



Ministry of
JUSTICE

National Offender
Management Service

Equality Impact Assessment

Preliminary Screening

Statistics & Research

Gathering Evidence through Community Engagement

Assessment & Analysis

Action Plan

The EIA Report

FINAL



Ministry of JUSTICE

National Offender Management Service

EQUALITY IMPACT ASSESSMENT
Ministry of Justice
NOMS
NOMS London

PRELIMINARY SCREENING

Date of Screening	April 2009
Name of Policy Writer	Jameela Ahmed / Hannah Beattie
Director General	

Name of Policy Reducing Reoffending Delivery Plan 2009-11		This is a new policy
	<input checked="" type="checkbox"/>	This is a change to an existing policy
		This is an existing policy

Policy Aims, Objectives & Projected Outcomes

The objective of the policy is to set out the revised strategic priorities for reducing reoffending in London for 2009-10. It sets out the importance of influencing local commissioners and supporting local partnerships.

The projected outcome is the implementation of a Delivery Plan 2009-10 to reduce reoffending and protect the public in London and implementation of new governance structures and the priorities for the commissioning of prison and probation services by the London Director of Offender Management (DOM).

Will the policy have an impact on national or local people/staff?	YES/NO
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy	YES/NO
Are there any aspects of the policy that could contribute to equality or inequality?	YES/NO
Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?	YES/NO
If this is an amendment of an existing policy, was the original policy impact assessed?	YES/NO

If your answer to any of these questions is **YES**, go on to the full EIA.

If you have answered **NO to any particular questions**, please provide explanatory evidence.

Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?

One of the aims of the action plan is to promote equality of outcomes for diverse groups of offenders.

**FULL IMPACT ASSESSMENT
STATISTICS & RESEARCH**

What relevant quantitative & qualitative data do you have in relation to this policy?

Please site any quantitative (e.g. statistical research) and qualitative evidence (monitoring data, complaints, satisfaction surveys, focus groups, questionnaires, meetings, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy area.

Equality Target Areas	<p>How does the data identify potential or known positive impacts?</p> <p>How does the data identify any potential or known adverse impacts?</p>
<p>Race (consider e.g. nationalities, Gypsies, Travellers, languages)</p>	<p>Ethnicity</p> <p>It is well evidenced that BME groups are disproportionately represented in the criminal justice system. For example, White groups make up 91.3% of the general population and only 81.5% of the prison population, whereas Black groups account for 2.8% of the general population and 11.0% of the prison population.¹ The recently published Race Review² shows that the proportion of the prison population who are from BME groups has risen over recent years; in 2008 27% of the prison population was BME.</p> <p>London specific data suggests that the disproportional representation is more marked in the capital; in 2007/08 White groups only accounted for 45% of London Probation caseload commencements³ and 51% of receptions into London prisons.⁴</p> <p>Criminogenic need does vary by ethnic group; OASys data shows that offenders from Mixed backgrounds often have the highest levels of need, while need is lowest amongst Asian offenders.</p> <p>Rates of re-conviction also differ between ethnic groups; between 2000 and 2006, White offenders have consistently had the highest re-offending rates.⁵</p> <p>The experience of imprisonment is different for members of BME communities; Black prisoners are consistently more likely than White British prisoners to be on basic</p>

¹ Statistics on Race and the Criminal Justice System – 2006/7. <http://www.justice.gov.uk/docs/stats-race-criminal-justice.pdf>

² NOMS (2008) Race Review http://www.hmprisonservice.gov.uk/assets/documents/1000439CRace_Review_part_1.pdf

³ London Probation Caseload data, 2007/08 – unpublished.

⁴ LISAR (London initial screening and referral) 2007/08

⁵ Re-offending of Adults; results from the 2006 cohort. <http://www.justice.gov.uk/docs/re-offending-adults-2006.pdf>

	<p>regime, to be in the segregation unit and to have force used against them⁶</p> <p>Nationally, women from BME communities make up 28% of the female prison population, over three times the proportion of the general population.⁷</p>
Foreign Nationals	<p>As at the end of December 2008, 14% of the prison population in England and Wales were Foreign Nationals, and 29.9% of the population in London prisons were Foreign Nationals.⁸ Nationality is not recorded for offenders on the probation caseload, so it is not possible to identify the proportion of offenders under supervision who are foreign nationals.</p> <p>Foreign Nationals make up 19% of the total female prison population and 80% of these are convicted of drug related offences.⁹</p> <p>In 2007, a HMIP Thematic Review into Foreign National prisoners identified three main issues; family contact, immigration and language.¹⁰ A follow up report found an increasing prevalence of self harm amongst foreign national prisoners. This, along with disruptive behaviour, was particularly a problem for prisoners who had unresolved immigration cases.¹¹</p>
Disability (consider social access and physical access)	<p>The proportion of adults with learning disabilities in the criminal justice system is thought to be between 2% and 10%, the figure is possibly higher for under 18 year olds.¹²</p> <p>16% of prisoners received into London prisons during 2007/08 stated that they considered themselves to have a disability.¹³ In a national survey of newly sentence prisoners, over a quarter reported a long standing physical disorder or disability.¹⁴</p> <p>Not all programmes have been adapted for people with learning disabilities or learning difficulties.¹⁵</p>

