

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that, as an Authority, we do not discriminate and we are able to promote equality, diversity and human rights.

Please refer to the EHRIA [guidance](#) before completing this form. If you need any further information about undertaking and completing the assessment, contact your [Departmental Equalities Group](#) or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Leicestershire Youth Justice Plan
Department and section:	Youth and Youth Justice Children and Families Service
Name of lead officer/ job title and others completing this assessment:	Carly Turner Service Manager/Head of Youth Justice – Youth and Justice Service
Contact telephone numbers:	0116 305 2066
Name of officer/s responsible for implementing this policy:	Carly Turner Service Manager/Head of Youth Justice Youth and Youth Justice
Date EHRIA assessment started:	6 th of March 2023
Date EHRIA assessment completed:	21 st of March 2020

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of the policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council's [Equality Strategy](#).

1	<p>What is new or changed in the policy? <i>What has changed and why?</i></p> <p>The current draft Youth Justice Strategy 2023-26 is similar to the previous 2020-23 Strategy and focuses on priorities around young people who offend or are on the cusp of offending. The differences are around current priorities facing agencies notably around child criminal exploitation, serious youth violence and emotional wellbeing support.</p>														
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>No.</p> <p>The Youth Justice Strategy is completed in collaboration by the statutory partner agencies relating to youth justice; the Local Authority, Police, Health, and Probation Service.</p>														
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>Children who have offended and entered the youth justice system, children on the cusp of offending, and key people supporting these young people. The Strategy is designed to focus and prioritise work between partner agencies to support these children and reduce their risk of offending.</p>														
4	<p>Will the policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 10%; text-align: center;">Yes</th> <th style="width: 10%; text-align: center;">No</th> <th style="width: 20%; text-align: center;">How?</th> </tr> </thead> <tbody> <tr> <td>Eliminate unlawful discrimination, harassment and victimisation</td> <td style="text-align: center;">✓</td> <td></td> <td>The strategy should assist all children who may offend irrespective of their background. It has a particular focus on addressing disproportionality across the partnership and criminal justice.</td> </tr> <tr> <td>Advance equality of opportunity</td> <td style="text-align: center;">✓</td> <td></td> <td>The support provided to children who offend focuses on providing support,</td> </tr> </tbody> </table>				Yes	No	How?	Eliminate unlawful discrimination, harassment and victimisation	✓		The strategy should assist all children who may offend irrespective of their background. It has a particular focus on addressing disproportionality across the partnership and criminal justice.	Advance equality of opportunity	✓		The support provided to children who offend focuses on providing support,
	Yes	No	How?												
Eliminate unlawful discrimination, harassment and victimisation	✓		The strategy should assist all children who may offend irrespective of their background. It has a particular focus on addressing disproportionality across the partnership and criminal justice.												
Advance equality of opportunity	✓		The support provided to children who offend focuses on providing support,												

	between different groups			guidance, and opportunities to either vulnerable children at risk of, or who offend
	Foster good relations between different groups	✓		Many of the resources and strategies used with young people are designed to provide guidance to young people encountering difficulties to assist them in integrating within their wider community.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Impact Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for a policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to Section 3 on Page 7 of this document.

Section 2

A: Research and Consultation

		Yes	No*
5.	Have the target groups been consulted about the following?		
	a) their current needs and aspirations and what is important to them;		✓
	b) any potential impact of this change on them (positive and negative, intended and unintended);		✓
	c) potential barriers they may face		✓
6.	If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		✓
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?	✓	
8.	*If you answered 'no' to the questions above, please use the space below to outline either what consultation you are planning to undertake or why you do not consider it to be necessary.		
	Consultation has been undertaken with agencies involved in with children who offend or on the cusp of offending. This is a statutory requirement of the Plan.		

