

# National Domestic Extremism & Disorder Intelligence Unit

## NDEDIU Nominal Creation Policy 09/06/2013

<b>Protective marking</b>	<del>RESTRICTED</del>
<b>FOIA:</b>	For information in relation to FOI requests about this document, please contact the Metropolitan Police Service at <a href="http://www.met.police.uk/foi/">http://www.met.police.uk/foi/</a>
<b>Suitable for publication scheme:</b>	NO
<b>Title:</b>	NDEDIU Nominal Creation Policy
<b>Version:</b>	8
<b>Purpose:</b>	Direct Nominal Entity Creation Processes
<b>Relevant to:</b>	NDEDIU
<b>Author:</b>	NDEDIU
<b>Creating unit:</b>	[REDACTED]
<b>Date created:</b>	09/06/2013
<b>Date to be reviewed:</b>	N/A
<b>Date of last review:</b>	N/A

The vast majority of protest activity in the UK is peaceful and is NOT domestic extremism. The provision of this information to you is not intended to prevent any person from participating in their legal and democratic right to protest or demonstrate. If you would like any further guidance on these issues please contact your local police force or National Domestic Extremism & Disorder Intelligence Unit.

Handling Instructions - This document may be circulated within your department in accordance with departmental security instructions and with the caveats included within this document. This cover sheet must not be detached from the document to which it refers.  
**This document is the property of the NDEDIU. If found telephone [REDACTED] or hand in at your nearest Police Station.**

National Domestic Extremism & Disorder Intelligence Unit | T: [REDACTED] F: [REDACTED]



# National Domestic Extremism & Disorder Intelligence Unit

## Contents

Introduction	3
Rationale	3
Background	3
Definition of a Nominal Entity	3
The Significance of Nominal Entity Creation	4
Legislation	4
Manuals and Guidance	6
Creating a Nominal Entity Record	6
When a nominal will not be created	7
Reviewing Nominal Entities	7
Glossary	8
Conclusion	10
Appendix One	11
Appendix Two	13

# National Domestic Extremism & Disorder Intelligence Unit

## Introduction

This policy will set out when the National Domestic Extremism Unit (NDEU) will create nominal records within the NSBIS system.

This report will detail the rationale for requiring such a policy and provide a clear definition for the creation of nominal entities.

## Background

After the HMIC review in 2011, NDEU were advised to review the way that it creates and manages nominal entities. HMIC felt that NDEU did not manage correctly nominal entity creation or review, retention and disposal. The aim of this policy is to provide a framework for the creation and review of nominal entities that will ensure NDEU have a robust creation and review practice going forward.

## Rationale

This policy aims to provide a clear rationale for the creation of nominal entities. To achieve the following:

- Ensure all staff are aware of their responsibilities when creating entities
- Provide clear policy regarding when nominal entities are to be created
- Ensure legal compliance in the creation of nominal entities
- To ensure the creation and retention of nominal entities is justified and proportionate

## Definition of a Nominal Entity

A nominal entity records the details of a person that intelligence indicates is of interest to the police CT/DE business area. This will enable the furtherance and support of an operation, enquiry or intelligence development initiative. By its nature, intelligence requires an awareness of all persons that can potentially impact, or be impacted by, the threat of terrorism or extremism. This does not necessarily dictate that every nominal record created is a known terrorist or extremist.

Examples of nominal records include, but are not limited to,

[REDACTED]

## National Domestic Extremism & Disorder Intelligence Unit

---

### The Significance of Nominal Entity Creation

---

The creation of a nominal entity is an important step. Nominal creation isolates and highlights an individual as of importance and prominence to the National Domestic Extremism Unit. As such, the individual has their own file within the NDEU database and is identified as a subject of interest over and above people named in general intelligence records from all forces within England, Scotland and Wales. This step change in a person's status should not be underestimated in how it is perceived across policing.

### Legislation

---

For the purposes of this policy, the main pieces of legislation that will impact on nominal creation and that must be adhered to are:

- Management of Police Information 2005
- Data Protection Act 1998
- Human Rights Act.1998

### Management of Police Information 2005 (MoPI)

The Management of Police Information Guidance (MoPI) 2nd Edition 2010 provides the legal framework for UK forces to work within to "collect, record, evaluate, review and improve the quality of actions taken". In order to enable a consistent approach this national framework has devised definitions for all forces to use and adhere to.

The policing purposes as defined by the Management of Police Information 2005 are:

- Protecting life and property
- Preserving Order
- Preventing the commission of offences
- Bringing offenders to justice
- Any duty or responsibility of the police arising from common or statute law

When creating a nominal, it is essential that a policing purpose is established in order for the information to be legally held.

---

<sup>1</sup> [REDACTED]

## National Domestic Extremism & Disorder Intelligence Unit

---

Once a policing purpose is established, the data holders must also ensure that the information is compliant with the Human Rights Act and the Data Protection Act.

### **Data Protection Act 1998**

The 8 data protection principles as set out in the Data Protection Act 1998 are that the information is:

- Fairly and lawfully processed
- Processed for specified and lawful purposes and not in any manner incompatible with those purposes
- Adequate, relevant and not excessive
- Accurate and, where necessary, up to date
- Not kept for any longer than is necessary
- Processed in accordance with individual rights
- Secure
- Not transferred outside the EU

If any record contains personal information that does not comply with DPA principles outlined above, the record must either be amended or disposed of.

### **Human Rights Act 1998**

Finally, under the Human Rights Act 1998, the decision to retain personal records should be proportionate to the risk posed to the person as a victim, witness, or associate/relative the risk of a subject offending, and the risk of harm any nominals may pose to others and the community. A higher proportionality test should be met in order to retain records about victims, witnesses and associates or subjects involved in minor offending.

# National Domestic Extremism & Disorder Intelligence Unit

## Manuals and Guidance

[REDACTED]

In addition to the legislation that provides a framework within which police collect, review and retain and dispose of information. The two documents outlined below should be read in conjunction with this report as they provide the framework that drives the management of the database [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Creating a Nominal Entity Record

To ensure that NDEU comply with the legislation set out above, and to enable intelligence and information to be effectively managed, the creation of nominal records are required.

As stated in the [REDACTED], examples of nominal records include, but are not limited to,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Further internal NDEU guidance below expands on when a nominal should be created and how that record should be justified.

**1. A nominal record will be created when an individual is subject of an [REDACTED] or investigation<sup>3</sup> that impacts upon Domestic Extremism**

<sup>2</sup> [REDACTED]

<sup>3</sup> In some forces these may be referred to as operations

## National Domestic Extremism & Disorder Intelligence Unit

---

2. Nominals will only be created where it is justified and proportionate to do so and where that subject meets the HRA and MoPI tests set out above

3. Nominals can be created when [REDACTED] but these records must have a [REDACTED] scheduled review date<sup>4</sup>

4. Nominals can be created when [REDACTED] but these records must have a [REDACTED] scheduled review date

5. Nominals can be created when [REDACTED] but these records must have a [REDACTED] scheduled review date

6. Where nominals are identified by desk officers as potential nominals, initial research will be carried out. Once identified, the nominal creation will be tasked to the indexing team via a movement to ensure an auditable process

7. Where a nominal is created a concise and succinct justification by a supervisor is required [REDACTED] (this justification should stand alone and immediately show an impartial bystander the reason why a person was made a nominal). A justification must be placed on ALL nominal records.

### When a Nominal will not be Created

[REDACTED]

Unless relating to National Security or known serious criminal activity, nominal records WILL NOT routinely be created on single strand intelligence. [REDACTED]

### Reviewing Nominal Entities

[REDACTED]

It is the responsibility of the DI's to ensure that the DS's under their line management review nominal entities. [REDACTED]

<sup>4</sup> [REDACTED]  
[REDACTED]  
[REDACTED]

<sup>5</sup> [REDACTED]

<sup>6</sup> [REDACTED]  
[REDACTED]

# National Domestic Extremism & Disorder Intelligence Unit

## Glossary

To assist in the creation of nominal records, below are the definitions of the terms nominal record, [REDACTED] investigation / operation, research, and intelligence.

