

**Equality and Human Rights Impact Assessment (EqHRIA)**

# Summary of Results

## Policy/Practice Name:

# Legal Professional Privilege (LPP) National Guidance

## Owning Department:

SCD OCCTU

## Date EqHRIA Completed:

05/09/2024

## Purpose of Policy/Practice:

## The purpose of the document is to provide guidance to officers in relation to the handling and management of material which may be subject to Legal Professional Privilege (LPP), as per the Lord Advocates Guidelines.

Legal Professional Privilege (LPP) is the principle that a person must be able to consult their lawyer in confidence and that a communication between a person and their lawyer will not be revealed without the person’s consent. Professional firms, such as solicitors, accountancy firms and others, may hold material that is subject to LPP

## Summary of Analysis / Decisions:

### What the assessment found, and actions already taken.

## The assessment undertaken in relation to the LPP found there to be no impact on any protected characteristics. It was further assessed that although there would be some impact to human rights and freedoms

## Practices outlined in the LPP were shown to positively protect

## Articles 5 Right to Liberty and Security

* [Article 6](https://spi.spnet.local/policescotland/guidance/Documents/Equality%20and%20Human%20Rights%20Impact%20Assessment%20(EqHRIA)%20Form%20Guidance.pdf#page=29) Right to a Fair Trial
* [Article 8](https://spi.spnet.local/policescotland/guidance/Documents/Equality%20and%20Human%20Rights%20Impact%20Assessment%20(EqHRIA)%20Form%20Guidance.pdf#page=31) Right to Respect for Private and Family Life
* . [Protocol 1, Article 1](https://spi.spnet.local/policescotland/guidance/Documents/Equality%20and%20Human%20Rights%20Impact%20Assessment%20(EqHRIA)%20Form%20Guidance.pdf#page=37) Protection of Property

## Summary of Mitigation Actions:

### What the assessment found, and actions already taken.

The owning department will monitor changes in legislation/policy/circumstances which may affect the LPP and assess how these changes may impact on those with protected characteristics or an individual's human rights.

In addition the owning department will be responsible for the review of both the LPP and EqHRIA as and when required.