

Appendix X

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Public Health
Service Area	Community Safety
Service/policy/function being assessed	PSPO implementation proposal
Which borough(s) does the service/policy apply to	Richmond, St Margaret's and North Twickenham Ward
Staff involved	Robyn Thomas, David Noakes, Andrew Hagger
Date approved by Policy and Review Manager	15/1/2019

SUMMARY

This EINA aims to examine and assess any differential impacts that the introduction of a Public Spaces Protection Order (PSPO) may have on any people with protected characteristics who reside, work in or visit the area or any people with protected characteristics who may visit the area in the future.

The PSPO, if implemented will address issues of Anti-Social behaviour in a public place, specifically a designated area surrounding the British Pregnancy Advisory Service (BPAS) clinic on Rosslyn Road, including using aggressive, abusive, offensive threatening and intimidating language or behaving in an aggressive or intimidating manner.

The outcome sought is that the law-abiding majority can use and enjoy public spaces without fear of anti-social behaviour. Those who would be impacted the most from the PSPO would be visitors to the centre, residents of the area, including young children, BPAS Clinic staff who would be able to go about their business free from harassment, alarm or distress.

Impact of Proposal:

If implemented, the PSPO will place restrictions on behaviours within the area defined by the PSPO, additionally the PSPO would require people in the area to provide their name and address if asked by a Police officer. It would also require people to disperse or leave the area if asked to do so by a Police officer should they be in breach of the restricted behaviour.

The PSPO will have a positive impact for visitors to the Clinic, staff working at the Clinic, people supporting and accompanying people visiting the Clinic and for persons visiting or residing in the vicinity of the Clinic:

- Visitors attending the clinic to access services, or those accompanying them, will be less impacted by the activities of the campaign groups who have been identified as part of the PSPO process. The PSPO will safeguard and facilitate their access to sexual health and reproductive health services and reduce potential harassment to them.

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- Staff and others working at the Clinic will be less impacted by potential harassment while going about their jobs. The overwhelming majority of those working at the Clinic are women.
- Residents and those who pass by the area will be less impacted by potential harassment, a majority of whom will be aware of the presence of represented groups outside the Clinic and the associated behaviours of those groups.

The PSPO is likely to have a partly negative impact on Anti – Abortion Campaigners who visit and congregate around the Clinic as the Order will seek to restrict their behaviour in the designated area, in particular:

- harassing/intimidating people
- making people feel upset/uncomfortable
- shouting or calling at people
- handing out leaflets
- approaching people and attempting to talk to them
- displaying posters, placards or models of fetuses
- standing outside or close to the entrance of the Clinic, including protestors praying and kneeling
- holding/handing out rosary beads or necklaces with crosses

Represented groups will be affected by the Order. Those groups are those representing Pro Life Choice views and are predominantly from the Good Council Network.

1. Background

Briefly describe the service/policy or function:

London Borough of Richmond-upon-Thames (LBR) are proposing to introduce a PSPO to address the reported detrimental behaviour(s) by pro-life protesters/vigil holders outside of the BPAS clinic in Rosslyn Road, Twickenham. The full report takes into account the following:

- The legislation and requirements to introduce a PSPO;
- The evidence base that has been gathered and presented to the Council;
- The evidence provided within and the outcomes of the recent formal consultation that was held between 29th October 2018 and 9th December 2018; and
- The alternative options that were considered in the Options Appraisal report.

The Clinic has been open in its current location since the 1970s and has been subject to protests in the past. Since September 2013 the protest/vigil activity has increased in frequency. These protests/vigils have resulted in two petitions being presented to Richmond Council in 2014 and 2018 and a number of impact and witness statements being gathered by BPAS and Richmond Police between 2003-2018 asking the Council to address the issue of the anti-social behaviour caused by the Good Council Network protest group who campaign daily outside the Clinic.

The Council was asked by the community and agreed to do “all in its power” to protect residents from the Anti Social Behaviour (ASB) that happens because of the campaigners in their protests regarding abortion. The Community Safety Division have been working with the Police and residents to seek an appropriate response to this issue.

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Anti Social Behaviour legislation allows the Council to implement a Public Space Protection Order to tackle the anti-social behaviour in specific areas that may be having a detrimental effect on the community.

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 allows the Council to create a PSPO and establish a zone within which prohibitions or requirements can be imposed to control certain behaviours. This can be pursued provided certain conditions are met. A PSPO establishes a defined geographical area within which certain powers can be conferred and exercised to deal with behaviours which impact upon the quality of life of those who live, work or visit there. After undertaking an options appraisal on the legal routes open to the Council and a consultation with the wider public on a PSPO, the Council believes that implementing a PSPO is the most appropriate power that could be used alongside other actions to address the wide-ranging issues that had been reported by residents, staff and visitors to the Clinic.

