

Crown Office and Procurator Fiscal Service

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA
Crown Agent's Office



Letter to organisations inviting comments on
Equality Outcomes

Tel: 0131 226 2626
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8 February 2013

Dear Colleague

Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

Crown Office and Procurator Fiscal Service (COPFS) – Equality Outcomes

As you will know, as a public authority, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires us to prepare and publish equality outcomes which it considers will enable us to better perform the equality duty.

COPFS has drafted a set of equality outcomes based on relevant evidence and with the involvement of persons who either share a relevant protected characteristic or represent the interest of those persons. As an organisation with which COPFS has a working association or mutual interest, we would like to share our draft equality outcomes with you and invite your comments or suggestions prior to publication. A copy of the equality outcomes is attached with this email.

I would very much appreciate hearing your views and hope that you are able to allocate some time to reading this.

If you would like to comment or have any questions about the equality outcomes please send these by e-mail to our equality mailbox:

_Equality Act 2010 Project Team

Alternatively you can send your comments to:

The Equality Team
Crown Office
25 Chambers Street
Edinburgh
EH1 1LA

We would like to receive comments by close of play 8th March 2013.

Yours sincerely

Catherine Dyer

Crown Agent and Chief Executive

DRAFT

Crown Office and Procurator Fiscal Service Equality Outcomes 2013 – 2015



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Contact:

✉ E-Mail: diversityteam@copfs.gsi.gov.uk

Postal Address: The Equality Team
The Crown Office
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Introduction by the Crown Agent

The Crown Office and Procurator Fiscal Service (**COPFS**) is Scotland's sole prosecution service. We are also responsible for investigating deaths that require further explanation and for investigating allegations of criminal conduct against police officers.

We receive initial crime investigation reports from the police and all other reporting authorities in Scotland, and if there is a sufficiency of evidence, we decide what action should be taken in the case in the public interest. We work with others across the criminal justice system to make Scotland a place where all can live their lives safe from crime, disorder and danger.

The public interest is at the heart of all we do as independent prosecutors. We take into account the diverse needs of victims, witnesses and communities and the rights of accused persons. We are committed to eliminating unlawful discrimination, harassment and victimisation.

In setting out and working towards achieving these equality outcomes, we aim to show the importance of equality in our service delivery; our staff development, recruitment and profile; and in the development of our policies and practice. We are concerned not only with the fulfilment of statutory duties but also the promotion of best practice in service provision and employment and the delivery of a fair and effective prosecution service.

We are grateful to the individuals, community groups and organisations who have contributed to the development of the equality outcomes and whose input has helped us to better understand the key issues affecting them.

We will report regularly on our progress in achieving the equality outcomes and will publish our main progress report in April 2015.

Please look at the other pages on our [website](#) for more information about who we are and what we do.

Signed by Crown Agent and Chief Executive

(Add publication date)

COPFS Approach to Equality

Our structure for mainstreaming equality & diversity ensures that we embed equality in all aspects of our work.

Our Equality Strategy

The Lord Advocate chairs our Equality and Diversity Strategic Group which sets the strategic direction for COPFS on equality and diversity matters.

In 2011, COPFS appointed a senior civil servant to the role of COPFS Equality Champion with a remit to establish and lead an Equality Project Team in the delivery of a variety of products and activities designed to meet our statutory equality duties and ensure our equality outcomes are achieved.

Members of the Equality Project Team come from a broad spread of jobs and grades across the Service. Membership is from Human Resources, Communications, Business Management, Strategic Delivery, Learning & Development, Policy Division and senior operational staff from across Scotland. The team work to a project plan and report on progress to the project board which is chaired by the Crown Agent.

The Equality Project Team is assisted from time to time by external consultants working in a range of equality fields. Of particular note is assistance given to us by the Equality Advisory Group.

Equality Advisory Group

Our independent [Equality Advisory Group](#) (EAG) was formed in 2003 and comprises lay advisors with expertise across the protected characteristics who help to inform our policies and practice. In order to ensure its independence, the Equality Advisory Group is chaired by one of its external members. The involvement of the EAG members in assisting with the development of our equality outcomes was invaluable.

COPFS Equality Teams, Staff Networks and Forums

Federation Equality Networks are set up within each of the four Crown Office and Procurator Fiscal Federations to promote the wide-ranging nature of equality and diversity and its significance to every aspect of COPFS work. The Federation Equality Networks include staff with an interest or expertise across the protected characteristics. These Teams have a particular role in fostering the effective engagement with staff and with local community groups to address local issues both in relation to COPFS' core functions and also in the wider community field, promoting social responsibility and inclusiveness.

Staff Networks

COPFS currently has two staff networks – the Staff Disability Advisory Group which comprises disabled staff, carers and staff with a special interest in disability equality – and Proud in COPFS, a network supporting LGB & T staff. Both networks are

actively involved in advancing the equality strategy in COPFS and its members are involved in the Equality Project Team.

COPFS intranet has staff forum pages with sections on diversity and for the staff networks where staff are encouraged to post comments and questions about equality issues affecting them in the Service.

