



EQUALITY IMPACT ASSESSMENT
Crime Reduction and Community Safety Group
Crime and Drug Strategy Directorate
Violent Crime Unit

Policing and Crime Bill - Foreign Travel Orders and Sexual Offences Prevention Orders

PRELIMINARY SCREENING

Date of Screening	11 November 2008
Name of Policy Writer	Ifeyinwa Okoye
Acting Director General	Vic Hogg

Name of Policy: Strengthening the Management of Child Sex Offenders - Foreign Travel Orders and Sexual Offences Prevention Orders		This is a new policy
	x	This is a change to an existing policy
		This is an existing policy

Policy Aims, Objectives & Projected Outcomes

To restrict the ability of child sex offenders to harm children both in the UK and overseas and further strengthen the UK's management of sex offenders. Strengthening Foreign Travel Orders (FTOs) would increase their effectiveness and encourage their use by the police. FTOs will be changed to:

- Extend their maximum duration from six months to five years;
- Remove the passports from child sex offenders made subject to a FTO with a blanket ban on any travel outside the UK;
- Extend the age a child must be at risk from an offender before a FTO can be made from 16 to 18.

Removing the requirement that at least some evidence submitted in support of a Sexual Offences Prevention Orders (SOPOs) must be from the last six months would allow the police to restrict the activities of offenders who have returned to the UK from abroad without having to wait for evidence of risk to arise on their return to the UK. The six month requirement will also be removed for FTOs to encourage their use by the police.

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

If you have answered **NO to all of these questions** then you must also attach the following statement to all future submissions that are related to this policy and ensure it is signed off by senior management. You must also include this statement within any regulatory impact assessment that is related to this policy.

“This policy was screened for impact on equalities on [insert date]. The following evidence [Evidence] has been considered. As a result of this screening, it has been decided that a full equality impact assessment is not required. “

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	How does the data identify potential or known positive impacts? How does the data identify any potential or known adverse impacts?
Race (consider e.g. nationalities, Gypsies, Travellers, languages)	None at present.
Disability (consider social access and physical access)	None at present.
Gender	None at present. However, Home Office statistics indicate that approximately 99% of child sex offenders are male (<i>Offender management caseload statistics 2005</i> , Home Office Statistical Bulletin 18/06, Research, Development and Statistics, National Offender Management Service, 2006)
Gender Identity	None at present.
Religion and Belief	None at present.
Sexual Orientation	None at present.
Age	None at present. However, 30% of child sex offenders are under 18 years of age (Fisher, D and Beech, A, <i>Adult Male Sex Offenders in Kemshall</i> , H and Mclvor, G (eds), <i>Managing Sex Offender Risk</i> (pp 25-47), <i>Research Highlights in Social Work</i> 46, Jessica Kingsley Publishers, London, 2004)

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

MAPPA (Multi-Agency Public Protection Agency) publishes an annual report on the multi-agency arrangements for managing sexual, violent and other dangerous offenders in London. However, this does not contain details on EIA's equality target areas such as on the offender's religious beliefs, race or sexual orientation. The Violent and Sex Offenders Register (ViSOR) may contain more detail on the offender's race and gender, for example, due to a recent upgrade. However, the system upgrade is still being rolled out and as such, the information is not currently available.

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

These include:

Registered Sex Offenders

Educational institutions

The police through the Association of Chief Police Officers

ECPAT UK (End Child Prostitution, Child Pornography and the Trafficking of Children)

The Child Exploitation and Online Protection Centre (CEOP)

National Society for the Prevention of Cruelty to Children

The Home Office

Ministry of Justice

Department for Children, Schools and Families

Her Majesty's Court Service

Northern Ireland Office

Scottish Executive

Welsh Assembly Government

UK Border Agency

Identity and Passport Service

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

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

Although there is a very limited amount of recent quantitative data available on Registered Sex Offenders in relation to the EIA target equality areas, the existing data indicates that the majority of these offenders are male and that 30% of offenders are under the age of 18.

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

Issues that may need to be addressed include:

- further research on race, religious beliefs, gender, sexual orientation and disability and whether particular groups may be particularly impacted by the planned revisions to Foreign Travel Orders and Sexual Offences Prevention Orders
- the treatment of young sex offenders. If the new provisions will lead to an increase in police applications for Foreign Travel Orders and Sexual Offences Prevention Orders, the special needs of this group of offenders, due to their age, will need to be taken into consideration. For example, the format of the court hearing, the court proceedings and the language used may need to be adapted in light of the offender's age and level of understanding.

GATHERING EVIDENCE THROUGH COMMUNITY ENGAGEMENT

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

Does this policy affect the experiences of staff? How? What are their concerns?	
Staff	Immigration staff may need some 'refresher' training on watchlists, FTOs and what to do if an offender who is subject to an FTO presents their passport to them intending to travel. The police may need training on what changes the proposals make to FTOs.
Staff Networks & Associations	N/A
Trade Unions	N/A

How have you consulted, engaged and involved internal 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.

