

NATIONAL PROBATION SERVICE HAMPSHIRE AREA

EQUALITY IMPACT ASSESSMENT FORM

This “Equality Impact Assessment Form” documents the outcome of a full impact assessment on the specified function, policy or procedure, addressing the equalities strands of: Race, Gender, Disability, Sexuality, Faith and Age. It is to be completed, published as specified, and appended to policy and/or strategy documents.

1. Function Name, Policy or Procedure:

Court process for the allocation of court type and the delivery of Fast Delivery Reports

2. Aims and Approach of Function/Policy/Procedure

To provide the Court with the most appropriate presentence report type to assist the Court in determining the most suitable method for dealing with an offender.

Current approach is that the Court indicates that it requires a report, with an initial but specific indication of seriousness and whether custody threshold has passed.

A pre-screening exercise is undertaken – if current offence, and/or previous offending, involves:

- child protection concerns/offences against children
- sex offences
- domestic violence
- racially aggravated offending or other hate related crime
- in some instances mental health needs

then a standard delivery report will be required.

Where this is not the case a further screening process is undertaken by the Court Duty Officer. An OGRS (Offender Group Reconviction Score

based on actuarial likelihood of reconviction information) is calculated. If the score is over 41% this indicates a standard delivery report is required. Where it is below 41% an alternative report will be considered.

A fast delivery report is a full tool for use with a wide range of offenders and offences. It is not the tool for offenders with high seriousness of offending and high complexity of risk and need, but it is the tool used when sentencers are considering a community order within the medium seriousness ban:

Restriction,
Unpaid Work
Unpaid work with essential skills/ETE
Practical support – supervision
ETS
Curfew

The fast delivery report is a written report using the FDR documentation and would normally be provided on the same day, or the day after if the report is requested after 3.30 p.m. It involves a fast track assessment of offence and contributing factors, but does not involve a fully OASys assessment.

The provision of a Fast Delivery Report is guided by the same equalities principles as covered by the full PSR, as addressed in the practice guidance for service delivery within the Diversity Policy, Strategy and Practice Guidance. Within these guidelines attention is drawn to the need to:

- avoid making and reproducing stereotyped assumptions
- avoid including in reports information about the offenders' cultural background and identity that is not relevant
- avoid language designed to evoke a stereotyped response
- staff should actively seek to understand the social and cultural context in which a person lives, and ensure that description and comment in reports are valid within that framework. Staff should adopt an approach that provides the opportunity to explore sensitively aspects of an individual's identity, including for example ethnic and religious background, sexuality, physical and mental abilities, where it is relevant. Staff should take account of the experience of discrimination, its impact on the person and the effect this may have on behaviour. It may be appropriate to refer to such experience and its effects in a report.
- Sentence proposals should be free of any stereotypical assumptions and address the needs of all groups.

3. What data/information is available & does it suggest differential impact for any of the groups identified as part of the impact assessment process?

No data is currently available on type of report allocation by ethnicity, gender or disability. Given the lower risk profiles of female and minority ethnic offenders on Community Orders in Hampshire, it can be surmised that women and minority ethnic offenders are over-represented in FDR's. Monitoring currently on proposals/disposals is not broken down into report type and so we are not able at this stage to say whether FDR's produce any differentials for any specific groups.

4. What consultation has been undertaken and what are the results of this?

The report allocation process and the production of FDR's were taken to the Equality Consultation Panel for discussion. The panel wanted to know whether any information about offender identify is fed into the report allocation process. The only way in which this occurs is through OGRS, which requires gender for its calculation.

Discussions pointed to how the current report allocation system puts more Probation control into the sentencing process as an FDR is unlikely to result in custody and the decision for this report type is based on objective factors unable to be biased by prejudicial attitudes or beliefs.

The panel were interested in further analysis to check what proportion of FDR's go to custody and whether minority ethnic offenders or female offenders are over-represented in these results.

The issue of interpreters was raised and reassurance given that an interpreter would always be used for an FDR if this was needed.

5. What changes are needed to remove any adverse impact (either approach or implementation considerations)?

Currently, no changes have been identified. Further monitoring data however needs to be produced in order to drill down a bit into the process to give further consideration of any equalities issues.

6. What decisions have been taken on the basis of the impact assessment and what measures have been put in place to implement?

Further information will be obtained on the production of the next round of Equalities data (Jan 07) and fed back to the Equalities Panel. Any issues of concern will then be addressed.

7. Monitoring arrangements and review process

As above.

8. How results will be published

.This impact assessment will be disseminate through Area Managers, and put on the Service's intranet and internet systems.

Signature of Policy Lead

Position

Date