also be shown to bodies donated for research.
- There are a few simple and specific requirements relating to Bahá'í burial and the Bahá'í funeral service, The Local Spiritual Assembly will offer help with these.

Festivals

Apart from the daily prayers, which are said in private, communal activities are organised by local assemblies, the members of whom are elected annually. Communal gatherings are held at private homes or at rented halls in locations where a Baha'i centre is not established. Baha'i Houses of Worship are at present limited to one on each continent and are open to the public for the worship of God.

The Baha'i calendar comprises 19 months, each of 19 days. Baha'i days run from sunset to sunset. The Festivals/Holy Days fall on the same date each year and for the majority, it is recommended that Baha'is suspend work.

- Feast of Ridvan (Declaration of Baha'u'llah, 21 April – 2 May). It is recommended that

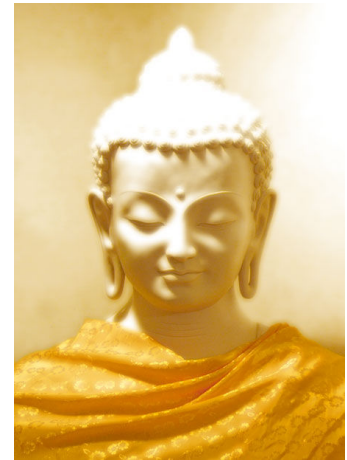
work is suspended on the first (21st April), ninth (29th April) and 12th day of Ridvan (2nd May).

- Baha'i Fast (2 March – 20 March) ending with the feast of Naw-Ruz (meaning New Day) on 21 March, also considered the commencement of new year
- Naw Ruz begins at sunset on 20 March and finishes at sunset on 21 March, but the date is always shown as 21 March).
- Anniversary of the Declaration of the Bab (23 May). This day also coincides with the Birth of Abdu'l Baha.
- Birth of Baha'u'llah (12 November)
- Birth of the Bab (20 October)
- Ascension of Baha'u'llah (29 May)
- Anniversary of the Martyrdom of the Bab (9 July)
- Ascension of Abdu'l Baha (28 November)

Buddhism

Introduction

Buddhism teaches that all life is interconnected, so compassion is natural and important. Buddhism is based on the teachings of the Buddha Shakyamuni (Siddhartha Gautama) who lived in Northern India about 2500 years ago. A Buddha is to be revered, not as a God, but as an example of how we should all aspire to live our lives. There are approximately 376 million followers of the Buddhist way of life worldwide. According to the 2001 census, there are around 150,000 Buddhists in Britain. The Buddha's quest was to discover the best way to live in a seemingly unsatisfactory world. The outcome of his quest is known as the Enlightenment.



Buddhist Teachings

At the heart of the Buddha's teachings lie the Four Noble Truths and the Eightfold Path which lead the Buddhist towards the path of enlightenment.

The Four Noble Truths

- *Dukkha* (suffering)
- The causes of *dukkha*
- The cessation of *dukkha*
- The path leading to the cessation of *dukkha*

The Noble Eightfold Path

The 'Middle Way', avoiding the extremes of self-indulgence and self-mortification, is the path which the Buddha taught in the Fourth Noble Truths that leads to the complete cessation of suffering (*dukkha*) and release from the cycle of existence (*samsara*). This is the realisation of Nirvana, the ultimate goal of a Buddhist.

The path comprises eight categories or factors which aim at developing and perfecting the three essentials of Buddhist training and discipline: Virtue (*Sila*), Concentration (*samadhi*) and Wisdom (*panna*).

Virtue or Ethical conduct comprises Right Speech, Right Action, Right Livelihood, and Right Effort.

Concentration is the development of Right Mindfulness and Right Concentration through meditation.

Wisdom comprises Right Understanding and Right Thought.



Main Schools of Buddhism

There are three main schools of Buddhism (Theravada, Mahayana and Vajrayana). There are numerous groupings within these schools, some of which celebrate a number of colourful festivals throughout the year. There are also growing numbers of people in Britain who, while identifying as Buddhists, may not see themselves as belonging to any of the traditional schools.

Communication

Buddhist teachers may be monks or nuns, or they may be lay people. As a rule, monks and nuns should not be touched, but if necessary in extreme circumstances, caution and sensitivity should be used. Unless absolutely unavoidable, monks and nuns should never be touched on the head.

A common greeting gesture for many Buddhists is to place both palms together, and then bow gently. However, some may place their hands folded over their heart in a greeting. Hand shaking with lay people is permitted.

Eye contact or lack of eye contact is often significant. For example, in some Asian Buddhist cultures, direct eye contact means confrontation. For religious reasons, monks and nuns from Cambodia, Sri Lanka, Thailand, Burma and Vietnam may not look directly at a member of the opposite sex.

In some Asian cultures, people speak to police in a very reserved and hesitant manner. First generation immigrants may have carried over their previous experiences with police and other authorities in their country of origin. Police may well facilitate communication by adopting an open and non-threatening manner when questioning individuals.

Places of Worship

The term 'worship' is not really appropriate to Buddhism as there is no belief in a separate creator God. Buddhist meeting places come in many shapes and names used for these in the different traditions include; temple, vihara, meditation hall, shrine room and Buddhist Centre. They vary in size from purpose-built complexes to a hired hall or a room in a practitioner's house. Many Buddhist meeting places contain statues of the Buddha and other images, though some may be relatively plain.

Practical Considerations

Sudden Deaths

- Wherever possible, friends and relatives should be consulted about the appropriate procedure after a death. In the Mahayana and Vajrayana traditions, it is best to leave a body undisturbed for at least eight hours. In the Theravadin tradition, the body may be handled in a respectful way immediately.
- Buddhists can be either buried or cremated. There is usually no restriction as to who performs these tasks.

Buddhist Shrine Rooms

- When entering a shrine room in a temple or home, headgear and shoes should be removed. In an emergency, shoes may be left on. However, if you are unsure, it is advisable to ask.
- Police officers should explain clearly and fully the purpose of their actions if they intend to move religious objects, which should be handled by the base. They should be prepared to apologise for any offence that this may cause.
- Because of concepts of purity, police dogs should only be taken into a temple, vihara or home in the most serious of circumstances, for example, if a situation is life-threatening.

Searching/Custody

- Many Buddhists will wear a necklace or chain with a Buddhist image or icon on it and chanting beads around their wrists. A sensitive approach should be taken if an individual is asked to remove any of these items by police.
- Although their high valuation of life and their rejection of violence means that some Buddhists are vegetarian, this is not always the case. Individuals should be asked.

Festivals

Buddhists have many celebrations throughout the year. These generally commemorate particular events of the Buddha's life and include his birth (Wesak), his enlightenment, the day of his first teaching (Dharma Day) and his death (Parinirvana). The dates of these events are generally expressed through the lunar calendar and there is some

variation between the different traditions. Some Buddhists may also fast on New Moon and Full Moon Days.

Christianity

Introduction

Christianity was founded in what is today modern day Israel and Palestine around 2000 years ago. It is based on the teachings of Jesus of Nazareth, known as Christ. This means 'the anointed one' and Christians believe Jesus to be the Son of God, whom they have accepted as their Saviour. They follow his teachings and those of the Christian churches that grew after his death.

Christianity is the largest religion in Britain, with around 30 million people regarding themselves as nominally Christian. About 6 million of these are actively committed to the faith.

Basic Beliefs

At the centre of Christian belief is Jesus who is regarded as the revelation of God. For many Christians, this revelation is such that he is understood to be the very incarnation of God. In Jesus, Christians come to know something of the nature of God who is seen as loving and forgiving. Jesus is regarded as the one who has transformed human nature so that it need no longer follow its sinful inclinations but rather lead a life of love and service. Their experience of God in Jesus led them to see God as a community of three persons, Father, Son and Holy Spirit. This is called the Trinity. Christians believe that the world was created by God and will be brought to its fulfilment at the end of time. In the mean time, they believe in the presence and support of God's spirit among all.

The Christian holy book is called the Bible and it is in two parts. The first equates roughly to the Jewish Bible and is called the Old Testament. The second is the New Testament and includes the Gospels (records of Jesus' life and his teachings), the Acts of the Apostles and the writings of St Paul.

Individuals are admitted into the Christian Church through baptism which can take place in childhood or adulthood. The central ritual of much Christian worship is Holy Communion or Eucharist which is a sharing of bread and wine in memory of Jesus' last supper with his disciples.

Churches in Scotland

The main churches in Scotland are;-

- The Church of Scotland
- The Roman Catholic Church
- The Scottish Episcopal Church
- The Baptist Union of Scotland
- Congregational Churches
- Free Church of Scotland

The above churches differ in terms of their opinions/beliefs about doctrine and sacrament and this is what shapes that particular church. The most common strands of Christianity

are described below:-

Roman Catholicism

About half of the world's Christians are Roman Catholics. The Pope leads the Roman Catholic Church. Roman Catholics believe that the Pope derives his authority in direct descent from St Peter, who Jesus appointed as the leader of his Apostles. The emphasis of the faith is on prayer and the seven sacraments (baptism, penance, confirmation, the Eucharist, holy orders, matrimony and the anointing of the sick). The Eucharist commemorates Christ's last supper by the consecration of bread and wine. Some Christian denominations are non-sacramental.

Protestantism

Protestantism grew out of a movement to reform the Catholic, or Universal, church. It emphasised ways in which Christians should communicate with God, by reducing ritual and placing less importance on the role of the priest.

The Orthodox Church

The Orthodox Church has no single leader analogous to the Pope, although it is led in each country by a senior archbishop called a Patriarch. The Orthodox Church exists in Greek and Russian forms and places great emphasis on tradition.

The Scottish Episcopalian Church and the Anglican Church

These have similar roots and have been considered to the middle path between Roman Catholicism and Protestantism. Some other groups, such as the Mormons and the Jehovah's Witnesses reject Protestantism as having deviated from true Christianity and see themselves as restorationists.

Communication

Many Christians will be offended by the use of 'God', 'God's sake', 'Jesus', 'Jesus Christ' and 'Christ' as expletives.

Place of Worship

God is worshipped in three forms: the Father, the Son and the Holy Spirit (collectively, the Trinity). Although Christians have built churches since the end of the third century they can worship anywhere. The Christian holy day takes place on a Sunday.

Practical Considerations

- Officers should not interrupt worship unless absolutely necessary.

Sudden Deaths

- It is very important for Roman Catholics to be given their last rites. Police officers controlling accident or incidents should consider this if approached by a Roman Catholic priest.
- Christians believe that Jesus will return to earth to rule forever and that the dead will be resurrected to join in his glory. Because of this conviction, in the past, most Christians believed that they should be buried and not cremated. Nowadays, however, cremation is acceptable to Protestants and Roman Catholics.

Custody

- At one time Roman Catholics would not eat meat on a Friday. More recently this restriction has been lifted. However, restrictions regarding eating meat still apply to all Roman Catholics on Ash Wednesday and Good Friday. Although restrictions on the diet of Roman Catholics on Friday have been relaxed, it is important to consider that older Roman Catholics may still wish to adhere strictly to these rules. It would be usual for them to eat fish on a Friday. Fish is also a suitable alternative to meat on Ash Wednesday and Good Friday.

Festivals/Holy Days

- Christmas, the celebration of Jesus' birth (25th December)
- Easter, commemorates the death (Good Friday) and resurrection (Easter Sunday) of Jesus. Exact dates vary each year but are usually around the end of March or beginning of April. The forty days before Easter are known as Lent and it is common for many Christians to make some form of self sacrifice during this time such as fasting or going without something.
- Pentecost, which celebrates the coming of God's Spirit and is thought of as the birth of the Church, is also an important festival

Hinduism

Introduction

Hinduism is the dominant religion of Indian, where approximately 80 per cent of the population is Hindu. It is about 4000 years old.

In Britain, Hindus comprise 20 per cent of the South Asian population and are predominately from the state of Gujarat in India, with a smaller number from the Punjab. It is estimated that there are about 360,000 Hindus in the UK.

Variations in Hindu practice depend on their country of origin. Some variations are also due to the interpretation of philosophies and scriptures by different Gurus (religious leaders). For example, the Iskon (Hare Krishna) movement has certain practices that are not followed by the majority of Hindus.

Beliefs

Like most religions, Hindus worship only one God, the Supreme Spirit, however unlike most religions they do this through many forms (lesser gods) all stemming from the one Supreme Spirit. Although there are hundreds of Hindu Gods, the three most important are:

- Brahma - the creator, who created the Hindu Gods.
- Vishnu - the protector.
- Shiva - the destroyer.

Hindus believe that religion is a sanctified and disciplined path one should follow to become a better person. This can only be done by following the path of Dharma. This is at the heart of Hinduism and means the ancient law which underlies the order of the Universe and is reflected in a moral and ethical life. Hindus believe in the law of karma (action) which is a simple law of cause and effect. They also believe in the divine nature of the soul which is indestructible and immortal. It moves from body to body depending on the merits and sins of one's actions. In the end, one's karma determines their future reincarnation.

The Hindu caste system was originally based upon occupation but is now understood to be hereditary. It is a fundamental aspect of Hinduism and is practised by most Hindus throughout the world. However, in the west it has been modified and is not as strict as it used to be. The same can also be said of marriages. Generally, marriages are only allowed within a caste. This rule has become liberalised to some degree in recent years, where many marriages amongst Hindus are becoming international rather than inter-caste. Many marriages are still arranged by parents who still seek to form matrimonial alliances within the same caste. Even in more liberal homes, young people are generally influenced to choose friends from those of equivalent circles.

Holy Books and Scriptures

There are two kinds of scripture in Hinduism, the holiest texts, called the Vedas and the great epics of the Mahabharata and Ramayana. The Bhagavad Gita which is part of the Mahabharata is a very popular text in the West.

Communication

Many Hindus in the UK will speak English. Hindus from Gujarat generally speak either Gujarati or Hindi. A few speak Punjabi or Kutchi. Hindu women usually require to have a male relative with them when dealing with police officers.

Orthodox Hindus avoid all contact with strangers especially with members of the opposite sex. They generally do not object to formal handshakes although it may be wise to wait until one is offered.

Hindus do not like to discuss family problems with outsiders, including police. Family elders are expected to resolve issues.

If avoidable, try to ensure that your visit does not conflict with a special or significant day in the Hindu calendar.

Place of Worship

Hindu worship may take place in either the home (domestic) or the mandir (temple). The heart of the temple is the central shrine, the home of the chief divinity. In the mandir women usually sit with the younger children, separate from the men. On festival days small images of the chief divinity are taken out and paraded.

Hindus are encouraged to pray at dawn and dusk, but the actual time is not critical. Worship at temples is between 6.30 am and 8.00 am and 7.00 pm and 8.30 pm. Hindus must wash thoroughly and change their clothes before praying.

Practical Considerations

Temple

- Shoes must be removed when entering the temple.
- Statues, pictures and other religious objects should be treated with respect. During searches, statues should be lifted or held by the base and never by the head or top.

Searching/Stop Checks

- There is a strong sense of modesty, particularly amongst women. Sensitivity and privacy should be used when conducting searches.
- The pattern of Hindu names is a personal (first) name that usually indicates sex, followed by a middle name (commonly either the father's or husband's name). The last name is the family name, which is shared by all the members of one division of a caste (class). It therefore gives information about the social status and traditional

occupation of the family. A typically constructed male name is Anand Kumar Gupta. An equivalent female name is Bimla Ram Desai. There is sometimes a reluctance to disclose the family name, as a form of rejection of the caste system and not as a means of avoiding identification. A subtle and sensitive approach will usually overcome this barrier.

Visiting a Hindu home

- When entering a Hindu home it is best not to shake hands unless a handshake is offered.
- If offered refreshments it is polite to accept.
- On occasions cross gender communication can cause difficulties or offence.
- Outside footwear is not normally worn inside the house.
- If you are invited to look at the family shrine you should remove your shoes before entering the room.