⁶ NOMS (2008) Race Review

http://www.hmprisonservice.gov.uk/assets/documents/1000439CRace_Review_part_1.pdf

⁷ Corston (2007) The Corston Report. <http://homeoffice.gov.uk/documents/Corston-report>

⁸ Population in Custody Monthly Tables December 2008. <http://www.justice.gov.uk/docs/population-in-custody-december08.pdf>

⁹ Corston (2007) The Corston Report. <http://homeoffice.gov.uk/documents/Corston-report>

¹⁰ HMIP (2006) Foreign Nationals: A Thematic Review

<http://inspectors.homeoffice.gov.uk/hmiprisons/thematic-reports1/foreignnationals.pdf>

¹¹ HMIP (2007) Foreign Nationals: A Follow Up

http://inspectors.homeoffice.gov.uk/hmiprisons/thematic-reports1/Foreign_Nationals_follow-up1.pdf

¹² CSIP: Positive Practice, Positive Outcomes 2007

¹³ LISAR (London Initial Screening and Referral) 2007/08

¹⁴ Ministry of Justice (2008) The needs of newly sentenced prisoners

<http://www.justice.gov.uk/publications/problems-needs-prisoners.htm>

<p>Gender</p>	<p>As of December 2008, the population of HMPYOI Holloway (the only female establishment in London) was 427, out of a total regional prison population of 6,462¹⁶; meaning female prisoners accounted for 6.6% of the population. There are of course female offenders from London who are held in Prisons outside of the region, and nationally female prisoners make up 5% of the prison population.</p> <p>On 31st March 2008, 12.6% of the probation caseload in London was female.</p> <p>OASys data for London prison and probation assessments show that need is different amongst male and females. Notable differences are that need levels amongst females are substantially higher for Relationships (57%, and 36% for males) and for Emotional Wellbeing (59%, and 36% for males.)</p> <p>Reoffending rates differ by gender; the frequency rate is consistently higher for males than for females¹⁷. For the 2006 cohort, looking only at those offenders who re-offend, female re-offenders committed as many re-offences as male re-offenders. This suggests that some female offenders cease offending, but those that reoffend are as prolific as their male counterparts.</p> <p>The Corston report highlighted the way in which the experience of imprisonment is harsher for women than for men, based on the way in which the prison system has been designed with male offenders in mind.</p> <p>Women are more likely than men to be held on remand and sentenced to short sentences,¹⁸ adults released from court or sentenced to less than 12 months do not receive any statutory supervision on release, and therefore receive less support in resettlement.</p> <p>Women prisoners are also more likely than males to be primary carers to children; this makes the prison experience significantly different for women than men.</p> <p>Self harm is a concerning issue amongst female prisoners; outside men are more likely to commit suicide than women but this is reversed in prison.¹⁹</p> <p>Due to the small number of women's prisons, women are</p>
----------------------	--

¹⁵ Prison Reform Trust: No one knows.

¹⁶ Population in Custody Monthly Tables December 2008. <http://www.justice.gov.uk/docs/population-in-custody-december08.pdf>

¹⁷ Re-offending of adults: Results from the 2006 cohort. <http://www.justice.gov.uk/docs/re-offending-adults-2006.pdf>

¹⁸ Ministry of Justice (2008) Offender Management Caseload Statistics 2007.

<http://www.justice.gov.uk/docs/omcs2007.pdf>

¹⁹ Corston (2007) The Corston Report. <http://homeoffice.gov.uk/documents/Corston-report>

	<p>likely to be held further away from home than male prisoners, this makes it difficult to maintain contact with family and support networks. It may also affect the frequency of family visits they are likely to receive. Evidence suggests that family visits are linked to better resettlement outcomes.²⁰ The same research also found that the distance of the prison and the cost of visiting were most frequently cited as the reason for prisoners not receiving visits. This is important for all prisoners, not just females, particularly Londoners who are likely to be held outside the region</p> <p>A HMIP Thematic Review into IPP Prisoners found that 80% of females serving indeterminate sentences for public protection had committed arson. This is indicative of mental health and self harming issues.²¹</p>
Gender Identity	<p>There is a lack of evidence around the profile and need of this group.</p> <p>Anecdotal evidence from HMP Holloway suggests that females undergoing gender re-assignment express a preference for remaining within the female estate.</p>
Religion and Belief	<p>LISAR captures the religion of prisoners on reception into London establishments. During 2007/08 46.5% of receptions stated that they were Christian (19.1% Roman Catholic), 21.2% stated no religion and 15.8% were Muslim. Judaism, Buddhism, Sikhism, Hinduism and Rastafarianism each accounted for 1% or less of receptions, and the remainder either didn't respond.</p> <p>Nationally, the number of prisoners declaring themselves as Muslim has increased by 141% over ten years.²² Evidence is emerging that Muslim prisoners are less likely to feel safe or seek help from staff.²³</p> <p>The resettlement needs of offenders from different groups will vary; anecdotal evidence suggests that certain faith groups face difficulty re-integrating into their communities due to the stigma attached to their offending.</p>
Sexual Orientation	<p>Sexual orientation data is not routinely collected on offenders; therefore is it difficult to identify the profile and need of this group.</p>

²⁰ Niven, S and Stewart, D (2005) Resettlement Outcomes on Release from Prison.