Section 2				
B: Monitoring Impact				
9.	Are there systems set up to:	Yes	No	
	a) monitor impact (positive and negative, intended and unintended) for different groups;	✓		
	b) enable open feedback and suggestions from different communities	✓		
Note: If no to Question 9, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.				
Section 2				
C: Potential Impact				
10.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may potentially be affected by the policy and describe any positive and negative impacts, including any barriers.			
		Yes	No	Comments
	Age	✓		
	Disability	✓		
	Gender Reassignment		✓	
	Marriage and Civil Partnership		✓	
	Pregnancy and Maternity		✓	
	Race	✓		
	Religion or Belief	✓		
	Sex	✓		
	Sexual Orientation	✓		
	Other groups e.g. rural isolation, deprivation, health	✓		This may include children with special education needs, young carers, looked after children,

	inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities			and those from deprived areas in Leicestershire.
	Community Cohesion	✓		
11.	<p>Are the human rights of individuals potentially affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to the policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB: include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		Yes	No	Comments
Part 1: The Convention- Rights and Freedoms				
	Article 2: Right to life		✓	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way	✓		The Youth Justice Strategy introduces reparation along with statutory sanctions. These will be used in a fair and proportionate way to enable the development of life skills and reparation activity with victims and communities.
	Article 4: Right not to be subjected to slavery/ forced labour	✓		The Service is working with children who are identified as potentially being involved in modern day slavery and are working with partners and the competent authority to support positive identification and controls to reduce risks.
	Article 5: Right to liberty and security		✓	
	Article 6: Right to a fair trial	✓		This is intrinsic within the criminal justice system. Where other forms of non-statutory sanctions are used these will be used in a fair and appropriate way
	Article 7: No punishment without law	✓		As above
	Article 8: Right to respect for private and family life	✓		The support to children will be undertaken with consent. Where

				interventions are statutory, consent is not required as they form part of a Court Order. They will be delivered based on the needs of the child.
	Article 9: Right to freedom of thought, conscience and religion		✓	
	Article 10: Right to freedom of expression		✓	
	Article 11: Right to freedom of assembly and association		✓	
	Article 12: Right to marry		✓	
	Article 14: Right not to be discriminated against	✓		The plan involves measures to address children with characteristics who are adversely affected by coming into contact with the criminal justice system.
Part 2: The First Protocol				
	Article 1: Protection of property/ peaceful enjoyment		✓	
	Article 2: Right to education	✓		The education provision provided to children who offend is subject to monitoring under the Youth Justice Strategy
	Article 3: Right to free elections		✓	
Section 2				
D: Decision				
13.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) the policy could have a different affect or adverse impact on any section of the community;			✓
	b) any section of the community may face barriers in benefiting from the proposal			✓
13.	Based on the answers to the questions above, what is the likely impact of the policy			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>

Note: If the decision is ‘Negative Impact’ or ‘Impact Not Known’, an EHRIA Report is required.

14.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Section 2: Completion of EHRIA Screening

Upon completion of the screening section of this assessment, you should have identified whether an EHRIA Report is required for further investigation of the impacts of this policy.

Option 1: If you identified that an EHRIA Report *is required*, continue to Section 3 on Page 7 of this document.

Option 2: If there are no equality, diversity or human rights impacts identified and an EHRIA report *is not required*, continue to Section 4 on Page 14 of this document.

Section 3: Equality and Human Rights Impact Assessment (EHRIA) Report

Section 3: Equality and Human Rights Impact Assessment Report

This part of the assessment will help you to think *thoroughly* about the impact of the policy and to critically examine whether it is *likely* to have a positive or negative impact on different groups within our diverse communities. It should also identify any barriers that may adversely affect under-represented communities or groups that may be disadvantaged by the way in which we carry out our business.

Using the information gathered either within the EHRIA Screening or independently of this process, this EHRIA Report should be used to consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights as outlined in Leicestershire County Council’s Equality Strategy.

Section 3

A: Research and Consultation

When considering the target groups, it is important to think about whether new data needs to be collected or whether there is any existing research that can be utilised.

15. Based on the gaps identified either in the EHRIA Screening or independently of this process, *how* have you now explored the following and *what* does this information/ data tell you about each of the diverse groups?
- a) current needs and aspirations and what is important to individuals and

