

EQUALITY IMPACT ASSESSMENT

Policy or procedure being assessed: Thematic review of complaints handling by the Crown Prosecution Service (CPS): review content and methodology

Date of assessment: 1 July 2008

Type of assessment: Initial

Assessment undertaken by: Robin Hopes HM Inspector

Objectives of the inspection: The purpose of the thematic review is to assess the effectiveness of complaints procedures in the CPS, whether complaints are dealt with fully and fairly and whether procedures are in accordance with best practice.

Specific objectives of the inspection are to assess whether:

- Information about how to make a complaint is clear and easily available.
- An effective complaints procedure is in place.
- Complainants receive replies that address relevant issues thoroughly, are timely, and are written in a way that is easy to understand.
- Formal complaints from other agencies and criminal justice partners are investigated thoroughly and dealt with in a timely manner.
- There are adequate governance structures within the CPS to ensure that policy and procedures are up to date, that proper escalation procedures exist and an independent element to the investigation is available.

The framework also sets out the methodology for the review and includes the examination of data, relevant documents, and case and complaint files; and interviews with key personnel in the CPS, and staff in witness care units. A small sample of complainants will also be sent questionnaires to ascertain their views on the way their complaint was handled the CPS

This initial equality impact assessment was undertaken in compliance with the statutory requirements of the Race Relations Act 2000, the Disability Discrimination Act 1995 and the Equality Act 2006. It also assesses on a non-statutory basis any impact in respect of sexual orientation, religion and belief, and age.

The assessment has considered whether the scope of what is to be inspected has the potential for discrimination. As the scope concerns the delivery of a

service to the public and includes issues of accessibility and fairness of treatment, we conclude that the subject matter does include the potential for discrimination. During our inspection we will examine, therefore, the extent to which CPS practices and procedures enable and ensure equality of treatment. We will also examine whether the CPS has undertaken an Equality Impact Assessment (EIA) in respect of its complaints handling procedures.

HMcpso has also undertaken an EIA in respect of the proposed methodology for the review. The process for the selection of the file sample and the CPS areas to be visited both have the potential for discrimination. In order to overcome this, the ethnicity and disability status of the complainant will be established where possible as well as their status as victim, witness or defendant. The review includes CPS areas with significant black and other minority ethnic communities.

At this stage it is therefore concluded that there is no need to undertake a *full* equality impact. This will be kept under review as the inspection progresses.

Update November 2008

During the inspection we have considered the need for a full equality impact assessment. We are satisfied as far as is possible, that the file sample took a wide range of cases into account. Our findings concerning equality issues are highlighted in the full report.