<http://www.homeoffice.gov.uk/rds/pdfs05/r248.pdf>

²¹ HMIP (2008) The Indeterminate Sentence for Public Protection: A Thematic Review.

[http://inspectrates.homeoffice.gov.uk/hmiprison/thematic-reports1/IPP_thematic_\(2008\).pdf](http://inspectrates.homeoffice.gov.uk/hmiprison/thematic-reports1/IPP_thematic_(2008).pdf)

²² NOMS (2008) Race Review

http://www.hmprisonservice.gov.uk/assets/documents/1000439CRace_Review_part_1.pdf

²³ Ibid

<p>Age</p>	<p>18-20 year olds</p> <p>OASys data shows that the needs of this age group are different to that of adult offenders, particularly in relation to ETE²⁴ and Lifestyle and Associates, where the need is greater.</p> <p>A recent national survey²⁵ of 1,457 newly sentenced prisoners looked at differences between young adults and adults in terms of need. An example is that young offenders were more likely to have misused drugs in the year prior to custody than adults.</p> <p>Re-offending amongst the 18-20 years group is the highest on all measures²⁶ (yes/ no, frequency and severity).</p> <p>Similarly to female offenders, young offenders are likely to be held far away from home, impacting on the ability of their family and friends to visit regularly.</p> <p>Older Offenders</p> <p>The number of older offenders held in prison has increased, due to sentencing practice rather than any change in offending.</p> <p>According to OASys, offenders aged 41+ had higher levels of need for alcohol misuse and emotional wellbeing.</p> <p>While re-offending rates are lower for older offenders, those aged 50+ have seen the largest increase in frequency since 2000.²⁷</p> <p>A thematic review into older prisoners²⁸ found a number of concerning issues, including high levels of poor health and a lack of staff training around identifying mental health issues in older prisoners. It was also found that they can be easily neglected as they pose less of a threat to control than younger prisoners. It was found that few prisons were meeting the standards required in legislation such as the Disability Discrimination Act.</p> <p>The needs of older prisoners go beyond their health and well being; the thematic review found a lack of engagement with older prisoners, for example low participation on offender behaviour programmes and a lack of preparation for release.</p>
-------------------	---

²⁴Employment, Training and Education.

²⁵Ministry of Justice (2008) The needs of newly sentenced prisoners <http://www.justice.gov.uk/publications/problems-needs-prisoners.htm>

²⁶ Re-offending of adults: Results from the 2006 cohort. <http://www.justice.gov.uk/docs/re-offending-adults-2006.pdf>

²⁷ Re-offending of adults: Results from the 2006 cohort. <http://www.justice.gov.uk/docs/re-offending-adults-2006.pdf>

What research have you considered commissioning to fill any data gaps?

For example, you may need to ensure quantitative & qualitative data groups include stakeholders with respect to this policy.

N.B Include any recommendations in your action plan

NOMS London has been signposted to various pieces of research by the British Psychological Society and Race on the Agenda.

We plan to explore how to improve offenders' access to resettlement and interventions: - Why offenders do not access support and local services? - How can access be improved? - What difficulties do offenders face in accessing services?

The qualitative data received from the focus groups will highlight specific issues that offenders face in accessing services

Who are the stakeholders, community groups, staff or customers for this policy area?

Main stakeholders are :

London Resettlement Board
Strategy Implementation Group
Pathway Board members
Government Office for London
NOMS
Ministry of Justice
Home Office
London Probation – Chiefs and Board and Intervention Chiefs
HMCS
Sentencers – Magistrates Association
Office of Criminal Justice Reform
UKBA
Department of Health
HMPS – Governors and Heads of Reducing Reoffending
London HMPS Chaplaincy
DfES
DWP
London Development Agency
Third Sector organisations (includes Faith Groups)
National Reducing Reoffending Programme Board
Office of the Third Sector
Greater London Authority
Mayor of London
Metropolitan Police
British Transport Police
City Police
LSC
London Local Authorities – Chief Executives
LCJB

²⁸ HMIP (2004) No problems – Old and Quiet.

<http://inspectrates.homeoffice.gov.uk/hmiprison/thematic-reports1/hmp-thematic-older-04.pdf>

London CDRPs
Community Safety Partnerships
CLINKS
Job Centre Plus
Youth Justice Board
PPO chairs
National Treatment Agency
Service users – custody and community
Press Office
ClearSprings Management Ltd

What are the overall trends and patterns in this qualitative & quantitative data?

Disproportionality; regional variations; different levels of access, experiences or needs; combined impacts.

- Nationally, the number and proportion of prisoners who report themselves to be Muslim has steadily increased from 5,046 (7.59% of prison population) in 2000 to 8,864 (11.11%) in 2007.²⁹
- Re-offending frequency rates have been consistently higher for males than for females since 2000. Frequency rates have decreased steadily since 2000; females have seen a larger reduction (a 24.9% decrease as opposed to a 22.6% decrease for males.)³⁰
- White offenders have had consistently higher re-offending rates than other ethnic groups. Overall frequency rates have decreased by 23.1%, however black groups only saw a reduction of 6.8%, and Asian and Other groups have seen a slight increase in frequency rates.
- The proportion of foreign national prisoners is notably higher in London than it is nationally.

Please list the specific equality issues that may need to be addressed through consultation (and further research)?

