

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:

Offender Management Policy and Strategy

2. Aims and Approach of Function/Policy/Procedure

This Policy and Strategy provides a framework for the use of the Offender Management Model, whereby offenders experience end-to-end supervision and ongoing assessment and management of criminogenic need by one Offender Manager. The model incorporates a differential approach to the level and type of intervention an offender will receive depending upon risk of re-offending and risk of serious harm to others, identified through a tiering framework. All Probation Areas were tasked with introducing Phase I of the model (the management of community orders) by March 2006, and introducing Phase II (prisoners sentenced to 12 months or more in custody who pose a high or very high risk of causing serious harm to others, or who are prolific and priority offenders) from November 2006. It is anticipated that Phases III and IV will be introduced during 2007/08.

The Policy & Strategy identifies movement from an approach where all sentenced offenders are allocated an offender manager across all four tiers, to one in which end-to-end offender management is achieved for all Tier 3 and Tier 4 cases, but there will be more referral out for Tier 1 and Tier 2 cases.

The implementation of Phase II will establish a joined up approach with the prison service and the greater involvement of HPA offender managers in the custodial element of an offender's sentence. In order to allocate an Offender Manager to every offender it will be necessary to reduce workload. HPA will adopt a three-pronged strategy to secure this: engagement with sentencers on a rebalanced sentencing approach seeking to identify and propose other non-probation sentencing disposals; contribution to diversion initiatives such as conditional cautioning; allocation of resources differentially according to levels of risk and need.

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

Race: Monitoring data shows that offenders on Community Orders from minority ethnic groups are over-represented in Tier 1 and Tier 2 cases. This means that service provision for these offenders is more likely to be provided through external providers. As such it is important that a rigorous methodology is in place to ensure equalities issues are properly addressed and monitored in establishing service provision through other providers. Regular monitoring of outcomes shows that offenders from minority ethnic backgrounds are more likely to complete their orders and also do better in most interventions, with the exception of completion of some programmes.

Gender (including transgender): Similarly monitoring data shows that female offenders on Community Orders are over-represented in Tier 1 and Tier 2 cases, with similar results. Hampshire Probation Area's Gender Equality Scheme has made specific reference to ensuring female offenders have full access to a range of community provisions that are delivered in a way that meets the needs of female offenders. The NPS "Delivering Effective Services for Women Offenders in the Community: Good Practice Guide" (Nov. 2006) specifically draws attention to the fact that "many women are likely to have fewer previous convictions than men and because of offending profiles (i.e. age of commencing offending, frequency of offending) to be assessed as lower risk of reoffending and posing a lower risk of harm.... Processes of assessment should {however} ensure that the appropriate level of service is provided, not disbar them from access to services." Careful consideration needs to be given to how female offenders needs will be addressed within the OM model.

HPA monitoring of outcomes does show that female offenders are more likely to complete their orders and do better than male offenders in terms of compliance and successful outcomes of most interventions (exception to this would be some programmes such as ART)

Disability: Meeting the needs of disabled offenders is a crucial element of HPA's equality strategy and impact assessments across all aspects of service delivery have addressed this equalities area. Within the OM model, there is no data to suggest that disabled offenders will be over-represented in any section of the Tiering framework, nor that the OM Model per se could have a differential impact on disabled offenders.

Sexuality: As above

Faith: As above

Age: As above

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

The Offender Management Policy and Strategy was taken to the Equalities Consultation Panel. Concerns that were raised by the panel relate to the issues raised in previous section, i.e. how to ensure that those offenders who are over-represented in Tiers 1 and 2 have equitable access to service delivery that meets their needs in a non-discriminatory environment, if that provision is to be referred out.

5. What adverse impact has been identified and what changes are needed to remove any adverse impact (either approach or implementation considerations)?

The two main concerns that this equalities impact assessment has raised are to do with the Tiering approach and the differential allocation of resources and offender management that underpins this. It is considered that minority ethnic offenders and female offenders are potentially at risk of having less access to equitable and appropriate service delivery under this system.

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

There are a number of approaches that are being put in place to ameliorate the above. Firstly it is important to have rigorous methods in place to ensure that any services provided through an external provider meet the needs of all groups and are monitored and evaluated against this purpose (In accordance with the requirements of the Race Relations (Amendment) Act, the DDA 2005 and the Equalities Act 2006). The Diversity Adviser is working closely with the Partnerships manager to develop the contractual process to ensure that we have in place systems to ensure equalities issues are central to all service delivery through external providers. All contracts and equality policy disclosure will be scrutinised by the Diversity Adviser for this purpose.

An initiative is also being developed for non-English speaking offenders, particularly those from Eastern Europe who are often low risk, to offer them the opportunity to learn English and have some information on living in England (from perspective of laws, public services etc). This is being run as a Pilot in the first instance and being delivered through a local interpreting and community support agency.

The position in relation to female offenders has also been considered. HPA has a Gender Equality Scheme which commits to providing services that meet the needs of both men and women. As part of this commitment the Area Business Plan for 2007/2008 has set the objective of "Examining the offence related needs of women offenders within Tiers 1 and 2 to determine what provision is required across the county to prevent an escalation in their offending behaviour". This mapping exercise is underway and will drive the review of HPA's Women's Policy and will inform how best to meet the needs of low risk female offenders within the OM Model. The development of a Women's Programme in Portsmouth, as an addition to the long standing and successful programme running in Southampton, is one initiative for further consideration.

7. Monitoring arrangements and review process

The production of the annual Diversity Report will provide information on type of service use by race, gender and disability and the outcomes of that service provision in terms of compliance and successful completion. Further the review of the Equality Schemes Action Plans will provide further mechanisms to assess whether provision is meeting the needs of all groups.

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8. How results will be published

Monitoring results will be published on the Website and the Diversity Database..

Signature of Policy Lead

Position

Date