

SSA EQUALITY IMPACT AND NEEDS ANALYSIS

Directorate	Chief Execs
Service Area	Community Safety Service
Service/policy/function being assessed	PSPO extension
Which borough(s) does the service/policy apply to	Richmond (wards-Twickenham Riverside and St Margarets and North Twickenham Ward
Staff involved	Ian Billham, Daryl Edmunds, David Noakes, Zoe Connolly
Date approved by Policy and Review Manager	19/07/2021

SUMMARY

This EINA aims to examine and assess any differential impacts that the extension of our current 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 current PSPO addresses issues of Anti-Social Behaviour in a public place, specifically a designated area surrounding the British Pregnancy Advisory Service (BPAS) clinic on Roslyn Road, including using aggressive, abusive, offensive threatening and intimidating language or behaving in an aggressive or intimidating manner.

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

Impact of Proposal:

The current PSPO places restrictions on behaviours within the area defined by the PSPO, additionally the PSPO requires people in the area to provide their name and address if asked by a Police Officer or designated person. It also requires people to disperse or leave the area if asked to do so by a Police Officer or designated person should they be in breach of the restricted behaviours.

Since the PSPO has been in place (April 2019) there has been 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, have been less impacted by the activities of the campaign groups who have been identified as part of

the PSPO process. The PSPO has safeguarded and facilitated their access to sexual health and reproductive health services and reduced harassment to them.

- Staff and others working at the Clinic have been 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 have been less impacted by 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 has had a partly negative impact on Pro-Life campaigners who would visit and congregate around the Clinic as the Order has restricted 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 have also been affected by the Order. Those groups are those representing Pro Life Choice views and are predominantly from the Good Council Network.

1. BACKGROUND

London Borough of Richmond-upon-Thames (LBR) successfully introduced a PSPO on the 1st April 2019 to last 3 years, expiring on the 31st March 2022 The PSPO addresses the reported detrimental behaviour(s) by pro-life protesters/vigil holders outside of the BPAS clinic in Rosslyn Road, Twickenham. We are now preparing to extend this order for a further 3 years from 1st April 2022.

The original (full) report that was prepared in 2019 considered 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 formal consultation that was held between 29th October 2018 and 9th December 2018
- 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 increased in frequency. These protests/vigils resulted in two petitions being presented to Richmond Council in 2014 and 2018 and several impact and witness statements being gathered by BPAS and Richmond Police between 2003 and 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 worked closely with the Police and residents to seek an appropriate response to this issue.

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.

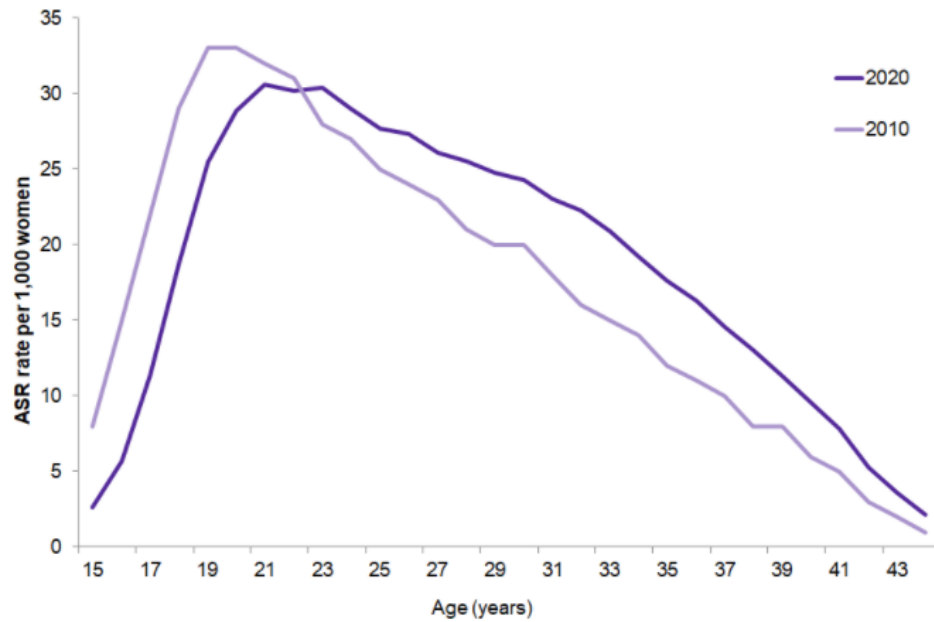
Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 allows the Council to create a PSPO and establish a zone within which prohibitions or requirements can be imposed to control certain behaviours. This can be pursued provided certain conditions are met. A PSPO establishes a defined geographical 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. The Council believes that an extension to the current 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 for the extension to the current 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	The Abortion Statistics, England and Wales: 2020 report published by the Department of Health and Social Care states abortion rate in 2020 was highest for women aged 21 (at 30.6 per 1,000 women). In 2019 the highest rate was for women aged 22 (31.6 per 1,000 women), and in 2010 it was highest for women aged 19 and 20 (both at 33 per 1,000 women).The chart below highlights the abortion rate per 1000 women spread across age ranges:



Abortion rate per 1,000 women by single year of age, England and Wales, 2010 and 2020

Key figures to note include:

- There has been an increase in the rates for all ages 23 and above. The largest increases in abortion rates by age are amongst women aged 30 to 34 which have increased from 16.5 per 1,000 in 2010 to 21.9 per 1,000 in 2020.
- Abortion rates for those aged under 18 have declined over the last ten years (from 16.5 to 6.9 per 1,000 between 2010 and 2020). The decline since 2010 is particularly marked in the under 16 age group, where the rates have decreased from 3.9 per 1,000 women in 2010 to 1.2 per 1,000 women in 2020. The abortion rate for 18 to 19 year olds has also declined from 30.7 per 1,000 women to 22.1 per 1,000 women in the same period.

Data provided by BPAS shows that in 2017 users of the clinic in Rosslyn Road can be broken down as follows:

- 15yrs & under – 1%
- 16-19yrs – 10%
- 20-24yrs – 25%
- 25-34yrs – 43%
- 35-44yrs – 21%
- 45yrs & over – 1%

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>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>
Gender (sex)	<p>Visitors to the Clinic (centre) are predominantly women.</p> <p>Staff employed at the Clinic (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>
Gender Reassignment	<p>No data has been provided around gender reassignment.</p>
Marriage and Civil Partnership	<p>The Abortion Statistics, England and Wales: 2020 report shows that in England and Wales 81% of abortions in 2020 were for women whose marital status was given as single, a proportion that has remained roughly constant for the last 10 years. 51% were to women whose marital status was given as single with a partner. This proportion has remained similar in recent 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 2019, 50.4% of people aged 16 and over in England and Wales were married or civil partnered, the proportion is slowly declining over time for all ages except those aged 70 years and over.</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>
Race / Ethnicity	<p>The total number of residents in Twickenham Riverside ward & St Margaret's and North Twickenham ward (the wards impacted by the PSPO) according to the Census 2011 for both wards are as follows</p> <p>Twickenham Riverside ward</p> <p>Census 2011 are 11,093. The ethnic makeup of the ward is as follows:</p> <ul style="list-style-type: none"> • White– 89.7%

	<ul style="list-style-type: none"> • BAME-Asian/Asian British– 5.1% • BAME-Black/African/Caribbean/Black British– 0.9% • BAME Mixed/multi-ethnic group –3.3% • BAME other ethnic group-1% <p>St Margarets and North Twickenham ward</p> <p>Census 2011 are 12,454. The ethnic makeup of the ward is as follows:</p> <ul style="list-style-type: none"> • White– 87.7% • BAME-Asian/Asian British– 6.2% • BAME-Black/African/Caribbean/Black British– 0.9% • BAME Mixed/multi-ethnic group–3.8% • BAME other ethnic group-1.5% <p>The Abortion Statistics England and Wales 2020 report shows that 77% of women having abortions reported their ethnicity as White, 9% as Asian, 7% as Black, 4% as Mixed and 2% as Other. Ethnicity was recorded on 95% of the forms received for 2020.</p> <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 Census 2011, show that the populations of Twickenham Riverside ward and St Margaret’s and North Twickenham ward identify their religion or belief as:</p> <p>Twickenham Riverside ward</p> <ul style="list-style-type: none"> • 52.4% Christian • 33.8% no religion • 8.8% preferred not to answer • 1.5% Muslim • 1% Hindu • 0.4% Sikh • 0.6% Buddhist • 1% Jewish • 0.5% Other religion <p>St Margarets & North Twickenham ward</p> <ul style="list-style-type: none"> • 53.8% Christian • 30.9% no religion • 8.4% preferred not to answer • 2.4% Muslim • 1.7% Hindu • 0.8% Sikh • 0.9% Buddhist • 0.6% Jewish