When considering the consultation in a dedicated workshop and as a result of the evidence collated for offenders in the London region further work and consultation is required for :

- Disability- more work is required on evidence and what works for learning disabilities.
- Age – older offenders. Identify options where employment is not the main outcome on release.
- Sexual orientation – Question on sexual orientation is included in LISAR but issues around communication with service users on the need for this information is needed as anecdotal evidence suggests that this information is not provided at the screening meeting.
- Gender Identity- No current action plan that we are aware of, dealt with on a case by case basis.

²⁹ Ministry of Justice (2008) Offender Management Caseload Statistics 2007.

<http://www.justice.gov.uk/docs/omcs2007.pdf>

³⁰ Re-offending of adults: Results from the 2006 cohort. <http://www.justice.gov.uk/docs/re-offending-adults-2006.pdf>

STAKEHOLDER ENGAGEMENT: Consulting & involving Other Government Departments, Staff, Agencies & NDPBs

Does this policy affect the experiences of staff? How? What are their concerns?	
Staff	The Reducing Reoffending Delivery sets out the objectives for the London DOM under the PSA 23 Delivery framework. Although the DOM is accountable for this work in London, some of the work is driven forward through partnerships. It may affect the working relationships within partner agencies involved in the reducing reoffending agenda. The Delivery Plan needs to be mindful of internal reorganisation and resource demands.
Staff Networks & Associations	N/A
Trade Unions	N/A

How have you consulted, engaged and involved internal and external stakeholders in considering the impact of this proposal on other public policies and services?

For example your policy may affect access to housing, education, health, employment services.

The consultation document was formulated through consultation with partners of NOMS London – the London Resettlement Board, Strategy Implementation Board and Pathway Board Groups along with the Women’s Offender Reference Group and Youth Justice Board.

The Consultation was launched on 8 October 2008. The consultation document was circulated to over 500 stakeholders (from contacts of the NOMS London- see page 10) and through CLINKS communication channels. Seven Workshops were held at the Launch event on equalities, commissioning, local delivery partnership, ETE, Accommodation, women and Foreign Nationals. Further workshops were held with Third Sector organisations (2), Chaplaincy (2) and Service Users (3)

We acknowledge that there is a potential impact on partner agencies, but that there is no identified risk that the Delivery Plan will have a negative impact of other public policies. There are significant positive impacts arising from identifying the needs and requirements of offenders in relation to equality of opportunity to services.

What positive and adverse impacts were identified by your consultees? Did they provide any examples?

This includes feedback from respondents and workshops.

Overarching theme of Equalities: That different diverse groups have differing needs that are complex and overlap. Respondents to the consultation identified the need for cross borough commissioning to meet the needs of diverse groups being released into local communities in London. In order to demonstrate change, there needs to be a slow and gentle transition period, mentoring support, ETE appropriate to labour market and housing, childcare for women and reporting issues with probation. There is limited mention of disadvantage for accessing services for 18-21 year olds.

Respondents on the consultation were broadly supportive of the strategic priorities for offenders from diverse backgrounds.

Equality Duty- Single Equality Duty on all public bodies by bringing together the three existing duties (Race, Gender and Disability) and extending that duty to include gender reassignment, age, sexual orientation and religion and belief.

There are issues on nationality issues, those of gypsies and travellers and differing complex needs within the BME groups and among the Asian subset for example. Foreign National prisoners and the growing number of eastern Europeans in custody.

In prison – Issues around the confidence offenders have in the system, IEP, disciplinary proceedings, canteen, and gang perceptions about groups of offenders (e.g. Muslim offenders).

Cross cutting issues – Multiple discrimination, marginalised groups, E.g. Black, female lesbian. How will the DOM coordinate this? There is a danger of silo working in these areas. E.g. Foreign Nationals who are black and women, young BME males.

Evidence and Policy drivers -It was felt that the DOM office needs to be clear on this in terms of its decisions on commissioning, interventions, custodial regimes etc. E.g. The Strategy in RRDP for Muslim offenders – Respondents felt that there needs to be clarity in the evidence that this work is about the increase in the Muslim offender population and distinct from CONTEST Agenda.

Alternatives to custody – It was considered that more alternatives for custody need to be implemented -for vulnerable groups such as women, offenders with mental health issues and also for young offenders and BME groups. There is concern about the increase in prison building programme and that this money could be better used for alternatives to custody. There is concern that more prisons will result in more BME groups in custody. More work with the community and Third Sector is required on this.

This links into the issues respondents raised about disproportionate sentencing and committing to remand in custody for BME groups and women. It was suggested that the Third Sector be involved in strategy planning – for e.g be advised in advance of proposed Local Area Agreements in order to mobilise funding and services to align with local communities.

There is a need for tailor made provision for BME groups, diverse groups of offenders.

Offenders on remand and serving sentences of less than 12 months – Respondents felt that the RRDP concentrates primarily on offenders subject to statutory supervision, and captured in NI 18 data of reoffending in this cohort.

It was felt that nothing can be done in prisons for remand prisoners in terms of sustained support and intervention work in community and support through the gate and reduce reoffending.

Disability and Sexuality – The RRDP needs to be clearer on its adherence to legislation in this area. Respondents felt that there is nothing in the Consultation document on this and there are legislative requirements around Disability and sexual orientation. Disability – offenders with learning difficulties and impact on ETE and the cycle of offending. Also those with personality disorders are not supported.