Sudden Deaths

- Regarding sudden deaths, Hindus believe that a body without a soul is a carcass that should be returned to nature and so is cremated. A dying person may ask to be placed on the ground during their final breaths so they can be closer to nature.
- Children under the age of five are generally buried.
- Post-mortem examinations are considered extremely objectionable and are deeply disrespectful to the dead and the deceased's family. The preference is not to have a post-mortem unless required by law.
- A Hindu priest must be called to give his blessings to the deceased. He may tie a thread around the neck or wrist of the dead person and this thread should not be removed.
- The body should not be touched until relatives arrive. A Hindu family may want the body at home at some stage before cremation, usually between the funeral parlour and the crematorium.

Custody

- If a Hindu is in custody for any reason, then consideration should be given to dietary needs. Most Hindus are vegetarian or vegan but this can vary considerably, the best advice is ask. The cow is the most sacred animal to Hindus and to kill a cow is one of the greatest religious crimes.

Festivals/Holy Days

Diwali, the Festival of Lights (New Year in Oct/Nov)

Holi (Spring Festival)

Maha Shivaratri (Feb)

Islam

Introduction

Followers of Islam are called Muslims and there are approximately 2 million Muslims in the UK. Islam is an Arabic word meaning 'submission to God'. Muslims originally came to live in Scotland in the early 1940's mainly from Pakistan and India. Others have since followed from Africa and the Middle East and the Muslim community at present in the UK is predominantly Asian. The geographical origins of Islam are Arabia and Palestine.

At the heart of Islam is the belief in one God. The Arabic word Allah means the One God. Muslims also recognise the prophets such as Noah, Abraham, Jacob, Moses and Jesus, the last prophet being Mohammed. Muslims believe in the angels as the servants of God who bring His message to the Prophets and who obey and implement His commands. The belief in Allah permeates every aspect of a Muslim's life.

Prophethood came to an end with the Prophet Mohammed who is seen as having completed the religion of Islam. Mohammed was born in Mecca in 570 C.E. He received the Holy revelation from God through the Angel Gabriel over a period of 23 years until he died. The Qur'an (holy book) is the record of all these words exactly as conveyed and arranged by the Prophet himself. Muslims are taught to recite the Qur'an in Arabic as any translation of the Holy Book is seen as inadequate. A book known as the 'Hadith' is utilised alongside the Qur'an to provide explanatory text.

In terms of the principle factions of Islam, 90% of Muslims worldwide are Sunni and 10% Shi'a. Other factions are subdivisions of these.

Jihad

Jihad or *mujahida* in Arabic means 'struggle', 'the act of struggling'. This is a common term associated with Muslims and it is often misrepresented. It has precisely the same range of direct and abstract associations as the English word 'struggle', e.g. to apply oneself to overcome a difficulty, to fight, a power struggle, class struggle etc. The Arabic word '*qatila*' is the word that literally means to fight or wage war. Within Islamic practice, jihad means both to fight *for Islam* militarily and to struggle against the personal and spiritual obstacles that hold one back from the fullest practise of Islam.

Five Pillars of Islam

The religious duties of Muslims are described in the Five Pillars of Islam detailed below:

1. Declaration of Faith (Shahadah)

This is the defining tenet of the faith and must be declared in order to be a Muslim. The declaration is 'there is no God but the one true God and Mohammed is his messenger'. Reciting this with intention makes someone a Muslim.

2. Prayer – 5 Times Daily (Salah)

Prayer is obligatory 5 times daily at set times of the day; dawn, midday, late afternoon, after sunset and late evening. Muslims recite prayers whilst facing towards Mecca (from the UK this is south east). Men are expected to perform Salah in the Masjid (mosque). There are facilities in some Masjids for women, however a lesser number of women attend the Masjid as they are not obliged to pray there like men. They can carry out their prayers in a quiet and private place therefore many pray at home. Prior to salah, Muslims must perform a ritual washing known as Wudhu which involves washing the face, arms and feet.

3. Welfare Due to the Needy (Zakah)

Every Muslim who owns more than a certain amount of property and savings is required to pay two and a half per cent of their wealth to the poor each year.

4. Fasting (Sawm)

Muslims must fast during the month of Ramadan, the ninth month of the Muslim lunar calendar. As such, this varies each year according to the lunar cycle. This means that Muslims have to abstain from food, drink and sexual acts from dawn to sunset. The ill, old and travellers are exempt.

5. Pilgrimage to Mecca (Hajj)

If economically and physically possible/practical, Muslims must perform Hajj (pilgrimage) once in their life to Mecca (the Muslim holy city). To visit Mecca is to visit the Ka'ba, the House of God built by Abraham about four thousand years ago. Hajj occurs during the second week of the month of Dhul-Hijjah which is two months after Ramadan. Over two million Muslims make the pilgrimage to Mecca annually.

Communication

Islam prescribes quite precise rules for conduct between the sexes, requiring that men and women do not mix together in ways that compromise their integrity. Communication may be more effective if the officer is of the same gender as the person they are dealing with.

Generally, Muslim men and women do not shake hands with someone from the opposite sex. When meeting a Muslim, shake their hand only if they extend it to you. Some Muslims, especially when they are about to go for prayers, may also wish to avoid shaking hands.

In terms of language, Muslims believe that Jesus was a prophet, and also that his mother, Mary, produced him from a virgin birth. For this reason Muslims will generally be offended when 'Jesus!' or 'Jesus Christ!' is used as an expletive.

Place of Worship

Prayer can take place anywhere although a place of worship for Muslims is a Masjid.

Most people will commonly use the term mosque. Masjid is the correct term and mosque, although acknowledged, has no proper meaning for Muslims. The only fundamental requirement for a Masjid is that it is 'religiously' clean i.e. free from contaminants whose presence require ritual purification eg human or animal blood, urine, faeces and alcohol. Nearly all Masjids have facilities for ritual washing called 'Wudhu' to prepare for prayers.

Prayers are said on a small mat facing towards the Ka'ba in Mecca which is in a southeasterly direction from the UK. Friday is the Muslim Holy day and congregational prayers are said at the Masjid.

Apart from the obligation to pray five times daily, the midday prayer on Fridays is considered a special opportunity to participate in communal prayers. Masjids will be especially busy at this time.

Practical Considerations

Masjid (mosque)

- Due to strict rules about cleanliness, shoes must be removed when entering the Masjid so as not to bring anything off the street. There is usually a rack and/or notice at the point where shoes should be taken off. Plastic sandals are provided for the toilets to ensure that no contaminants are taken from the toilets back into the prayer area.
- Inside the Masjid, men and women are kept separate due to rules of conduct in relation to the sexes. Staff attending as a guest will be expected to adhere to this although there may be discretion for officers dealing with an operational matter.
- In the interests of purity, dogs are not allowed in the Masjid or in homes, other than in life threatening situations. Permission for the use of police dogs in religious premises should be sought if possible or a compromise reached.
- Men and women should dress in a modest way and as far as possible, respect Islamic dress code which states that men's bodies must be covered at least from navel to the knee and women's bodies entirely covered except for the face and hands. In addition, the head is covered with a cap. If visiting the Masjid as a guest, this should be adhered to. If dealing with an operational matter, police hats will suffice and if possible, females should cover their arms.

Custody

- Consideration should be given to prayer needs as Muslims are required to pray 5 times a day. This would involve access to water, provision of a prayer mat and some indication of the direction to Mecca (South East).
- Muslims differentiate between food which is allowed (halal) and food which is forbidden (haram). Pork, any other part of the pig, carnivorous animals and blood are

haram. Meat or meat product from an animal must also be slaughtered in a particular manner, called halal meat. Although not as relevant for custody, alcohol is also strictly forbidden.

- Due to the rules of conduct between the sexes, where possible, individuals should be dealt with by a member of staff of the same gender.

Attending a Muslim House

- If you arrive unannounced at a family home, you may interrupt prayers. If possible, wait a short period, to enable prayers to finish without interruption.
- Many Muslim women may not be comfortable in mixed company and will tend to avoid being in a room if men are present. As such, any cross gender communication can cause difficulties or offence.
- If you are offered refreshments, it is polite to accept and to try a small amount of food.
- If avoidable, try to ensure that your visit does not conflict with a special or significant day in the Muslim calendar eg Ramadan and Eid

Searching

- Due to the rules of conduct between the sexes and high moral values of Islam, searches should be carried out with care and sensitivity. Where possible, a private place should be utilised and only officers of the same gender involved.
- A difficult issue concerns identity verification where the individual has veiled faces. A person should only be required to remove a veil if essential. If this is required for identification, this should be dealt with using sensitivity and individuals should be asked to remove their veil in private if possible. Officers of the same gender should be used. Relevant items of clothing include the hijab and the burqa. The hijab is a scarf and the burqa is a head to toe covering with usually only holes for the eyes.
- For men and for women, any interference with clothing would be considered an assault, e.g. lifting or removing a face veil, scarf, imamah or other Islamic-style of headgear, unless done voluntarily. This should be borne in mind.
- If searching any Muslim, officers should be aware what constitutes normal Muslim habits. As such, the following areas should assist:-

Ittar

It is conventional for Muslim men to carry a small bottle of oil-based perfume to use and give as a gift.

Miswak

A tooth-stick in the shape of a straight piece of fibrous root, about the size of a finger, used for cleaning the teeth at frequent intervals, especially when making *Wudhu*.

Bottle

A discreetly carried plastic bottle such as a shampoo bottle is sometimes used to make up for the absence of *Istinjah* facilities, i.e. washing the private parts in a stream of water after toilet.

Tasbeeh

A chaplet or rosary of beads is commonly carried to practice for *Dhikr*, meditation on the name of Allah.

Taweez

A coded form of a few verses of the Qur'an on a small piece of paper, wrapped up and sealed inside a cloth package about the size of a tea bag and usually hung round the neck. It would be extremely discourteous to unwrap this.

Qur'an

If carried, the Qur'an will usually be kept in a protective bag, enabling it to be handled without *wudhu*. It is extremely disrespectful to handle the Qur'an directly or open it to read without *wudhu*.

Leaflets

Elsewhere this booklet describes how numerous leaflets are distributed in the vicinity of masjids. Regardless of the content of the leaflet, if a Muslim thinks there may be sacred text in it such as a quotation from the Qur'an, he or she will be careful not to throw it away and may carry it for a time before finding a respectful way of disposing of it, whether or not it has incriminating statements on it and whether or not he agrees with its sentiments.

Shaven Body Areas

An intimate search will reveal that Muslim men *and* women habitually shave the hair from their armpits and private parts.

Stone

When travelling, it can sometimes be difficult to make *wudhu*. In certain situations an acceptable alternative is to make *tayyamum*, by rubbing hands, face and arms on a clean, sandy or stone surface. Sometimes a fist-sized rock or smooth piece of clay is carried in luggage to achieve this, e.g. inside an aeroplane where there is no equivalent stony surface on which to make *tayyamum*.

Rucksack and sleeping bag

One large mainstream Muslim organisation, Tablighi Jamaat, sends small groups from Masjid to Masjid to preach, staying at one for 2 or 3 nights before moving on to another. Each member will invariably carry a pack with sleeping bag and personal effects and they may be travelling very late or very early depending on convenient intervals between salaah times.

A small tablet of earth or possibly wood

Shi'as consider that it is better to make the prostrations of prayer directly onto the earth, and fulfil this by placing a small tablet of hard-baked earth on the ground in front of

them while praying. The tablet may have intrinsic religious significance, e.g. it may be made from clay from the site of the martyrdom of Imam Hussain.

Sudden Deaths

- Be aware of the potential conflict that could arise from a sudden death and the sensitivities around the requirement for a post mortem. It may be prudent to involve an elder or the local Imam at an early stage to explain the circumstances and necessity for the procedure.
- Muslims are always buried as they believe in the resurrection of the body after death. Burial should take place as soon as possible after death with a strong emphasis on it being done the same day. Delay in burial can cause families more grief.
- Interference with the corpse is deeply resented and this includes post mortem. Muslim families will do their utmost to avoid a post mortem. If aware of this, medical staff can usually ensure that medical records have enough information to avoid the need for a post mortem.
- Rules concerning separation of the sexes apply to the corpse therefore officers of the same gender as the deceased should be used to deal with the body.

General Considerations

- When carrying out investigative work, it may sometimes be helpful to involve an elder from the family or the Imam (Spiritual Leader) of the local Masjid where the suspect or potential witness worships.

Judaism

Introduction

Judaism is an ancient religion originating in the Middle East. Jews trace their history back some 4,000 years ago to their ancestor Abraham. Jews believe that there is one God who is everlasting. One of the main differences between Jews and Christians is the Christian belief that Jesus Christ is the son of God, this belief is not shared by Jews.

Beliefs, Customs and Practices

Jews believe in the Torah, the Jewish holy book which is also the basis of the Christian Old Testament. There are several basic tenets by which Jews must live their lives, to carry out the Ten Commandments and to live according to Jewish values that are based on love of neighbour and tolerance of ones fellow human beings.

Another important religious books in the Jewish faith is the Talmud, this being a written collective of interpretations on Biblical readings, these interpretations instruct on the Jewish way of life.

There are two main groups within Judaism, Orthodox and Reformed. Orthodox Jews believe that the Jewish laws and teachings of the Torah must be followed today exactly as they were laid down in the time of Moses. Reformed Jews believe that some of the teachings in the Torah can be adapted to make them more relevant to modern life. It is estimated that there are around 15 million Jews worldwide with approximately 400,000 living in Britain.

On entering a Jewish home you may see a small container fixed on the doorpost of the front and back door and on some of the doorposts within the home. These containers are called mezuzah and hold part of the Shema (scrolls). Jews often touch the mezuzah when entering or leaving the home.

Work is prohibited during the Sabbath (from sunset Friday to sunset Saturday). It would be better to avoid routine enquiries then, and statements should not be taken (or signed) if at all possible. The Sabbath is a day of rest, to be spent at home with the family. Traditionally the family will visit the synagogue in the morning, and then return home for a special meal. Police officers will need to show consideration if visiting a Jewish household during the Sabbath.

Communication

In Britain most Jews speak English and many will also be able to speak Hebrew, Yiddish and Ladino. Hebrew is the main language of worship.

If possible, enquiries should not be carried out on the Sabbath (sunset Friday to sunset Saturday) as Jews are prohibited from doing any 'creative' work on that day. This includes phoning, writing, using electric equipment, travelling by car or public transport and cooking.

Male/ female social contact is prohibited between non family members within orthodox communities. Do not offer to shake the hand of someone of the opposite sex, as it will not be accepted.

Place of Worship

The synagogue is a house of prayer and study as well as a community centre. Three prayer sessions are taken daily, although prayers can be said anywhere.

On the Eastern wall, facing Jerusalem, is an 'ark' or closed, usually curtained, cupboard where the 'Sifrei Torah' or holy scrolls of the five books of Moses are kept. These are treated with great care and reverence. They are removed during some services and read from by the Rabbi or other members on the 'Bimah'. This is a raised platform either on the front of the ark or in the centre of the synagogue from which prayers are led.

A Rabbi is a teacher who is sufficiently educated in halakhah (Jewish law) and tradition to instruct the community and to answer questions and resolve disputes.

Practical Considerations

Synagogue

- If searching a place of worship, certain items have immense religious significance. Officers searching premises should take great care if they need to handle religious books, candlesticks, silver cups and other artefacts.
- If attending the synagogue as a guest, you should dress modestly and formally. Men should wear a skullcap if Jewish men in the congregation do so. These are available at the entrance. In some synagogues, married women should also wear a head covering.
- If you wish to visit a synagogue, it is best to make an appointment. Officers wishing to enter a synagogue should wait to be approached. Officers should keep hats or other headgear on when entering.
- In Orthodox synagogues, men and women sit separate.

