



# **CPS Equality and Diversity Objectives 2015-18**

Crown Prosecution Service  
Strategic Policy and Accountability Unit

# Contents

- 1** Foreword by the Director of Public Prosecutions and the Chief Executive
- 2** Introduction – The Legislation
- 3** About the CPS and our equality and diversity statement
- 4** How we have involved and consulted people regarding our Equality and Diversity Objectives
- 5** Our Equality and Diversity Objectives

# Annex

- A** Equality and Diversity Objectives Action Plan
- B** Membership of our Community Accountability Forum Equality and Diversity Objectives Sub Group
- C** Explanation of terms and list of abbreviations

# **1 Foreword by the Director of Public Prosecutions and Chief Executive**

Equality is a key foundation stone underpinning the delivery of a fair, effective and transparent prosecution service.

We are responsible for making decisions and dealing with our work in a way that is:

- Fair to victims and witnesses and in accordance with the Victims Code
- Fair to suspects and defendants
- Proportionate to what is required to achieve a just outcome
- Responsive to the concerns of the communities we serve

Our Equality and Diversity Objectives reflect our values and we are pleased with the progress we have made in meeting our objectives for the period 2012-15. This progress comes at a challenging time for us financially and during a period of major organisational change.

It is essential at such a time of transformation that we hold on to our values. The Equality and Diversity Objectives for the period 2015 – 2018 are outlined in this report.

Our Community Accountability Forum comprising of our community partners and staff network representatives has helped develop our Equality and Diversity Objectives as well as holding us to account by monitoring and scrutinising our progress in delivering on our commitments.

We are extremely grateful to our Community Accountability Forum, for their advice and expertise which has been vital in ensuring that our objectives better reflect the priorities of diverse communities.

**Alison Saunders**  
**Director of Public Prosecutions**

**Peter Lewis**  
**Chief Executive**

## **2 Introduction - The Legislation**

This section sets out the requirements of the Equality Act 2010 in relation to the general and specific public sector duties.

### **2.1 The General Duty**

Section 149 of the Equality Act 2010 (The Act) imposes a 'general duty' on all public bodies covered by the Act to have due regard to the need to:

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The three elements of the general duty imposed on public authorities are collectively referred to as the 'duty to promote equality'. The CPS is a public body within the meaning of the Act and therefore has a duty to promote equality across all groups with 'protected characteristics'.

The characteristics protected under the Act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex and
- sexual orientation.

### **2.2 The Specific Duties**

The Equality Act 2010 (Specific Duties) Regulations 2011 detail the specific duties that apply to all public authorities listed in Schedule 1 to the regulations (including the CPS).

#### **2.2.1 Publication of Information**

- Publish information to demonstrate its compliance with the general duty by 31<sup>st</sup> January 2012 and subsequently at intervals of not greater than one year beginning with the date of the last publication.
- The published information must include, in particular, information relating to persons who share a relevant protected characteristic who are:

- Its employees
- Other persons affected by its policies and practices
- The information must be published in a manner that is accessible to the public.
- We publish information in relation to service delivery and employment in our Equality and Diversity Objectives reports which demonstrate our compliance with the general duty across our functions by the required date and annually thereafter. It is available on our website at:  
<http://www.cps.gov.uk/publications/equality/index.html>.

### **2.2.3 Equality and Diversity Objectives**

- Prepare and publish one or more objectives by 6<sup>th</sup> April 2012 and subsequently at intervals of not greater than four years beginning with the date of the last publication.
- Our Equality and Diversity Objectives for the period 2012 – 2015 and subsequent annual reports can be found on our website at:  
<http://www.cps.gov.uk/publications/equality/index.html>
- Our Equality and Diversity Objectives for the period 2015 – 2018 can be found at page 9 of this report.
- Our progress on the Equality and Diversity Objectives will be scrutinised nationally by the Community Accountability Forum.

## **3 About the CPS and our Equality and Diversity Statement**

### **3.1 What we do**

The CPS is the principal public prosecution service for criminal cases in England and Wales. In undertaking this role, the CPS:

- advises the police during the early stages of investigations;
- determines the appropriate charges in more serious or complex cases;
- decides which cases should be prosecuted and keeps all cases under continuous review;
- prepares cases for prosecution and prosecutes cases using in-house advocates, self-employed advocates or agents to present cases in court;
- provides information and assistance to victims and prosecution witnesses.

### **3.2 What the organisation looks like**

The structure of the CPS is as follows:

- the Head of the CPS is the Director of Public Prosecutions;
- the Director of Public Prosecutions is superintended by the Attorney General, who is accountable to Parliament for the CPS;
- the Head of Administration is the Chief Executive;
- the CPS is organised into 13 Areas across England and Wales. Each Area is led by a Chief Crown Prosecutor supported by an Area Business Manager.
- In addition there are three specialist casework divisions: Specialist Fraud Division, CPS Proceeds of Crime and Special Crime and Counter Terrorism.
- A telephone service, CPS Direct, provides out-of-hours advice and decisions to police officers across England and Wales.
- the CPS employs approximately 6089;

During the calendar year 2014, the CPS prosecuted 681,000 defendants; 581,926 defendants were finalised in magistrates' courts and 99,074 at the Crown Court. Magistrates' courts cases had a conviction rate of 84.6% and Crown Court cases had a conviction rate of 79.6%.