Gender specific provision – services for women to be provided in all London boroughs, even if women are not to be released to an area. This will allow the services for women to be mainstreamed. Holistic and practical support is needed. Need for two women pathways on ‘Support women, who have been abused, raped or experienced domestic violence’ and ‘Support for women who have been involved in prostitution’. There needs a focus on softer outcomes as motivation, self esteem, belief and empowerment. Tailor made provision for women and constant moral support. Employment training should be appropriate for the job market and not courses that do not help this. Implement Corston.

Gangs, Serious Violence and Hate Crimes – Not enough in the consultation on these issues. Perception of gangs in BME groups like young Muslim groups, serious violence and hate crimes – racist crimes, offenders against women, crimes against LGBT,

Outside London – For diverse offender cohorts and BME women; how will this be coordinated to ensure effective resettlement back into the community? If offenders are located outside the region, this has impact on maintaining family ties and coordinating effective through the gate work and through the gate mentoring. This has an impact for women and young offenders due to current lack of custody provision in London.

Third Sector – should be engaged more, as they have expertise in dealing with diverse issues and also can bridge the gap in service provision in the community. It was suggested that the Third Sector need to know about Local Area Agreements in advance to help them coordinate funding for provision also. There are able to provide advice and services. Better communication is required.

Information sharing – LISAR and Borough Offender Profile was welcomed by respondents. There is a need to ensure that Local Authorities and NOMS London do not have competing priorities, also liaise with Third Sector and organisations such as ROTA who have undertaken research into BME and vulnerable groups. St Mungos have undertaken research and are willing to share.

Also it was suggested that NOMS/DOM should be in contact with ECHR as they have regional departments who can advise on strategy. ECHR has concern on disability issues and Muslim offenders.

Data sharing in local community should be communicated without ‘demonising’ certain groups.

Please also see Appendix A

CONSULTATION & INVOLVEMENT

How did your engagement exercise highlight positive and negative impacts on different communities?	
Voluntary Organisations	Third Sector is involved in delivering services in custody. It was felt by respondents to the consultation that Probation could become more involved with the Third Sector in the provision of services 'through the gate' and in the community. Greater communication is needed.
Race	NOMS London needs to more clearly demonstrate Race Equality. The Borough Offender Profile Report is welcomed as this demonstrates a start in collating information on diverse groups of offenders with a view to providing services to meet the need /inform service providers on need. No reference to Hate Crimes in the Consultation.
Faith	NOMS needs to be clear in evidencing the focus on muslim offenders. No reference to Hate Crimes.
Disability Rights	The consultation did not bring to light specific impacts in addition to those already noted in statistics and research. However there are no strategic priorities for this group in the consultation.
Gender	The Corston Report (March 2007) revealed the importance of working with female offenders on their unique needs, which differ to those of male offenders. The qualitative data reveals that this message is clearly understood by NOMS. However there is a need to clearly demonstrates Gender Equality Duties. Implement Corston fully – implement the additional 2 pathways for women -'Support women, who have been abused, raped or experienced domestic violence' and 'Support for women who have been involved in prostitution'. These have been implemented at HMP Holloway To ensure that men are not bypassed in this area
Gender Identity	More work required on this by NOMS Voluntary Organisations specialising in the needs of LGBT (Lesbian, Gay, Bisexual, and Transsexual) offenders may be able to provide guidance or awareness training, which is one option to improve the knowledge base in working with offenders within this group.
Sexual Orientation	More work required on this by NOMS. No reference to Hate Crimes.

Age	The consultation did not bring to light specific impacts in addition to those already noted in statistics and research.
------------	---

Feedback the results of your community engagement (i.e. involvement and consultation) to all participants including internal and external stakeholders

See Appendix A

FEMNAL

ASSESSMENT & ANALYSIS

Does the EIA show a potential for differential impact on any group(s) if this proposal is introduced? If Yes, state briefly whether impact is adverse or positive and in what equality areas.

The Policy will have a positive impact on offenders, but particularly those offenders that fall within the scope of Offender Management and also for Local Authorities engaging with offenders.

What were the main findings of the engagement exercise and what weight should they carry?

See pages 14, 15 and 16

In addition to this there is a need for communication with partners, stakeholders and service users and a greater involvement with service users.

Does this policy have the potential to cause unlawful direct or indirect discrimination? Does this policy have the potential to exclude certain group of people from obtaining services, or limit their participation in any aspect of public life?

There is no potential unlawful discrimination direct or indirect discrimination that has been identified. But we are mindful of this at all times.

We do recognise the limitation of access to services or offenders who serve less than 12 months custody and those offenders on remand in custody. Work continues with Local Authorities to fully engage in the reducing reoffending agenda. With new legislation forthcoming for CDRPs – it is hoped that this will strengthen Local Authority engagement.

The pilot for Layered OM and Layered OASys – evaluation will look at impact on offenders serving 12 months or less.

How does the policy promote equality of opportunity?

The Policy goes some way to tackle gaps in service provision for offenders and the continuity of care from custody to community, across pathway areas, and the promotion of this agenda with Local Authorities.