Searching

- Some Orthodox Jews keep their heads covered at all times by wearing a Kippah (skull cap). Do not touch or remove this without notification and permission. If you are required to remove this, do so in private and ask the person to do it.
- Orthodox Jews recognise modesty as a high moral value. Any search of a member of the Jewish community should be conducted with care and sensitivity. As some

religious people do not even shake hands with people of the other sex, an officer of the same sex must carry out a search of a religious Jew, however superficial.

Custody

- Orthodox men who are detained overnight will wish to have with them their tallit (prayer shawl) and tefillin (leather boxes containing parchments with biblical passages) which are worn for morning prayers. They should be provided with a suitable private room in which to pray.
- Regarding any Jews in police custody, police staff may face difficulties in meeting dietary needs. Food is either Kosher (permitted) or Treif (forbidden). Pork is strictly forbidden. Meat products should also be kept away from Milk products, many have separate kitchens and fridges for this purpose. As such, meat and milk may not be eaten together. Most will happily eat vegetarian food.

Sudden Deaths

- Jews must be buried as soon as possible after death. Jewish funerals will not take place on the Sabbath or a major festival day.
- After death, the eyes should be closed. The body is covered with a white sheet. Wherever possible, the body should not be left unattended until after burial as a sign of respect. People who sit with the body are called shomerin meaning 'guards' or 'keepers'.
- Post-mortems involve the desecration of the body which is not permitted in Jewish law therefore efforts are made to avoid a post mortem particularly if it may delay the funeral.
- The majority of Jews are buried as cremation is not permitted although a few progressive Jews may opt for cremation.
- In many households, families observe a period of mourning known as shiva (seven, because it last seven days). Friends and relatives visit the house of the immediate family to offer comfort and prayers are held each day during shiva.

Festivals/Holy Days

There are numerous festivals celebrated by Jews. These include:-

- Sabbath (Shabbat) Central to Jewish life (from sunset Friday to sunset Saturday)
- Rosh Hashana - The Jewish New Year. The prayer ceremony usually takes place in sight of flowing water. Usually takes place during either September or October.
- Purim - One of the most joyous festivals in the Jewish calendar, a person is required

to Drink until they can drink no more. This obviously has an implication for policing the young male Jewish community in relation to public order offences ie drunkenness. On the whole however behaviour is good. Purim usually takes place during March.

- Day of Atonement (Yom Kippur) - Day of fast in September

Sikhism

Introduction

With its geographic origins in the state of Punjab in Northern India, Sikhism has spread out to all corners of the world since it was founded in the 15th century. One such corner of the world is the U.K where approximately 500,000 sikhs live today. As with most if not all religions sikhs vary in how practising they are. The most common distinguishing feature of sikhs is the {Dastaar}, turban, kirpan and uncut hair. The degree of practice will vary amongst sikhs, but even the majority of the least practising can be identified by the kara or metallic bangle which they wear on the wrist. Sikhism was founded by Guru (teacher) Nanak Dev, the first of ten Sikh Gurus each of whom added a valuable component to this relatively young path. The living Guru today is Guru Granth Sahib Ji, the scriptural embodiment of teachings of the previous ten Guru's.

Throughout the 70 years of His life **Guru Nanak Dev (1469-1539)**, taught the basic fundamental beliefs of Sikhism as ordained to him by God which include;

- To worship continually on One God.
- To respect and love everybody by seeing God in everyone and everything.
- To treat everybody as equal regardless of race, colour, gender etc.
- The inception of feeding the needy and distributing a tenth of ones income to the needy and overall compassion towards humankind.

Guru Gobind Singh instructed Sikhs to wear **the 5 Ks**, so called as they all begin with the letter K in order to help them achieve the ideals of Sikhism. These are Kesh, Kanga, Kara, Kacherra, Kirpan.

Kesh (uncut/unremoved hair all over the body), which is kept untampered with so as to symbolise a Sikhs acceptance of Gods gift of hair and the subsequent saintly appearance which it brings. Hair has deep rooted spiritual significance.

Kara (Iron/steel bangle), which should only be made from iron or steel. The significance of the bangle is to remind the wearer of his/her commitment to God, to be devoted to God, much like a wedding ring is a sign of a man or woman's commitment to his / her spouse. Furthermore, a Kara is symbolic of God as it has no beginning or end, as Sikhs believe God has no beginning or end.



Kanga (a small wooden comb), which is worn within the hair and is used by Sikhs in order to comb the hair twice daily, so as to help keep it clean and tidy. A reminder of the need for physical/spiritual cleanliness.

Kacherra (cotton under wear, which is just above knee length). This garment is worn in order to promote a sense of modesty and chastity, restricting sexual relationships to marriage only. The Kacherra also proved invaluable in providing manoeuvrability and comfort whilst engaged in everyday life and to be ever ready to act for



righteousness.

Kirpan (which literally means hand of mercy). The Kirpan has been given to sikhs by Guru Gobind Singh through the ceremony of initiation, so as to equip a sikh with an article of faith which, shall continually remind the wearer of his/her duty to pursue righteousness. The Kirpan does not denote offensive action, but the duty to act through appropriate means, to be merciful and not turn a blind eye to oppression or injustice. **It should not be referred to** as a dagger or sword as the kirpan is seen as a representation of God and God's power on Earth and his mercy. It should only be referred to as a Kirpan. It is revered by sikhs and with it comes a strict code of conduct dictating that it can only be used for defence of righteousness.



Guru Granth Sahib

Prior to Guru Gobind Singh's passing in 1708 he conferred Guruship to **Guru Granth Sahib** the written and final form of Guru containing the teachings of the Gurus and the hymns and teachings of hindu and muslim saints that were also accepted by the Gurus. As a result of this the utmost respect is afforded to Guru Granth Sahib by sikhs especially as well as non-sikhs. No sikh is permitted to follow any living Guru thereafter and must only worship the Guru Granth Sahib as Guru absolute. The reference to Guru Granth Sahib as a book or bible is viewed as disrespectful. The term Guruji or Guru Granth Sahib should be used.

Communication

The traditional language of Sikhs is Punjabi (derived from the words punj ab, meaning five rivers). Punjab is located in the North West of the subcontinent amongst the famous five rivers. Often however, English may be the first language. Officers should not presume but try to ascertain their preferred language.

Place of Worship

Sikhs worship in a Gurdwara meaning 'the doorway to the Guru'. The most famous and the holiest Gurdwara is the Harmandir Sahib in Amritsar in Northern India.

A large room in the Gurdwara containing the Sri Guru Granth Sahib (see above) is used for prayer and worship. Attendance usually takes place on Sunday, as this is the day when most sikhs will be able to attend. There are no days more important than others.

Practical Considerations

Gurdwara

Officers and staff may be required to attend a Gurdwara either operationally in response to an incident or as a guest. This may dictate the approach taken.

Non Operational Matters (attending the gurdwara as a guest)

- The conduct detailed below applies to males and females alike

- Remove Police hats and replace with headscarf as provided within the gurdwara.
- When entering the main prayer hall (Divan Hall) where Guru Granth Sahib is placed, please remove your shoes in the designated area outside and maintain head coverings.
- All members of the Sangat (congregation), should sit on the floor within a gurdwara, on the same level in order to promote equality and humility.
- When seated on the floor in the main Prayer Hall, please do not extend your legs so as to point your feet towards Guru Granth Sahib as this is viewed as extremely disrespectful.
- Do be mindful that some priests and members of the congregation may not speak English at all or as a first language.
- Although men and women are regarded as equal in every way, often, within gurdwaras, men and women will sit separately. Generally however, no offence will be taken if this is not observed due to unfamiliarity, though please observe wherever possible.
- Free vegetarian food is available in all gurdwaras and is available to anybody to eat in the langar hall.

Operational Matters (attending the gurdwara to deal with an incident)

- All of the above applies however, officers are advised to wear police hats if the need arises operationally.
- If you need to make contact with anyone at the Gurdwara then it is advisable to do this through the President. Sikhs would be offended if the Gurdwara was searched without first consulting community leaders where possible.
- It is highly disrespectful and unimaginable to wear shoes in the main prayer hall and langar hall. The need to wear shoes must be highly important as you will be challenged as to why shoes are worn.
- Do not wear shoes within the main prayer hall unless it is necessary to do so operationally. If an operational decision is taken to enter a divan hall with shoes this will cause great offence and exacerbate the situation.
- DO NOT touch Guru Granth Sahib or its resting place or any articles around Guru Granth Sahib. If need be seek guidance first as you will be challenged.
- Do be mindful, from a health and safety point of view of the fact that many sikh gurdwaras will display traditional swords and articles of faith as they are highly revered, symbolic of the power of the creator.

- Similarly if langar is being eaten on the floor do not walk over langar trays.
- Police dog handlers must not take Police dogs within the gurdwara unless an arrangement has been made with local management. Police officers should be utilised for searching purposes within the main prayer hall where possible observing the above protocol.
- If arrests need to be made from a gurdwara, a priest or other parishioner should where possible, be arrested by appointment.

Sudden Deaths

- Sikhs view death as a separation of the soul from the body and is considered part of God's will. It is viewed as a metamorphosis.
- Sikhs gives no objection to autopsies as long as no body hair is removed in the process.
- The five Ks (Kesh, Kanga, Kara, Kacherra, Kirpan) of a practicing Sikh must not be removed even after death.
- Hymns are sung in preparation for the cremation of the body. The family read from Guru Granth Sahib continuously for 48 hours or in stages, which is completed by the day of the funeral.
- When a body is laid out in a room, the light must remain on until the body is removed. The family washes the body and dresses it in new clothes before it is taken for cremation which is the accepted form of disposal of the body.

Searching

- When searching a Sikh, consideration and respect should be given to **the 5 Ks** as mentioned above and the turban or other head covering. As Sikhs believe that these are direct gifts from their Tenth Guru and symbolise their commitment to God and their way of life any disrespect towards these articles of faith shall be greatly unwelcome.
- If possible whilst searching, officers should not touch or remove the turban/patka/headcovering, kirpan or kara without notification and permission
- If possible whilst searching, officers should not touch a Sikh's hair/beard without notification and permission.
- If the need arises to touch or remove any articles of faith, such reasons should be explained to the individual. The touching of a turban in order to search it for example, or the removal of a kirpan in a custody facility due to health and safety grounds fall into this category. (Where possible, officers should wash their hands prior to touching any of these articles).

- If required to remove the turban or other headgear of a sikh, the individual, should be taken to a private room/area, and if possible the sikh could be asked to unravel the headgear themselves. Individual officers must judge all of the above against officer and public safety risks. If any one of the above articles of faith has to be removed for any reason they should be treated and handled respectfully, not placed on the floor or near alcohol, meat or tobacco. Such articles should be placed in a clean environment, for example, an evidence bag, in order to further respect the article.
- Officers should be mindful that **Sikhs should not be parted, where possible, from their articles of faith.**

Custody

- A Sikh who wears a turban or other head dress should not be asked to remove it for a custody picture
- There is no prohibition for a Sikh to provide a DNA mouth swab. If for any reason, a hair sample is required with regards to a practising Sikh, a blood sample should be taken instead for DNA purposes.
- If a Sikh is in custody for any reason, then it is our duty to meet their religious requirements and dietary needs, wherever possible. Sikhs must not eat meat that has been killed in a ritual manner. This prohibits the eating of halal and kosher meat. Other than that, some Sikhs eat meat, others do not. Similarly, alcohol, tobacco and other intoxicants are forbidden within Sikhism.
- A practising Sikh should bathe/shower each morning before prayers and will wash before evening prayers. Persons in custody must be afforded the opportunity to bathe if the period of detention is excessive. Having bathed, a practising Sikh is required to change their kacherra. As such, provisions should be made for a fresh kacherra to be delivered by relatives/friends.
- The turban should be removed as an ABSOLUTELY LAST RESORT ONLY. Turbans when unravelled can be as much as 5 yards long therefore are a potential health and safety risk. If possible, the individual could be placed in an observation cell to avoid the removal of the turban. If the turban is removed, an alternative form of head covering should be provided such as a patka. A hat is not an option. This head covering can be provided by friends/relatives or the local Gurdwara.

General Considerations

- There are no restrictions with regard to handshaking
- The removing of or disrespecting of a turban or other sikh head dress by an offender will cause great upset for a sikh and should be noted on any subsequent police report
- For a sikh to be seen without their turban/headress in public is regarded as a great

shame and should again be taken into account when dealing with such a situation. If you do deal with this situation, measures such as providing a temporary emergency alternative head covering, such as a police fleece could be a consideration for example.

- If avoidable, try to ensure that your visit does not conflict with a special or significant day in the Sikh calendar (see Festivals)
- A Sikh woman may feel more comfortable if she is spoken to in the presence of a member of her family.
- One area where Sikhs may come into potential conflict with the law of the land is the wearing of a turban, whilst riding a motorcycle. Under the Motor Cycles (Protective Helmets) Regulations 1980 there is a specific exemption for Sikhs wearing turbans. In Sikhism, the turban is regarded as a spiritual article, denoting faith. It is held in the highest regard due to the fact that all the Guru's wore a turban, it acts as a visible form of uniform/identification and acts as a means of protecting ones head. There are many ways of tying a turban and it is worn by males and females alike. Often a patka (small headcovering) is worn especially by younger Sikhs. This is regarded in the same manner as the turban.
- A second area where there may be conflict with the law is possession of the Kirpan. Some police officers may believe Sikhs carry the Kirpan as an offensive weapon. The Criminal Law (Consolidation) (Scotland) Act 1995 Section 49 makes it an offence to carry a bladed or pointed article in public, however a defence is that the person carried it for religious reasons. Obviously if the person used the Kirpan as an offensive weapon, this would negate this defence. In practice, Sikhs will often only carry a very small Kirpan. Others have taken to incorporating it into the design of their Kanga (comb); therefore it is very unlikely to constitute an offensive weapon.
- When stop-checking a Sikh, be mindful that the name Singh and Kaur is common to all Sikhs. The Sikh name is usually in 3 parts with first names sometimes common to both sexes. The second name will either be Singh (meaning lion) for a man or Kaur (meaning princess) for a woman. A family name will usually follow the first and second names although this may not be used.
- If seizing any of the 5 K's for evidence, the reasons for this should be fully explained to the individual and provisions should be made for a replacement through relatives/friends or the local Gurdwara.

Attending a Sikh House

Whilst attending a sikh house officers / staff should be mindful of the fact that many households may have Guru Granth Sahib within a designated room in the house. This should only be a potential issue with regards to searches. If at all possible this designated room, which shall be clearly identifiable due to the fact that **Guru Granth Sahib** is in situ on an elevated platform, should not be entered. If however, investigating officers feel that they have to enter this room they should consider the issues detailed in this guide.

Festivals

Some of the most notable events of the Sikh calendar are detailed below. Sikhs will mark these events in different way, usually by offering prayers, voluntary service or other activities.

- Vaisakhi - always takes place on 14th April each year.
- Bandi Chorr (also known as Diwali) - Usually takes place within October or November each year.
- Birth anniversary of Guru Nanak Dev - Generally falls in November/December.
- Birth anniversary of Guru Gobind Singh - Falls in 5th January each year.
- Martyrdom anniversary of Guru Tegh Bahadur - Falls 25th November each year.
- Martyrdom anniversary of Guru Arjun Dev - commemorated on 16th June each year.

Sources

A Guide to Faith Communities by the Scottish Interfaith Council

Islam & Muslims in Britain by Mehmood Naqshbandi

Northumbria Police Diversity Awareness Guide

Northern Constabulary Diversity Awareness Guide

Lothian & Borders Police Cultural Awareness Guide

BBC Website – Religion & Ethics

LEGISLATION

Employment Law - The Employment Equality (Religion or Beliefs) Regs 2003

The regulations outlaw;

- Direct discrimination
- Indirect Discrimination
- Harassment
- Victimisation

on the grounds of religion or belief.