More information about the CPS can be found at [www.cps.gov.uk](http://www.cps.gov.uk) or by writing to: Correspondence Unit, Crown Prosecution Service, Rose Court, 2 Southwark Bridge, London SE1 9HS, or by telephoning 020 3357 0899 (calls may be recorded). Alternatively you can email: [enquiries@cps.gsi.gov.uk](mailto:enquiries@cps.gsi.gov.uk).

### **3.3 Our Equality and Diversity Statement**

Our goal, as stated in our Equality and Diversity Statement, is to be a prosecution service that performs its role fairly and transparently. We want to addresses barriers and disproportionality effectively and work with stakeholders and the public to improve our practice with the aim of achieving high quality prosecutions, a better working environment and deliver better justice for all.

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."

To ensure that the principles contained in The Code and the duties imposed by equality legislation inform our day-to-day business, we 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 ensure equality remains at the heart of how we conduct business which is reflected in [The CPS : Complaints Handling and Community Engagement Standards](#).

## **Complaints Handling and Community Engagement Quality Standards**

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. For example, 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.

### **3.4 Working in partnership with the voluntary sector**

We are committed to engaging, involving and working in partnership with the community and voluntary sector in the development of our policies and to improve our practice in relation to prosecutions and employment. Through our past engagement we know that taking on board the views of our community partners helps us to ensure that we better reflect the needs and priorities of communities in our policies and practices.

### **3.5 More information on equality and diversity and related documents**

You can find our information on equality and diversity at the CPS through the following link:

<http://www.cps.gov.uk/publications/equality/index.html>

The link below provides more information on our prosecution policies including homophobic and transphobic hate crime, racially and religiously aggravated crime, disability hate crime and crimes against older people as well as policies in relation to violence against women cases. There are also a range of other policies including the Code for Crown Prosecutors and policies in relation to victims and witnesses which can be accessed through the following link:

<http://www.cps.gov.uk/publications/prosecution/index.html>

## **4 How we have involved and consulted people regarding our Equality and Diversity Objectives**

By involvement we mean including stakeholders at the outset of developing our Equality and Diversity Objectives. By consultation we mean asking for people's views on our proposals for inclusion in our Equality and Diversity Objectives.

### **4.1 How we involve and consult communities**

- The Objectives have been developed through a sub group of our Community Accountability Forum (CAF). CAF's membership includes our community partners and representatives from our staff networks. Membership of the Group is detailed at Annex B.
- We published the objectives for public consultation where members of the public and community groups provided feedback and comments either by email or post.
- We sent the web link for public consultation to community and voluntary organisations on our database and invited their comments.
- CAF and our network of Equality and Diversity and Community Engagement managers have been consulted on our proposed objectives.

### **4.2 How we will involve and consult staff**

CPS staff were able to log onto the public consultation document during the consultation period and email in their comments.

### **4.3 Other consultation**

We also forward the public consultation document on our objectives to our partners in the Criminal Justice System and other relevant partners.

A consultation response document can be found through the following link.

<http://www.cps.gov.uk/publications/equality/index.html>



## 5.0 Our Equality and Diversity Objectives

### Objective 1: Governance

**To consistently meet our legal obligations regarding equality in our approach to prosecutions, staff and structure.**

An essential means of ensuring that we meet our legal and equality obligations is to maintain external scrutiny and appropriate engagement in order to assess how successful and consistent we are in meeting our Equality and Diversity Objectives.

### Objective 2: Policy

**To ensure we take decisions about prosecution policy and how this is implemented in a practical, inclusive and proportionate way to consider the diverse needs of communities and, in particular, victims and witnesses.**

An essential means of ensuring that we meet our legal and equality obligations is to ensure we have sufficient evidence to determine the impact of proposed changes and a robust and adequate record of the full decision making process.

### Objective 3: Service Delivery Hate Crime

**To increase the volume of prosecutions and successful convictions of Hate Crime<sup>1</sup> and crimes against older people cases and ensure an effective service for victims and witnesses.**

We will provide fair, appropriate, sensitive and effective support to the victims and witnesses of Hate Crime and Crimes against older people by delivering effective prosecutions in such cases. In this way we seek to maintain the confidence of victims and witnesses to report such crimes and support the prosecution process.

### Objective 4: Service Delivery (VAWG)

**To increase the volume of prosecutions and successful convictions of Violence Against Women and Girls (VAWG) cases and ensure an effective service for victims and witnesses.**

We will provide fair, appropriate, sensitive and effective support to the victims and witnesses of Violence against Women and Girls crimes by delivering effective prosecutions in such cases. In this way we seek to maintain the confidence of victims and witnesses to report such crimes and support the prosecution process.

---

<sup>1</sup> Hate Crime includes homophobic and transphobic hate crime, racially and religiously aggravated crime, disability hate crime

## **Objective 5: Employment**

**To identify and address differences in the engagement and experience of staff with protected characteristics and implement the recommendations of the civil service wide talent action plan.**

The make-up of our staff represents the communities that we serve and we are committed to ensuring that there is no unjustifiable disproportionality in the experiences of staff employed by the CPS.

The Equality and Diversity Objectives action plan is an Annex (B) to this report.