

Equality Impact Assessment Initial Screening - Relevance to Equality Duties

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 polices and change management processes such as back offices)

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

Public Bodies Bill, Schedule 1 - Abolition of the Courts Boards

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

Charlotte Singleton/Nilou Raman - Criminal Operations Branch

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 Public Bodies Bill provides the legislative basis for reform but does not itself enact any changes. These will be made through secondary legislation. Amongst other bodies, the Bill will enable the Lord Chancellor to abolish the Courts Boards. The aim of this is to remove an advisory board whose existence cannot be justified in the current financial climate and whose functions can be performed in other ways by Her Majesty's Courts and Tribunals Service (HMCTS).</p>	<p>Increased ministerial accountability relating to functions carried out on behalf of the state; elimination of duplication and reduced waste; fewer public bodies and reduced costs. Abolishing the Courts Boards will enable HMCTS to focus on front line services and enable local managers to explore and implement ways of connecting with their local communities, taking into account local circumstances and diverse needs.</p>

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

Consultation documents, responses to public consultation, comments from Courts Boards' members on the proposed abolition.

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?

No - the service that the Courts Boards provide in ensuring that the views of the local community are taken into account will be met in other ways. The department considers that there will be minimal impact on the Courts Boards members, who are public appointees and not employees. Their terms of appointment will end upon the abolition of the Courts Boards as will their membership remuneration. They are aware of the proposed abolition of the Courts Boards.

The impact on the staff who manage the process will also be minimal as this forms only a very small part of their overall workload.

HMCTS will ensure that it will assess the effect of any future policy changes in this area on people with protected characteristics by considering the completion of Equality Impact Assessments in relation to those changes.

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.

The positive impact is that feedback from the community can be provided *directly* through the other already existing means of engaging with them, such as local consultation exercises, open days, Inside Justice weeks and court user meetings.

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.

HMCTS has embedded community engagement into court business and will continue to ensure that this happens. HMCTS regions will be encouraged to explore local options that are suitable to them to ensure that the voice of the community continues to be heard. One such option they will be encouraged to explore is to make more effective use of their court user groups through restructuring them and/or expanding their membership with a view to maintaining contribution from the wider community. This idea is already being developed in one court board area and any workable model developed will be shared within the regions.

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. An indirect impact has been commented upon by those against abolition i.e. the loss of the voice of the community resulting in customer needs not being addressed. There are other means of ensuring that the needs of court users are taken into account such as local consultation exercises, open days, Inside Justice weeks and making more effective use of court user meetings (see 7 above).

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.

As mentioned above, those against abolition of courts boards have commented *on an indirect impact* on the community generally(see 8 above). Those in favour of abolition have acknowledged that the perceived *indirect impact on the community* can be managed through other existing means as described in 6 above

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.

Responses commented on an *indirect impact* on the community which can be addressed through other community engagement options.

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.

There will be regular reviews of any complaints received and monitoring of customer exit surveys. Customer needs will additionally be addressed from the feedback received at court user group meetings and from local consultation exercises. 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