How does your policy promote good relations? How does this policy make it possible for different groups to work together, build bridges between parallel communities, or remove barriers that isolate groups and individuals from engaging in civic society more generally?

The implementation of the Action Plan and robust monitoring will help in this area. Also investigating the feasibility of a Women's Service provider Group will look at how NOMS London can help bring together services delivering for women offenders together to discuss best practice, and to develop a platform to engage with NOMS

London.

The development of a Communications Plan in 2009 will look to set up protocols for communication and engagement with different groups who are involved in the Reducing Reoffending agenda.

How can the policy be revised, or additional measures taken, in order for the policy to achieve its aims without risking any adverse impact?

To be regularly monitored and reviewed.

The Action Plan is a live document and if additional measures need to be taken, this will be done at the quarterly reviews.

All senior managers will advise leads on action points of forthcoming national policies that can impact or help us to achieve our targets.

Are there any concerns from data gathering, consultation and analysis that have not been taken on board?

Please justify and explain the reason for your decision.

The EIA is a live document, which will inform future action and to be developed and taken forward on a regular basis.

ENSURING ACCESS TO INFORMATION

How can you ensure that information used for this EIA is readily available in the future?

(N.B. You will need to include this in your action plan)

- The EIA will be available on the Ministry of Justice Website and Government Office for London Website.
- Further updates to be disseminated to interested parties and to be embedded in a Communication Plan.

How will you ensure your stakeholders continue to be involved/ engaged in shaping the development/ delivery of this policy?

(N.B. You will need to include this in your action plan)

- Communication Plan to ensure continued Stakeholder and partner engagement (both internal and external).
- Establishment of new Governance structures.
- Investigate the feasibility of service User engagement protocol or link into partner agency service user groups.

How will you monitor this policy to ensure that the policy delivers the equality commitments required?

(N.B. You will need to include this in your action plan)

- Delivery Plan RRDP 2009-10 – monitored quarterly.
- Monitored through new governance structures..
- Review of actions alongside London DOM Business Plan review.
- Clear accountability to NOMS National Reducing Reoffending Board.

Now submit your EIA and related evidence to the Equality & Diversity Unit for quality assurance and clearance.

ACTION PLAN

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Data Collection: BASS	David Reaich	To investigate the data collected for BASS to ensure equality of access to accommodation	Data report assessed for impact on equality strands	Quarterly	
Data Collection: Disability	To be agreed	A lot more is know about age than disability. Investigate LISAR data around disability and health to fill in some knowledge gaps. It is acknowledged that this provides a snapshot of need on reception.	Report completed and recommendations made	2010	
Data Collection: Borough Offender Profile Report	Hannah Beattie	To disaggregate data further on women and equality strands	Feedback from partners, Third Sector Organisations and prisons and probation on how useful this data is. Link into CDRPs from 2010	October 2009	
Data Analysis	Lorna Maden Cathy Burdett	Investigate options for smarter analysis of closeness to home data. (It is recognised that this is snapshot data) Investigate options on how this data is shared with Local Authorities	Integration into the London DOM Commissioning Strategy	2010	

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Data Analysis	NOMS London	Undertake a critical analysis on outcomes in terms of equality and diversity. Work to be linked with OMSAS long term cohort study	To be agreed	Ongoing	
Publication Arrangements	Jameela Ahmed	EIA to be published on MoJ and GOL website Request that CLINKS issue this through their communication channels so that it can be circulated to Third Sector organisations	EIA accessible online	June 2009	
Monitoring & Review Arrangements	Abdul Rob	To review EIA action points.	EIA action points to be reviewed alongside London DOM Business Plan. Record any areas of good practice and disseminate to our partners and stakeholders.	Quarterly 09/10	
NOMS National Policy on Single Equality Scheme implementation	NOMS REAG Swazi Rodgers	Implement Single Equality Scheme in NOMS London and intend to produce a briefing. Ensure that equality and diversity standards are being met.	Briefing to DOM London Produce an Action Plan	2010	

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Development of HMYOI Isis	Swazi Rodgers	Liaise with Operational Delivery Lead for HMPYOI Isis	Positive regime, including ETE, Interventions , faith work, resettlement services , positive links with CDRP	2010	
Employment outcomes for older offenders	Len Cheston / Cathy Burdett	Consider what ETE provision will be available to those for whom employment is not the main outcome	Report and recommendations on analysis of data Produce an Action Plan	2010	
Offenders with Learning disabilities		Investigate ETE provision for offenders with learning disabilities'	Monitor ETE provision for offenders with learning disabilities' through the NOMS CFO ESF Offender provision. (There will be a focus upon offenders with learning difficulties, disabilities or health-related issues. Participants will be identified through self-declaration.)	Provision starts October 2009 to run for two years.	
Women Offenders	Jameela Ahmed	To provide support to Third Sector Organisations who will submit bids for funding for One Stop Services.	Successful procurement of services for Women Offenders in London	Through the year	
Women Offenders	Jameela Ahmed	Explore the feasibility of a Women's Service Provider Group	Report with recommendations	December 2009	