Discussions have taken place within the Home Office and with key stakeholders such as CEOP, ACPO (representing the police), the NSPCC, the Department for Children, Schools and Families and the Identity and Passport Service.

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

Positive – potential to reduce the ability of child sex offenders to travel and exploit children abroad; protecting the children from harm both in the UK and abroad; the changes would make FTOs less complicated and encourage their use by the police to prevent offenders at risk of harming children from travelling.

Negative – possible adverse impact on some groups (arguable that as most sex offenders are male, the policy change will have a disproportionate impact on them and therefore affect their freedom of travel. In addition, the removal of passports from offenders with a blanket ban on travel may adversely impact on ethnic minority offenders and their family life. This is because they may have a large extended family network in their country of origin that they be unable to visit because their blanket travel ban. However, FTO blanket bans on travel to anywhere in the world are extremely rare and only used in exceptional cases where the offender is deemed to pose such a risk to children abroad.

Feedback the results of this internal consultation and use it as a basis for work on external consultation

EXTERNAL CONSULTATION & INVOLVEMENT

How did your engagement exercise highlight positive and negative impacts on different communities?	
Voluntary Organisations	Not applicable.
Race	This was not highlighted in the engagement exercise with stakeholders.
Faith	This was not highlighted in the engagement exercise with stakeholders.
Disability Rights	.This was not highlighted in the engagement exercise with stakeholders.
Gender	This was not highlighted in the engagement exercise with stakeholders.
Gender Identity	This was not highlighted in the engagement exercise with stakeholders.
Sexual Orientation	This was not highlighted in the engagement exercise with stakeholders.
Age	The policy focuses on protecting children from sex offenders. it actually increases the number of children who will come within its scope by extending the age of child from 16 to 18 that must be at risk before a FTO can be made

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

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.

While the overall strategy should have a neutral impact, there is potential for both positive and adverse impact on the delivery and implementation of the policy. In terms of age, children (ie those under 18 years old) should benefit from the new proposals as they are being implemented to protect them. The new proposals could be seen to have a differential impact on men as the majority of child sex offenders are male. It is difficult to assess at this stage whether the proposals will have a differential impact on the other equality target groups due to the limited data that is available on these areas.

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

The main findings from consulting with stakeholders were that the policy proposals are welcomed. The NSPCC has pointed out that young sex offenders are different from adult sex offenders and should be treated differently due to their age and comparative ability to change. The special requirements young offenders may have compared to their adult counterparts will also need to be considered (for example, the conduct of court proceedings and the use of language that is suitable to the child's age and level of understanding. Moreover, it may not be feasible to have a SOPO restricting the offender from going within 300 metres of a school if the offender himself attends school).

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?

This policy proposal will not cause unlawful discrimination. It may limit the participation of certain offenders from certain aspects of public life, for example, if an offender is given a SOPO restricting him from being within 300 metres of a playground in a park or a school. However, SOPOs are only granted prior to an assessment being made on the risk that particular individual poses. This will only affect a small number of sex offenders (based on MAPPA figures for 2007/08, there were only 31,392 registered sex offenders in England and Wales and less than 5% of them had been risk assessed and given a SOPO (1440)).

How does the policy promote equality of opportunity?

The policy will reduce the harm to communities, regardless of their ethnic, religious, class or economic composition, both in the UK and abroad, caused by child sex offenders.

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?

This policy strengthens the system of managing child sex offenders and so promotes good relations by making communities feel safer and reassured that their children are being protected from harm.

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

The policy will be evaluated 12 months after implementation with stakeholders to assess the use of FTOs and SOPOs and whether there is an adverse impact. Additional measures that could be taken include considering whether to commission research on how the equality target groups are represented in the registered sex offender population.

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.

No.

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 information forming the basis of this equality impact assessment will be made available for those evaluating the policy one year after its implementation.

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)

- Continuing engagement and partnership work is a key element to the success of this policy. Stakeholders will also be involved in the evaluation of the policy of 12 months of its implementation.

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)

- The implementation of the policy will be monitored after 12 months and thereafter on a regular basis by the Home Office. Stakeholders will also be invited to take part in the monitoring process.

Now submit your EIA and related evidence for clearance.

ACTION PLAN

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Data Collection	MAPPA, RDS (MOJ)	Encourage the collection of monitoring data across diversity strands	Improved diversity data and evidence base	Continuing	
Publication Arrangements	Home Office Violent Crime Unit	Publish EIA	EIA on Home Office website	January 2009	
Monitoring & Review Arrangements	Home Office Violent Crime Unit	Establish monitoring arrangements across diversity strands with the assistance of MAPPA	Improved baseline and continuing data	Continuing	
On-going stakeholder engagement	Home Office Violent Crime Unit	On-going use of equality and diversity monitoring group	Meetings held	Continuing	
Specific issues raised during evidence gathering	MAPPA, RDS (MOJ)	Develop better evidence base on sex offender management and diversity	More data	On-going	

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

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: 11th November 2008

Date of Publication of Results

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