

**Equality and Human Rights Impact Assessment (EqHRIA)**

# Summary of Results

## Policy/Practice Name:

Criminal Justice (Scotland) Act 2016 Arrest Process National Guidance

## Owning Department:

Criminal Justice Services Department

## Date EqHRIA Completed:

11/04/2022

## Purpose of Policy/Practice:

This has been converted from a SOP into National Guidance as part of the SOP review.

The purpose of this National Guidance is to ensure all Police officers and staff have operational and practical guidance alongside the legislation to ensure all persons arrested are dealt with appropriately in relation to the Criminal Justice (Scotland) Act 2016 Arrest Process.

This National Guidance provides instruction and guidance to all Police Officers/Members of Police Staff in relation to Criminal Justice processes and procedures in respect of arrest and custody as required by the Criminal Justice (Scotland) Act 2016.

## Summary of Analysis / Decisions:

### What the assessment found, and actions already taken.

The National Guidance seeks to ensure service delivery consistency across Scotland in relation to Productions.

The assessment found there may be low impacts on the protected groups of RACE, AGE, DISABILITY. All impacts were analysed and mitigated accordingly.

No impact to GENDER REASSIGMENT, MARRIAGE AND CIVIL PARTNERSHIP, PREGNANCY AND MATERNITY, RELIGION OR BELIEF, SEX AND SEXUAL ORIENTATION.

In addition this National Guidance protects and infringes articles 5 and 8 and 11. Protocol 1 Article 1 of the European Convention of Human Rights protects and infringes.

Potential infringements are mitigated by the appropriate legislation

## Summary of Mitigation Actions:

### What the assessment found, and actions already taken.

If your assessment identified any actions required to mitigate impact, provide details of what actions were identified and how these will be monitored or reviewed.

The owning department will monitor changes in legislation/circumstances which may affect the Criminal Justice (Scotland) Act 2016 Arrest Process National Guidance, and assess how these changes may impact on the protected groups.

In addition they will be responsible for the cyclical review of both the National Guidance and EqHRIA