

Press Notice

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REVIEW OF EQUALITY AND DIVERSITY IN EMPLOYMENT PRACTICE IN THE CPS

HM Crown Prosecution Service Inspectorate (HMCPsi) has today published “Equalities Driving Justice”: the Report on the Thematic Review of Equality and Diversity in Employment Practice in the Crown Prosecution Service (CPS).

HMCPsi found that, since the intervention of the Commission for Racial Equality (CRE) in the late 1990s and the publication of the report of the Denman Inquiry in 2001, steady progress has been made in developing the culture of the CPS to one that positively embraces all sections of the community. Commitment to change and the strength of leadership to bring that about exists at the highest levels within the CPS. The Service has successfully raised awareness of and improved its approach to equality and diversity issues. It has been able to broaden its agenda to include not only race but also gender, sexuality, disability and age.

Continued work to develop the commitment, understanding and ownership of all managers and staff for equality and diversity, so that they can all play their full part, is the key to further improvement.

The main findings of the report include:

- strong and visible commitment at the highest levels within the CPS to bring about the changes necessary to ensure appropriate attitudes and practices in the field of equalities;
- clear policies linking equality in the workplace to improved approaches to prosecution;
- real progress has been made in developing a more representative workforce particularly in relation to the proportion of black and minority ethnic staff employed, which (at about 12%) is now above the Civil Service average and above that of other criminal justice agencies.

- at Chief Crown Prosecutors (CCP) level there was an increase in representation with the percentage of BMEs staff increasing from 8% in 2003 to 13% in 2005, and the proportion of women increasing from 18% to 26% over the same period;
- clear standards of behaviour in the workplace have been established which are reflected in an increase in the proportion of staff feel treated with fairness and respect; and a decrease in the number of equality and diversity complaints;
- the CPS publishes a comprehensive annual equalities in employment report that reviews progress made, the only criminal justice agency to do so in this way;
- CPS Areas are now held accountable for ensuring equality of treatment within the prosecution process and improving their performance in dealing with hate crime, and in their engagement in the community. Recently they have been required to set targets for work force representation.

Inspectors tempered this praise with some concerns. The review found that while the need for equality and diversity was generally well accepted, a small minority do not see the importance of the equality and diversity agenda. Continued work is needed to ensure the commitment and ownership of operational managers and staff in respect of actions being taken to improve equality and diversity in the workplace.

A key issue for the CPS, which needs urgent attention, is its arrangements for managing flexible working. This review has found that flexible working arrangements are generally not being well managed, either to ensure the business needs of the CPS are met or to ensure fairness of treatment to staff. Action needs to be taken to ensure that staff expectations about flexible working are realistic and properly managed.

While intensive equality and diversity training was conducted several years ago, which successfully raised the profile and embedded the concept of equality within the CPS, the review found that not all managers were confident in their abilities to deal effectively with equality and diversity issues in the workplace for example in tackling poor performance. Both managers and staff need the skills and confidence to deal with such issues and a reassessment of the approach to training is needed.

Stephen Wooler, HM Chief Inspector of the Crown Prosecution Service, said in relation to the report:

“The CPS is to be congratulated on the progress it has achieved. That progress is clearly underpinned by strong policies and practice which should ensure sustainability. It is impossible to overstate the importance of a staff which is representative and understands the concerns of the community it serves in delivering a fair and effective prosecution service.”

NOTES FOR EDITORS:

- 1 Following a number of complaints and Employment Tribunal findings against the CPS which had been brought by black and minority ethnic staff and concerns on the part of some communities about the way in which the CPS prosecuted crime, in late 1999, the Commission for Racial Equality (CRE) indicated its intention to undertake a formal investigation into race discrimination in the CPS. Urgent discussions ensued and in early 2000, the Service and the CRE jointly announced that the CRE was suspending its decision to embark on a formal investigation. At the same time the CPS announced the setting up of an independent inquiry led by Sylvia Denman.

The report of the Denman Inquiry into Race Discrimination in the CPS was published in July 2001. It found that for a large public service employer, the CPS had responded slowly to modern equal opportunities legislation and practices. The Inquiry made a series of recommendations that focused on developing clear and accountable structures, changes to policies and practices, including to recruitment and complaints procedures, and positive action to address under representation of black and minority ethnic staff. Significant progress was made in the aftermath and in view of this the CRE lifted its threat of formal investigation.

- 2 In 2002, HMCPSI undertook a Thematic Review of Casework having a Minority Ethnic Dimension, which was followed up in 2004. The purpose of this review was to assess progress in employment issues since the Denman Inquiry. In particular its aim was to assess how effectively the Service's equality and diversity strategy and policies are working in practice to achieve diversity within the workforce and equality in employment practices.
- 3 The review took place between April and June 2006, with inspectors visiting Headquarters and ten CPS Areas and business units in late May and June to conduct interviews with senior managers. Focus groups of managers and staff were also held to explore the views of staff on equality and diversity issues.
- 4 HM Crown Prosecution Service Inspectorate is an independent statutory body established by the Crown Prosecution Service Inspectorate Act 2000, which came into force on 1 October 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.

An Executive Summary of the Report accompanies this Press Release.

For further information, please contact Andreas Harding on 020 7210 1143 or 07901 856 348.

Embargoed copies of the Summary, this Press Release, and the full Report are available on the website at: www.hmcp.si.gov.uk/press/press.shtml. User ID is MEDIA and the Password is e&dthematic. After publication they will be on the site at: www.hmcp.si.gov.uk/reports/thematic.shtml.