Religion or belief is not explicitly defined in the Regulations. In most applications to a tribunal it will be clear what is or what is not a religion or a similar belief. It will be for the tribunal or higher courts to decide where the issue is in dispute. They may consider a number of factors when considering what is a religion or similar belief. It is likely that they will consider things such as collective worship, a clear belief system, and a profound belief affecting the way of life or view of the world. You should be aware that these Regulations extend beyond the better-known religions and faiths to include such belief as Paganism and Humanism. They also include those without religious or similar beliefs.

The legislation also covers perceptions of religion or belief, so it protects people who are assumed-correctly or incorrectly- to be of a particular religion or belief. It also protects people who are discriminated against because of the religion or belief of the people with whom they associate, for example, their family and friends.

Criminal Law - Criminal Justice (Scotland) Act 2003 - Section 74

The above act creates an aggravation to all offences motivated by religious prejudice. The legislation specifically states that an offence is aggravated by religious prejudice if-

- at the time of committing the offence or immediately before or after doing so, the offender evinces towards the victim (if any) of the offence malice and ill-will based on the victim's membership (or presumed membership) of a religious group, or of a social or cultural group with a perceived religious affiliation; or
- the offence is motivated (wholly or partly) by malice and ill-will towards members of a religious group, or of a social or cultural group with a perceived religious affiliation, based on their membership of that group.

Where this section applies, the court must take the aggravation into account in determining the appropriate sentence. Where the sentence in respect of the offence is different from that which the court would have imposed had the offence not been aggravated by religious prejudice, the court must state the extent of and the reasons for that difference. Evidence from a single source is sufficient to prove that an offence is aggravated by religious prejudice.

GENDER

Gender issues differ across the world. This section will provide background information and guidance relating to some of the current gender issues affecting policing in Scotland. Issues include human trafficking, domestic abuse, prostitution, honour based violence and forced marriages. The profile of gender issues increased in 2007 with the introduction of the Gender Equality Duty. This duty requires public bodies to proactively tackle gender discrimination and promote equality of opportunity. Legislation pertaining to gender is detailed at the end of this section.

There is a common misconception that gender only concerns women's rights and discrimination against women. Yes, these are gender issues, however, issues affecting men are equally important.

Transgender is an umbrella term used for various people including transsexuals and transvestites. Historically this has been tied in with Lesbian, Gay and Bi-Sexual (LGB) issues despite being about gender identity rather than sexual orientation. Due to the majority of organisations and groups working in this area retaining the 'LGBT' structure, this will be examined under that section.

Main Gender Issues

Human Trafficking

This has been described as modern day slavery and affects the lives of millions of people worldwide. It is now the third most profitable trade behind drugs and arms. Human Trafficking is a highly covert activity impacting all areas of the UK. It is highly lucrative and is often linked to other forms of organised crime. It is both a global and local trade, with people being trafficked internationally and also from place to place within countries. The three main types of human trafficking are sexual exploitation, labour exploitation and organ harvesting.

The 2000 UN Protocol (Palermo Protocol) provides the following **definition of human trafficking**:

"trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

Trafficking 'v' Smuggling

The trafficking of human beings should not be confused with the smuggling of human beings. Human smuggling is the facilitation of illegal entry into the UK, either secretly or by deception. Those who are smuggled are usually complicit and have paid monies to facilitate their entry.

Practical Considerations

- Consider that human traffickers can be anyone and are not always someone unknown to the victim. Partners, family members, friends and neighbours could be involved.
- Victims are trafficked by a variety of means including abduction, deception, trafficker posing as boyfriend/girlfriend/friend, threats to victim/family, violence and debt bonding (where a person is forced to work to pay back a loan or perhaps their journey to that country).
- When dealing with an individual you suspect of committing immigration offences, also consider human trafficking.
- When dealing with a victim of human trafficking, bear in mind that the victim may not welcome you with open arms. In some instances the police in the source country have been involved in the trafficking of the victim. The trafficker may also have told them that the police are corrupt and cannot be trusted. The victim may not speak English and may also be here illegally. This poses problems for you as they may believe that you will have them removed from the country and not believe them. Their culture, family background, the shame, and fear of both the traffickers and their family finding out what has happened to them will also influence them. A victim may not see themselves as a victim and may not tell you immediately what has happened to them. It may take several interviews to establish this.
- It is a common belief that trafficking is an immigration issue. This is wrong. It is the exploitation, the rape and ritual abuse of men, women and children.
- A victim centred approach should be undertaken in all operations. Although the arresting, disrupting and bringing of offenders to justice is important, the rescue of persons involved should be the primary objective of any operation.
- If in any doubt regarding a potential human trafficking issue, contact the relevant department within your Force or the United Kingdom Human Trafficking Centre - www.ukhtc.org (0114 252 3891) who can offer support, advice, intelligence and evidence.
- Legislation relating to human trafficking offences are contained within Section 22 Criminal Justice (Scotland) Act 2003 and Section 4 Asylum and Immigration Act (Treatment of Claimants etc) Act 2004.

Domestic Abuse

Officers should follow their respective Force procedures when dealing with cases involving domestic abuse and utilise the expertise of their Force Domestic Abuse Liaison Officers (DALO).

Officers should also be aware of the Joint Protocol between ACPOS and the Crown Office and Procurator Fiscal Service (COPFS). This protocol was published in 2004 and outlines the procedures and practices that will be followed by the Scottish police service and COPFS when dealing with domestic abuse.

Within the above protocol, domestic abuse is defined as:

“Any form of physical, sexual or mental and emotional abuse which might amount to criminal conduct and which takes place within the context of a close relationship. The

relationship will be between partners (married, civil, cohabiting or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere”

While available evidence suggests that the most prevalent instances of domestic abuse are male violence towards women, this definition acknowledges and includes female violence towards men and violence between partners or ex-partners in same-sex relationships.

Practical Considerations

- All incidents of domestic abuse should be treated as high priority and in accordance with your Force procedures.
- The initial priority when you attend a domestic abuse incident is the safety and well-being of the victim, their family and any other person present.
- Regardless of whether the victim makes a complaint, where there is sufficient evidence available, the police will take appropriate action, arrest the offender and report the circumstances forthwith to the Procurator Fiscal for consideration of prosecution.
- Domestic abuse can have a devastating effect on children. On all occasions when children are present during domestic abuse incidents and in all cases where children are a part of the household, whether or not they were present at the incident, a referral will be submitted in accordance with Force Procedures. This will include circumstances where children are not permanent members of the household. At all times, officers should take cognisance of local Child Protection Procedures/Guidelines.
- Domestic abuse is vastly under reported and it is unlikely that the incident you attend is the first. These incidents are rarely one offs and tend to get worse over time both in terms of frequency and severity of abuse.
- Domestic abuse includes emotional, verbal, physical and sexual abuse.
- Bear in mind, domestic abuse does not respect any social or economic boundaries and an abuser can be ANYONE. They can be a partner or ex partner, male or female, any age, any race or religion, in a same sex relationship and someone who is well respected and regarded within their community.

Prostitution

Issues faced by Police Forces, communities and those involved in prostitution vary across Scotland with each area having its own characteristics. Staff should adhere to their own Force procedures when dealing with prostitution as these will be drawn up taking cognisance of these differences. Police officers are most likely to deal with street prostitution although ‘indoor prostitution’ for example, saunas, brothels, escort agencies and residential premises should be borne in mind. This section will focus on street prostitution. A significant change in this area was the introduction of legislation criminalising purchasers of sexual services. Further details are provided under the legislation section below.

It is widely accepted that those involved in prostitution are not only degraded by the act but are also exposed to significant risk of non consensual sexual and physical abuse. Police officers and staff must try and reconcile the competing interests of those involved in street prostitution and the communities affected by it.

Legislation

Section 46 of the Civic Government (Scotland) Act 1982 creates the following offence:

A prostitute (whether male or female) who for the purposes of prostitution

- a) loiters in a public place,
 - b) solicits in a public place or in any place so as to be seen from a public place, or
 - c) importunes any person who is in a public place
- shall be guilty of an offence.

It is important for the purposes of the above Act that the individual is a known prostitute and in order to prove this there has to be some form of history. To achieve this evidence, it is important that TWO previous cautions have been administered to the individual before being formally charged.

Therefore, on the first two occasions where evidence exists to support a contravention of the above Act, the subject shall be formally cautioned. The officers should note details of the caution and circumstances giving grounds for the caution in their notebooks. Cautions should be recorded on SCRO via respective Force Procedures.

Practical Considerations – Street Sex Workers

- When dealing with a street sex worker as a victim of crime or otherwise, they should be treated with respect and according to their individual needs. Their safety and well being should be the priority.
- Many street workers use 'street names' when working. When dealing with a street worker, ascertain this name as it may prove to be valuable information as partner agencies and other workers may only know individuals by their street name and not their true particulars.
- When cautioning/charging a street worker, try to ascertain the reason why they are working on the street e.g. drugs, economic reasons. If you feel that the worker could be assisted by an agency to help get them off the street, refer them to your Prostitute Liaison Officer or relevant Force department. These individuals will subsequently be referred to relevant agencies who can assist with education, accommodation and drugs rehabilitation programmes. An example of an agency involved in this work is SACRO (Safeguarding Communities – Reducing Offending).
- Crimes committed against street sex workers are vastly under reported for a variety of reasons. It is important to gain the trust of street sex workers to enable police to respond effectively to public safety issues and to provide a realistic picture of intelligence, information and crime reports from these individuals.
- When dealing with a street sex worker, it is important that sufficient evidence is gained to support a caution/charge under Section 46. Simply dressing in such a manner as to stereotypically look like a street sex worker is not enough, nor is standing still in the street paying attention to passing vehicles. To merit a charge of loitering, it must be proved that the individual was there for the 'purpose of prostitution'. Cautioning the person at common law and asking them to account for their actions and for their presence in the area can gain corroborative evidence.

- Details of cautions are recorded on SCRO and this should be checked before any cautions are made. Once a prostitute has been convicted of prostitution or received two cautions, the individual should be charged on each subsequent occasion and should not be 'cautioned' again.
- There is no statutory power of arrest or detention in relation to Section 46, however common law powers can be used if circumstances allow, i.e. refusal to provide particulars, false details or where the individual refuses to desist.

The Prostitution (Public Places) (Scotland) Act 2007

The above act criminalises for the first time the act of a "purchaser" who solicits or loiters for the purpose of obtaining sexual services, in a public place.

Section 1 of the 2007 Act creates two offences, namely:

- Soliciting for the purpose of obtaining the services of someone engaged in prostitution, and
- Loitering in circumstances from which it may reasonably be inferred that the person loitering was doing so for the purpose of obtaining the services of a person engaged in prostitution.

The legislation is intended to tackle street prostitution and as such the offences apply where the act of soliciting or loitering is committed in a public place including motor vehicles and public transport.

Practical Considerations - Purchasers of Sexual Services

- Bear in mind, 'purchasers' of sexual services come from a wide range of social and economic backgrounds.
- The term "solicit" is not defined in the Act and should be given its ordinary meaning (to ask for or try to obtain something from someone). This offence will, therefore, apply where there is evidence that the accused actually engaged or sought to engage the services of a person engaged in prostitution.
- It is not necessary that any offer to purchase sexual services is accepted or any agreement to provide a service given. Similarly it is irrelevant that the person solicited was not, as a matter of fact, engaged in prostitution.
- The term "loiter" is not defined in the Act and should be given its ordinary meaning. Importantly, it is possible to prove the accused's intention by relying on an inference which can be drawn from the surrounding facts and circumstances and there need not be direct evidence of the accused's intention.
- Proof that an accused was soliciting or loitering for the purpose of obtaining the services of a person engaged in prostitution might come from a number of sources. In some cases there may be direct evidence of the transaction from eye-witnesses (whether members of the public or police officers) who may have seen and/or overheard the transaction and can speak to the nature of any interaction between the accused and the seller.
- It may be possible to rely on incriminating statements made by the accused or the seller (whether made spontaneously or in response to questioning under

caution). Even where a statement made by the accused is not incriminating, any explanation given may be an important source of evidence.

- Corroboration of the accused's purpose can be found in the surrounding facts and circumstances. Circumstantial evidence such as the location (e.g. a known prostitution zone), the time of day and the accused's behaviour might provide sufficient corroboration of the accused's purpose. Consideration should be given to the availability of CCTV evidence and evidence from the Automatic Number Plate Recognition system which may link the accused to the locus.
- There is a power of arrest where a constable reasonably believes a person is committing, or has committed an offence under Section 1. However, these offences are not punishable by imprisonment therefore a person committing such an offence cannot be detained under Section 14 of the Criminal Procedure (Scotland) Act 1995.

Honour Based Violence

Honour based violence (HBV) is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/ or community. It is a collection of practices, which are used to control behaviour within families to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or the community by breaking their honour code. The supposed justification for such abuse is derived, in the first instance, from the perceived or actual behaviour or attitude of the victim, which is seen to have dishonoured their family, tribe or community. Thus an honour crime is deemed acceptable when portrayed as a response to any behaviour that breaches social and sexual norms (ACPO Definition).

Women are predominantly (but not exclusively) the victims of honour based violence. The honour code means that women must follow rules that are interpreted according to what male family members consider acceptable. Breaking the rules is seen as destroying the good name of the family and is deserving of punishment.

Within the Pakistani, Bangladeshi and Indian communities, this so called honour is referred to as 'IZZAT' which is an Urdu word meaning honour. Izzat has been described in numerous ways including 'a learnt complex set of rules that an Asian woman has to follow in order to protect the family name and maintain family position'.

Males can also be victims, sometimes as a consequence of their involvement in what is deemed to be an inappropriate relationship, if they are gay or if they are believed to be supporting the victim.

HBV can be distinguished from other forms of violence as it is often committed with some degree of approval and/or collusion from family and/or community members. Relatives, including females, may conspire, aid, abet or participate in HBV. Examples may include murder, un-explained death (suicide), fear of or actual forced marriage, controlling sexual activity, domestic abuse, child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment and forced abortion.

HBV cuts across all cultures, nationalities, faith groups and communities, transcending national and international boundaries. When dealing with HBV, officers must recognise

that family members and/or individuals from the community concerned may support the primary offender(s), by seeking to mislead, obstruct or undermine the investigation.

“Murders in the name of so-called honour” are murders in which predominantly women, are killed for actual or perceived immoral behaviour, which is deemed to have breached the honour code of a family or community, causing shame” (ACPO 2006)

Evidence from research and analysis in London shows that where such murders occur, most often, wives are killed by their husbands and daughters by their fathers. Relatives including females may conspire, aid, abet or participate in the killing. Younger relatives may be selected to undertake the killing, to avoid senior family members being arrested. Sometimes contract killers are employed.

It should not be underestimated that perpetrators of HBV really do kill their closest relatives and/ or others for what might seem like a trivial transgression. Just the perception or rumour of immoral behaviour may be sufficient to kill. Such incidents may include:

- Inappropriate make-up or dress
- The existence of a boyfriend
- Rejecting a forced marriage
- Pregnancy outside of a marriage
- Interfaith relationships
- Leaving a spouse or seeking divorce
- Kissing or intimacy in a public place

Evidence shows that murders are often planned and are sometimes made to look like a suicide, or an accident. A decision to kill may be preceded by a family council. There often tends to be a degree of premeditation, family conspiracy and a belief that the victim deserves to die.