The purpose of the PSPO would be to:

- Provide relief to residents, staff and visitors of the Clinic whose quality of life has been severely impacted upon.
- Respond to the burden placed on front line services such as Police who respond to complaints and incidents involving ASB issues
- To respond to repeated complaints made by the local community, about the detrimental effect the “event “has on the quality of life of residents.

2. Analysis of need and impact

Protected group	Findings																											
Age	<p>The Abortion Statistics, England and Wales: 2017 report published by the Department of Health and Social Care states that in England and Wales there was an abortion rate of 16.7 per 1,000 resident women aged 15-44. The chart below highlights the abortion rate per 1000 women spread across age ranges:</p> <p>Figure 2b: Abortion rate per 1000 women by age, England and Wales, comparison 2007 and 2017</p> <table border="1"> <caption>Data for Figure 2b: Abortion rate per 1000 women by age, England and Wales, comparison 2007 and 2017</caption> <thead> <tr> <th>Age Range</th> <th>2007 Rate</th> <th>2017 Rate</th> </tr> </thead> <tbody> <tr> <td>All ages</td> <td>17.8</td> <td>17.2</td> </tr> <tr> <td>Under 16</td> <td>4.2</td> <td>1.5</td> </tr> <tr> <td>16-17</td> <td>23.5</td> <td>10.2</td> </tr> <tr> <td>18-19</td> <td>34.2</td> <td>23.5</td> </tr> <tr> <td>20-24</td> <td>32.5</td> <td>28.2</td> </tr> <tr> <td>25-29</td> <td>24.2</td> <td>24.2</td> </tr> <tr> <td>30-34</td> <td>14.8</td> <td>18.5</td> </tr> <tr> <td>35 or over</td> <td>6.8</td> <td>8.5</td> </tr> </tbody> </table> <p>Key figures to note include:</p>	Age Range	2007 Rate	2017 Rate	All ages	17.8	17.2	Under 16	4.2	1.5	16-17	23.5	10.2	18-19	34.2	23.5	20-24	32.5	28.2	25-29	24.2	24.2	30-34	14.8	18.5	35 or over	6.8	8.5
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	<ul style="list-style-type: none"> • The under 18 abortion rate for 2017 is 8.3 per 1,000 resident women • The highest abortion rate is amongst women aged 20-24 (28.2 per 1,000 resident women) • The abortion rate for 30-34 year olds was 18.5 per 1,000 resident women in 2017 <p>In addition, rates of abortion are highest in London (21 per 1,000 women aged 15-44).</p> <p>Data provided by BPAS shows that in 2017 users of the clinic in Rosslyn Road can be broken down as follows:</p> <ul style="list-style-type: none"> • 15yrs & under – 1% • 16-19yrs – 10% • 20-24yrs – 25% • 25-34yrs – 43% • 35-44yrs – 21% • 45yrs & over – 1% <p>As can be seen, service users at the clinic are skewed towards the younger end of the spectrum, with particular attention needing to be paid to the 10% aged 16-19 and the 1% aged 15 years and younger, who may also experience harassment distress and intimidation as a result of the activities of representative groups in the area.</p> <p>No specific data exists regarding the age range of those who campaign outside the Clinic however observations by Council Officers suggests that most of protests/vigils are carried out by those over the age of 40.</p>
Disability	<p>Data provided by BPAS shows that in 2017 1% of users of the clinic in Rosslyn Road identified themselves as disabled.</p> <p>There is no available data relating to disabilities affecting persons engaged in protests/vigils outside the Clinic and the data available in relation to disabilities affecting Clinic staff is limited.</p> <p>Responses from the consultation on the PSPO carried out between 29th October and 8th December 2018 included 53 comments out of 1226 that mentioned that the PSPO would have a positive impact for those that are vulnerable, have a disability or at risk.</p>
Gender (sex)	<p>Visitors to the centre are predominantly women.</p> <p>Staff employed at the centre are predominantly women.</p> <p>While no data is available, observations by Council officers and reports from residents and staff indicate that the majority of those engaged in protest/vigil activity are women.</p> <p>Responses from the consultation on the PSPO carried out between 29th October and 8th December 2018 included 176 comments out of 1226 that mentioned that the PSPO would have a positive impact on women or protect women generally, while a further 107 comments mentioned</p>