	<ul style="list-style-type: none"> • 0.5% Other religion <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 Network, the main group present at the Clinic, uses Christian/Catholic images and statements as part of their protest/vigil activity.</p>
<p>Sexual Orientation</p>	<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>
<p>Across groups i.e. older LGBT service users or BME young men</p>	<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, 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
There are currently no data gaps identified.	N/A

3. Impact

Protected group	Positive	Negative
Age	The primary service users at the Clinic are pregnant women between the ages of 16-44, younger women are disproportionality represented among the people entering and leaving the Clinic. The proposed extension of the PSPO will have a positive impact on them as they will continue to be able to access services without feeling upset, uncomfortable, intimidated and / or harassed.	From observations by Council officers and reports from residents and staff, prior to the introduction of the PSPO, 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 who are the primary service issuers of the Clinic.
Gender (sex)	Visitors to the Clinic are predominantly women. The proposed extension of the PSPO will continue to have a positive impact on them as they will be able to access services without feeling upset, uncomfortable, intimidated and / or harassed. Feedback from the clinic has been positive since the introduction of the PSPO with a reduction in clients being upset, anxious and stressed as	From previous observations by Council officers and reports from residents and staff, most of the protesters were women. Therefore, the extension of the PSPO would continue to impact negatively on those who previously engaged in protest/vigil activity within the buffer zone. 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

<p>Pregnancy and maternity</p>	<p>The overwhelming majority of Clinic service users are pregnant women. This is a protected characteristic under the Equality Act 2010 and the Council must consider the targeted impact upon this specific group as well as the rights of pregnant women to access services free from intimidation, harassment, and distress and with dignity and privacy.</p> <p>The proposed extension of the PSPO will have a positive impact on this protected group as they will be able to continue to access services without feeling upset, uncomfortable, intimidated and / or harassed. It will safeguard and facilitate the ability for pregnant women to access the Clinic's health services related to pregnancy and maternity. The benefits of the existing PSPO on clients and staff has been reported back by the BPAS clinic.</p>	<p>None identified</p>
<p>Religion and belief including, non-belief</p>	<p>Only 30% of clinic users identify with a Christian faith. The PSPO will have a positive impact on the 70% of users who have not identified as Christian which was the predominate religion of those who hold vigils / protests.</p>	<p>The protest/vigil activity that was previously carried on outside the Clinic was 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 places 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 restriction is only applied to a highly specified locality and does not otherwise restrict their ability to practice their faith.</p>
<p>Sexual Orientation</p>	<p>None Identified.</p>	<p>None Identified</p>

4. Actions

Action	Lead Officer	Deadline
<p>The PSPO will be reviewed annually for feedback if requested.</p> <p>The feedback so far from the Clinic, residents and other stakeholders, such as the police, has been very positive. There have been no recorded breaches of the PSPO over the 27 months (April 2019-June 2021) the PSPO has been in place.</p>	Daryl Edmunds	If requested.

5. Consultation

<p>The Council is carrying out a six-week consultation on the proposal to extend the existing Public Spaces Protection Order (PSPO) from 20th July to 30th August 2021.</p> <p>The consultation will seek the views of residents, interested individuals, groups and other stakeholders about the proposal to extend the existing PSPO for a further three years, related to the concerns about the vigils/protests that were taking place outside the Clinic prior to the PSPO being put in place. Those responding will be asked to confirm their address and postcode to understand how they are impacted by the proposal to extend the PSPO.</p> <p>The survey will be an online survey and will be hosted on the Council's consultation portal, although paper copies can also be requested. Consultation documents are being sent to residents in and around the boundary of the buffer zone. Other statutory and interested stakeholders are also being informed of the consultation via e-mail.</p> <p>The Council carried out the original consultation on a Public Spaces Protection Order (PSPO) for the Rosslyn Road area from 29th October to 9th December 2018.</p> <p>The purpose of the original 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.</p> <p>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.</p>

A copy of the Consultation Report was provided as an appendix to the main report and consultation responses were factored into the previous Equality Impact Needs Assessment. The original 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. This question is being repeated in the new consultation.

<https://haveyoursay.citizenspace.com/community-safety/rosslyn-road-21>