Practical Considerations

- Shame and risk to a victim may persist long after the incident that brought about dishonour occurred. Consider whether the victim’s partner, children, associates or their siblings are at risk. They may suffer family/community pressure not to assist you.
- Murders associated with HBV are often the culmination of a series of events and apparently minor incidents over a period of time. Remember that reporting is a brave step and an inappropriate police response could put the victim at further risk. Victims often have no experience of the police and by seeking assistance could be deemed to have brought further shame on the household.
- Authorities in some of the countries from which HBV originates may support this practice. Victims may be concerned that you share this view, or that you may return them to their family. They often carry guilt about their rejection of cultural/family expectations. Their immigration status may be dependant on their spouse and it may be used to dissuade them from seeking assistance.
- Young victims sometimes truant from school to escape being “policed” at home by relatives. Victims of rape may be perceived by relatives as having brought

about the offence and their own family may kill them as a consequence. Women that have fled their marriage are often perceived as bringing shame upon their own blood family. Therefore, they may be at risk not only from their husband and in-laws, but also from their own family.

- Research has highlighted that many victims of HBV are children. Many of the victims of female genital mutilation and forced marriages are also children. On all occasions, local child protection procedures or guidelines should be adhered to and close liaison maintained with social work departments and the Children's Reporter in terms of protective statutory interventions. Where it is identified that there is an immediate risk of significant harm to a child, officers should consider invoking emergency powers contained within the Children (Scotland) Act 1995 Section 61. Child Assessment Orders (Section 55), Child Protection Orders (Section 57) and Exclusion Orders (Sections 76–79) make provision for further protective measures.
- In the case of international child abduction, immediate action should be taken. In circumstances where a child is believed to have been taken by an estranged parent who may be intent on taking the child abroad, consideration should be given to the need for an urgent 'All Ports' warning (24 - 48 hours prior to departure date/time, where known). Where a child has been taken abroad in the above circumstances, or legitimately taken and subsequently not returned, reference should be made to the Child Abduction Unit (contactable on 020 7911 7047 during office hours) that has primary responsibility for these matters. If the whereabouts of the child is not known, assistance should be sought from Special Branch and Interpol.
- Victims are sometimes persuaded to return to their country of origin under false pretences, when in fact the intention could be to kill them. If a victim is taken abroad, the Foreign and Commonwealth Office (FCO) may help him/her to return to the UK. Where there is a threat of overseas abduction, advice should be sought from the Foreign and Commonwealth Office at an early stage.
- When dealing with potential victims it is important to recognise the seriousness/immediacy of the risk. Reassure the victim about confidentiality.
- When dealing with victims, do not speak with them in the presence of their relatives. See them in a secure and private place. Women that return to their families should be given appropriate advice and offered alternative options. Ensure that you make a full record of what is said, what you have done and to whom you have referred the case to.
- Where a victim has fled, be aware that members of the family may make false allegations of crime against them in an attempt to enlist your support to track them down. This may be in the guise of missing person reports or an alleged theft. They may also employ bounty hunters/contract killers to trace, return the victim and/or kill them.
- Carefully consider third party missing person reports. Relatives may seek to mislead, by presenting to you another family member, as being the person you are seeking. Equally, when dealing with such reports, consider why the family have not reported the individual missing. Take allegations of threats to kill seriously.
- Recognise and record the victim's wishes. If under 16 years old, refer to your Force Child Protection Department.
- Submit crime and intelligence reports and seek the advice of the Community Safety and Domestic Abuse Departments

- Agree a means of discreet future contact and obtain a full account of the family tree, both immediate and extended

DO NOT

- Send the victim away believing that it is not a police matter or attempt some form of mediation.
- Approach the family or community leaders or share information without the consent of the individual
- If in any doubt, seek guidance on this matter

When dealing with HBV, remember that cultural acceptance, does not mean accepting the unacceptable.

Forced Marriages

Forced marriage should not be confused with arranged marriage. The tradition of arranged marriages has operated successfully within many communities for a very long time. In forced marriage one or both spouses do not consent to the marriage or consent is extracted under duress.

Some forced marriages take place in the UK with no overseas element while others involve a partner coming from overseas or a British Citizen being sent abroad.

Most cases involve girls and women aged between 13 and 30, although evidence also suggests that as many as 15% of victims are male. The Forced Marriage Unit of the Foreign and Commonwealth Office deal with around 300 UK cases a year with some victims as young as 10, many other cases will go unreported.

Parents who force their children to marry may justify their behaviour as protecting their children, building stronger families and preserving cultural or religious traditions. They may not see their actions as wrong.

Forced marriage cannot be justified on religious grounds, every major faith condemns it and freely given consent is a prerequisite of Christian, Jewish, Hindu, Muslim and Sikh marriages. Forced marriage is a culturally specific form of abuse and while officers need to be sensitive to cultural and racial differences, they also have an overriding duty to identify individuals who need protection and to invoke necessary child protection procedures and legal interventions.

Practical considerations:

- In Scotland there is no specific criminal offence of “forcing someone to marry”. When dealing with an incident of this nature, consider other criminal offences that may be committed in the context of forced marriage. Perpetrators, usually parents or family members, could be prosecuted for common law offences including threats, theft (e.g. of passport) abduction, false imprisonment, assault and murder. Sexual intercourse without consent is rape. Officers must also consider statutory offences for instance Section 12 of the Children and Young Persons (Scotland) Act 1937, sexual offences under the Criminal Law (Scotland

Act) 1995, offences under the Child Abduction Act 1984 and the Prohibition of Female Genital Mutilation (Scotland) Act 2005.

- Provide advice to the individual involved. For example, from the age of 12 a child can instruct a lawyer and can apply for legal aid. Though it must be noted that very careful, consideration and care would be given by both the lawyer instructed and the sheriff involved in such cases.
- Civil protection can be found under the Protection from Harassment Act 1997 and the Protection from Abuse (Scotland) Act 2001.
- Bear in mind that in Scotland, the minimum age at which a person may marry is 16 years on the day of the marriage. Parental consent is not necessary, however, both parties must be capable of understanding the nature of a marriage ceremony and of consenting to marrying. Under Scots Law a marriage is void if either party was forced to marry against their will. A void marriage is regarded as never having taken place, however a decree of nullity may be required in order for the marriage to be treated as void.
- When dealing with a case involving honour based violence or forced marriages it is vital that officers from the outset have an understanding of the additional complications and risks that a victim may face. Seek advice from your Force Diversity Unit.

Further guidance in relation to forced marriages can be found within the two documents detailed below:

ACPOS "Dealing with cases of Forced Marriage – Guidelines for Police"

[Home Office, Foreign and Commonwealth Office and ACPO - "Dealing with cases of Forced Marriages - Guidance for Police Officers"](#)

Communication

Language is an important and powerful factor, which can have a positive or negative influence, and we need to be aware of this. In terms of gender, there are two types of language, exclusionary and derogatory.

Exclusionary language is not offensive like derogatory language, but it excludes people and it no longer represents the environment that we work and live in today. Within the police environment, certain words were used e.g. policeman, one-man station, unmanned, manning-up, manpower, 'the guys'. These words were descriptive and historically accurate, however in the present day, these words are no longer accurate with a significant proportion of the workforce being female, therefore, we should strive to remove this language from everyday use.

Derogatory language can include obviously offensive terms and some individuals may also feel demeaned by the use of words such as 'hen', 'pet' and 'love'. These terms should be avoided as they are not appropriate and reinforce sexism.

Practical Considerations - General

- Do appreciate how faith and cultural differences may affect an enquiry. For example, women from different faiths/cultures will not answer the door unless

there is a male member of the family present. For further guidance, please refer to the Faith section.

- Do be sensitive to using colloquialisms or terms of endearment that may cause offence ('My love', 'My dear').
- Do be aware that it may not be the custom in some instances to shake hands, especially among women e.g. Muslim women.
- Do be aware that in some cultures, it is not appropriate for a man to be in the same room as a woman who is not related.
- Do be aware that an act of comfort such as putting an arm around a victim or other tactile behaviour, may cause embarrassment or offence.

GYPSY/TRAVELLER COMMUNITIES

There are several categories of people within the group defined as Gypsies and Travellers, namely:

- Romany and Irish Travellers
- Fairground and circus Travellers
- New Age Travellers
- Gypsies

Romanies are recognised as a distinct ethnic minority group and protected by the Race Relations (Amendment) Act, 2000. The term Romany is defined as, 'A person of nomadic habit of life, whatever their race or origin, but does not include members of an organised group of travelling showman, or of persons engaged in travelling circuses, travelling together as such'.

Irish Travellers are a distinct occupational group and have a language of their own called 'Cant' or 'Gammon'.

The culture of Romany and Irish Travellers are very similar, with families from both groups travelling around the country. Romany and Irish Travellers normally spend no more than a few weeks at each stopping place. In more recent times, they are tending to secure 'fixed accommodation' within the settled community or seeking to purchase their own land, given their previous experiences of hostility from society and as an acknowledgement for the need to educate and address the health and welfare of their children.

Issues to consider:

- As a result of previous negative encounters with authority many will be suspicious of approaches or contact with police officers.
- Illiteracy could be an issue with those of adult age. It is important to ascertain whether they can understand the document or script. If in doubt, read it through to them.
- When dealing with sudden death, there are rarely areas of potential conflict arising from the requirement for a post-mortem. However, you should endeavour to explain the procedure and treat with sensitivity. Burial is preferable to cremation. The funeral and procession is seen as a celebration of the deceased's life. It is not uncommon for a site to be vacated after a death and on occasions for the living van of the deceased to be burned.
- Every member of the family has a clearly defined role and great importance is placed on the care of their children.
- Romany and Irish travellers prefer to travel with members of their extended family, which means that they are prepared to help each other and will stand together against authority.
- Cleanliness is very important to Romanies, in terms of personal hygiene and within the environment of their home.
- Some Romanies are reluctant to accept immunisation because they are afraid of introducing a 'dirty' needle into a clean body, however, this culture is changing.

- The area outside the trailer is seen as unclean. Animals are kept outside the trailer in the 'unclean area' and are used for work.
- Romanies do not normally discuss issues of a sexual nature with their children, nor do they want outsiders to.
- Within the Romany community, it will normally be difficult for a male to spend time alone with a woman in her caravan, as the rules of behaviour are very strict. It is also unusual for young women to go out, unchaperoned, with their boyfriends.
- Discussions of an intimate nature will not normally take place with a woman, in the presence of a man, even if he is her husband, or, in the presence of any child.
- High moral standards and the care of children, particularly the younger ones are seen as being very important, so care should be taken not to make assumptions and to cause offence.
- Romanies and Irish Travellers often establish 'Interim' or 'Stop over' sites at the roadside. More commonly referred to as unauthorised encampments, responsibility for the management of them lies with the Local Authority Housing Department. Most Local Authorities have Gypsy/Traveller site Managers and contact should be made with them in the event of an Unauthorised encampment being made known to the Police.
- The Police approach is one of tolerance, respecting the rights and needs of the Gypsy/Traveller community. There is a presumption towards non-prosecution as per the Lord Advocates guidelines for offences such as Trespass.
- ACPOS have agreed a set of National Guidelines for the Management of Unauthorised Encampments which are available on the ACPOS website.

Czech/Slovak Roma

Roma are a people with no country as their base, who state they are fleeing persecution from right wing organisations in Eastern Europe and would be subjected to discrimination and racial attacks if they returned. There are over 100,000 Roma in the UK, including a proportion who have been in this country for many hundreds of years. There appears to be no community or inter-action between the different groups. Historically, they are accustomed to living outside society, most wanting the opportunity of living a life without fear of persecution. Roma form tight family bonds, where large extended families usually live together, including married sons and their wives, children and grandchildren. Each family works as a unit and the work is divided equally. Communication with the group can be extremely difficult as they have been accustomed to being shunned by society and discriminated and persecuted against by their respective governments and police.

Issues to consider:

- Their religion is loosely based on the Orthodox and Christian faiths, incorporating some traditional Roma festivals and rituals.
- Elders are deemed wiser and carry great respect, so will have some influence on the family groups.
- Difficulties could be encountered in terms of communication, as a result of their previous experiences with organisations and mistrust of authority.

HATE CRIME

A Scottish Government Working Group on Hate Crime produced a report in 2004. They defined hate crime as:-

“A crime motivated by malice or ill-will towards a social group”

Incidents perceived to be motivated on the grounds of age, disability, faith, gender, race or sexual orientation will be classified as a hate crime.

The key aspects of hate crime:

- There must be active ill-will or elements of vindictive feelings towards an individual or their perceived association with an identifiable group.
- The crime is based on the motivation of malice or ill-will towards a social group. This means that the question of whether the victim of a hate crime actually belongs to a social group or not is irrelevant. For example, if someone is the victim of a homophobic attack, it is irrelevant whether they are gay or not.
- An individual may be targeted because of their vulnerability. This should not be automatically interpreted as a hate crime. For example, an elderly female who is assaulted and robbed may have been targeted because she is vulnerable as opposed to being targeted due to ill-will or malice.
- If a crime is perceived to be a hate crime by the victim or any other person, it should be recorded and investigated as such.

What are the factors that separate hate crime/incidents from other policing issues?

The effect and impact on the quality of life of its victims and those who fear becoming its victim.

Victims are subjected to added trauma because they suffer hatred, dislike or intolerance of a personal nature, because of something different about them.

This added factor is greater where the hatred is directed against a visible feature of the victim over which they have no control, such as skin colour or disability.

The disproportionate impact is amplified further by the fact that hate crime/incidents are one of the most under-reported categories. This under reporting is down to a variety of reasons.

When a victim is finally moved to report a hate crime/incident, their trauma and distress is likely to reflect the combined fear, misery and despair from a catalogue of previous instances. In any close community, the effects of hate crime/incidents will not only have a devastating impact on the victim, their family and friends, but will also effect the quality of life of the entire community. For every primary victim there are likely to be numerous secondary victims.

Beyond its impact on the individual, hate crime/incidents are a powerful poison to society. It emphasises and sensitises feelings of difference rather than focusing on what is shared

in common. It breeds suspicion, mistrust, alienation and fear. It promotes isolation, introversion and exclusion and sets up barriers to communication.

Hate Crime Legislation

Hate crime legislation at present only exists for racial and religious hatred (as detailed below). Existing common law and statutory powers are utilised for offences committed in respect of the other strands of diversity (age, disability, gender and sexual orientation).

For example, homophobic verbal abuse would be reported as a Breach of the Peace and the homophobic element would be highlighted within the Standard Police Report (SPR). A vandalism motivated by a person's disability would be reported as a contravention of Section 52, Criminal Law (Consolidation) (Scotland) Act, 1995. The motivation for the crime would be highlighted within the SPR.

Public Order Act 1986

Under Section 18 of the Act, a person who uses threatening, abusive or insulting words or behaviour, or displays any written material which is threatening, abusive or insulting, is guilty of an offence if they intend to stir up racial hatred, or having regard to all the circumstances racial hatred is likely to be stirred up.

An offence under section 18 may be committed in a public or a private place, except that no offence is committed where the words or behaviour are used, or the written material is displayed, by a person inside a dwelling and are not heard or seen except by other persons in that or another dwelling.

A constable may arrest without warrant anyone he reasonably suspects is committing an offence under this section. In proceedings for an offence under this section it is a defence for the accused to prove that he was inside a dwelling and had no reason to believe that the words or behaviour used, or the written material displayed, would be heard or seen by a person outside that or any other dwelling.

Sections 19-23 of the Act create similar offences in respect of publishing material, public performances, recordings and cable programme services where racial hatred is stirred up or that is the intention (see the Police Information Net for Scotland for further information – PINS).

Crime and Disorder Act 1998 - Section 96

This act stipulates that an offence can be racially aggravated if at the time of committing the offence or immediately before or after doing so, the offender evinces towards the victim malice and ill-will based on the victim's membership (or presumed membership) of a racial group or the offence is motivated (wholly or partly) by malice and ill-will towards members of a racial group based on their membership of that group.

Evidence from a single source shall be sufficient evidence to establish, for the purposes of this subsection, that an offence is racially aggravated.