### Nominal record:

A nominal entity records the details of a person that intelligence indicates is of interest to the police CT/DE business area. This will enable the furtherance and support of an operation, enquiry or intelligence development initiative. By its nature, intelligence requires an awareness of all persons that can potentially impact, or be impacted by, the threat of terrorism or extremism. This does not necessarily dictate that every nominal record created is a known terrorist or extremist.<sup>7</sup>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

<sup>7</sup> [REDACTED]



## National Domestic Extremism & Disorder Intelligence Unit

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### Investigation:

An investigation identifies and counters threats of DE concern and the response necessary to enable the prevention, disruption and detection where they meet the [REDACTED] grading as set out in Appendix One.<sup>9</sup>

### Research:

The primary purpose of basic research is the discovery, documentation and interpretation of a set of facts or information.

Within the NDEU there are [REDACTED] levels of research [REDACTED] see Appendix Two.

[REDACTED]

### Intelligence:

Is the term used to refer to information that is subject to a defined evaluation in order to assist with decision making [REDACTED]

---

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

## National Domestic Extremism & Disorder Intelligence Unit

---

### Justification:

Justification is defined as something that shows an action to be reasonable or necessary.

When writing a justification rationale for the creation of a nominal entity, the following points should be addressed.

Which policing purpose is the information held for?

[REDACTED]

The name of the person writing the justification must be placed alongside the rationale. For example: "I, DS Bloggs authorise the creation of this nominal for the following reasons".

### Conclusion

---

When deciding to create a nominal on the NDEU NSBIS database, it is the duty of the desk Supervisor or Detective Inspector to ensure that all legislative frameworks are adhered to, the appropriate levels of research have been conducted and the nominal record has the requisite justification attached.

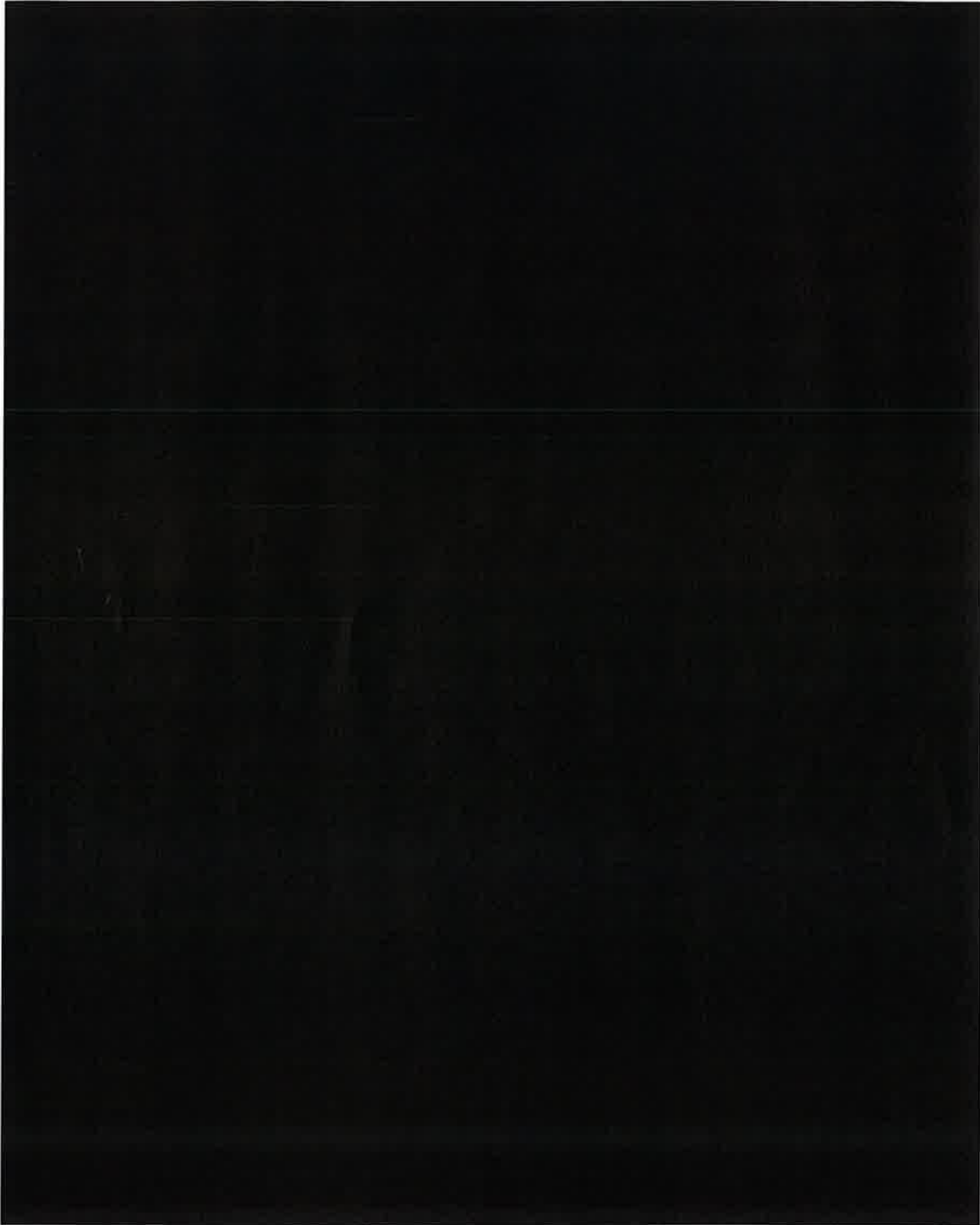
Once the above requirements are met, the nominal record can be created. After creation, the 6 year MoPI review will be scheduled and the nominal will be reviewed on this date, if not triggered for review earlier due to new intelligence being received. For further information on review periods please refer to the [REDACTED]

