

## Equality Impact Assessment Initial Screening – Relevance to Equality Duties

**Before you complete an EIA 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
- Gender (including gender identity)
- Race
- Age
- Caring responsibilities (usually only for HR policies and change management processes such as back offices)
- Religion and belief
- Sexual orientation

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

Proposed reduction in the number of locations in Lancashire where Youth Court business will be listed. Reduction from the current eleven courthouses to six.

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

Janine Burke, Deputy Justices' Clerk, Lancashire HMCTS Area

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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?

<b>Aims/objectives</b> The aim of the proposal is to rationalise the provision of Youth Courts as part of HMCTS's obligation to improve operational efficiency and achieve financial savings in service delivery	<b>Outcomes</b> Financial savings by more effective use of resources (staff and estate), whilst improving quality of service delivery to court users
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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)*

No information currently exists upon which to identify the likely impact on different groups, although it is anticipated that for some court users there will be an additional burden of travel brought about by the increase in distances to travel to court. However, those distances are still within reasonable time and distance parameters. On the other hand, some other court users should experience an improvement in travel brought about by the decrease in distances to travel to court.

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 information available upon which to form an opinion of the likely impacts. A public consultation exercise will therefore be undertaken to seek the views of all stakeholders and court users, the outcome of which will provide the required information for the completion of this assessment.

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.

It has been suggested by one respondent (East Lancashire District Youth Panel) that the proposals would benefit young people in that locality as Burnley Magistrates' Court has better transport links than Reedley Magistrates' Court. It also considered that dedicated Youth Court Panels would be able to sit on Mondays, avoiding the need for adjournments where custody is considered an option. Other youths in other parts of Lancashire should similarly benefit from the implementation of these proposals on the same or similar grounds.

Overall, it is anticipated that these proposals will have a neutral effect on different groups of people and the promotion of equality of opportunity.

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.

At the present time, there is no evidence to suggest that equality of opportunity needs to be promoted, however the matter will be reconsidered during the review process, which initially is planned to be carried out after the first three months' of operating the new arrangements..

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.

It is considered that the change from eleven Youth Court venues to six will not have an adverse impact upon most groups. Consideration has been given to all equality strands, throughout the consultation process, including disability, race, gender, gender reassignment, age, religion or belief, sexual orientation, pregnancy or maternity and caring responsibilities. The equality impacts identified are on age and caring responsibilities.

The fact that these proposals deal with Youth Courts, makes it axiomatic that there will be an impact upon younger court users and, as they will often be accompanied by a parent, guardian or older sibling, there is likely to be an impact on those with caring responsibilities. The responses to the consultation did not indicate that this is a concern across Lancashire as the comments of the East Lancashire Youth Panel identified; however respondents in South West Lancashire stated that they felt that young defendants and parents, guardians or siblings with caring responsibilities for young defendants would be affected if they were expected to travel from Chorley Magistrates' Court to Preston Magistrates' Court.

The consultation has considered court users, both with and without a disability, who would have to travel from Chorley to Preston to attend the Magistrates' Court. It is accepted that there would be some effect on these court users but it has been concluded that this would not be disproportional or unreasonable compared to other areas of HMCTS. Chorley is circa 10 miles South of Preston, linked by the A6, M6 and M61. Additional travel time and mileage would be incurred by defendants residing south of Chorley. Assuming cost at £0.40 per mile<sup>1</sup> and parking costs, the commute is likely to cost a defendant £5.10 more than travelling to Chorley and the estimated additional travel time of circa 23 minutes. Defendants residing north of Chorley would have less impact and could

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<sup>1</sup> HMRC Mileage allowance payment per business mile (2011 – 2012) for the first 10,000 miles.

(depending on their place of residence), benefit from the proposals. The majority of court users travel by car (July 2010 omnibus survey).

The consultation identified 13 bus services travelling between Chorley and Preston with journey duration of between 30 and 51 minutes. The earliest bus departs at 05:35, arriving in Preston at 06.06. During rush hour a bus departs approximately every 10 minutes. A return bus ticket costs between £8 - £9. A minimum of three trains per hour commute between Preston and Chorley, with journey duration of 11 to 16 minutes depending on the service. The cost is £5.90 return for an adult and £2.95 for a child.

The consultation has concluded that the impact upon young people and carers, although recognisable, will be minimal. Nevertheless, it should be carefully monitored in the post implementation review. Overall, it is assessed that under these proposals, the majority of Lancashire will still be no further than circa 10 miles from a Youth Court venue. This compares favourably with Cumbria, where defendants may be circa 16 miles away from a youth court, or the South West, where Youth Courts may have a catchment area of close to circa thirty miles.

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 current evidence to suggest that stakeholders and court users will be adversely affected on grounds of race, religion, sexual orientation, gender or age. However this will be continually monitored during the review process.

10. Is a full Equality Impact Assessment Required? No because it is considered that the implementation of the proposals will overall have a neutral effect, as shown at Paragraph 6 above. Nevertheless, the actual effect of their implementation will be monitored in the post implementation review.

(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

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.

It has been agreed with the Lancashire Cluster Senior Management Team (SMT) that there should be a post implementation period of six months, fixed for a review of the above changes. This decision is deemed appropriate, notwithstanding that there has been a full and lengthy consultation in advance of the decision being taken. Although the SMT are satisfied that these operational changes will contribute to the efficient running of HMCTS business in Lancashire and improve the quality of service delivered, it is felt that such a review will be beneficial and inform any necessary adjustments to the arrangements.

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

You should now complete a brief summary (if possible, in less than 50 words) **setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the results of consultation a summary of the impacts (positive and negative) and, any decisions made, actions taken or improvements implemented as a result of the EIA**, including the review mechanism. The summary will be published on the external MoJ website.

The EIA relates to the location of Youth Courts in Lancashire. It is envisaged that these proposals will have a neutral impact based upon consideration of the proposed geographical sites, transportation links and facilities. However this will be reviewed fully in six months' time and provisionally in 3 months' time, taking into account any feedback from customers, Youth Justice and Criminal Justice Agencies and relevant HMCTS data.

Name (must be grade 5 or above):JOHN ROBINSON

Department: JUSTICES' CLERK, LANCASHIRE

Date: 15<sup>TH</sup> May, 2012

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 Equality, Diversity and Human Rights Division for publication**

## Full Equality Impact Assessment

13. Which group(s) of people have been identified as being disadvantaged by your proposals. What are the equality impacts?

14. What changes are you planning to make to your original proposals to minimise or eliminate the adverse equality impacts? Please provide details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes.

15. Please provide details of whether or not you will consult on the proposed changes, particularly with disabled people and if you do not plan to consult, please provide the rationale behind that decision.



16. Can the adverse impacts you identified during the initial screening be justified and the original proposals implemented without making any adjustments to them? Please set out the basis on which you justify implementing the proposals without adjustments.

17. Do your proposals miss an opportunity to promote equality of opportunity? If so, do you plan to take action to remedy this and if so, when? Please provide details.

18. 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.

19. Name of Senior Manager and date approved

You should now complete a brief summary (if possible, in less than 50 words) **setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the results of consultation, a summary of the impacts (positive and negative) and, any decisions made, actions taken or improvements implemented as a result of the EIA** , including the review mechanism. The summary will be published on the external MoJ website.

Name (must be grade 5 or above):

Department:

Date:

**Note: As you have completed a full EIA, please send both the initial screening and full EIA by e-mail to the Equality, Diversity and Human Rights Division**