

Stage 1 Equality Impact Assessment

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| 1. | Title of Proposal: | <p>Strengthening Scottish Borders Council's Approach to the Restructuring of Community Justice required by the Community Justice (Scotland) Act 2016.</p> <p>The Scottish Government Vision for Community Justice is:</p> <p>Scotland is a safer, fairer and more inclusive nation where we:-</p> <ul style="list-style-type: none"> • Prevent and reduce further offending by addressing its underlying causes; and • Safely and effectively manage and support those who have committed offences to help them reintegrate into the community and realise their potential for the benefit of all citizens. |
| 2. | Service Area: Department: | People |
| 3. | Description: | <p>The Community Justice (Scotland) Act 2016 is being introduced by the Scottish Government with the aim of preventing and reducing reoffending. There are a number of statutory partners who will work together to deliver a set of 7 common community justice outcomes:-</p> <ul style="list-style-type: none"> • Communities improve their understanding and participation in community justice • Partners plan and deliver services in a more strategic and collaborative way • People have better access to the services they require, including welfare, health and wellbeing, housing and employability |

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| | <ul style="list-style-type: none"> • Effective interventions should be delivered to prevent and reduce the risk of further offending • Life chances are improved by addressing needs that include health, financial inclusion, housing and safety • People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities • Individual's resilience and capacity for change and self-management are enhanced. <p>There is a transition year 2015/16 followed by full implementation from March 2017.</p> <p>Within the Scottish Borders a Community Justice Board has been established to oversee the transition. A Project Officer has been appointed to develop local plans and arrangements.</p> <p>The target group are those people with a history of offending irrespective of age, gender or other characteristics.</p> <p>Each local authority area is required to produce an 'outcomes improvement plan' and report on performance annually.</p> <p>Community Justice Scotland has been established to promote the national strategy, increase awareness, create improvements and inform on performance. The Community Justice Authorities will cease to exist from 31st March 2017 as arrangements move under Community Planning Partnerships.</p> |
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| 4. | Relevance to the Equality Duty. | |
| | Do you believe your proposal has any relevance to the following duties of the Council under the Equality Act 2010? | |
| | Duty | Yes/No |
| | Elimination of discrimination (both direct & indirect), victimisation and harassment. | Yes |
| | Promotion of equality of opportunity? | Yes |
| | Foster good relations? | Yes |

| 5. Which groups of people may be impacted (both positively and negatively) if the proposal is advanced? | | | | |
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| Equality Characteristic | Impact | | | Description |
| | No Impact | Possible Positive Impact | Possible Negative Impact | |
| Age (E.g. Older or younger people or a specific age grouping) | | √ | | One of the key priority areas within the current Community Justice Authority action plan is young offenders; the approach proposed would positively impact on the experience of young offenders within the criminal justice system due to preventative approaches and early (as possible) intervention, and ensuring that the needs of young people are taken into consideration within strategic and operational decision-making. It is also recognised that there is an increasingly older population within prisons and the specific health needs of this population will be considered both in the prison and when returning to the community. |
| Disability (e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring) | | √ | | Ensuring that a holistic multi-agency approach to the risks and needs of all people within the criminal justice system will ensure that services are planned and delivered in a manner which promotes good practice in relation to disability. |
| Gender (Males, Females, Transgender or Transsexual people) | | √ | | One of the key priority areas within the current plan is women; a holistic multi-agency approach will ensure that the specific needs of women are considered within service planning and delivery. In relation to women the Scottish Government Commission on Women Offenders 2012, will, as far as is reasonably practicable support any change in approach. |
| Race Groups: (Including colour, nationality, ethnic origins, including minorities e.g. | | √ | | The needs of specific groups will be considered within any multi-agency planning and delivery, to ensure that the unique barriers to service access are identified and minimised. |

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| gypsy travellers, refugees, migrants and asylum seekers) | | | | |
| People with Religious or other Beliefs: (Different beliefs and customs including atheists and those with no aligned belief) | | √ | | Whilst there are no specific actions in relation to religion within the key priority areas, a holistic multi-agency approach will ensure that the needs of specific groups are considered. |
| Sexual Orientation, (E.g. Lesbian, Gay, Bisexual, Heterosexual) | | √ | | Whilst there are no specific actions in relation to sexual orientation within the key priority areas, a holistic multi-agency approach will ensure that the needs of specific groups are considered. |
| Carers (Those who have caring responsibilities for someone with an equality Characteristic) | | √ | | One of the key priority areas are families affected by the criminal justice system and this includes carers; ensuring that the delivery of the Framework for working with people affected by the criminal justice system will ensure that the needs of carers are considered within service planning and delivery. |
| Employees (Those employed by the Council including full time, part time and temporary) | | √ | | A multi-agency holistic approach will have positive benefits for employees in sharing skills, knowledge and experience as well as ensuring that clear roles are identified across agencies in the delivery of services |
| Equality Themes, Poverty, Health, Addictions, Employability, Financial Inclusion, Accommodation | | √ | | Equality themes are set out in the community justice legislation and outcomes. In addition to statutory services provided by Criminal Justice, Social Work community justice also aims to support people to reduce or cease offending by ensuring they can access services that support their criminogenic needs. In particular opportunities that are available through the justice journey to make a positive impact upon the long term outcome. This extends to supporting their |

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| 6. | Mitigation | |
| | Where you have identified a potential negative impact, please detail what mitigations will need to be put in place in order for your proposal to progress. If you are unsure of the answer please state this and recommend further investigation. | |
| | Characteristic | Mitigation |
| | All | Within the engagement and consultation phases of the CJ Outcomes Improvement Plan development breadth in this exercise will ensure proper consideration is taken of the equality duty. A breadth of consultees will be asked to contribute and the opportunity will be extended to the wider public. |
| All | A local profile will provide an improved picture of community justice and necessary mitigation. | |
| All | Part of the process will involve feedback from service users and their families, the wider community and stakeholders. In order to consider this feedback it is recommended that this assessment should proceed to stage 3 of the Equality Impact Assessment process. | |

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| 7. | How certain are you of the answers you have given? | |
| | Answer | Tick One |
| | Certain - I could provide evidence to support my answers if asked. | |
| | Fairly Certain – but don't have concrete evidence to support my answers so would recommend further assessment is conducted if the proposal is progressed. | √ |
| | Not Certain – further assessment is recommended if proposal is progressed. | |

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| Completed By | | | | Dates |
| Name/Post | Graham Jones - Safer Communities & Community Justice Manager | Service Area. | Criminal Justice Social Work | 22/9/16, 26/9/16, 6/10/16 14/11/16, |

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| Name/Post | Douglas Scott Senior Policy Advisor | Service Area. | Chief Executives | 22/9/16 |
| Name/Post | Simone Doyle Equality & Diversity Officer HR | Service Area. | Human Resources – Chief Executives | 22/9/16, 26/9/16, 6/10/16 14/11/16, |