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Commissioning decisions	Cathy Burdett	To ensure that any disinvestment decisions do not have a negative impact on certain groups of offenders.	EIA to be conducted for any disinvestment/decommissioning decision of services (segmentation drivers).	Ongoing	
Commissioning decisions	Cathy Burdett	Explore ways to promote inter regional commissioning with other providers and commissioners, where London offenders are sentenced ; to specify better provision in SLAs/contracts e.g Health (PCT) Education (LSC)	Integration into the London DOM Commissioning Strategy.	2010	
Interventions	Cathy Burdett	Access to Pathway Interventions – Consider options for SMART development of access to this.	To be agreed	Through the year	Census of Interventions to be launched Summer 2009
Third Sector Organisations	Abdul Rob	Develop a Third Sector Action Plan. Establish a Social Inclusion Pathway.	To be agreed	2010	
Work with London Area Chaplaincy	Abdul Rob	Develop projects that link the Chaplaincy work with projects/groups in the community		Through the year	

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Offenders serving short sentences and investigate the equality of access to interventions, support and services	To be agreed	<p>To looks at trends amongst different groups of offenders and see if this contributes to any significant factors or issues for overall reoffending rates.</p> <p>Look at the Market Development Strategy and see if there are options for greater Third Sector provision in custody for this cohort.</p>	<p>Trends analysed</p> <p>Action Plan developed</p>	2010	

Please ensure that the action plan is agreed by your Director/ Minister

APPENDIX A -Equality Impact Assessment – 11 March 2009
Consultation Summary on Equalities

General Responses	
	<ul style="list-style-type: none"> • Race Equality, Gender Equality, Single Equality and Disability legislative requirements should be emphasised in the new Action Plan so that the needs of diverse offender cohorts requirements are legally met. • The Consultation does not demonstrate an understanding of the impact of cross equality issues and multiple disadvantages and how these equality areas intersect and affect the work of the DOM. There is a danger of silo working and not looking at multiple discrimination. • The Action Plan needs to be clear on evidence and its policy drivers with a view to influence partners in equality issues • DOM should link in to research conducted by CLINKS and ROTA on work on BME groups. • Engage with EHCR. • Learning difficulties to be considered which will impact on ETE, and other pathways. • Commissioning of services to meet equality needs- BME. Women etc • The Third Sector should be able to facilitate and provide bespoke services. • Gangs, serious violence should be included. • Offenders serving sentences of 12 months and under – data shows large BME population in this cohort. How is the DOM going to address the needs of this group? • Remand prisoners – large BME representation in this cohort – what is the DOM to do in this area? • MAPPA is missing form this section. • Training for staff on gender equality and race equality • Data to be shared with borough – but without ‘demonising’ any specific group • Health issues – OASYS underplays mental health thereby making it difficult for this group to access services.LISAR does not have the time to assess this properly. • In terms of employment or future training, offenders should not be stigmatised or encouraged to enter a job market when they would rather seek employment that does not relate to their criminal conviction. • Concerns over prison building programme and impact on Equalities.-There is a concern that with disproportionate sentencing on different groups, the new prisons will contain a larger number of BME offenders. • More alternatives to custody need to be invested in. • The consultation made no reference to restorative justice, mediation and alternative conflict resolution • The consultation made no reference to Hate Crime. • PSAs and LAAs – these are not gender specific therefore equalities on this must be driven by the DOM. • LISAR welcomed – information of great use. • Borough Offender Profile should be shared more widely across London, but this information is welcomed. • In the current economic climate , there is a fear that equality and diversity will be sidelined

Equality	Summary	Cross Cutting Issues
Race	<ul style="list-style-type: none"> • Race is a complex issue and there is a need to drive down further than top line statistics .For example Asian, White, Black as there will be differing levels of need. • BME specific service provision in probation. • Growing level of Eastern European Nationals in the prison system – need to have a strategy to include this group. • With money being used to build more prisons in London there is a concern that there will be a greater number of BME offenders in custody. • Provision of appropriate culturally sensitive services. 	<ul style="list-style-type: none"> • Gender, • Sexuality, • FNs, • Age-young and older offenders , • Disability
Foreign Nationals	<ul style="list-style-type: none"> • Better case management – all prisons to have a FNC with dedicated contact to UKBA. • Protocols and standards with partner agencies. • Need to share data and information. • Need outcome focused priorities. • Impact of FN with families. • Deportation and family issues. • Employment and training can be difficult if not fluent in English. • Resettlement issues facing prisoners serving sentences abroad and returning to UK. 	<ul style="list-style-type: none"> • Keeping contact with families when in custody is difficult as phone calls are expensive and sometimes families may need to visit from abroad and the visits times are not long enough. • Visiting areas in prisons are not conducive to family meetings • If a FN is to be deported – can affect family who are legally in the country and will have to move because parent is being deported. • Local Delivery Partnership – information to the Local authorities • ETE • FDB – Family entitlement to benefits
Religion and Belief	<ul style="list-style-type: none"> • Chaplains to be engaged in resettlement and reducing reoffending agenda. • Provision of community chaplaincy similar to the Welsh model. • Faith organisations to be engaged to help with offenders – housing, employment and establish a Board of Social Responsibility. • Increased communication and cooperation between chaplaincy and offender managers. • Link in with work that the CLG is doing to identify access to diverse faith 	<ul style="list-style-type: none"> • Community chaplaincy can link into Children and families • Local Delivery Partnership • Children and Families • Accommodation.

