

PART I

1. SCOPING THE POLICY

1.1. Title of policy

Proposed guidance on Public Protection Arrangements Northern Ireland

1.2. Brief description of policy

The Criminal Justice (Northern Ireland) Order 2008 introduced a statutory provision for the Secretary of State to issue guidance to agencies listed in the Order on the discharge of any of their functions which contribute to the more effective assessment and management of the risk of serious harm posed to the public by serious sexual and violent offenders, and potentially dangerous persons.

This guidance sets out how the new Public Protection Arrangements Northern Ireland (PPANI) will operate in practice in compliance with the provisions of the Order.

1.3. Aims of policy

To provide appropriate guidance to agencies on the assessment and management of the risk of serious harm posed by sexual and violent offenders, and potentially dangerous persons whose assessed risks require multi agency input to the delivery of individual risk management plans.

To better target limited resources on the management of the risk posed by offenders according to the assessed level of risk of serious harm to the public rather than purely by offence or sentence, whilst being sufficiently flexible to take into account the dynamic nature of risk assessment.

1.4. Who is responsible for devising and delivering the policy?

The NIO has produced this guidance in consultation with the following agencies who have operational responsibility for the delivery of the policy:

- Police Service of Northern Ireland
- Probation Board for Northern Ireland
- Northern Ireland Prison Service
- Youth Justice Agency
- Department for Education
- Department for Employment and Learning
- Department of Health, Social Services and Public Safety
- Department for Social Development
- HSS Boards and HSS Trusts
- Education and Library Boards
- Northern Ireland Housing Executive
- The National Society for the Prevention of Cruelty to Children

1.5. Are there any linkages to other NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?

The guidance outlines procedures/principles for delivering PPANI through a framework of Local Area Public Protection Panels (LAPPPs) throughout Northern Ireland.

The guidance also details the nature and extent of individual agency representation, including the police, probation, prison service, social services and various other organisations within PPANI.

The guidance requires agencies to establish a Strategic Management Board (SMB) which draws together representation at a senior level from the various agencies involved.

The guidance sets out the role and responsibilities of the SMB which includes review of the arrangements in order to monitor their effectiveness and make any changes which appear necessary or expedient.

1.6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?

The guidance will impact on those who are at risk of serious harm from sexual or violent offenders or potentially dangerous persons in the community.

It will also impact on those who present a risk of serious harm to the

public.

Relevant agencies, including police, probation, prison service, social services and others organisations involved in PPANI will also be impacted by the guidance.

9. Who will implement the policy?

The NIO will issue the guidance and ensure that all relevant parties to the guidance are made aware of its contents and the need to comply with it.

PART II

2. SCREENING ANALYSIS

2.1 Is there any evidence, or potential likelihood, of higher or lower participation or uptake by different groups? If so, please indicate below.

CATEGORY	YES	NO	DON'T KNOW
Gender			x
Sexual orientation			x
Religion			x
Political opinion			x
Disability (physical and learning)	x		
Race or ethnic origin (includes Travellers)	x		
Age	x		
Dependant responsibilities			x
Marital status			x

Please give reasons for your answer, including sources of data used.

The guidance will be published on the NIO website. However, alternative formats will be made available for those who are unable to access this material.

In relation to the content of the guidance itself, there is no indication of higher or lower participation or uptake by different groups at this time.

The guidance recognises the special circumstances of young people who engage in offending behaviour and makes appropriate accommodation (see Guidance Section 2.12).

2.2. Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?

CATEGORY	YES	NO	DON'T KNOW
Gender		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)	X		
Race or ethnic origin (includes Travellers)	X		
Age	X		
Dependant responsibilities		X	
Marital status		X	

Please give reasons for your answer, including sources of data used:

See 2.1 above.

2.3. Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?

CATEGORY	YES	NO	DON'T KNOW
Gender		X	
Sexual orientation		X	
Religion		X	
Political opinion		X	
Disability (physical and learning)		X	
Race or ethnic origin (includes Travellers)		X	
Age		X	
Dependant responsibilities		X	
Marital status		X	

Please give reasons for your answer, including sources of data used:

Not applicable to this policy.

2.4. Equality Commission guidance states that the screening process should include pre-consultation with those that may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems, which are specific to them?

CATEGORY	YES	NO	DON'T KNOW
Gender		x	
Sexual orientation		x	
Religion		x	
Political opinion		x	
Disability (physical and learning)		x	
Race or ethnic origin (includes Travellers)		x	
Age		x	
Dependant responsibilities		x	
Marital status			

Please give reasons for your answer, and details of any consultations that have taken place:

Relevant groups, organisations and individuals have been invited to indicate any equality related problems specific to them through the public consultation which took place leading to the Criminal Justice (NI) Order 2008. In relation to S75, no issues emerged from this extensive engagement other than the need to accommodate the needs and circumstances of young people in this guidance. Public consultation on this draft guidance is a further opportunity to ensure any specific S75 concerns are addressed.

2.5. It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below and contact the Equality Unit if you are in doubt:

Not applicable.

PART III

EQUALITY IMPACT ASSESSMENT RECOMMENDATION

Equality impact assessment procedures are confined to those policies considered likely to have significant implications for equality of opportunity.

3.1. If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?

No adverse impact.

3.2. Do you consider that this policy needs to be submitted to a full equality impact assessment?

YES	NO
	x

If NO but the policy has significant impact, please give reasons for your recommendation:

Not applicable.

3.3. What data is required to ensure effective monitoring in the future?

SMB will publish an annual report which will include both quantitative and qualitative data to demonstrate the effectiveness of the arrangements. While this report is not specific to Section 75 issues, should any matter arise that relates directly or indirectly to any of the nine Section 75 grounds then it will be reported and acted upon accordingly.

Signed: Stephen Cowan

Grade: B1

Branch/Division: Sexual Crime Unit, Criminal Justice Delivery Division

Date: 27 May 2008

Agreed by Head of Division: Amanda Patterson