

CROWN PROSECUTION SERVICE EQUALITY AND DIVERSITY STATEMENT

The Crown Prosecution Service (CPS) is the public prosecution service for England and Wales. Our fundamental role and purpose is to protect the public, support victims and witnesses and deliver justice

VISION

Our goal is to be a prosecution service that performs its role fairly and transparently, addresses barriers and disproportionality effectively and works with stakeholders and the public to improve our practice so that we can achieve high quality prosecutions, a better working environment and deliver better justice for all.

THE CODE FOR CROWN PROSECUTORS

The Code for Crown Prosecutors (The Code) governs how we make decisions about the prosecution of cases. Equality lies at the heart of The Code's general principles: "Fair and effective prosecution is essential to the maintenance of law and order. It is the duty of prosecutors to make sure that the right person is prosecuted for the right offence and to bring offenders to justice wherever possible. Casework decisions taken fairly, impartially and with integrity help to deliver justice for victims, witnesses, defendants and the public."

Prosecutors must be fair, independent and objective. They must not let any personal views about the ethnic or national origin, gender, disability, age, religion or belief, political views, sexual orientation, or gender identity of the suspect, victim or any witness influence their decisions. Neither must prosecutors be affected by improper or undue pressure from any source. Prosecutors must always act in the interests of justice and not solely for the purpose of obtaining a conviction."

EQUALITY LEGISLATION

The Equality Act (2010) provides protection for the individual against prohibited conduct such as direct and indirect discrimination, harassment and victimisation and a duty to make adjustments for disabled people in certain circumstances.

The law imposes a general duty on public authorities including the CPS, to have due regard in all that we do to:

- eliminate discrimination, harassment and victimisation,
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Specific duties also apply to listed authorities including the CPS and essentially provide guidance on how to better meet the general duties. A central element in this context will be the setting and publication of clear equality objectives and related data by which the public can assess our performance and hold us to account.

EQUALITY AND DIVERSITY STATEMENT

To ensure that the principles contained in The Code and the duties imposed by equality legislation inform our day-to-day business, we will embed equality into our planning, our decisions and actions in relation to our prosecution and employment practices. Equality law requires that we do this; however, we also accept a moral obligation, because it is the right thing to do and because we cannot aspire to be a just society without seeking to be a fairer society.

Through increased transparency and robust scrutiny of how we treat people, how we prosecute crime and how we engage with communities, we will ensure that equality remains at the heart of CPS business. This is reflected in our **Core Quality Standards (CQS)** a set of expected performance standards in all aspects of our work.

We will ensure that all major structural and policy changes are impact assessed to ensure that we obtain the maximum benefit from the changes and avoid any adverse impact on protected groups.

We recognise that we will only succeed if we have a workforce that reflects, at all levels, the communities we serve. We will value our employees and their development, and create a respectful inclusive culture in which diverse contributions can flourish.

APPROACH TO EQUALITIES

For the CPS, equality and diversity is about more than just meeting our statutory requirements. Equality and diversity is fundamental to delivering fair prosecutions, achieving equitable employment practice and building the confidence of all the communities we serve.

We recognise the importance of looking across the various protected characteristics from the perspective of victims, witnesses and defendants who may belong to several different communities. For example, the impact of hate crime on a disabled black person or the impact of domestic violence on a gay man will be multilayered and complex. In order to encourage people from diverse communities to report crime, to give their best evidence and to stay with the prosecution process to its conclusion, the CPS needs to respond to the complex nature of how different people experience crime and the different impacts it can have on their lives.

We acknowledge the need for leadership and the need to recognise what we can do to achieve positive change. In relation to disability, this will mean that we focus on societal/organisational barriers that disadvantage, disempower and disable people because of their impairments. Our equality objective, therefore, is to ensure that all victims and witnesses have equal access to justice by removing any barriers that might

prevent that access. Those barriers may be physical or attitudinal. They may be about perception, prejudice or ignorance or they may be about organisational culture.

Delivering on our obligations in accordance with the Equality Act 2010 will mean greater ownership of the equality agenda at a local level, through the development of local action plans and strategies that demonstrate how Areas engage with staff and local communities in order to improve the quality of our prosecutions, service delivery and employment practices. National guidance and support will be made available to ensure effective equality proofing within business planning and performance processes.

Equality and diversity will apply to all our policies and functions assessed as relevant. The drive to identify more effective and efficient ways of working will continue to maintain a commitment to mainstream equality. A greater emphasis on using the information that we have, on seeking to identify anticipated outcomes and on the effective use of equality impact assessments within planning will all make better use of resources.

MEASURING PROGRESS

We will track progress in a number of ways including:

- the inclusion of Hate Crimes, Violence against Women and Community Engagement in the CPS performance review system and its quarterly reporting and through themed reviews on key equality agendas;
- the CPS staff survey results;
- qualitative employee engagement exercises;
- the CPS Annual Equalities in Employment Report;
- the CPS Annual reports on Hate Crimes and Violence against Women;
- the developing People Measure in the CPS performance review system.;
- the CQSM system
- the Certificate of Assurance process

Conclusion

We recognise that building confidence in communities affected by crime, being fair about how we deal with defendants from all backgrounds and valuing our staff are clearly linked. The same person may encounter the criminal justice system as a suspect, a defendant, a victim or a witness. A victim of hate crime may not come forward to report their experience if they have had a negative or unfair experience as a suspect or defendant. A talented person may not apply for a job if they do not perceive the CPS to be a fair and welcoming organisation. We are determined to better understand these links and by so doing to transform our thinking and our practice in order to meet our goal.