	<p>community groups (including human rights);</p> <p>b) likely impacts (positive and negative, intended and unintended) to individuals and community groups (including human rights);</p> <p>c) likely barriers that individuals and community groups may face (including human rights)</p>
<p>There is regular monitoring of offending rates in relation to first time entrants into the criminal justice system, re-offending, and custody rates. The current monitoring does indicate issues of disproportionality locally within the criminal justice system concerning girls, black and mixed heritage boys. The Service is supplied with a Disproportionality Summary Tool by the Youth Justice Board which is updated annually and provides the Service with headlines around both local and national disproportionality. These issues match the national research and profile of children within Criminal Justice.</p> <p>The three-year plan identifies specific actions that the Management Board will oversee to start to unpick and address disproportionality across the partnership. For example, this will be understanding collaborative work around understanding the antecedents that propel children into Youth Justice, such as exclusion from education, poor legal advice, stop and search statistics, are all opportunities exhausted to prevent and divert children who are over-represented in Criminal Justice. The real focus is on unpicking the systemic factors that contribute to this over-representation.</p> <p>Children are not disadvantaged in terms of this Plan that they provide or access to interventions by default of this plan, it is rather the systemic factors that happen in their lives that accelerate them into the Youth Justice Service. We do however want to ensure that our response to over-represented children is inclusive and meets their needs.</p>	
16.	Is any further research, data collection or evidence required to fill any gaps in your understanding of the potential or known affects of the policy on target groups?
<p>The Youth and Justice Service Management Board will be looking at over-representation as part of Board Meetings. A sub-heading of a KPI has been identified relating to the Chair of the Board leading the way for the partnership to provide data from their respective organisations around over-representation, or indeed under-representation for these identified groups of children. The first piece of partnership data has been presented by the Police around the ethnicity of children across Leicestershire who have been in police custody.</p> <p>Over the last two years there has been sector led research around disproportionality and therefore there are no gaps at present but it is expected that this will develop over time. Further national research is required around working with girls.</p>	

When considering who is affected by this proposed policy, it is important to think about consulting with and involving a range of service users, staff or other stakeholders who may be affected as part of the proposal.

- 17.** Based on the gaps identified either in the EHRIA Screening or independently of this process, **how** have you further consulted with those affected on the likely impact and **what** does this consultation tell you about each of the diverse groups?

Direct consultation has not been undertaken with those children disproportionately represented within this Plan, however, the Practitioners have strong relationships with children and advocate on their behalf. We have examples of where reports have been presented to Court and discuss the impact of racism and this has resulted in a reduced sentence. Managers are pro-active in seeking opportunities to divert children away from Court and we have examples of the CPS identifying this too.

There are two themes of work underway at the current time and this is around race inclusion and the 'school to prison pipeline' and working with girls. Staff are leading these groups utilising research to create an offer that will respond to the needs of children. Focus groups with those specific children are planned to ensure their voice is heard and responded to. We are ambitious and passionate to co-produce with our children.

- 18.** Is any further consultation required to fill any gaps in your understanding of the potential or known effects of the policy on target groups?

There is comprehensive performance data available in relation to children involved with the youth offending service. The strategy involves reviewing this data in relation to disproportionality to identify any risk groups to inform more focused consultation, which will need to happen in a thoughtful manner as it could be traumatic for children.

Section 3

B: Recognised Impact

- 19.** Based on any evidence and findings, use the table below to specify if any individuals or community groups who identify with any 'protected characteristics' are **likely** to be affected by this policy. Describe any positive and negative impacts, including what barriers these individuals or groups may face.

	Comments
Age	
Disability	✓ Further research is need in relation to young people with special educational needs. Recent research highlighted that around 35%

		of young people have SEN and tis needs to be further explored as research emerges.
	Gender Reassignment	
	Marriage and Civil Partnership	
	Pregnancy and Maternity	
	Race	✓ This is a concern and actions to understand this locally and to move towards addressing this are detailed within the plan.
	Religion or Belief	✓
	Sex	✓ Females are over-represented in criminal justice, both adult and youth.
	Sexual Orientation	
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	✓ Looked After Children can be over-represented in youth justice, but this has not shown in the Leicestershire data.
	Community Cohesion	

20.	Based on any evidence and findings, use the table below to specify if any particular Articles in the Human Rights Act are likely to apply to the policy. Are the human rights of any individuals or community groups affected by this proposal? Is there an impact on human rights for any of the protected characteristics?	
		Comments
	Part 1: The Convention- Rights and Freedoms	

