

Equality Impact Assessment Initial Screening - Relevance to Equality Duties

Before you complete an Equality Impact Assessment you must read the guidance notes and unless you have a comprehensive knowledge of the equality legislation and duties, it is strongly recommended that you attend an EIA training course.

The EIA should be used to identify likely impacts on:

- disability
- race
- sex
- gender reassignment
- age
- religion or belief
- sexual orientation
- pregnancy and maternity
- caring responsibilities (usually only for HR policies and change management processes such as back offices)

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

Abolition of the Crown Court Rule Committee as provided for in the Public Bodies Bill

2. Individual Officer(s) & unit responsible for completing the Equality Impact Assessment.

Caroline Grabazs - Criminal Operations Branch, Crime Directorate

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 Government's reforms of public bodies will increase accountability, remove duplication and streamline the public bodies' landscape. The Crown Court Rule Committee is to be abolished because its role following the creation of the Criminal Procedure Rule Committee has been so much reduced that its continued maintenance is not justified. The Public Bodies Bill provides the legislative basis for reform but does not enact any changes. These will be made through secondary legislation.</p>	<p>Increased ministerial accountability relating to functions carried out on behalf of the state.</p> <p>Elimination of duplication, reduced waste, fewer public bodies, and reduced costs.</p> <p>The remaining function of making civil rules for the Crown Court will be performed by the Lord Chief Justice, with consultation as appropriate via the main rule committees and other sources of expertise.</p>

4. What existing sources of information will you use to help you identify the likely equality impacts 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).

There will be no equality impacts on persons arising from the abolition of the Crown Court Rule Committee. All future policy initiatives with regard to administrative justice that result in rule making will be themselves subject to Equality Impact considerations to ensure that impacts on persons with protected characteristics are fully considered.

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.

There is no obvious gap to suggest that forming an opinion on the effects of this proposal will be difficult.

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 which benefits from the positive impacts and the evidence and analysis used to identify them.

Before making rules the Lord Chief Justice will be able to consult the Criminal Procedure Rule Committee, the Civil Procedure Rule Committee or the Family Procedure Rule Committee (and any other persons or bodies) as he thinks fit, this widens the scope of those that could be consulted over future (civil) rules of court. All of these committees, and the ability to extend the scope of persons being consulted, mean that further rule-making and legal expertise, is fed into the process of developing rules of court. A greater range of expertise will ultimately become available to the Lord Chief Justice. This will promote further equality of opportunity to be part of decision-making processes, as a wider range of people will be given the chance of participating in the rule creation process.

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.

Due to the nature of the changes being proposed there was no evidence that additional work is required to promote equality of opportunity.

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.

As the abolition will have no financial implications and will not impact on customer services there will be no adverse equality impact on customers or stakeholder groups. The consultation responses did not provide any evidence to suggest otherwise.

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.

The abolition will have no financial implications and will not affect customer service delivery, and so there will be no equality impact on customers or stakeholder groups.

10. Is a full Equality Impact Assessment Required? Yes No

If you answered 'No', please explain below 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/eqdiv/equal-impact.htm>, and should be referenced here.

The proposal does not have any equality impacts on service users; neither will it have any impacts on the judicial colleagues that it affects (who are aware of, and support the proposal). There will be also little, if any negative public opinion about the proposed change, as it relates to equality impacts or equality of opportunity

11. Even 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.

All future policy initiatives with regard to administrative justice that result in rule making will be themselves subject to Equality Impact considerations to ensure that impacts on persons with protected characteristics are fully considered. We will monitor the effectiveness of committees and persons consulted on any proposed rules, in considering any possible equality impacts that may arise. These will be considered during periods of development of any new rules of court and so will be subject to the need to create new rules.
Cabinet Office will carry out a post legislative scrutiny review after the passage of the Public Bodies Bill and MOJ will monitor the outcome of that.

12. Name of Senior Manager and date approved

Name (must be grade 5 or above): Martin Jones

The relevant senior analyst has advised that the analysis of equality impacts provided is fair and reasonable given the data available.

Department: HM Courts and Tribunals Service, Deputy Director Crime (Crown)

Date 1 December 2011