

## Draft Equality Impact Assessment - Initial Screening

This form can be used to screen policies for equality and diversity impacts. **Before you complete this form you must read section 2.1 of the Guidance Notes.**

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| <b>A. Identify objectives and outcomes</b>   |
| 1. Name of the legislation, policy or service being assessed<br><br>The merger of the Warley and West Bromwich Benches to create one Local Justice Area for the Borough of Sandwell in the West Midlands.  |
| 2a. What is the aim, objective or purpose of the policy, legislation or service and who will benefit from it?<br><br>Currently within the Borough of Sandwell (local authority area) there are two magistrate's courts, one at Oldbury, known as Warley Magistrates Court and one at West Bromwich. Each has their own bench of magistrates. By merging the two benches, there will be one bench for the Borough of Sandwell. This will provide greater operational flexibility in the deployment of magistrates and will provide opportunities for magistrates' to gain experience of a wider range of cases. There will also be a reduction in costs by avoiding the duplication of meetings. The two court houses at Warley and West Bromwich will remain open. |
| 2b. What are the intended outcomes?<br><br>That there will be one bench of magistrates for the Borough of Sandwell and one Local Justice Area for the Borough.   |
| 3. Do you share responsibility for this legislation, policy or service with another Government Department or organisation (e.g. criminal justice   |

partners). If so, who defines it and who implements it?

No

4. Who are the key stakeholders in relation to the legislation, policy or service? What outcomes do they want? Does the list of stakeholders include representatives from all relevant/interested groups of people? If not, why not?

The key stakeholders are the magistrates. During the last four years the two benches have worked closely together and have established a joint Training and Development Committee, Advisory Committee and Bench Committee. Magistrates from both benches regularly sit at Warley and West Bromwich court houses and appraisals are conducted by magistrates from either courthouse. As the merge will not result in the closure of existing court houses, the merge will not impact on any other stakeholders or court users adversely. The distance between the two courthouses is 2 miles.

**B. Analyse existing evidence and collect further data**

5. Please list the data used to facilitate the initial screening of the legislation, policy or service. For example, statistics, survey results, complaints analysis, consultation documents, comparative policies from internal and external sources and other Government Departments

Because of the nature of the proposal no evidence exists or is required. The fact that there will be no closure of either court house means that magistrates who currently sit at Warley and West Bromwich will be able to continue to do so. The fact that the court houses are only two miles apart means that any additional traveling will be minimal and any resultant costs minimal.

6. Are there gaps in information which require further research or consultation, or that may require additional information to be collected as part of the monitoring and review process?

No

**C. Assess the impact of the legislation, policy or service**

|  |            |           |                  |                    |            |           |                  |
|--|------------|-----------|------------------|--------------------|------------|-----------|------------------|
| 7. Is there any evidence that different groups of people have different participation rates for the legislation, policy or service?  |            |           |                  |                    |            |           |                  |
| No   |            |           |                  |                    |            |           |                  |
|  | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |                    | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |
| Age  |            |           |                  | Racial Group       |            |           |                  |
| Caring Responsibilities  |            |           |                  | Religion or Belief |            |           |                  |
| Disability   |            |           |                  | Sexual orientation |            |           |                  |
| Gender   |            |           |                  |                    |            |           |                  |
| Please set out the evidence on which you based this conclusion:  |            |           |                  |                    |            |           |                  |
| <ul style="list-style-type: none"> <li>8. Are there barriers that might inhibit access to the benefits of the legislation, policy or service?</li> </ul>   |            |           |                  |                    |            |           |                  |
| No   |            |           |                  |                    |            |           |                  |
|  | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |                    | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |
| Age  |            |           |                  | Racial Group       |            |           |                  |
| Caring Responsibilities  |            |           |                  | Religion or belief |            |           |                  |
| Disability   |            |           |                  | Sexual Orientation |            |           |                  |
| Gender   |            |           |                  |                    |            |           |                  |
| Please indicate what the barriers may be or if there are no barriers, please set out the evidence on which you based this conclusion?  |            |           |                  |                    |            |           |                  |
| 9. Is there any evidence that different groups have (or are likely to have) different needs, experiences, issues and priorities in relation to the current or proposed legislation, policy or service. For example, has any equality stakeholders (organisations or individuals) indicated that the legislation, policy or service could (or would) create exclusion or hold specific challenges for them? |            |           |                  |                    |            |           |                  |
| No   |            |           |                  |                    |            |           |                  |
|  | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |                    | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |
| Age  |            |           |                  | Racial Group       |            |           |                  |