Article 2: Right to life	
Article 3: Right not to be tortured or treated in an inhuman or degrading way	
Article 4: Right not to be subjected to slavery/ forced labour	
Article 5: Right to liberty and security	
Article 6: Right to a fair trial	
Article 7: No punishment without law	
Article 8: Right to respect for private and family life	
Article 9: Right to freedom of thought, conscience and religion	
Article 10: Right to freedom of expression	
Article 11: Right to freedom of assembly and association	
Article 12: Right to marry	
Article 14: Right not to be discriminated against	✓ This links to the plan to continually review any identified disproportionality as a part of the Youth Justice Plan. This now includes an annual plan of delivery. The service will also run an operational plan.
Part 2: The First Protocol	
Article 1: Protection of property/ peaceful enjoyment	
Article 2: Right to education	✓ This may link to the plan to focus and review data in relation to young people with special educational needs.
Article 3: Right to free elections	

Section 3**C: Mitigating and Assessing the Impact**

Taking into account the research, data, consultation and information you have reviewed and/ or carried out as part of this EHRIA, it is now essential to assess the impact of the policy.

- 21.** If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.

There are issues of disproportionality in relation to adverse outcomes concerning young people with protected characteristics which result in children being propelled into youth justice. These factors have, in the main, have happened prior to encountering the Youth and Justice Service, such as exclusion from school at an early age, experiences of racism, unmet learning needs etc. This is compounded by then coming into contact with Criminal Justice Services. The Service is committed to working with partners to learn and address this.

NB:

i) If you have identified adverse impact or discrimination that is **illegal**, you are required to take action to remedy this immediately.

ii) If you have identified adverse impact or discrimination that is **justifiable or legitimate**, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

- 22.** Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.
- a) include any relevant research and consultation findings which highlight the best way in which to minimise negative impact or discrimination
 - b) consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs that you have identified can be addressed
 - c) if you are not addressing any negative impacts (including human rights) or potential barriers identified for a particular group, please explain why

The barriers are that there are systemic and structural discrimination that take place in children's lives that propel them into the criminal justice system. This is a national issue. The focus of the plan is to start to understand this locally across the partnership and for action to be taken to address this and provide accountability.

Section 3**D: Making a decision**

- 23.** Summarise your findings and give an overview as to whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity, community cohesion and human rights.

At this stage the approach and outcomes linked to the Youth Justice Strategy appears to meet the Council's responsibilities in relation to equality, diversity, and community cohesion. However data on offending nationally and locally highlights some areas of concern and plans are in place operationally and strategically locally to start to understand the contributing factors and to move to addressing these.

Section 3**E: Monitoring, evaluation & review of the policy**

- 24.** Are there processes in place to review the findings of this EHRIA and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

Currently EHRIA screening has been undertaken to support the Youth Justice Strategy and compliance with legal obligations. A part of the Youth Strategy involves providing data on any potential adverse impact around equality issues to the Y&JS Management board (which involves senior stakeholders from the statutorily responsible youth justice agencies) on a frequent basis.

In terms of consultation around the strategy, there has been consultation with all the relevant stakeholder agencies through the Management Board, and voluntary agencies who support the Board such as Young Leicestershire, Turning Point etc. in relation to drafting the strategy.

- 25.** How will the recommendations of this assessment be built into wider planning and review processes?
e.g. policy reviews, annual plans and use of performance management systems

The annual data research outlined in the EHRIA screening will be used to inform any planning and changes required, which will be overseen by the Y&JS management board. This is now a formal requirement of the Youth Justice Plan and a condition of the Youth Justice Grant.

**Section 3:
F: Equality and human rights improvement plan**

Please list all the equality objectives, actions and targets that result from the Equality and Human Rights Impact Assessment (EHRIA) (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Objective	Action	Target	Officer Responsible	By when

Section 4: Sign off and scrutiny

Upon completion, the Lead Officer completing this assessment is required to sign the document in the section below.

It is required that this Equality and Human Rights Impact Assessment (EHRIA) is scrutinised by your Departmental Equalities Group and signed off by the Chair of the Group.

Once scrutiny and sign off has taken place, a depersonalised version of this EHRIA should be published on Leicestershire County Council's website. Please send a copy of this form to the Digital Services Team via web@leics.gov.uk for publishing.

Section 4

A: Sign Off and Scrutiny

Confirm, as appropriate, which elements of the EHRIA have been completed and are required for sign off and scrutiny.

Equality and Human Rights Assessment Screening

Equality and Human Rights Assessment Report

1st Authorised Signature (EHRIA Lead Officer):

Date:

2nd Authorised Signature (DEG Chair):

Date:

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