

OUR EQUALITY IMPACT ASSESSMENT

Beginnings, Belonging, Belief

A Community Justice Plan for Ayrshire, 2017-18



About this Equality Impact Assessment (EQIA)

The Community Justice (Scotland) Act 2016 states that we should publish an Equality Impact Assessment (EQIA) alongside our community justice plan. This shows that we have assessed the impact of our plan – as a new plan – against the public sector equality duty in the Equality Act 2010.

The Equality Impact Assessment lets us review what impact the plan will have in relation to:

- Eliminating unlawful discrimination, harassment and victimisation
- Advancing equality of opportunity
- Fostering good relations.

This way we can make sure that we are not adversely affecting or discriminating against any of the different groups in the community and we are promoting equality.

While we were developing our community justice plan, we also worked with local public sector agencies to develop the first set of Ayrshire Shared Equality Outcomes. Our plan includes a Commitment called 'Equalities for All' which refers to these shared equality outcomes and which notes we will develop specific equalities actions relating to people in the justice system in 2017-18.

Equality Impact Assessment (EQIA) – 'Beginnings, Belonging, Belief'¹

Section 1 - Details

1.1. **Organisation**

1.2. **Name of Policy or Practice being assessed:**

Is it new Existing

1.3. **List of participants in Equality Impact Assessment**

1.4. **Manager responsible for impact assessment**

Name:

Designation:

1.5. **Timetable**

Date assessment started: (dd/mm/yyyy)

¹ Please note: This form is adapted from the North Ayrshire Council Equality Impact Assessment Form (North Ayrshire Council is the lead host authority for Community Justice Ayrshire)

Completion date:

27/03/2017

(dd/mm/yyyy)

Section 2 – Aim and Relevance

2.1. What is the purpose of the policy or practice?

To prevent and reduce re-offending in Ayrshire

2.2. What are the anticipated notable outcomes (positive and negative)

- Tackling the causes of offending to prevent it happening
- Working with people who are at risk of re-offending
- Supporting people who have committed crimes to move away from offending

2.3. Who is affected by the policy or practice as an internal or external service user?

- People involved in offending
- Their families
- Victims of crime
- Communities
- People working in the justice system

2.4. Please indicate the equality groups likely to be affected by the policy:

All equality groups are included in the list above, however the Plan also supports those who are disadvantaged in wider ways. For example people involved in the justice system are disproportionately affected by poor housing and homelessness, poor physical and mental health, poverty and low income, unemployment and discrimination by employers, addictions, and crime itself (as victims of crime) etc. These are not protected characteristics but are wider issues linked to disadvantage and discrimination.

2.5. Which aspects of the policy eliminate unlawful discrimination, harassment and victimisation?

The framework for the Plan is 'Beginnings, Belonging, Belief', described as 3 'Ambitions'. These can only be delivered if people are not discriminated against, harassed and victimised due to having a criminal conviction. However having a criminal conviction is not a protected characteristic. There are particular 'Commitments' (actions) which are focused on children; young people; expectant parents; women; and faith communities. There is also a Commitment relating to delivery of the Ayrshire Shared Equality Outcomes Action Plan.

2.6. Which aspects of the policy advance equality of opportunity between people which share a relevant protected characteristic and those who do not?

Please see notes under 2.5 – the Plan is focused on advancing equality of opportunity between people who have a criminal conviction and people who are not, however this is not covered by equalities legislation.

2.7. Which aspects of the policy foster good relations between people who share a protected characteristic and those who do not?

Please see notes under 2.5 and 2.6 – the Plan is focused on fostering good relations between people who have a criminal conviction and people who are not, however this is not covered by equalities legislation.

2.8 Have any cross cutting impacts been identified from other Council Services or Partner Agencies (multiple discrimination or accumulated effects of multiple proposals on a protected characteristic)?

The Plan acknowledges that involvement in the justice system itself can have different impacts and consequences for young people and women.

2.9 If Crosscutting issues identified with other Services, what discussion/interaction has taken place to mitigate any potential negative impacts of accumulated proposals?

N/A – the Plan includes actions to respond to this

Section 3 – Collecting Information

3.1 What evidence is available about the needs of relevant groups?

Our Plan is based on a strategic assessment, ‘Starting from Strengths not Needs’ which references children, young people, women, and faith communities in terms of equalities groups.

The strategic assessment also references people experiencing other areas of disadvantage and discrimination (outwith the protected characteristics) such as addictions, criminal convictions, mental health problems, housing problems/ homelessness, and crime (as victims of crime).

The strategic assessment uses a range of sources:

- demographic data
- partnership development sessions
- local service reports and plans
- infrastructure developments and plans
- case studies
- evaluation reports
- service user views and experiences
- personal testimonies and
- links to the national community justice strategy.