|   |            |           |                  |                    |            |           |                  |
|---|------------|-----------|------------------|--------------------|------------|-----------|------------------|
| Caring Responsibilities   |            |           |                  | Religion or Belief |            |           |                  |
| Disability  |            |           |                  | Sexual orientation |            |           |                  |
| Gender  |            |           |                  |                    |            |           |                  |
| Please set out the evidence on which you based this conclusion:   |            |           |                  |                    |            |           |                  |
| 10. Is the legislation, policy or service sensitive to the needs and cultures of different groups of people?<br>Yes. The merger is not changing the existing provision of service, in that both courthouses will remain open. |            |           |                  |                    |            |           |                  |
|   | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |                    | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |
| Age   |            |           |                  | Racial group       |            |           |                  |
| Caring Responsibilities   |            |           |                  | Religion or Belief |            |           |                  |
| Disability  |            |           |                  | Sexual orientation |            |           |                  |
| Gender  |            |           |                  |                    |            |           |                  |
| Please set out the evidence on which you based this conclusion  |            |           |                  |                    |            |           |                  |
| 11. Is there any evidence that this legislation, policy or service could directly or indirectly discriminate against any group of people?<br>No (see 10 above)  |            |           |                  |                    |            |           |                  |
|   | <b>Yes</b> | <b>No</b> | <b>Not Known</b> |                    | <b>Yes</b> | <b>No</b> | <b>Not known</b> |
| Age   |            |           |                  | Racial Group       |            |           |                  |
| Caring Responsibilities   |            |           |                  | Religion or Belief |            |           |                  |
| Disability  |            |           |                  | Sexual Orientation |            |           |                  |

|   |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|
| Gender  |  |  |  |  |  |  |  |
| Please set out the evidence on which you base these conclusions   |  |  |  |  |  |  |  |
| <p>12. Does the policy result in positive impacts, if so please list them here? For example, does it have a beneficial effect on a group of people or improve equal opportunities and/or relationships between different groups of people?</p> <p>By merging the benches the magistrates who currently sit will have access to a wider type of caseload as some types of work are already centralised. This will enable them to have a broader knowledge of the issues within the Borough of Sandwell. In relation to the local community they will be served by one bench for the Borough. This will enable greater communication and ownership.</p> |  |  |  |  |  |  |  |
| <p>13. What measures can be taken to promote equality of opportunity by altering the legislation, policy or service, or by working with others, for examples, partners? Is there any evidence of missed opportunities to promote equality of opportunity, if so please provide details?</p> <p>None.</p>  |  |  |  |  |  |  |  |
| <p>14. Is a full equality impact assessment required? /NO</p> <p>If not, please explain why not.</p> <p>As outlined above the merge will not result in closure of the court houses or a reduction in the quality of service provided to the public. It is simply to provide operational flexibility in the deployment of magistrates to the two court houses. This will have a positive impact in ensuring that sufficient magistrates are available to sit in court and will reduce costs. There will be no adverse effect to members of the public, court users or customers.</p>   |  |  |  |  |  |  |  |

15. If a full equality assessment is not required what data is required in the future to ensure effective monitoring? How and when will the policy be monitored and reviewed?

There will not be a review. If the proposal is approved by Parliament then the existing legislation will be amended.

16. Any other comments on the policy and/or initial screening process:

No

You should now complete a brief summary (if possible, in less than 50 words) ) setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the impacts (positive and negative) and any decisions made, actions taken or improvements made as a result of the EIA. The summary will be published on the external MoJ website

A proposal to merge the two current Local Justice Areas in Warley and West Bromwich in the County of the West Midlands and to merge the Warley and West Bromwich benches. The amalgamated bench would be known as the Sandwell bench (mirroring the local authority).

The proposal will not affect service delivery because the two courthouses currently in use in Oldbury and West Bromwich will continue to operate. Cases will be allocated to those courthouses in accordance with local custom and practice and the identified needs of users. Wherever it is possible to do so, cases will continue to be heard at the courthouse nearest to where the offence or matter occurred.

If the proposal is accepted it will provide flexibility to enable magistrates to sit in either of the courthouses. Currently, although they have a national jurisdiction, they can only be scheduled to sit in the Local Justice Area to which they are assigned. Sittings for magistrates will continue to be arranged to suit their personal convenience as well as ensuring the efficient and effective despatch of court business.

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| Name (must be grade 5 or above): Tracey Calleia  |
| Department: Warley Magistrates Court   |
| Date: November 18 <sup>th</sup> 2008.  |
| If no adverse impacts have been identified and a full equality impact assessment is not going to be completed, please send a copy of the initial screening plus summary by e-mail to the Equality, Diversity and Human Rights Division. If a full equality impact assessment is required then retain the initial screening until the full impact assessment has been completed and then send both the initial screening and full equality impact assessment together to the Equality, Diversity and Human Rights Division. |