Equality	Summary	Cross Cutting Issues
	<p>based organisations to develop a charter on funding faith groups and commitment for improved working between faith based organisations and prison chaplaincy.</p> <ul style="list-style-type: none"> • Faith must not be confused with the PREVENT Agenda and that the Action Plan needs to be clear on this and have supporting evidence to highlight the growing needs of Muslim offenders. • Not all BME groups belong to a faith – must not make this assumption in terms of planning and commissioning. 	
Gender	<ul style="list-style-type: none"> • Gender Equality Duty • To fully implement the Corston Report • Implement the two additional pathways for women • Embed the Gender Equality Duty in the Action Plan (mainstream it across the Action Plan) • Recognition of minority groups within gender. • Gender disaggregated targets on reducing reoffending. • Cross Borough joint commissioning and partnership to ensure that all areas have some service provision in this area regardless of whether women will settle there. • Ensure that gender is not a bar to compliance with attendance requirements of community sentences. • Services designed for women should be available under each pathway. • Women’s needs differ to those of men, therefore gender specific outcomes and outcome monitoring must be taken into account. • Women only services - holistic and practical approach. • Development of softer outcomes for women. • Seek more alternatives to custody and development of quality based community provision. • Development of women’s drop in centres. • Support on release and to have a practical plan that is realistic.VCS can be engaged to locally provide services for women. • Women in London are moved to custody outside of London – impact on families. • The DOM needs to have an effective Women’s reference Group to advise and oversee implementation of gender equality • Issues of training in custody – women would like more trade based 	<ul style="list-style-type: none"> • Two additional pathways: Support women, who have been abused, raped or experienced domestic violence and Support for women who have been involved in prostitution. • Children and families are affected when their partner/mother is moved to custody outside of London as there is not sufficient provision to retain them in London. • Accommodation • FDB • ETE • Local Delivery Partnership • Mental Health (including Alcohol) • Drugs • Sexuality

Equality	Summary	Cross Cutting Issues
	<p>courses as in the male estate to help with job prospects upon release.</p> <ul style="list-style-type: none"> • Need for greater Prison in-reach and community outreach work • Diamond Initiative should include investment in women specific holistic service delivery and assessment of wider social benefit gained through these services to reducing reoffending. • Local Areas need to be aware of needs of women being released in the community in order to coordinate support. • London DOM work on women – too narrow an evidence base for determining priorities • Appropriate safe accommodation – particularly with women who are in the process of regaining custody of children. • Older women offender’s needs • Investigate ethnicity profile in women cohort . • Domestic Violence agencies must be safe for women and children. 	
Sexuality	<ul style="list-style-type: none"> • Lesbian, Gay, Bisexual and Transgender issues not tackled in the consultation. 	<ul style="list-style-type: none"> • Could impact on cross cutting issues such as black, female lesbians- How will the DOM embed cross cutting equalities into the plan? • Local Delivery Partnership • Children and Families
Young Offenders	<ul style="list-style-type: none"> • Alternatives to custody. • Mentoring. • Transition from Young Offender to adults. • Link in with the work of the Barrow Cadbury Trust. • Strategy on gang and serious violence work. • Transfer to prisons outside of London impacts on resettlement. • Video Links • The DOM needs to be clearer on Young offenders particularly with HMYOI Isis – are the needs of this cohort to be met? • Apprenticeships in prison. • Difficulties securing accommodation for young people 	<ul style="list-style-type: none"> • Local Delivery Partnership • Families • Accommodation • FDB • ETE • Drugs
Older Offenders	<ul style="list-style-type: none"> • Has there been any work to identify the growing number of older prisoners that are being released? • Older prisoners from BME groups. 	<ul style="list-style-type: none"> • Issue of institutionalisation and a desire to reoffend. • ETE

Equality	Summary	Cross Cutting Issues
	<ul style="list-style-type: none"> • Employment challenges for this cohort. 	
Disability	<ul style="list-style-type: none"> • The DOM makes no reference to disability – legislation on disability • Disability particularly those like personality disorder is not given enough emphasis compared to other diversity issues such as Race. 	<ul style="list-style-type: none"> • Mental Health (including Alcohol) • Accommodation • ETE

FEMVA

THE EQUALITY IMPACT ASSESSMENT REPORT

The EIA report is a concise summary of the results of your EIA work. You should ensure that you cover the topics described below.

Background:

- Context of policy/programme
- Link to strategic aims and objectives
- Scope of the EIA work (e.g. if linked to previous EIA or work delivered by another Government Department)

Methodology:

- Approach to data collection and analysis
- Results of consideration of existing evidence

Consultation & Involvement:

- Stakeholder/community involvement in developing proposals
- List of organisations engaged (optional)

Assessment & analysis

- Key Findings from the data collection and community engagement
 - Positive impacts: existing or potential
 - Adverse impacts: existing or potential

Recommendations

- Describe how you will respond to the key findings by:
 - strengthening the potential for positive impact,
 - removing areas that may exacerbate or engender adverse impact
 - including measures to mitigate any adverse impact that may occur
 - including measures that ensure ongoing compliance with statutory obligations
 - monitoring arrangements
 - ensuring continued public access to information about the policy/programme.
 - action plan (optional)

Date of EIA Report

Date of Publication of Results

Ensure that the EIA Report is published on the NOMS/ MoJ website before your policy/programme is implemented.