



Crown
Prosecution
Service

Disproportionality Action Plan

November 2024

Introduction



Stephen Parkinson,
Director of Public Prosecutions

The CPS sits at the heart of the criminal justice system, it is our role to decide whether someone should be charged with the most serious criminal offences. The decisions we make have a profound impact on the lives of victims and defendants, and therefore it's vital that fairness and independence are cornerstones of who we are and how we make these decisions.

It is widely acknowledged that there is a disproportionate representation of ethnic minorities across the whole criminal justice system. Comprehensive research has told us that this disparity is mirrored in our charging rates – with ethnic minority suspects more likely to be charged for a comparable crime than white British suspects.

We must do better. We will not be complacent – we will take decisive action to tackle disproportionality and deliver change.

We have, therefore, developed an ambitious action plan which sets out a comprehensive programme of work to tackle the root causes of disproportionality and embed meaningful change across the CPS.

This action plan has been developed collaboratively with colleagues and external partners. Furthermore, the actions we are taking forward have been informed by comprehensive

research and independent scrutiny. By taking an evidence-led approach, we can be confident that our work will deliver sustainable change.

There's a role for each and every part of the CPS to play and the action plan identifies an organisation wide approach. This plan will enable us to develop an anti-racist culture and practices, eliminating racial bias in our decision-making and working with other criminal justice partners to address race disproportionality across the system.

This action plan is just the start of our journey towards being a truly anti-racist organisation. We will continue to work with our staff, communities and partners to build on our progress, and to continue to scrutinise ourselves on this important issue.

“The action plan sets out a comprehensive programme of work to tackle the root causes of disproportionality and embed meaningful change across the CPS”

Our Overarching Aim

The CPS is an **anti-racist organisation**, **eliminating racial bias** in our decision-making and working with other criminal justice system agencies to address race disproportionality across the system and **build public confidence**.

1

We **understand** that bias can be present in all our work and consciously address it.

2

Fair Application of the Code produces proportionate charging decisions.

3

We **challenge** racial bias in decision-making across the criminal justice system.

Outcomes

1. We identify and understand how bias can manifest in all our work.

2. Our people understand lived experience and the impact of race disproportionality in decision making on our communities.

3. Our people are culturally aware and sensitive, reflecting the communities we serve at all levels and places.

4. Our leaders and managers are role models and accountable advocates for our work on disproportionality.

1. Our Code, processes and guidance ensure fairness by mitigating against bias.

2. Our work to address disproportionality is informed by equality legislation and analysis.

3. Our decision-making is transparent and open to scrutiny.

4. Our Leaders and Managers support prosecutors to make proportionate and fair charging decisions.

1. We have the confidence and capability to challenge racial bias internally and with external partners.

2. We identify potential racial bias in the materials we receive and our charging decisions, through our use of data and digital tools.

3. We actively engage our partners in challenging and eliminating racial bias.

4. We collectively restore public confidence in the criminal justice system, particularly with those communities who are more likely to be affected by disproportionality.

Aim 1

We **understand** that bias can be present in all our work and consciously address it.

Outcomes

1

We identify and understand how bias can manifest in all our work.

Actions

Deliver a learning package to support the identification of potential bias in casework and develop the skills of our prosecutors to address it.

Develop new and existing case studies with practical examples of how bias can manifest at differing stages of casework, for inclusion in relevant learning products, to help our staff conceptualise this vital work.

Reduce the potential for bias in our casework by reviewing and analysing research on effective ways to reduce people's biases, to inform the development of internal learning products.

Develop a series of products that summarise the disproportionality research for all of our staff to understand and learn from, ensuring they are equipped to apply key learning to their work.

Timings

Q4 2024/25 – Q3 2025/26

Q4 2024/25 and ongoing

Q3 2024/25 – Q2 2025/26

Q3 2024/25 – Q4 2026/27

2

Our people understand lived experience and the impact of race disproportionality in decision making on our communities.

Develop inclusive internal communications plans to share the lived experiences of those from ethnic minority community organisations with staff.

Q3 2024/25 – Q4

Aim 1 continued

Outcomes

3

Our people are culturally aware and sensitive, reflecting the communities we serve at all levels and places.

Actions

Improve representation of ethnic minority staff in senior management roles, where the evidence demonstrates under-representation, through targeted recruitment, retention and development activities.

Timings

Ongoing, continuous activity

4

Our leaders and managers are role models and accountable advocates for our work on disproportionality.