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	that it would have a positive impact on or protect staff working at the clinic, who are predominantly women.
Gender reassignment	No data has been provided around gender reassignment.
Marriage and civil partnership	<p>The Abortion Statistics, England and Wales: 2017 report shows that in England and Wales about four fifths (82%) of abortions in 2017 were carried out on single women, a proportion that has remained constant for the last 10 years.</p> <p>Data provided by BPAS shows that in 2017 75% of users of the clinic in Rosslyn Road were single, while 22% were married.</p> <p>According to statistics from the ONS, in 2014, 51.5% of people aged 16 and over in England and Wales were married or civil partnered while 33.9% were single, never married.</p>
Pregnancy and maternity	<p>Given the nature of the services provided by the BPAS clinic, the clear majority of those accessing services at the site are pregnant or are recently pregnant, while non-pregnant visitors will be attending to support those that are pregnant.</p> <p>No specific data exists regarding the pregnancy and maternity status of those engaged in protest/vigil activity age range of those who campaign outside the Clinic, however observations by Council Officers suggests that most of protests /vigils are carried out by those over the age of 40, which would put them outside the most common age range for pregnancy and maternity (16-44) and therefore would have a lower likelihood of being pregnant.</p> <p>Responses from the consultation on the PSPO carried out between 29th October and 8th December 2018 highlighted a balance in those that felt the PSPO would have a positive impact for pregnant women (221 comments) and those that felt it would have a negative impact (219 comments).</p>
Race / ethnicity	<p>The total number of residents in St Margaret's and North Twickenham (the ward impacted by the PSPO) according to the ONS 2011 survey are 12,454. The ethnic makeup of the ward is as follows:</p> <ul style="list-style-type: none"> • White – British – 72.5% • White – Other – 12.2% • Indian – 2.8% • White and Asian – 1.7% • Other Asian – 1.5% <p>The Abortion Statistics England and Wales 2017 report shows that 78% of women seeking abortions reported as White, 9% reported as Asian, and 8% as Black British, and that the percentage of women having an abortion in 2017 who had had one or more previous abortions varies by ethnic group. 34% of Asian women having abortions in 2017 had previously had an abortion, compared with 47% of Black women 38% of White women.</p>

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	<p>BPAS data indicates that UK – wide, 25% of its service users are from BME groups while in London this is 48%. People from BME backgrounds make up 16 % of the population UK- wide and 40% of the London population.</p> <p>Data provided by BPAS shows that in 2017, the ethnic makeup of the users of the Rosslyn Road clinic was:</p> <ul style="list-style-type: none"> • White – British – 46% • White – Other – 17% • Asian/British Asian – Indian – 7% • Black/Black British – Caribbean – 4% • Other ethnic group – 4% • Asian/British Asian – Other – 3% • Asian/British Asian – Pakistani – 2% • White – Irish – 2% • Mixed – White and Black Caribbean – 2% • Mixed – Other – 2% <p>However, it should be noted that service users to the Rosslyn Road clinic often come from outside of Richmond to access services, including women travelling from Ireland, and that these numbers are not reported in either sets of data.</p> <p>There is no available data on the ethnicity of the groups who campaign outside the Clinic.</p>
<p>Religion and belief, including non-belief</p>	<p>Figures from the 2011 census, show that the population of St Margaret’s and North Twickenham identify their religion or belief as:</p> <ul style="list-style-type: none"> • 53.8% Christian • 30.9% no religion • 1.7% Hindu • 2.4% Muslim • 8,4% preferred not to answer <p>Data provided by BPAS shows that in 2017 the religion or beliefs of users of the clinic in Rosslyn are as follows:</p> <ul style="list-style-type: none"> • Christian – 30% • Hindu – 5% • Muslim – 7% • None – 49% • Prefer not to say – 6% • Sikh – 2% <p>This information is relevant when considering the nature of the activities outside the Clinic, where those engaged in protest/vigil activity are using Christian imagery and language in their efforts to influence people at the point of access. As can be seen, only 30% of service users accessing the Clinic share the same faith or religious views held by those engaged in protest/vigil activity. In addition, only just over half of residents identify as sharing the same faith as those engaged in protest/vigil activity.</p> <p>There is no specific data available on the religion or beliefs of those visiting the area to engage in protest/vigil activity. The Good Counsel</p>