National Domestic Extremism  
& Disorder Intelligence Unit

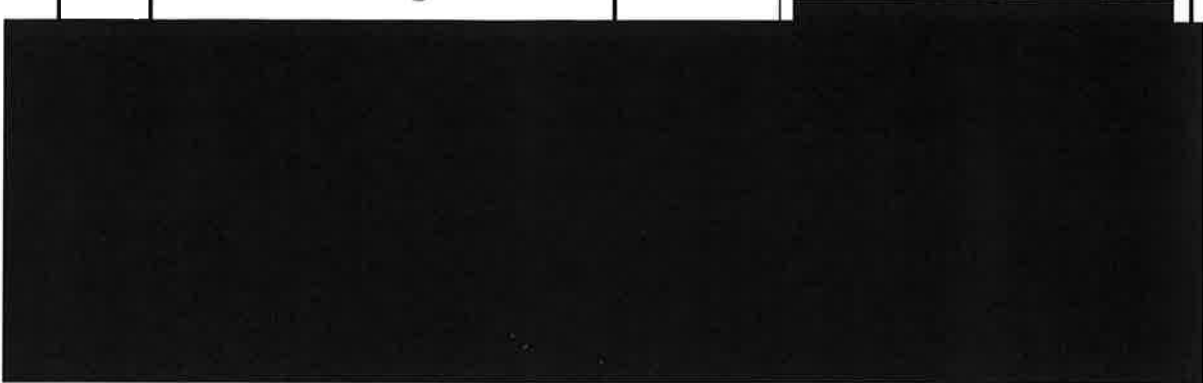
---

**Appendix One**

---



National Domestic Extremism  
& Disorder Intelligence Unit



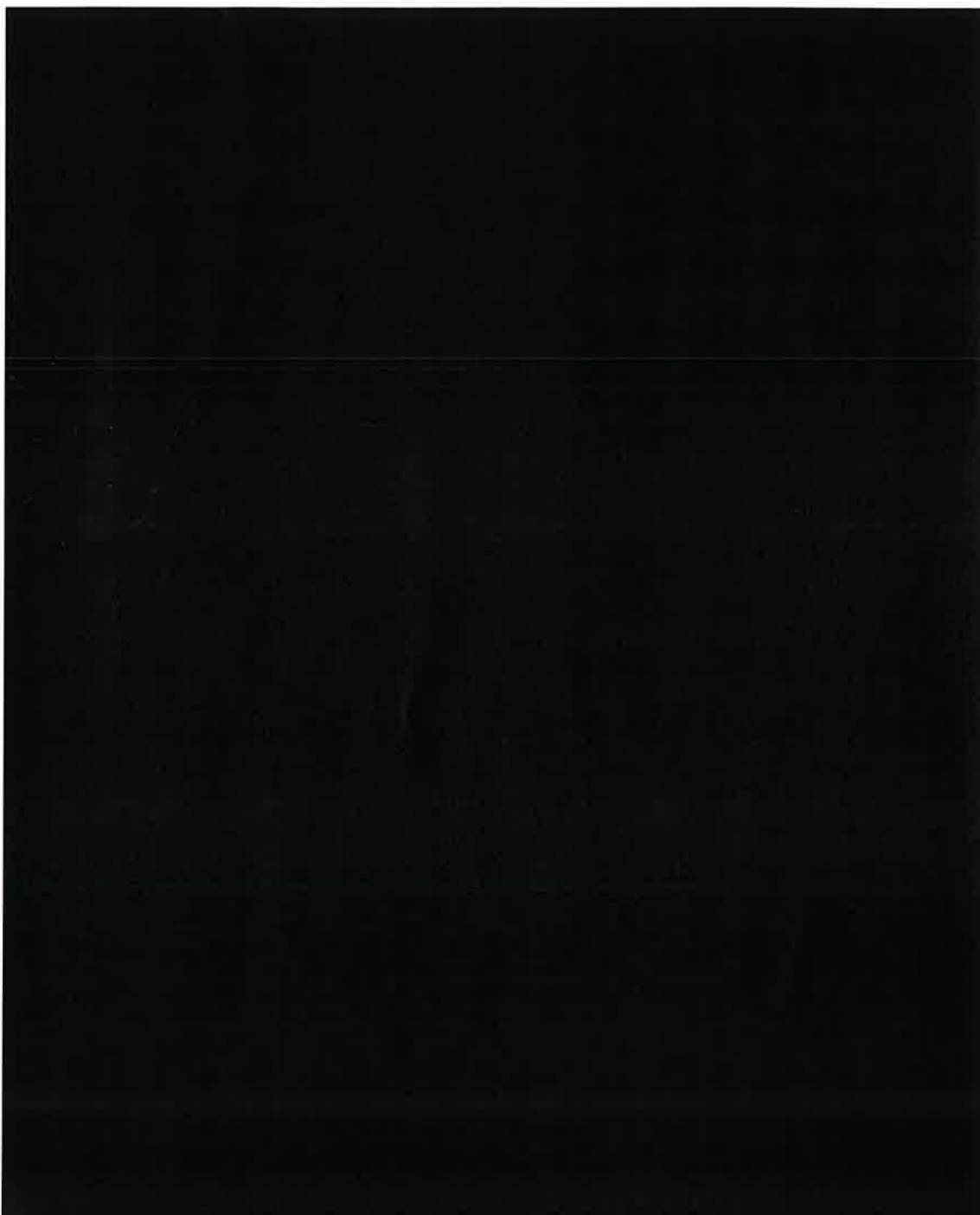
National Domestic Extremism  
& Disorder Intelligence Unit

---

**Appendix Two**

---

NDEU Levels of Research



National Domestic Extremism  
& Disorder Intelligence Unit

Note:

[Redacted]

### Circulation list

Name	Unit	Name	Unit
NDEDIU All	NDEDIU		

### NDEDIU Sign Off

Details	
DCS Greany	NDEDIU