Develop a disproportionality objective for all senior leaders, creating an environment in our organisation with inclusive leaders at the forefront, who prioritise and champion addressing racial bias.

Scope, identify and embed measures for monitoring disproportionality in CPS Areas.

Develop and promote an organisational anti-racist statement, endorsed by our Executive Group, committing us to tackling discrimination.

Q3 2024/25 – Q4

Q1 2025/26 – Q4

Q3 2024/25 – Q4

Aim 2

Fair Application of the Code produces proportionate charging decisions.

Outcomes

1

Our Code, processes and guidance ensure fairness by mitigating against bias.

Actions

Amend the Code for Crown Prosecutors to ensure identifying and addressing bias is considered by all prosecutors in all of their casework decisions.

Embed methods to identify and address bias into our case strategy principles.

Timings

Interim position by Q1 2025/26. Evaluation and review by Q4 2025/26

Q3 2024/25 – Q3 2025/26

2

Our work to address disproportionality is informed by equality legislation and analysis.

Work with policing and criminal justice partners to improve recording of ethnicity and demographic data to enable robust data analysis, such as through a joint data commitment.

Review and update our Public Sector Equality Duty training in light of the outcomes of the disproportionality research.

Q4 2024/25 – Q4 2025/26

Q4 2024/25 – Q3 2025/26

Aim 2 continued

Outcomes

3

Our decision-making is transparent and open to scrutiny.

Actions

As part of the prosecutors Individual Quality Assurance (IQA) process, which helps to drive casework improvements, include questions on how they are challenging and addressing potential bias in casework.

All joint enterprise homicide and attempted homicide cases will be subject to case management panels and a national monitoring scheme which will report data annually.

All CPS Areas will convene yearly Joint Enterprise Local Scrutiny and Involvement Panels and to enable community representatives to scrutinise our work in this area.

Timings

Q1 2025/26 – Q1 2026/27

Q1 2024/25 and ongoing

Q3 2024/25 and ongoing

4

Our Leaders and Managers support prosecutors to make proportionate and fair charging decisions.

Include Area's work on disproportionality as part of the Area Performance Reviews to monitor progress and ensure continuous improvement.

Review our existing processes to ensure our prosecutors feel enabled to confidently raise concerns around casework decisions that may be disproportionate.

Q1 2025/26 – Q4

Q4 2024/25 – Q2 2025/26

Aim 3

We **challenge** racial bias in decision-making across the criminal justice system.

Outcomes

1

We have the confidence and capability to challenge racial bias internally and with external partners.

Actions

Conduct further research into our organisational culture to understand how to tackle racial bias in the CPS, resulting in staff that have the confidence and capability to challenge and discuss bias and disproportionality.

Scope and develop resources to support prosecutors to have conversations about race, to reduce the potential for disproportionality in decision making.

Timings

Q4 2024/25 – Q4 2025/26

Q4 2024/25 – Q4 2025/26

2

We identify potential racial bias in the materials we receive and our charging decisions, through our use of data and digital tools.

Scope the use of digital tools to identify potentially harmful trends across cases.

Use digital tools to support prosecutors in identifying potential bias in evidence, and their own reviews.

Q1 2025/26 – Q4

Q1 2026/27 – Q4

Aim 3 continued

Outcomes

3

We actively engage our partners in challenging and eliminating racial bias.

Actions

Develop clear process for prosecutors to raise concerns regarding potential racial bias in casework, internally and with criminal justice partners.

Establish a joint NPCC-CPS Race Disproportionality Board to ensure close collaboration with the Police Race Action Plan.

We will monitor the diversity of external prosecution advocates, engaging in initiatives and activity aimed at improving the ethnic representation of the CPS Advocate Panel. This will include monitoring in respect of the allocation of work and payment of fees.

Timings

Q2 2025/26 – Q3

Q1 2024/25 and ongoing

Q4 2024/25 – Q4 2025/26

4

We collectively restore public confidence in the criminal justice system, particularly with those communities who are more likely to be affected by disproportionality.

Engage with communities to raise awareness of how the CPS is tackling disproportionality.

Review and publicly consult on our policy surrounding 'gangs' and the use of drill as evidence.

Develop a communications strategy to promote the work of the action plan and build public confidence in our work to tackle disproportionality.

Take part in the Bar Council's 10,000 Black Interns programme, by providing work experience opportunities for Black undergraduates and graduates who are currently underrepresented at the Bar.

Q3 2024/25 and ongoing

Q4 2024/25 – Q3 2025/26

Q3 2024/25 – Q4

Q1 2025/26 – Q4



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