Criminal Law (Consolidation) (Scotland) Act, 1995 - Section 50A

A person is guilty of an offence under this section if they:

- pursue a racially-aggravated course of conduct which amounts to harassment of a person and is intended to amount to harassment of that person; or occurs in circumstances where it would appear to a reasonable person that it would amount to harassment of that person;
- act in a manner which is racially aggravated and which causes, or is intended to cause, a person alarm or distress.

For the purposes of this section a course of conduct or an action is racially aggravated if immediately before, during or immediately after carrying out the course of conduct or action the offender evinces towards the person affected malice and ill-will based on that person's membership (or presumed membership) of a racial group or the course of conduct or action is motivated (wholly or partly) by malice and ill-will towards members of a racial group based on their membership of that group.

A course of conduct must involve conduct on at least two occasions.

Criminal Justice (Scotland) Act 2003 - Section 74

The above act creates an aggravation to all offences motivated by religious prejudice. The legislation specifically states that an offence is aggravated by religious prejudice if:

- at the time of committing the offence or immediately before or after doing so, the offender evinces towards the victim (if any) of the offence malice and ill-will based on the victim's membership (or presumed membership) of a religious group, or of a social or cultural group with a perceived religious affiliation; or
- the offence is motivated (wholly or partly) by malice and ill-will towards members of a religious group, or of a social or cultural group with a perceived religious affiliation, based on their membership of that group.

Where this section applies, the court must take the aggravation into account in determining the appropriate sentence. Where the sentence in respect of the offence is different from that which the court would have imposed had the offence not been aggravated by religious prejudice, the court must state the extent of and the reasons for that difference. Evidence from a single source is sufficient to prove that an offence is aggravated by religious prejudice.

MENTAL HEALTH

Mental health is about the way we think, feel and behave. One in four people in the UK have a mental health problem at some point in their lives, and anyone regardless of age, race, gender or social background can be affected. Mental health problems may be hereditary, caused by chemical imbalance or structural abnormalities in the brain, emotional trauma, interpersonal problems, social environment, or alcohol or illegal drug misuse over a lengthy period of time.

The principal legislation governing the care and treatment of people with mental health problems is the Mental Health (Care and Treatment) (Scotland) Act 2003. The Act defines mental disorder as “any mental illness, personality disorder or learning disability however caused or manifested”. A person is however not mentally disordered by reason only of any of the following: sexual orientation or transgender; alcohol or drugs use or dependence; behaviour that causes, or is likely to cause, harassment, alarm, distress; or acting as no other prudent person would act.

Whilst the legislation refers to the term ‘mental disorder’, the more inclusive and appropriate terminology that should be used is ‘mental health problem’.

Sometimes people with mental health problems are discriminated against. The Disability Discrimination Act 2005 defines disability as “a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day to day activities”.

Considerations

When dealing with people suspected of having a mental health disorder you should not make assumptions about their ability to understand, reason, or respond coherently. You must always treat individuals with dignity and respect, and consider:

- The emotions the person may be feeling.
- Identifying yourself and others and explaining intentions, actions and any equipment.
- Explaining that you want to help and ask how you can be of assistance.
- Distress and disturbance that might be caused by police vehicles, equipment and uniforms.
- Eliminating noise and distractions.
- Talking slowly and quietly.
- Taking your time, and allowing sufficient time for response.
- Using simple sentences.
- Avoiding verbal confrontation and challenging behaviour.
- Asking permission before acting.
- Not having physical contact without permission.
- Keeping your distance and respecting personal space.
- Developing a sense of working together.
- Giving choices whenever possible to allow some level of self control.

Most people who exhibit violence are not mentally ill and most mentally ill people are seldom violent. However, they may present management difficulties because they lack capacity to consent to necessary treatment. Individuals may misinterpret interventions as a result of hallucinations or paranoid ideas, feel threatened, and become hostile. It is of paramount importance that consideration is given to everyone's safety. In making a judgement about whether the person may pose a risk of harm to themselves or others you should consider:

- Information held on police computer systems
- Information held by local psychiatric services
- Previous knowledge of the person
- Apparent substance misuse
- Demeanour at the time of contact

Common Forms of Mental Illness

Police officers who interact with people who have mental health problems should not attempt to diagnose symptoms, but must be able to understand the general nature of illnesses and the most appropriate way to respond.

Dementia

Dementia usually affects older people and becomes more common with age. However it is important to remember that dementia is not a normal part of growing old and most elderly people never develop dementia. Symptoms progress gradually, and the earliest sign usually includes failure to remember recent events. People may also suffer hallucinations (the sense of an experience that isn't actually happening) and report to the police for example, intruders in their home, or that items have been stolen when in fact they have been misplaced. Other symptoms include confusion, and changes in personality, mood, and behaviour. For example, being confused by new surroundings and people, becoming irritable or aggressive, or having difficulty performing everyday tasks such as cooking. As dementia progresses sufferers may lose their normal inhibitions and say or do inappropriate or antisocial things that may also result in contact with the police.

Schizophrenia

This is frequently misunderstood as split personality. However the split refers to the discrepancy between thinking and feeling, not personality. Symptoms usually start around late adolescence or early adult life, and whilst some sufferers make a full recovery, many others experience permanent disability. In acute cases abnormal behaviour and disordered thought can occur due to delusions (beliefs or mistaken ideas not based in reality), such as delusions of persecution or grandeur, and hallucinations, for example, seeing something that is not present or hearing voices that do not come from any present source. Other symptoms can include noisy and irrational behaviour, sudden mood changes, loss of concentration, and lack of energy and motivation leading to social withdrawal and self-neglect. People are very rarely dangerous, and most who have the illness are vulnerable and withdrawn, and more likely to hurt themselves than others.

Manic Depressive Illness

Manic depressive illness, more commonly referred to as bipolar disorder, is a brain disorder that causes unusual changes in the person's mood, energy, and ability to function. It usually begins around late adolescence and often lasts for weeks or months. Whilst recurrence is common, with medication a person will usually return to a full level of functioning between episodes. It is equally common in men and women and there is no variation by socio-economic class or race. The illness ranges from overtly 'high' (manic) to overtly 'low' (depressed). A person may feel extremely happy, elated or euphoric, full of energy, and have great new ideas; but they may also feel pessimistic or worthless, or have suicidal thoughts. During severe episodes people may also experience hallucinations or delusions.

Hypomania is the mild form of mania and lasts for a shorter time. It shares symptoms with the mania aspect of manic depression but to a less severe degree, and generally does not disrupt every day life. However individuals can still tend to overestimate their capabilities, fail to see obvious risks, and become involved in acts such as reckless driving, gambling or inappropriate sexual activity. A common error is to stop taking medications because some degree of hypomania feels good. However without proper treatment it can become severe mania or people can become depressed.

Autistic Spectrum Disorder

Autistic Spectrum Disorder (ASD) is used to describe a group of disorders including autism and asperger syndrome. ASD is a lifelong condition that begins in early childhood and persists throughout adulthood. The causes are unknown and there is no cure for ASD. It affects how a person communicates with and relates to other people, and how they make sense of the world around them. There may be difficulty with verbal and non-verbal communication, social interaction, social imagination, and also sensory difficulties. People with asperger syndrome are often of or above average intelligence. Compared with autism they usually have fewer language development problems, but still experience difficulties with social communication.

Attention Deficit Hyperactivity Disorder (ADHD)

This is the most common behavioural disorder in the UK. Symptoms tend to start at an early age and mainly affect boys. It is defined by two broad groups of behavioural problems, inattentiveness, and a combination of hyperactivity and impulsiveness. Common symptoms include a short attention span, restlessness, being easily distracted, constant fidgeting, impatience, breaking rules, or having little sense of danger. Many people with ADHD also have low self-esteem and learning difficulties, but it has no effect on intelligence. ADHD can be a life-long condition, and symptoms often persist into adulthood. However applying childhood symptoms to adults does not work, for example, hyperactivity tends to decrease in adults, whilst inattentiveness tends to get worse as the pressure of adult life increases. There is no cure for ADHD but it can be managed using medication, psychological, educational, and social therapies.

Tourette Syndrome

Tourette syndrome is known to run in families and usually begins in childhood or teenage years. However many people only have mild symptoms which decrease with age. It is caused by problems with development of the central nervous system. Early symptoms include repeated involuntary sudden or rapid movements such as twitches, blinks or jerks referred to as 'tics'. However in some cases symptoms may progress to physical movements, grunts, sniffing, other noises, or uttering obscenities or swearing.

Personality Disorder

Personality is formed during childhood and adolescence and it is the features of a person's personality, both emotional and cognitive, which make them identifiable, and characterise their response to different situations. Personality disorders are caused by disturbed emotional development and patterns of behaviour can be traced back to adolescence. Someone with a personality disorder will engage in certain patterns of behaviour that deviate markedly from the expectations of the individual's culture. This is usually as the result of a deeply held belief to do with the way that they view the world. The enduring pattern of behaviour leads to impairment in social, occupational, or other important areas of functioning, and can cause distress others. There are different types of personality disorder. Antisocial personality disorder is the personality disorder most often found in mentally disordered offenders. There may be a history, for example of running away, using weapons, physical cruelty to people and animals, and destruction of property. Dissocial personality disorder is diagnosed in people who for example, present a callous lack of concern for others, have a gross disregard for social norms and rules, and inability to maintain enduring relationships. All personality disorders have an increased risk of harm or suicide.

Appropriate Adults

Guidance in this section is based on the Scottish Government 'Guidance on Appropriate Adult Services in Scotland' published in November 2007.

The responsibility for identifying when an Appropriate Adult is required rests with the police. If you are told or suspect that a person may have mental health problems, or that they are mentally incapable of understanding the significance of questions posed or replies made, you should arrange for an Appropriate Adult. You should also consider a medical examination to establish if a person is fit to be interviewed. A declaration that someone is fit to be interviewed does not remove the need for an Appropriate Adult to be present.

The primary role of the Appropriate Adult is to facilitate communication, and also to provide support and reassurance for victims, witnesses, suspects or accused persons with mental health problems during interview, specific forensic procedures or examination, precognition, and during court procedures.

Consider:

- The inability to understand or answer questions
- Incoherence (not solely drug or alcohol induced)
- Excessive anxiety
- Unusual mood level or behaviour e.g. tearfulness or euphoria
- Agitation leading to physical activity not in keeping with the situation
- Other signs of mental disorder

As there may not be any visible signs, you should also consider asking whether the person has a mental health problem, learning disability, or communication needs.

People suffering from mental health problems may without knowing or intending to do so provide unreliable, misleading or self-incriminating evidence. Because of this increased risk it is particularly important to prepare for interviews, and obtain independent confirmation of facts wherever possible.

Mental Health (Care and Treatment) (Scotland) Act 2003

Section 297 of the Act allows the police to detain a person found in a public place who appears to be suffering from a mental health disorder, and to take him/her to a place of safety. This is to enable a medical examination to be carried out, and in order that arrangements may be made for the person to receive care or treatment if required.

The definition of a place of safety **specifically excludes** a police station, and such premises can only be used where no place of safety is immediately available. If a person is taken to a police station a medical examination should be arranged, and the manner in which they are detained should be proportionate to their behaviour and state of mind.

Section 298 places a duty on the police to ensure that certain parties are informed of a range of issues in connection with the removal. The Police Report - Removal to Place of Safety Form (POS 1) should be used for this purpose.

Nothing in the Act prevents an officer from exercising common law or statutory powers of detention or arrest where a person is suspected of, or has committed a crime or offence.

When a person is found in private premises apparently suffering from a mental health problem a police officer does not have any power to remove them unless a crime has been committed. Fuller details of this, entry to premises, removal orders, and other relevant legislation can be found on The Police Information Net for Scotland. Local procedures should also be referred to when dealing with people suspected of having a mental health problem.

Mental Health (Care and Treatment) (Scotland) Act 2003

Section 297 – Removal from a Public Place

Police Officers have the power to take a person, who is in a public place, to a place of safety if:

- they reasonably suspect the person to have a mental disorder; and
- is in immediate need of care or treatment

Removal must be:

- to enable arrangements to be made for a medical practitioner to examine the person; and
- **for that person** to make arrangements for care or treatment

The constable must consider removal to be necessary in the interest of the person or for the protection of the public.

A person can only be detained for a period ending not later than 24 hours after the time of removal.

If the person absconds whilst being escorted to, or from the place of safety, the constable may take the person into custody and remove him/her to a place of safety.

Section 298 – Removal under Section 297: Further Provision

Additional guidance is given in this section about persons and agencies that must be informed of certain personal details, information giving rise to, and surrounding the removal when a person has been removed to a place of safety. These are:

- the local authority in whose area the place of safety is situated (Form POS1);
- as soon as is reasonably practicable after the removal has taken place; and
- nearest relative; or, if unavailable
- the person residing with the relevant person; or
- the person providing care; and
- the Mental Welfare Commission (Form POS 1 within 14 days)

RACE AND ASYLUM

Given the ever-changing demographics of the population of Scotland, it is not possible to include every culture in this guide. We have included brief information on the main communities currently in Scotland. Whilst different cultures will invariably have a variety of religions and beliefs, these are dealt with separately in the Faith/Religion section of this guide.

ASYLUM / REFUGEES

Over recent years, the 'asylum seeker' population has increased greatly in Scotland, with the main concentrations being in the central belt within the Strathclyde Police area. There are now many different cultures and religions existing side by side, and this has also increased the diversity of language in the community. The result is a rich variance in terms of diversity. Asylum seekers come from many countries, and so it is not possible to define all their culture or needs here, however, many come from the groups described in the following sections.

The 1951 UN Refugee Convention defines a Refugee/Asylum Seeker as *"a person having a well-founded fear of being persecuted for reasons of religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country."*

Since 1997 the UK has experienced a considerable increase in the numbers of persons claiming asylum or refugee status after fleeing other parts of the world where conflict or persecution exist. Some nationalities of recent Asylum Seekers have been:

- Ethnic Albanians
- Iraqi Kurds
- Afghans
- Somalis

People from Eastern Europe Union countries are economic migrants not asylum seekers or refugees.

Arrangements are in place to locate new Asylum Seekers throughout the UK. This means that Asylum Seekers have no choice in where they are placed in the UK. There are no arrangements made prior to this displacement, to prepare Asylum Seekers for integration into our communities and often no information given to the communities about the impending arrival of the Asylum Seekers.

There are usually no established communities where the Asylum Seekers are placed therefore there is the potential for individuals and families with language and cultural differences to become isolated and vulnerable. It must also be borne in mind the possibility of conflict between the different dispersed groups, particularly where conflict and persecution continues in their countries of origin.

Media coverage has led to a belief that Asylum Seekers commit more crime but research has shown this is a myth and in fact as an ethnic group they were shown to commit less crime than the local population. The negative view that has been generated around this entire issue has led to an increase in Racist Incidents.

It must be recognised that Asylum Seekers are more likely to be exposed to conflict within the community and towards authority, mainly as a result of negative media exposure, lack of community structure, family segregation or loss, significant language difficulties and cultural isolation.

As Refugees and Asylum Seekers come from areas of the world where conflict and persecution exists, it is important to remember that when dealing with them they may have a mistrust and fear of authority due to experiences in their countries of origin. This can lead to a possible reluctance to report Racist Incidents or other offences to the authorities. It must also be remembered that they may well have been the victims of torture or other oppressive behaviour and be suffering trauma and grief.

As a result of immigration restrictions, Refugees and Asylum Seekers are entitled to limited state support and until their application has been successful or 'leave to remain' is granted, Asylum Seekers are not permitted to work for payment.

It is important to acknowledge that those who are granted 'leave to remain' have exactly the same rights as any other member of our society. Those who are suspected of being illegal entrants are entitled to the same rights and legal protections as any other person suspected of having committed an offence.

AFRICAN/AFRICAN CARIBBEAN

Language

The most common African language spoken is Swahili, which is used by a large number of East Africans, although both English and French are widely spoken.

Traditions

The African continent and the Caribbean have a huge diversity of cultures and traditions, but are unified in a number of areas.