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	<p>Network, the main group present at the Clinic, uses Christian/Catholic images and statements as part of their protest/vigil activity.</p> <p>Responses from the consultation on the PSPO carried out between 29th October and 8th December 2018 included 203 comments out of 1226 that mentioned that the PSPO would have a negative impact on those with a religious belief. A further 189 comments mentioned that freedom of speech rights would be reduced (e.g. being unable to pray / participate in protest/vigil).</p>
Sexual orientation	<p>Data provided by BPAS shows that in 2017 the sexual orientation of users of the Clinic in Rosslyn Road are as follows:</p> <ul style="list-style-type: none"> • Heterosexual/straight - 93% • Prefer not to say - 5% • Bisexual - 1% <p>There is no available data on the sexual orientation of those engaged in protest/vigil activity outside the Clinic.</p>
Across groups i.e. older LGBT service users or BME young men	<p>No specific data has been provided on cross group users who will be specifically impacted. However, from an analysis of the data provided it is clear that young, heterosexual women who are non-Christian are the primary group affected by the activities of those engaged in protest/vigil activity outside the Clinic.</p>

Data Gaps

Data Gaps	How will this be addressed
Data on the number of women visiting the Clinic from outside England and Wales	Clinic statistics and records
Data on the number of women employed at the Clinic	Clinic statistics and records

3. Impact

Protected group	Positive	Negative
Age	<p>The primary service users at the Clinic are pregnant women between the ages of 16-44, younger women are disproportionately represented among the people entering and leaving the Clinic. The introduction of a PSPO will have a positive impact on them as they will be able to access services without feeling</p>	<p>From observations by Council officers and reports from residents and staff, the majority of those engaged in protest/vigil activity are within an older age group. Therefore, the PSPO would impact negatively on those engaged in protest/vigil activity. This is balanced and outweighed by the positive impact for younger women</p>

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	upset, uncomfortable, intimidated and / or harassed.	who are the primary service users of the Clinic.
Gender (sex)	Visitors to the Clinic are predominantly women. The introduction of a PSPO will have a positive impact on them as they will be able to access services without feeling upset, uncomfortable, intimidated and / or harassed.	From observations by Council officers and reports from residents and staff, the majority of the protesters are women. Therefore, the PSPO would impact negatively on those engaged in protest/vigil activity. This is balanced by the positive impact on the women who visit the Clinic.
Race/ethnicity	None identified	None identified
Disability	None identified	None identified
Gender reassignment	None identified	None identified
Marriage and civil partnership	None identified	None identified
Pregnancy and maternity	<p>The overwhelming majority of Clinic service users are pregnant women. The Council must consider the rights of pregnant women to access services free from intimidation, harassment and distress and with dignity and privacy.</p> <p>The introduction of a PSPO will have a positive impact on them as they will be able to access services without feeling upset, uncomfortable, intimidated and / or harassed. It will safeguard and facilitate the ability for pregnant women access to the Clinics health services related to pregnancy and maternity</p>	None identified
Religion and belief, including non-belief	None identified	The protest/vigil activity outside the Clinic is being carried out by groups who identify as Christian (although specific details of the faith of those engaged in protest/vigil activity is not known). The PSPO would place restrictions on their behaviours in the immediate locality of the Clinic that will negatively impact on their right to express their religious views in a public place. This negative impact is balanced as the

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		<p>restriction is only applied to a highly specified locality and does not otherwise restrict their ability to practice their faith.</p> <p>The negative impact is balanced and outweighed by the positive impact of the PSPO for those who do not share the same faith as those engaged in protest/vigil activity.</p>
Sexual orientation	None identified	None identified

4. Actions

Action	Lead Officer	Deadline
Reviews of the PSPO carried out at quarterly intervals	DN	6 months into the process
Feedback from residents	DN	6 months into the process
Feedback from protesters	DN	6 months into the process
Feedback from Clinic staff	DN	6 months into the process

5. Consultation.

The Council carried out consultation on a Public Spaces Protection Order (PSPO) for the Rosslyn Road area from 29th October to 9th December 2018. The purpose of this consultation was to consult residents, interested individuals, groups and other stakeholders on a proposal to introduce a Public Spaces Protection Order (PSPO) to address the concerns about the protests/vigils outside the British Pregnancy Advisory Service (BPAS) Clinic in Rosslyn Road, Twickenham.

Data was gathered using an online survey hosted on the Richmond Council website. Paper copies of the survey were available at the BPAS Clinic, ETNA Community Centre, Civic Centre Twickenham, and by post on request. The consultation was open to all and respondents were asked for their full postcode and the capacity in which they were responding, to help the Council understand any impact on people in the local area.

In total, the Council received 3011 responses to this consultation. 2989 of these responses were completed online and a further 22 were completed on paper.

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A copy of the Consultation Report is provided as an appendix to the main report and consultation responses have been factored into this Equality Impact Needs Assessment. The consultation included a question that specifically asked 'Do you think the proposed prohibitions may have an impact, either positive or negative, on any group of people with a protected characteristic under the Equality Act 2010?'. Responses to this question showed that 39.9% of respondents answered Yes, while 33.7% answered No and 26.4% answered Don't Know.