

Equality and Human Rights Impact Assessment (EqHRIA)

Summary of Results

Policy / Practice	Appropriate Adult SOP
Owning Department	SCD Public Protection
Date EqHRIA Completed	24/09/2020
Purpose of Policy / Practice	<p>Purpose -The purpose of this Standard Operating Procedure (SOP) is to provide guidance to Police Scotland officers and staff to ensure that whenever an adult, aged 16 years of age or over, with a mental disorder is involved with any police processes whether as a victim, witness, suspect or accused, arrangements are made to have a person present who, on account of their expertise and/or training in dealing with mental disorder, can facilitate the procedure.</p> <p>The Mental Health (Care and Treatment) (Scotland) Act 2003 defines mental disorder as “any mental illness, personality disorder, learning disability however caused or manifested” This shall include adults with acquired brain injury, autistic spectrum disorder, which includes Asperger’s Syndrome and people suffering from dementia.</p>

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

The assessment found that the SOP is pertinent to those persons who were categorised as having a mental disorder under the Mental Health Care and Treatment (Scotland) Act 2003 who are over 16 years of age, regardless of their inclusion under any other protected category. They will be dealt with accordingly by virtue of their mental disorder and will receive consistent and fair treatment regardless of which protected category they are included within. It was assessed that the SOP had potential to impact on most of the protected characteristics especially as most individuals share more than one protected characteristic. The assessment of the SOP also provided that such person’s human rights may be protected or infringed, however working practices would be in keeping with the Act. Following consultation, all feedback returned was considered and evaluated, taking cognisance where pertinent the opinions expressed and thus giving due regard to the elements of the equality and human rights duties.

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

SCD Public Protection Support will monitor changes in legislation/circumstances and assess how these changes may impact on the protected groups. In addition they will be responsible for the cyclical review of both the SOP and EqHRIA.

Management Log – Policy Support Dept. Use Only

Review Date		Review Date	
Review Date		Review Date	
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