The communities are bonded by their commonness in music and diet and possess certain cultural traits which officers should be aware of when dealing with members of their community. For instance, culturally it is considered impolite to look directly at the face or maintain prolonged eye contact; looking down and a lowered tone of voice are mannerisms used to show respect.

Their communities generally operate within an extended family system with particular relations playing important roles in the lives of other relatives.

Respect for elders is an important aspect of the culture and children are taught to address adults who are family friends as aunt or uncle.

Religion

Although most major religions of the world are to be found in the Caribbean islands, Christianity is the predominant religion among the UK African/African Caribbean community. See Faith/Religion section of this guide for further information.

Visit/Searching of Homes

Apart from any religious sensitivities, African/African Caribbean family values may dictate that children are protected from adult issues. Matters which may be discussed by mainstream society in the presence of children may not be deemed appropriate for children in the African/African Caribbean community and they will be routinely ushered elsewhere.

Death Customs

Customs relating to death vary according to religious beliefs and traditions.

Diet

There are no particular issues in relation to diet.

Festival/Holy Days

Apart from religious festivals, the Independence Day of the country of origin is usually celebrated.

ARAB

Language

Arabic is the dominant language although English and Hebrew are widely spoken.

Traditions

The Arab community is a distinctive community. This distinctiveness comes about not through differences in colour, looks or attitudes, but mainly through an ingrained subtlety in language, social and cultural values.

The family is the key social unit to an Arab. This loyalty influences all aspects of an Arab's life. Honour is very important amongst Arabs. Honour will be protected and defended at all costs.

Religion

Arab communities are religiously and ethnically diverse with Islam being the dominant religion. They also follow Christianity. See Faith/Religion section of this guide for further information.

Visit/Searching of Homes

Men stand when women enter a room. They respect the different living 'areas' for men and women. Do not expect women to eat or socialise in the same room as men. Men should not shake hands with an Arab woman unless she offers her hand first. Religious books or other items should be handled with due deference to the householders beliefs.

Death Customs

Arabs follow Christian and Islamic death customs, according to their religion.

Diet

Arabs are mostly restricted by Islamic conventions from eating food that is not Halal. Alcohol is forbidden.

Festival/Holy Days

Arabs follow Christian and Muslim holy days according to their beliefs.

BANGLADESHIS

Language

The official language is Bangla, also known as Bengali. Many people also speak English and Urdu.

Traditions

Bangladesh has a hierarchical society. People are respected because of their age and position. Older people are naturally viewed as wise and are granted respect.

Bangladeshis expect the most senior male, by age or position, to make decisions that are in the best interests of the group. This is also valid in businesses, the majority of which will be family owned/run.

Religion

The majority of Bangladeshis are Muslim however some follow Hinduism. See Faith/Religion section of this guide for further information.

Visit/Searching of Homes

Men greet each other with a handshake upon arriving and departing. Do not shake hands with a Bangladeshi woman unless she extends her hand.

Religious books or other items should be handled with due deference to the householders beliefs.

Death Customs

Bangladeshis mostly follow Islamic death customs.

Diet

Many people eat with their hands and many share food from a common dish. Fish is the dominant kind of meat.

Festival/Holy Days

Islam defines many of the festivals for the Bangladeshi communities, along with Hindu festivals.

CHINESE

Language

The official language of China is Mandarin. Cantonese is the principal language used by the majority of the British Chinese population.

There are two forms of written Chinese – simplified and traditional.

Traditions

Respect for elders is widely shown. Chinese people value integrity very highly. When visiting socially, Chinese people usually bring a gift. Opening presents in front of the guest is considered ill mannered.

Astrology plays a lead role in Chinese history and is integrated with religious beliefs.

Religion

Chinese religion is not an organised, unified system. It has no leadership, no headquarters and no founder. 'Chinese Religion' is a general term used to describe different religions and is primarily composed of four main traditions: Confucianism, Buddhism, Taoism and Christianity. See Faith/Religion section of this guide for further information.

Visit/Searching of Homes

Some Chinese homes may have shrines or altars, which are used for worship. This area should be searched with due deference to the householder's religious sensitivity.

Gender sensitivities apply when dealing with traditional Chinese women (e.g. shaking hands, or a male being in the same room when a female is unaccompanied). It is best to wait for the offer to shake hands to be made to you rather than cause embarrassment.

Death Customs

It is important to Chinese people that they bury the deceased as soon as possible because they believe that a body left above the ground allows its spirit to interfere with the living.

In the event of a child it would not be the parent's choice to identify the body prior to a post mortem. Arrangements, where possible, should be made for a close family member to carry this out.

Diet

Diet may be influenced by Chinese cultural beliefs about health being related to a balance of physical elements in the body. A Chinese person may feel that a sick person should not eat cold food, or that a certain condition indicates a need to alter diet in a particular way.

Festival/Holy Days

The Chinese festivals occur throughout the Lunar year. As our calendar year and the Lunar year is different, the festivals fall on different dates each year.

The Chinese New Year is the most important of all the festivals. The date of the Chinese New Year falls somewhere between late January and late February.

CONGOLESE

Language

Although seven hundred local languages and dialects are spoken, the linguistic variety is bridged both by the use of French as the official language and the intermediary languages Kongo, Tshiluba, Swahili, and Lingala.

Traditions

These vary between different ethnic groups. Most follow indigenous beliefs and belief in witchcraft may be evident.

Religion

Christianity is the majority religion followed. See Faith/Religion section of this guide for further information.

Visit/Searching of Homes

There are no particular issues of concern when visiting/searching homes of the Congolese community.

Death Customs

There are no particular issues of concern in relation to death customs.

Diet

There are no particular restrictions on diet.

Festivals/Holy Days

Christian festivals/holy days are followed by the majority of Congolese people.

INDIAN

Language

There are more than 15 major languages used throughout India and more than 500 different dialects. The most common languages are Hindi, Urdu, Punjabi and Gujarati.

Traditions

Namaskar/Namaste is the most popular form of greeting. It is a general salutation that is used to welcome somebody and also for bidding farewell. The palms of both hands are placed together and raised below the face to greet a person.

Tilak is a ritual mark on the forehead. It can be put in many forms as a sign of blessing, greeting or auspiciousness. Indians often refer to family friends as 'uncle' or 'aunt'.

Religion

Hinduism is the religion followed by the majority of Indians, followed by Buddhism, Jainism, Sikhism, Islam and Christianity. See Faith/Religion section of this guide for further information.

Visit/Searching of Homes

There are no particular issues when visiting/searching homes of the Indian community, however, reference should be made to the Faith/Religion section of this guide for information on specific religious observations and requirements.

Death Customs

Death customs will vary according to the religion followed. See Faith/Religion section of this guide.

Diet

Dietary requirements will vary according to the religion followed.

Festivals/Holy Days

Hinduism defines many of the religious festivals for the Indian community, however, this will be dependent on the religion followed.

IRISH

Language

The official languages are Irish (Gaelic) and English. Most members of the Irish community will speak English

Traditions

Irish traditions are the basics to their culture and way of life, which have been passed down from generation to generation. Irish culture is rich in its diversity.

Visiting/Searching of Homes

There are no particular issues when visiting/searching homes of the Irish community.

Religion

Most Irish people are Christian, following either Protestant or Roman Catholic beliefs. Care must be taken not to make assumptions about which religion an Irish person practices, as religion is a very sensitive issue.

Death Customs

When someone dies in Ireland it is usually tradition to have a wake in a house for up to two days before a burial. This is usually held within someone's home, and not a funeral parlour. The wake is to allow family and friends to meet up and pay their last respects to the recently departed and to celebrate a new beginning for the dead.

It is a common Irish tradition that someone stands over the coffin of the dead throughout the two nights praying over the deceased, usually saying the Rosary. On the day of the funeral the tradition is that close family members carry the coffin to the Church for the funeral, or at least part of the way, with family and friends following behind.

Diet

The Irish diet mirrors that of the UK in general.

Festivals/Holy Days

The biggest day in the Irish calendar year is St Patrick's Day. The St Patrick's Day tradition is celebrated by millions worldwide with thousands of parades taking place in many different countries. Many people celebrate the St Patrick's Day traditions by drinking green beer, wearing green and generally celebrating their Irish heritage.

KOSOVARS

Language

The official language in Kosovo is Albanian. The Albanian language has two main dialects – Tosk and Gheg.

Traditions

Discipline at school is probably seen as being stricter in the Kosovan communities. Some may be wary of the Police because of their past experiences of torture and brutality in their own country.

Religion

The majority of Kosovars are Muslim, although may not be strict. The older generations tend to be more orthodox, although they are still less likely to be as orthodox as other Muslims.

Visit/Searching of Homes

There are no particular issues when visiting/searching homes of the Kosovan community.

Death Customs

There are no particular issues in relation to death customs, however, may be dictated by Muslim beliefs.

Diet

Many younger Kosovans are not strict about their diet and will eat meat that is not Halal.

Festival/Holy Days

Festivals and holy days will largely be dictated by Islamic beliefs.

PAKISTANI

Language

The official language of Pakistan is Urdu, although Punjabi, Sindhi and Pashto are also spoken. The majority of people from Pakistan will, however, speak Urdu or Punjabi.

Traditions

Older people are given position of prestige, honour and respect.

Social life is simple with customs and traditions reflecting an Islamic requirements.

Religion

Pakistan was created for the majority followers of Islam (Muslims) who inhabit the area. To that extent, Islam plays a major part in the life and culture of Pakistani people.

Visit/Searching of Homes

There may be certain gender issues based on Islamic beliefs. A Muslim woman may not wish to shake hands with a man. As a rule allow the woman to offer her hand first. This may also mean officers may not be welcome to enter the home if there is not a male present.

Religious books or other items should be handled with due deference to the householder's belief. In the interests of purity, dogs are not allowed in the home other than in life threatening situations/lawful duty.

Death Customs

Pakistanis generally follow Islamic death customs.

Diet

Muslims only eat with the right hand. Pork is totally forbidden. Meat is eaten as long as it's Halal.

Festivals/Holy Days

Islam defines many of the festivals for the Pakistani communities

POLISH

Language

Polish is the official language of Poland.

Traditions

Polish people can assimilate very quickly, which is important as there appears to be no cultural clashes. They are seen as a nation of fun lovers who enjoy festivities, traditions and centuries-old customs.

Religion

Religion in Poland has changed throughout centuries of history. Currently most Poles adhere to the Christian faith; more than 90% are Roman Catholic. The rest of the population consists mainly of Eastern Orthodox, Jehovah's Witnesses and Protestant.

Visit/Searching of Homes

There are no particular issues in relation to the visiting/searching homes of the Polish Community.

Death Customs

There are no particular issues in relation to death customs.

Diet

There are no particular issues in relation to dietary requirements.

Festivals/Holy Days

Poles mostly follow Christian festivals and holy days.

RUSSIAN

Language

The Russian language is the only official state language, but the individual republics have often made their native language co-official next to Russian.

Traditions

It is impolite to point with your finger. But if you must point, it's better to use your entire hand instead of your finger. Sometimes, simply showing the soles of your shoes is considered rude.

It is often considered taboo to step over people, or parts of their body, which are on the ground. It is often said that it will prevent the person from growing. It is better to politely ask the person to move or to find a way around them.

Religion

Christianity, Islam, Buddhism, and Judaism are Russia's traditional religions. Members of these traditional churches have lived in Russia peacefully side by side for centuries. Over two thirds of worshipers consider themselves Russian Orthodox.

Visit/Searching of Homes

There are no particular issues in this respect.

Diet

The Russian diet is higher in carbohydrates and lower in proteins than other diets of their close European neighbours, however, there are no particular issues.

Festivals/Holy Days

A Russian festival occurs nearly every month of the year. Festivals are often unique and enjoyable. One of the main Russian festivals is a week-long event called Maslenitsa - the equivalent of a Russian Mardi Gras. The event usually features travelling choirs dressed in traditional costumes and various folk games.

Most Russians consider New Year to be their favourite holiday. The Russian New Year usually consists of decorating trees and hiding presents beneath them, fireworks and cooking meals consisting of meat and potato dishes.

SOMALIS

Language

The predominant language of the Somali people is Somali. This had no written form until an official script was introduced in 1973. Because of this, many older people in the Somali community are unable to read and write, particularly those originating from the rural communities.

Traditions

Historically Somalis have demonstrated an unwillingness to submit to authority and have a strong sense of independence. Despite sharing the same language, religion and customs Somalis have developed a clear clan consciousness. This has led to conflict between different clans and sub-clans.

Refugees who have had limited contact with the police in the UK may be afraid because of their past experience of brutality and torture in Somalia.

Religion

Somalis are generally Sunni Muslims, and follow Islamic requirements.

Visit/Searching of Homes

Religious books or other items should be handled with due deference to the householders beliefs.

Death Customs

Somalis generally follow Islamic death customs.

Diet

Westernisation appears to have influenced some aspects of Somali immigrants diet, however, Muslim Somalis will only consume Halal food.

Festival/Holy Days

Muslim Somalis follow Islamic holy days and festivals.

TURKISH

Language

The official language is Turkish. Other languages such as Arabic and Circassian are also spoken.

Traditions

Many Turkish women do not work and stay at home preparing food.

Religion

The majority of Turks are Muslims (mostly Sunni), followed by Christians and Jews.

Visit/Searching of Homes

When entering a room, if you are not met by someone, greet the most elderly and senior first. When meeting always shake hands, when departing it is not always customary to shake hands.

Religious books or other items should be handled with due deference to the householders beliefs.

Death Customs

Most Turks follow Islamic death customs.

Diet

Most Turks will eat Halal food in accordance with Muslim beliefs.

Festivals/Holy Days

New Year is a big celebration for the Turkish community. Most families gather at home for a large celebratory dinner. Gathering in public is a relatively new thing that is mainly done in the bigger cities by the younger generation.

LESBIAN, GAY, BISEXUAL, TRANSGENDER (LGBT) AWARENESS

It is estimated that 1 in 7 of the population are lesbian, gay, bisexual or transgender and therefore you will be meeting, working with or professionally coming into contact with people who self-identify as such. Some lesbian, gay and bisexual people may not be 'out' about their sexual orientation for a variety of reasons, one of which may be actual or perceived risk to their personal safety. Similarly, many transgender people are extremely private about their gender history and may often view their transgender status as a piece of highly confidential medical information.

Everyone has a fundamental human right to a basic level of dignity and privacy. It is highly unprofessional to make negative comments about anyone's actual or perceived sexual orientation or transgender status. It is also very important not to reveal to others that someone is lesbian, gay, bisexual or transgender without their permission. While there may be opinions on why some people are heterosexual and others may be lesbian, gay or bisexual, the fundamental issue is that sexual orientation is not a choice for anyone. Equally, transgender people do not choose to find that their instinctive self-perception of their gender differs from the gender they were labelled at birth and they may experience intense personal distress about their physical appearance.

Lesbian, gay, bisexual and transgender people can often find that a lack of awareness by other members of society about the realities of their lives can result in them being targeted by prejudiced people. This puts LGBT people at risk of becoming victims of homophobic or transphobic crimes and harassment and discrimination, however due to the stigma and ignorance associated with LGB or T, it is less likely to be reported.

Terminology Relating to Sexual Orientation

The use of appropriate terminology should be undertaken as part of an effective form of communication with the LGBT community. In many cases it will not be necessary to refer to sexual orientation, but to use the term lesbian and gay men should be satisfactory for most situations. The term "Homosexual" in most people's minds relate to men only. This is not the case, however as the word is interpreted differently by many, as it relates to sexual practice as opposed to sexual orientation.

Whilst some women identify themselves as gay rather than lesbian, the use of both words ensures that both men and women are included. Some people will identify themselves as bisexual, in which case that will be the term to use.