3.2. Are there any gaps in evidence?

The Plan includes a number of Commitments which are specifically focused on gathering evidence where there are gaps. These include:

- Developing an overview of what support is currently available for children with Adverse Childhood Experiences (ACEs);
- Building a picture of local service provision for people in the justice system (including how, when and where services are provided);
- Understanding more about family conferences in prison;
- Understanding the most effective way to involve service users in community justice services and developments (User Engagement Project);
- Developing our understanding of current access to and experiences of local mental health support and services.

Section 4 – Impacts

4.1. Could the proposed policy or practice have an impact on any of the following protected characteristics? (Positive or negative)

Protected Characteristic

Age
(Older people, children and young people)

Yes

No

Please explain

Positive impact:
There are specific Commitments in the Plan relating to children and young people.

Disability
(Physical and Learning)



Positive impact:
There are specific Commitments in the Plan relating to mental health, trauma, addictions, and wider health promotion.

Gender reassignment
(Where a person is living as the opposite gender to their birth)



POTENTIAL positive impact:
There is a specific Commitment in the Plan to develop equalities actions under the Ayrshire Shared Equality Outcomes Framework. There is the potential here to focus on gender reassignment.

Pregnancy and Maternity



Positive impact:
There is a specific Commitment in the Plan around raising awareness of people working with expectant parents of the impact of Adverse Childhood Experiences.

Race, ethnicity, colour, nationality or national origins (including gypsy/ travellers, refugees and asylum seekers)



There is no particular mention in the Plan of this protected characteristic.

Religion or belief



Positive impact:
There is a specific Commitment in the Plan around meeting spiritual needs and the role of faith communities.

Sex
(Women and Men)



Positive impact:
There are specific Commitments in the Plan relating to women in terms of developing a Whole System Approach for Women; promoting Equally Safe (Scotland's strategy for preventing and eradicating violence against women and girls); and the *potential* development of a Community Custodial Unit for women.

Sexual Orientation
(Lesbian, gay and bisexual people)



POTENTIAL positive impact:
There is a specific Commitment in the Plan to develop equalities actions under the Ayrshire Shared Equality Outcomes Framework. There is the potential here to focus on sexual orientation.

Other (Poverty, homelessness, ex offenders, isolated rural communities, carers, part-time workers, or people in a marriage/civil partnership)



Positive impact:
The whole Plan supports those who are disadvantaged in wider ways, including specific Commitments around housing and homelessness, physical and mental health, poverty and low income, unemployment and discrimination by employers, addictions, and crime itself (as victims of crime) etc.

5.1. Is there any evidence that the policy:

- may result in less favourable treatment for particular groups?
- may give rise to direct or indirect discrimination?
- may give rise to unlawful harassment or victimisation?

Yes

No

No evidence

If yes, give details

N/A

5.2. If you have identified a negative impact, how will you modify this?

N/A

5.3. Is the policy or practice intended to promote equality by permitting positive action or action to remove or minimise disadvantage?

Yes

No

If yes, please give details

As noted above, this Plan supports a range of additional activity to support those involved in the justice system which recognises that they are disadvantaged in wider ways. However in terms of protected characteristics, there are specific Commitments which propose a different approach in relation to women (Whole System Approach; community custodial units; Equally Safe)

Section 6 – Consultation & Recommendations

6.1. Describe the consultation undertaken with equality groups, including details of the groups involved and the methods used.

We participated in the development process for the Ayrshire Shared Equality Outcomes, which included a wide range of consultation with equalities groups.

Section 7 – Outcome of Assessment

7.1. Please detail the outcome of the assessment:

No major alterations to policy assessed, EIA shows policy is robust

Adjust the policy to remove barriers or better promote equality

Continue the policy – there are justifications to continue the policy despite potential for adverse impact

Stop and remove the policy as there is actual or potential; unlawful discrimination

7.2. Please detail recommendations, including any action required to address negative impacts identified

N/A

7.3. Is a more detailed impact assessment needed?

No

Section 8 – Monitoring

8.1. Describe how you will monitor the impact of this policy e.g. performance indicators used, other monitoring arrangements, who will monitor progress, criteria used to measure if outcomes are achieved.

The Plan will be monitored via:

- Quarterly reports to the Community Justice Ayrshire Board
- Six-monthly reports to the three Ayrshire Community Planning Partnership Boards
- Annual Report of Community Justice Ayrshire
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8.2. Describe how you will publish the results of monitoring arrangements?

Via our website www.communityjusticeayrshire.org.uk

8.3. When is the policy or practice due to be reviewed?

The Plan will be updated annually for 1st April each year

Contact Us

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