

(EqHRIA)

Summary of Results

Policy / Practice	Home Detention Curfew and Restriction of Liberty (Electronic Monitoring)
Owning Department	Criminal Justice Services Division
Date EqHRIA Completed	11/04/2019
Purpose of Policy / Practice	This standard operating procedure (SOP) aims to provide all police officers and police staff with awareness of how we respond to and manage electronically monitored individuals. It offers guidance on the course of action to be taken if an individual found to be wearing a tag is taken into custody, breaches their conditions or otherwise comes into contact with the police.

A. Summary of Analysis / Decisions - What the assessment found and actions already taken.

This amended SOP seeks to ensure service delivery consistency across Scotland.

The electronic tagging of offenders is enshrined in statute and carried out by third party agencies. Decisions are made by Scottish Prison Service and named contractors who are responsible for their own EqHRIA processes.

The SOP ensures that all persons subject to electronic monitoring are dealt with in line with legislation.

The assessment found there may be low impacts on the protected groups of DISABILITY, PREGNANCY and MATERNITY, RACE, RELIGION or BELIEF. All impacts were analysed and mitigated accordingly.

In addition this SOP infringes/protects articles 5 and 8 of the European Convention of Human Rights. Potential infringements are mitigated by the appropriate legislation.

B. Summary of Mitigation Actions - What else we plan to do and how we are going to check that it has been done.

The owning department will monitor changes in legislation/circumstances which may affect the SOP and assess how these changes may impact on the protected groups.

In addition they will be responsible for the cyclical review of both SOP and EqHRIA.

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Review Date		Review Date	
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