

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:

Process of recalling offenders to prison who are being supervised in the community on licence – as per the 2006/2007 Process Improvement Plan for achieving timely and effective enforcement of licences.

2. Aims and Approach of Function/Policy/Procedure

This process aims to ensure that we have timely, effective and fair procedures in place to ensure the recall of prisoners where appropriate as per the requirements of the CJ Act 2003 and National Standards.

Once released on licence an offender is expected to comply fully with the conditions of that licence. There are a number of triggers that would lead to **consideration** of enforcement action. These are identified as:

- reoffending
- Inappropriate behaviour
- Substance misuse
- Non-compliance with licence conditions
- Non-compliance with the instructions of MAPPA

Once a trigger has occurred, consideration is given to appropriate enforcement action, including consultation with line management. When a decision is made to issue a warning this is done expeditiously and recorded on CRAMS. If a decision is taken to recall then a recall form is completed and a decision made as to whether to seek an emergency recall of a standard (24 hour) recall. The recall form is despatched to HPA

headquarters where a final decision is made by the duty director, who will usually consult with the offender manager before a final decision is made.

From an equalities perspective, the main focus is to ensure that no prejudicial attitudes are applied in making the decision to recall, particularly in relation to the trigger of “inappropriate behaviour”

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

Some limited data is available. The HMIP Prison report (2005) showed that 31% of recalls were for offenders from Minority ethnic backgrounds in comparison to a 25% minority ethnic national prison population, i.e. over-representation of minority ethnic offenders in recalls.

Local data from the 2005-2006 Diversity Report for HPA showed that there was only 1 recall for a minority ethnic offender during the time period, although in the context of very low numbers of licence breach this did still constitute an over-representation. In terms of gender, all female licencees were fully compliant. No data available on disability.

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

Dave Kiely, Area Manager, presented the recall process to the Equalities Consultation Panel for their feedback (September 2006).

Comments made by the panel were as follows:

- Concerns were expressed that what was deemed inappropriate behaviour by some people, e.g. minority ethnic groups perceived as showing aggression and anger, could be based on misinterpretations and stereotypes. Request for further details on those offenders who had been recalled and reasons for that recall to audit whether trigger factors were different for different groups.
- Concerns were expressed as to the full availability of translators and interpreters at every stage so that people fully understood the conditions of their licence. It was felt, however, by Probation staff present that this was something that would always be in place.
- Concerns were raised about the experiences of offenders with mental health needs, whose disability may lead to the increased likelihood of recall. Probation staff were able to point to how mental health

provision, where needed, being integral to the licence process and that some flexibility would be applied if mental health issues were identified.

- Concerns were raised as to how the religious needs of offenders were met if there were exclusion zones on the licence, where for example they may need access to a mosque, temple etc. Probation staff were confident that arrangements would be made to meet these needs if necessary.

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

No current changes were identified as necessary, but further monitoring information was requested and will be provided as part of the next equalities monitoring reporting process.

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

As above

7. Monitoring arrangements and review process

Recalls are monitored and reported on through the Diversity Reporting exercise. Further investigation will be made through the next round of reporting as to reasons for recall to undertake a comparison on the grounds of race, gender and disability.

8. How results will be published

Results of this impact assessment are made available to all staff involved in the process, relevant Area Managers and put on the HPA intranet and website.

Signature of Policy Lead

Position

Date **September 2006**