

Equality Impact Assessment Initial Screening

1. Name of the proposed new or changed legislation, policy, strategy, project or service being assessed

1. a proposal to increase the financial limit of the equity jurisdiction of the county court from £30,000 to £350,000;
2. a proposal to increase the financial limit below which claims may not be commenced in the High Court from £25,000 to £100,000;
3. a proposal to extend the power to grant freezing orders to certain judges in the county courts,
4. a proposal to remove certain types of very specialist proceedings from the jurisdiction of the county courts.

2. Individual officer(s) & Unit responsible for completing the Equality Impact Assessment:

Meg Oghoetuoma
Civil Justice Transformation

3. What is the main aim or purpose of the proposed new or changed legislation, policy, strategy, project or service and what are the intended outcomes?

Aims/objectives	Outcomes
<p>The four proposals aim to rationalise the jurisdiction between the High Court and the county court as follows:</p> <ul style="list-style-type: none"> • The first three proposals aim to redirect simpler and lower value work from the High Court to county courts to provide increased access to courts for litigants • The fourth proposal aims to ensure that certain specialist cases are heard in the High Court by Judges with the relevant expertise. 	<ul style="list-style-type: none"> • To ensure that cases are heard at the appropriate level of court • Better use of judicial resources in the courts. • To enhance quicker hearings in the county courts. • To provide increased access to justice for litigants. • Reduce pressure and delays in the High Court. • Increased access justice for court users.

4. What existing sources of information will you use to help you identify the likely equality on different groups of people?

(For example statistics, survey results, complaints analysis, consultation documents, customer feedback, existing briefings submissions or business reports, comparative policies from external sources and other Government Departments)

We have used the MoJ statistical data to calculate overall impacts of the proposals and the data does not identify any adverse impacts on particular groups. The proposals are based on some of the recommendations made by Sir Henry Brooke in his Report entitled "Should the Civil Courts be Unified?" which was published in 2008. The Report did not refer to any potential adverse impacts on particular groups. However, respondents to the consultation will be invited to comment on any possible adverse impacts which they may identify.

5. Are there gaps in information that make it difficult or impossible to form an opinion on how your proposals might affect different groups of people. If so what are the gaps in the information and how and when do you plan to collect additional information?

Note this information will help you to identify potential equality stakeholders and specific issues that affect them - essential information if you are planning to consult as you can raise specific issues with particular groups as part of the consultation process. EIAs often pause at this stage while additional information is obtained.

We are not aware of any gaps in our information however, as part of our consultation process we will invite stakeholders to comment on any likely adverse impacts that they may identify and make proposals regarding how the impacts may be mitigated.

6. Having analysed the initial and additional sources of information including feedback from consultation, is there any evidence that the proposed changes will have a **positive impact** on any of these different groups of people and/or promote equality of opportunity?

Please provide details of who benefits from the positive impacts and the evidence and analysis used to identify them.

The overall thrust of these proposals will potentially increase the number of cases heard in the county courts thereby reducing travelling times for parties and their lawyers. This may be of particular assistance to those with a disability and with caring responsibilities, as travelling times to the High Court is likely to be reduced as a result. This is because more cases that would otherwise have been heard in the High Court will be heard in local county courts which are likely to be nearer the parties reducing travelling times. However the total number of cases covered by these proposals is relatively small so any positive impact is only likely to benefit a small group.

7. Is there any feedback or evidence that additional work could be done to promote equality of opportunity?

If the answer is yes, please provide details of whether or not you plan to undertake this work. If not, please say why.

No, however any feedback from consultation suggesting that additional work should be undertaken will be fully taken into account.

8. Is there any evidence that proposed changes will have **an adverse equality impact** on any of these different groups of people?

Please provide details of who the proposals affect, what the adverse impacts are and the evidence and analysis used to identify them.

There is no evidence that the proposed changes will have an adverse equality impact, however any impact that is highlighted through consultation will be fully considered and steps taken to remove or mitigate them.

9. Is there any evidence that the proposed changes have **no equality impacts**?

Please provide details of the evidence and analysis used to reach the conclusion that the proposed changes have no impact on any of these different groups of people.

There is no evidence that the proposed changes have no equality impacts. It is anticipated that the proposals will be beneficial to parties as a result of more cases being heard in local county courts.

10. Is a full Equality Impact Assessment Required? Yes No A full Equality Impact Assessment is not required at this stage.

(If no, please explain why not)

NOTE - You will need to complete a full EIA if:

- the proposals are likely to have equality impacts and you will need to provide details about how the impacts will be mitigated or justified
- there are likely to be equality impacts plus negative public opinion or media coverage about the proposed changes
- you have missed an opportunity to promote equality of opportunity and need to provide further details of action that can be taken to remedy this

If your proposed new or changed legislation, policy, strategy, project or service involves an Information and Communication Technology (ICT) system and you have identified equality impacts of that system, a focused full EIA for ICT specific impacts should be completed. The ICT Specific Impacts template is available from MoJ ICT or can be downloaded from the Intranet at: <http://intranet.justice.gsi.gov.uk/justice/equdiv/equal-impact.htm> , and should be referenced here.

As no adverse equality impacts have been identified, it is not our intention to conduct a full Equality Impact Assessment. However should feedback from consultation suggest that further work around equality and diversity needs to be undertaken then we will reconsider our position.

11. If a full EIA is not required, you are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts. Please provide details of how you will monitor evaluate or review your proposals and when the review will take place.

Equality issues will continue to be monitored by the project board following implementation of the proposals. It will also form part of the Post Implementation Review that will be undertaken 3 years from the date of implementation. The Review will also be able to identify and evaluate any unexpected equality impacts.

12. Name of Senior Manager and date approved

(Note - sign off at this point should **only** be obtained if:

- there are no equality impacts
- the changes have promoted equality of opportunity

Name (must be grade 5 or above): Nick Goodwin
Department: Civil, Family and Legal Aid Policy Directorate
Date: 18 February 2011
Note: If a full EIA is required hold on to the initial screening and when the full EIA is completed send the initial and full screening together. If a full EIA is not required send the initial screening by email to the Corporate Equality Division (CED), for publication. Where an EIA has also been completed in relation to ICT specific aspects, email this to CED and copy to MoJ ICT