

Equality Impact Assessment (EIA)

Name of policy, procedure or activity:

POLICE REFORM PROCEDURE

Document Version:	Issue 3
Date:	June 2011

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What is an EIA?

An EIA is an evidence based assessment of how a policy or activity will positively support Gwent Police’s general equality duties, as well as identify any potential negative disproportionate impact on people or groups of people.

The EIA will also outline any steps to redress this.

For ease of reference, within this document the term ‘policy or activity’ will be used, but must be taken to mean any functions, activities or decisions that may affect external communities or internal personnel.

1.0 Identification section

Title: Police Reform

Reference: 317/2 b issue 3

Chief Officer Lead: ACC

Service Area: Uniform Ops

Document Written by: Sgt Uniform Ops

Department Responsible: Uniform Ops

Document Lead: Sgt Uniform Ops

Review Date: June 13

2.0 Purpose

Please answer all of the following questions, using guidance information in section 6 to help you with your responses.

2.1 Aims

What are the aims of the policy or activity and how do they fit with the wider aims of the organisation?

The aim of this procedure is to ensure that police personnel are clear about the scope of Section 59, confident about their practical understanding when seeking to use the legislation and clear about the associated administrative processes.

2.2 Motivators

What are the motivators or driving forces in the development of this policy or activity?

It is essential to remember that Section 59 can only be used in relation to 2 specific offences **and even then**, only when the manner of use is causing, likely to cause or has been causing alarm, distress or annoyance to members of the public. The two offences to which this section refers are: -

1. Careless Driving/Riding Contrary to Section 3 Road Traffic Act 1988 (See NLDB - D699)
2. Driving / Riding on common land, moorland, footpath, bridleway or restricted byway or any other land not forming part of a road. (See NLDB - D3076)

It is clear that this power is, generally, going to be exercised in dealing with off road vehicle nuisance and 'car cruising' type anti social behaviour. Challenges regarding the use of the power through the Courts are anticipated in due course.

2.3 Equality duties

This section outlines if and how this policy or activity helps support Gwent Police's equality duties. Protected characteristics are listed in the Guidance document in sections 3.1 to 3.10.

2.3.1 How does this policy or activity help to eliminate discrimination, harassment and victimisation?

It is clear that this power is, generally, going to be exercised in dealing with off road vehicle nuisance and 'car cruising' type anti social behaviour. Challenges regarding the use of the power through the Courts are anticipated. The procedure emphasises that the seizure of vehicles is not meant as a punishment to anti social behaviour.

Home Office guidance gives examples of the type of conduct the legislation is aimed at in this regard and includes such behaviour as the racing of vehicles round estates and cruise gatherings.

The spirit of the legislation also caters for situations where quality of life is being damaged by risk of serious injury, harassment, obstruction of other traffic and pedestrians, noise pollution or intimidation.

The legislation provides for a warning to offenders before vehicles are seized

2.3.2 How does this policy or activity help to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it?

It is important in any community relations to ensure that individual rights are respected and balanced. However in situations where there is continual anti social behaviour this procedure and the accompanying legislation provides a solution where quality of life is being damaged by risk of serious injury, harassment, obstruction of other traffic and pedestrians, noise pollution or intimidation.

2.3.3 How does this policy or activity help to foster good relations between persons who share a relevant protected characteristic and persons who do not share it?

There is always potential for the seizure of vehicles to heighten community tensions. In such cases the Community Impact Assessment procedure is available for use. Clearly it is essential to ensure that a proportionate and reasonable approach is taken when implementing the spirit of the legislation.

3.0 Assessment

This section assesses whether there any aspects of the policy or activity, including how it is delivered, or accessed, that could contribute to inequality or discrimination. Please answer all of the following questions, using guidance information in section 6 to help you with your responses. You should provide evidence in this section for your answers.

3.1 Age

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

Government figures show that car crashes are the most likely cause of injury for 17-25 year olds, in terms of being a driver and also a victim. Therefore this procedure has high relevance to age and it is suggested that the organisation develops strategies for communicating and outreaching to young people to offer awareness. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.2 Disability

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

Individuals with disabilities have particular needs and may be more at risk of being traumatised by anti social behaviour. Therefore positive action may be needed to ensure that anti social behaviour is dealt with and the quality of life of individuals with this protected characteristic are not adversely affected. Where necessary reasonable adjustment should be taken into consideration whether interviewing victims, witnesses or

defendants in order to secure best evidence. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.3 Gender reassignment

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

It is discrimination to treat a transsexual person less favourably. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.4 Marriage and civil partnership

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

People who are married or in a civil partnership should not be discriminated against. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.5 Pregnancy and maternity

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

Women who are pregnant are protected against discrimination on the grounds of pregnancy and maternity. Clearly particular care and sensitivity will need to be taken in cases where women sharing this protected characteristic are involved. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.6 Race

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

For the purposes of the Act 'race' includes colour, nationality and ethnic or national origin. Community Impact Assessments should be considered in circumstances where there are likely to be local tensions. Also steps should be reasonable, proportionate and necessary taking into consideration all necessary circumstances. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.7 Religion or belief

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

There are often cultural variations related to different religious beliefs. Clearly anti social behaviour may heighten local tensions e.g. around places of worship and where necessary consideration should also be given to community impact assessments and local liaison. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.8 Sex

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This protected characteristic applies to both men and women. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.9 Sexual orientation

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

The act protects bisexual, gay, heterosexual and lesbian people from discrimination. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

3.10 Welsh Language

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

The welsh language scheme should be applied as necessary e.g. translation services, information on anti social behaviour. There is no evidence that this procedure will have a negative disproportionate impact on persons who share this protected characteristic.

4.0 Actions and outcomes

This section lists any actions that will need to be taken in order to address any adverse impact that has been identified. Please complete all the sections below and see the guidance information in section 6 for a more detailed explanation.

4.1 Action Plan

Impact identified: It is important when implementing this procedure that officers are proportionate and reasonable in their actions to ensure there is no perception of discrimination.

Action : To ensure that staff are properly trained with the appropriate skills and abilities.

Rationale: To minimise tensions and ensure that individuals are not discriminated against and treated fairly with dignity and respect.

Completion date: Ongoing

Review date: June 13

4.2 Outcomes

This section summarises the outcome of the policy or activity following this assessment. (Delete as appropriate and see section 6 on outcomes for a more detailed explanation).

Major change needed to the policy or activity

No

The policy or activity has been written in order to mitigate Any adverse impact.

The policy or activity continues, although there is always the potential for adverse impact if the procedure is not implemented appropriately.

4.3 Review

This assessment and the policy or activity will be reviewed by June 2013