If in doubt, check with the people you are addressing at the time - this will not cause offence, it will however show professionalism. The use of inappropriate terminology can lead to unintended assumptions about your level of experience and understanding in providing quality and equality of service.

Officers should be aware of the following explanation of terms:

Lesbian/gay woman – Girls or Women who are emotionally and/or physically attracted to other women.

Gay man – Boys or Men who are emotionally and/or physically attracted to other men.

Bisexual - Someone who is emotionally and/or physically attracted to more than one gender of person.

Heterosexual - Someone who is emotionally and/or physically attracted to people of the opposite gender.

While the majority of LGBT people do not engage in any cruising or cottaging, it is important for police officers to understand what these terms mean:

Cottage/cottaging – The term used to identify public toilet meeting areas, where predominantly men attend to meet other men, often to engage in sexual acts (the name was derived from the likeness of some isolated public toilets to cottages)

Cruising - similar to cottaging, however cruising spots are often in places where no buildings exist such as lay-bys, woodland areas and parks.

It should be understood that a large percentage of men who visit "Cottaging and Cruising" sites, identify as heterosexual. Visitors to these sites are often particularly vulnerable, with many crimes and incidents unreported due to fear of exposure to their families and friends.

Terminology Relating to Gender Identity

In Scotland, it is currently common to use the terms **transgender people** or **trans people** as 'umbrella' terms to cover the many diverse ways in which people can find their personal experience of their gender differs from the assumptions and expectations of the society they live in. The various people who can be included within the term **transgender people** are: transsexual women, transsexual men, intersex people, androgyne people and cross-dressing people.

A person's **Biological Sex** includes all aspects of their gender-related biological structure: not only their genitals but also their internal reproductive system, their chromosomes and their secondary sexual characteristics such as breasts, facial and body hair, voice, and body shape. Most people's biological sex will be clearly and consistently female or male. However, a small but significant number of people have bodies which are not completely male or female. People born with these kinds of physical variations are often referred to as **intersex people** and there are many different intersex conditions. A person may also have a biological sex which is not completely clearly male or female if they have undergone some hormonal or surgical intervention as part of a process of transsexual gender reassignment.

A person's **Gender Identity** is their internal sense of where they exist in relation to being a man or a woman. A person's **Gender Expression** is their external gender-related clothing and behaviour (including their interests and mannerisms).

Transsexual People are people who consistently self-identify as the opposite gender from the gender they were labelled at birth based on their physical body. Depending on the range of options and information available to them during their life, transsexual people may try to cope in a variety of ways. Many will manage (some while still children, most as young adults and some much later in life) to find a way to transition (undergo gender reassignment) to live fully in the gender that they self-identify as.

Gender Dysphoria (which is also known as **Transsexualism**) is a recognised medical condition for which gender reassignment treatment is available on the National Health Service in Scotland. Gender Dysphoria is distress, unhappiness and discomfort experienced by someone about their physical body not fully matching their gender identity (that is, their internal sense of where they exist in relation to being a man or a woman). Transsexual people usually experience intense gender dysphoria which is significantly reduced by transitioning to live as their self-identified gender and by taking hormones and perhaps getting surgery to make their physical bodies match their gender identity and gender expression better. Other types of transgender people may also experience various degrees of gender dysphoria, especially when unable to fully express their gender identity.

A **Female-to-Male [FTM] Transsexual Man [Trans Man]** is someone who was labelled Female at birth but has a Male gender identity and therefore is currently seeking to transition, or has already transitioned, to live permanently as a Man.

A **Male-to-Female [MTF] Transsexual Woman [Trans Woman]** is someone who was labelled Male at birth but has a Female gender identity and therefore is currently seeking to transition, or has already transitioned, to live permanently as a Woman.

Transition or **Gender Reassignment** refers to the medically supervised process that a transsexual person goes through to present themselves permanently in their new acquired gender. The process of diagnosis and treatment can take anything from a matter of months to a period of years. The initial diagnosis is usually followed by hormone therapy, and during this process the individual will start to live and work full-time in their acquired gender and at this point their name and other records will be changed. For any NHS-funded reconstructive surgery in Scotland, transsexual people are currently required to first undertake at least a year of living fully in their acquired gender. A person may live full-time in their new name and gender and achieve full legal recognition and rights in their acquired gender without ever undergoing any surgical intervention. Surgical intervention is not a requirement and some people may not undergo surgery due to age, health or other factors (such as high complication rates in surgically creating a penis for female-to-male trans men).

Cross-dressing People (sometimes called **Transvestite People** although this is becoming an out-dated term) are people who dress, either occasionally or more regularly, in clothes associated with the opposite gender, as defined by socially accepted norms. Cross-dressing people are generally happy with their birth gender and do not want to permanently alter the physical characteristics of their bodies or change their legal gender. They may dress as the opposite gender for emotional satisfaction, erotic pleasure, or just because they feel more comfortable doing so.

Androgyne People (sometimes called **Third-gender People**, **Bi-gender People** and **Polygender People**) are people who find they do not feel comfortable thinking of themselves as simply either men or women. Instead they feel that their gender identity is more complicated to describe. Some may identify their gender as being some form of combination between a man and a woman, or as being neither. Like transsexual people, they can experience gender dysphoria (sometimes as intensely as transsexual people do) and may sometimes at least partially transition socially and may take hormones or occasionally have some surgery done.

Acquired Gender is the term used in the Gender Recognition Act 2004 to mean the gender role that a person has transitioned to live their life in and which matches their self-perceived gender identity. Therefore, the acquired gender of a Male-to-Female Trans Woman is Female. The acquired gender of a Female-to-Male Trans Man is Male.

Dealing with an Incident

A **homophobic incident** is defined as: ' Any incident that is perceived to be homophobic by the victim or any other person. Victims may be Lesbian, Gay, Bisexual or Transgender or *perceived* to be or *mistaken* for any of these'. Increasingly, transgender victims may prefer the term **transphobic incident** to be used rather than homophobic incident.

Sexual orientation and transgender status is not the issue when someone is involved with the police, in whatever context. However, attacks and other incidents motivated by homophobia/transphobia need to be regarded in a different light to other incidents reported to the police, as they involve a specific hatred against sections of the community.

For some time it has been the case that lesbian, gay, bisexual and transgender people have been reluctant to report any crime against them because of the perception that the police may be prejudiced, or because of the circumstances of the offence.

When dealing with an incident which may have a homophobic/transphobic element to it, the following should be considered:

- Many people will only give you the basic outline of the incident if they are finding it hard to trust you. If you show understanding, empathy and consideration then you will be able to build up trust and victims and witnesses will be likely to be more open to you.
- The language and terminology you use will need to be carefully chosen in order to avoid reinforcing any negative stereotypes of the police as inconsiderate of LGBT issues and views.
- Members of the LGBT community can be more at risk from violence because of homophobic/transphobic prejudice against them, particularly if they have to travel alone or use public transport etc. Therefore be aware of this when speaking with a victim, as what may seem like a straight forward incident, may well have a homophobic/transphobic element. Using tact and diplomacy make efforts to establish if the incident you are dealing involved any homophobia or transphobia.
- If appropriate, explain to the victim or witness that if such a homophobic/transphobic element is identified then support mechanisms and organisations are

in place to assist.

- Homophobic/transphobic activity can occur in less obvious ways, e.g. theft of property, and obscene telephone calls. It is, therefore, particularly important that officers take care to check in a sensitive manner, the full circumstances behind any minor crimes or anti-social behaviour reported.

In line with the above considerations, officers should be aware of the following points:

- Provide the victim with a clear explanation of police procedures and an honest assessment, in respect of identifying those responsible.
- Lesbian, gay, bisexual and transgender people do not seek preferential treatment over any other group having dealings with the police, in fact they may have lower expectations about what the police service than other groups. Taking homophobic and transphobic crime seriously is not preferential treatment.
- When referring to sexual orientation, use the terms **gay**, **lesbian** or **bisexual** rather than the term 'homosexual' which some LGB people find offensive. If in doubt, ask the person.
- When referring to transgender status, use the term transgender person if you are unsure what the person's gender identity is. If the person states they are an intersex person or a transsexual person, then switch to referring to them using those more specific terms. Whenever possible, avoid referring to someone's transgender status and instead simply call them a woman, a man or a person according to their personal gender identity.
- Do not use any other derogatory slang terms for a person's sexual orientation or transgender status. The only exception to this is where you are recording the use of such a term as part of the homophobic or transphobic element of the reported incident.
- It is recognised that many homophobic/transphobic incidents are not reported to the police, or, that victims and witnesses may withhold vital information in an attempt to ensure that their sexual orientation or transgender status remains confidential. Taking care to reassure people that you will treat this information sensitively and help maintain their privacy will help to increase their willingness to report incidents fully.
- There are a number of organisations who can provide additional specialist support to LGBT people, these groups should be borne in mind for referral.
- Ensure that the relevant Police records are highlighted that the incident was of a homophobic/transphobic nature.

For every incident attended where there is a homophobic/transphobic element to it, the following should be considered:

- Do you need to consult a Supervisor?
- Do you need to complete a monitoring Form?
- Do any records have to be updated identifying the incident as homophobic/transphobic?
- Do those involved need additional support?
- Are they particularly vulnerable?
- Do you need to advise the appropriate LGBT Liaison officer or equivalent?

Same Sex Partnerships/Domestic Incidents

The **Civil Partnership Act 2004** allows same-sex couples to register a civil partnership, which gives legal recognition of their relationship and rights and obligations similar to those of married couples.

Same sex partnerships can at times be overlooked in respect of a domestic incident. Remember that anyone can be the victim or aggressor of domestic abuse. If an officer attends an incident where two people of the same sex have been involved, the following should be considered:

- Is the incident a domestic incident?, are the people involved in a relationship? If it is not clear do you need to establish this.
- Is there a civil partnership?
- Do you need confirmation of these details from the couple? Do you need to ask correctly worded direct questions to establish the details you require to carry out the appropriate enquiry?
- Is the environment suitable and private enough for people to willingly identify themselves as a victim of homophobic violence or abuse?
- Do you need to use a sensitive communication style and demonstrate a reasonable level of understanding of lesbian and gay issues?
- Treat the matter no differently from any other domestic incident.
- Does the victim require additional support?

Transgender Specific Considerations

When interacting with a transgender person, the following guidance should be considered:

- A transgender person may be heterosexual, lesbian, gay or bisexual. Their sexual orientation is determined in relation to their gender identity rather than their physical body. So, for example, a male-to-female transsexual woman living as a woman (regardless of whether or not she has undergone any surgery) may identify as a straight woman if attracted to men, as a lesbian woman if attracted to women or as a bisexual woman if attracted to men and women.
- You are likely to cause distress to transgender people if you make mistakes about the type of transgender identity they have. In particular, a transsexual person undergoing gender reassignment is likely to be upset if incorrectly referred to as a cross-dressing or transvestite person.
- So long as a person has their genitals covered, it is completely legal for them to wear clothing and accessories of any gender in public. If another person reacts in a homophobic/transphobic manner to a transgender person's appearance then it is not the transgender person's fault as they should not be forced to hide their identity out of fear. Going out in public partially or completely cross-dressed is no offence.
- A transgender person is not breaking any laws by using the opposite gender toilet facilities from the gender they were labelled at birth. Usually transgender people will use the toilet which corresponds with their gender presentation at that time. If a transgender person prefers to avoid selecting between the male and female

toilets then they can use a unisex disabled toilet. However, a transgender person should not be forced to use a disabled toilet.

- Some transgender people may look androgynous or have obvious physical characteristics which mean that their transgender status might be noticeable to others. However, most of the time it is not possible to determine that someone is a transgender person from their appearance while clothed.
- You are likely to insult a transgender person and reduce their willingness to answer any questions if you ask them inappropriate questions about their physical body, gender history or transition (gender reassignment) process. Take great care only to ask questions that are essential for the investigation of a crime and phrase any questions as politely as possible.
- If the transgender person is a victim or witness rather than a suspect, then it is inappropriate in virtually all cases to ask them their previous name, what they used to look like or whether they have undergone any surgery. Even when someone is a suspect, it may be inappropriate to ask them such questions.
- If you are speaking only briefly with someone and you are unsure whether the person would wish to be addressed as he or as she, then it is usually best just to avoid using any gendered terms than to risk insulting them by guessing wrong.
- When the interaction is long enough, ask the person their name to try to determine which pronoun to use. If it is not clear whether their name is a male or female name then it is acceptable to politely ask the person how they would like to be addressed.
- If you treat the person in accordance with their gender identity, they may be more co-operative.

Privacy Rights Provided by a Gender Recognition Certificate

The **Gender Recognition Act 2004** created a process to enable transsexual people to get their UK birth certificates and legal gender changed. The transsexual person can apply to the Government's Gender Recognition Panel for a Gender Recognition Certificate. If they are successful in their application, the law will recognise them as having all the rights and responsibilities appropriate to a person of their acquired gender.

The Gender Recognition Act 2004 defines any information relating to a transsexual person's gender recognition application as 'protected information'. It is a criminal offence (with a £5000 fine) for anyone acquiring this protected information in an 'official capacity' to disclose it to a third party without the transsexual person's consent. There are only a very few exceptions, for example if the information is specifically required by the third party for the prevention or investigation of a crime.

The information is deemed to have been acquired in an 'official capacity' if it was acquired by someone in connection with their function:

- as a member of the civil service, a police constable or the holder of any other public office or in connection with the functions of a local or public authority or of a voluntary organisation, or
- as an employer, or prospective employer, of the person to whom the information relates or as a person employed by such an employer or prospective employer, or
- in the course of, or otherwise in connection with, the conduct of business or the supply of professional services.

Searching Transgender People

As transgender people may have biological sex characteristics which differ from the gender they live in, there is potential for distress and embarrassment during a search of a transgender person. Sensible application of the following guidance should minimise the risk and protect all involved:

- If a search is begun without any knowledge that the person being searched is transgender and it only comes to light in the middle of the search then the searching officer should remain professional and polite. Unless the transgender person requests a different gender of searching officer to take over the search, the search should simply be completed as usual by the original searching officer without any inappropriate comments being made.
- If a person is thought or known to be transgender prior to a search being carried out, then they should be asked what gender they perceive themselves to be and what gender they would prefer to be treated as for the purposes of searching. If the person expresses a preference to be dealt with as a particular gender, they should be asked to sign a relevant document or officer's notebook to indicate their preference and dealt with accordingly. A female-to-male trans man who still has breasts and a vagina may identify strongly as a man but is likely to request to be searched by a woman officer. In such a case, the trans man should still be referred to using male pronouns and treated as a man in all other ways except in terms of the gender of officer who searches him.
- If a person is unwilling to make such an election, the *officer* should try and determine the predominant gender in which the person lives their life. This is likely to be indicated by the name, title or gender on their main identity documentation such as their driver's license, bank cards, etc. If they appear for example to live predominantly as a woman, they should be treated as such.
- Once it has been established which gender a transgender person is to be treated as during the search, the officer conducting the search should be made aware that they are about to search a transgender person. This is the best way to ensure that the dignity of both the officer and the transgender person is maintained as it reduces the risk of the officer being surprised if the person has some physical characteristics not usually associated with that gender. The only exception to informing the searching officer is if the transgender person has a gender recognition certificate and refuses to give permission for the officer to be informed.
- A transgender person should not have to share a cell or detention room with anyone else.

Additional Support

Officers should consider seeking the assistance of the national LGBT organisations such as:

- The Terrence Higgins Trust (Scotland)
- LGBT Youth Scotland
- Stonewall Scotland
- Equality Network (Incorporates the Scottish Transgender Alliance)

LGBT people on the whole are supportive of the Police Service and are easy to deal with. It is imperative that officers ensure that they have a knowledge and awareness of LGBT equality issues and rights in order to serve in a professional and robust manner.

ACPOS would like to thank all individuals and organisations involved with the compilation of this booklet.