

EQUALITY IMPACT ASSESSMENT - RESULTS

Title of policy/ practice/ strategy/ legislation etc.	The Criminal Legal Assistance (Miscellaneous Amendments)(Scotland)Regulations 2017	
Minister	Annabelle Ewing	
Lead official	Aileen Grimmer	
Officials involved in the EQIA	name	team
	Aileen Grimmer Jamie Wilhelm Debbie Headrick	Access to Justice Justice Analytical Unit
Directorate: Division: Team	Justice: Civil Law and Legal System: Access to Justice	
Is this new policy or revision to an existing policy?	New policy with revisions to existing policy	

Executive summary

The objective of this Equality Impact Assessment (EQIA) is to assess the impact of the Criminal Legal Assistance (Miscellaneous Amendments)(Scotland) Regulations 2017.

This EQIA does not cover the scope of the CJ(S)A only the legal assistance regulations.

The Scope of the EQIA

This policy was examined against each of the protected groups. A number of different data sources were used to inform the EQIA, which included: the 2011 Census records; Scottish Legal Aid Board reports; and a survey on solicitors conducted for the Law Society of Scotland.

Who will it affect?

- Solicitors who provide police station advice

What might prevent the desired outcomes being achieved?

There is a risk that solicitors may not participate in the police station duty scheme. Contingency plans are in place.

Key Findings

Results of framing exercise

The framing exercise has identified that there are no specific negative impacts, either direct or indirect, on protected groups.

Extent/Level of EQIA required

Given this EQIA only relates to the legal aid regulations around implementation of the Criminal Justice (Scotland) Act 2017 only a high level assessment was considered necessary.

Recommendations and Conclusion

The EQIA process did not identify any issues which would have a detrimental impact on protected groups. We have therefore taken this policy to its conclusion and will lay The Criminal Legal Assistance (Miscellaneous Amendments)(Scotland)Regulations 2017

The Scottish Government and the Scottish Legal Aid Board will review the impact of this legislation within 10 years through consideration of analysis of data which is collected routinely by SLAB.

Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

- ◆ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for The Legal Aid and Advice and Assistance (Miscellaneous Amendments) (Scotland) Regulations 2017 (Criminal Justice (Scotland) Act 2016 Part 1) and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name:

Position: [Deputy Director level or above]

Authorisation date: