

This template summarises the key decisions/actions taken in the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

Background	
Title of the Policy	Home Detention Curfew (HDC) – Revised PRL Standards
EHRIA Lead (role)	Senior Operational Planning Manager
Date EHRIA completed	21/03/19
Review date and frequency	March 2020
Is this a new or revised policy/practice?	New <input type="checkbox"/> Revised <input checked="" type="checkbox"/>

Scoping	
<p>What are the aims of this policy/practice? A standardised approach for the way in which the HDC process is completed will ensure that the SPS is consistent in their approach for those eligible for HDC.</p> <p>A revised set of PRL standards will help establishments remain consistent as well as ensuring that the recommendations accepted from HMIPS are in place.</p>	
<p>WHO did you consult with? Scottish Government Criminal Justice Social Work Her Majesty’s Inspectorate of Prisons in Scotland SPS Audit Team</p>	
<p>WHAT did you learn? A standardised approach for the way in which the HDC process is completed will ensure that the SPS is consistent in their approach for those eligible for HDC.</p> <p>A revised set of PRL standards will help establishments remain consistent as well as ensuring that the recommendations accepted from HMIPS are in place.</p>	
<p>HOW will this shape your policy/practice? The 21 recommendations given by HMIPS will shape the revised PRL standards.</p> <p>A consistent approach will aid establishments in adhering to the direction given by the Cabinet Secretary, as well as the recommendations given by HMIPS that were accepted by the SPS. This will ensure that all those eligible for HDC receive the experience the same process.</p>	

Communication from HQ as well as within establishments is key.

What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?

[Cabinet Secretary direction.](#)

[HMIPS recommendations](#)

[Police Scotland Review](#)

Prison and Young Offenders Institutions (Scotland) Rules and Directions 2011.

[HDC Guidance](#)

Discussions within the HDC short life working group

Impact

Will the impact and outcomes of the new/revise policy/practice:

Contribute to eliminating discrimination, harassment and victimisation?

E.g.

- Raise awareness of our SPS vision and values for equality and diversity
- Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity

POSITIVE:

It will contribute to eliminating discrimination, harassment, victimisation

NO EFFECT:

It will have no effect on discrimination, harassment and victimisation

NEGATIVE:

It will make discrimination, harassment and victimisation worse

Advance equality of opportunity between those who share a protected characteristic and those who do not?

E.g.

- Remove or minimise disadvantage
- Meet the needs of equality groups that are different from the needs of others participation in public life

POSITIVE:

It will advance equality of opportunity

NO EFFECT:

It will have no effect on equality of opportunity

NEGATIVE:

It will reduce equality of opportunity

Foster good relations between those who share a protected characteristic and those who do not? E.g.

- Tackle prejudice

POSITIVE:

It will foster good relations

NO EFFECT:

It will have no effect on good relations

Impact

Will the impact and outcomes of the new/revised policy/practice:

• Promote understanding	NEGATIVE: It will cause good relations to deteriorate <input type="checkbox"/>
Ensure Human Rights Compliance?	It will uphold human rights articles. <input checked="" type="checkbox"/>
	It will breach human rights articles. <input type="checkbox"/>

Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.

Positive Impacts

Protected characteristics affected:

Negative Impacts

Protected characteristics affected:

Impact	Mitigation

Recommended course of action

Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input type="checkbox"/>
Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	<input type="checkbox"/>
Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	<input type="checkbox"/>
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	<input type="checkbox"/>

Summary of Outcome decision and Recommendations

After a serious incident in the community involving an individual who was unlawfully at large having breached his HDC conditions, the then Cabinet Secretary for Justice instructed an independent review of the processes undertaken by SPS when considering applications for HDC.

The SPS accepted all of the recommendations and initiated immediate action to deliver specific improvements to the operation of HDC.

Summary of Outcome decision and Recommendations

Part of this process was the development of a revised set of PRL standards to ensure the standards met the recommendations given by HMIPS.

The task of reviewing this policy, and the subsequent development of the PRL standards, was a direct instruction given by the Cabinet Secretary.

Having fully reviewed all the documentation and background information we feel that there will be no negative impact on Equality and Human Rights for either the staff or prisoner group. The implementation of revised PRL standards will provide consistency and clarity across the estate, as well as take into consideration the recommendations given by HMIPS.

To ensure access to all, the standards should be available in an easy read format also.

Next steps

Review of PRL Standard	All standards are audited yearly	Operations Directorate	Annual review
Publish an Easy Read Document	Easy read document currently not available	Senior Operational Planning Manager	TBA
Review of complaints related to HDC	Monitor for unfairness	Population, HDC and complaints Manager	Annual review

If you require this document in an alternative format, please contact SPSEqualityandDiversityTeam@sps.pnn.gov.uk