Equality Legislation

On 5 April 2011 the Equality Act 2010 introduced a new public sector **general equality duty**. The general equality duty requires Scottish public authorities to pay due regard to the need to:

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

The general duty covers the **protected characteristics** of:

- Age
- Civil Partnership & Marriage
- Disability
- Gender Reassignment
- Pregnancy & Maternity
- Race
- Religion & Belief
- Sex
- Sexual Orientation

Statutory **specific equality duties** for Scotland came into force on 27 May 2012. As part of the responsibility to meet these duties Scottish public authorities are required to publish a set of **equality outcomes** which will enable them to better perform the general equality duty. These outcomes must be based on evidence and informed by reasonable involvement of equality groups.

COPFS Equality Outcomes

COPFS has developed equality outcomes based on information gathered from a range of sources including surveys, feedback after learning events and data collection as well as from our engagement with equality groups. We will use the information and data gathered to assess progress towards achieving these equality outcomes and thereafter publish a report on our progress by April 2015 and every two years thereafter. Our equality outcomes are set out on the following pages.

1. Raise awareness of COPFS' role, responsibilities and commitment to the promotion and advancement of equality within Scottish Criminal Justice Sector (SCJS)

We want to ensure that members of the public have confidence in our prosecution Service by raising awareness of our role and responsibilities within Scottish Criminal Justice System and our commitments to advancing equality.

Equally, we want to ensure that COPFS has a better understanding of, and response to, the different requirements of people with protected characteristics who engage with our services.

Equality Outcomes

1. Members of the public and representatives of equality groups have an improved understanding of COPFS' role and responsibilities within SCJS and the COPFS commitment to advance equality in service provision

1.1 Members of the public and representatives from equality groups know how to contact COPFS and that their enquiries will be handled with respect and individual differences are taken into account

Actions we will take	Timescales
Create a network of community contacts	2012
Highlight the role and responsibilities of COPFS by : <ul style="list-style-type: none"> - Producing a DVD for communities on COPFS' role, policies, practices and equalities commitments - Raising awareness with local communities - Producing an anti-sectarian DVD for use in schools - Delivering conferences on hate crime and the role of the procurator fiscal in deaths 	2012 - 2015
Provide equalities training and information for staff at COPFS' Enquiry Point	2012 -13
Provide a user friendly website with up-to-date equalities information	2013
Conduct Customer Feedback surveys to gain feedback and identify equalities issues	2013-14
Promote information about COPFS equalities commitments in our media briefings	2012-15
Issue information to communities through our newsletters giving information on COPFS role in the community and promoting COPFS equalities work	2012-15

2. Take a robust approach to the prosecution of hate crimes and gender violence which will contribute to helping people live lives safe from crime, disorder and danger

We know the impact that these types of crime can have on victims, witnesses and their families as well as the impact it can have on different communities and public confidence. We will continue to give high priority to the prosecution of these crimes. Our robust approach to the prosecution of hate crime & gender violence contributes to the actions being taken by the Scottish Government to tackle such crimes.

Equality Outcomes

2. All incidents of hate crime and gender violence reported to COPFS are properly investigated and there is a strong presumption in favour of prosecution where there is sufficient and reliable evidence

2.1 Victims and witnesses are treated according to our publication "[Commitment to Victims & Witnesses](#)" and any requirements they may have relating to protected characteristics are taken account of

Actions we will take	Timescales
Review our policies and operational guidance for COPFS staff	2012 - 2015
Provide training and guidance for COPFS staff	2012 - 2015
Monitor compliance with guidelines annually	2012 - 2015
Publish annual statistical reports on the prosecution of hate crime and gender violence	2012 - 2015
Engage with stakeholders, criminal justice partners and review groups on improving practice	2012 - 2015

3. Ensure people have equal opportunity to avail themselves of COPFS services within the criminal justice system

Communication and services must be accessible for all. We want to ensure that we play our part in removing barriers to accessing buildings, services and communication and ensure equal access to the criminal justice system for all.

Equality Outcomes

3. People have equal opportunity to avail themselves of COPFS services within the criminal justice system

3.1 People have COPFS information made available in a format appropriate to their needs

Actions we will take	Timescales
Regularly promote awareness, and the need to comply with, COPFS accessible information policy & interpreting, translation & transcription policies	2012 - 2015
Undertake a bi-annual review to check that COPFS website has up to date information about facilities available at each Procurator Fiscals' Office or court	2012 - 2013
Produce equality briefing packs for Federation Equality Networks to provide information on equality of opportunity to COPFS services	2012
Make changes as a result of equality impact assessments and other surveys where equal access to service issues arise	2012 - 2015
Complete and publish equality impact assessments for new and revised policies/practices to demonstrate changes and improvements that have been made	2012 -2015
Produce a handbook on learning disability and mental health problems which raises awareness of various conditions & impairments and helps COPFS staff better understand the impact these have on peoples' lives	2012 - 2015

4. Develop a culture where COPFS staff are knowledgeable about equality and diversity issues and demonstrate positive attitudes, in respect of all the protected characteristics, in our work in prosecution, unexpected deaths and in our relationships at work

We want to ensure all COPFS staff know their duties and responsibilities in respect of the Equality Act 2010. We want to be a service which understands and takes account of the diversity of the communities who engage with our service and responds appropriately to individual requirements, for example, in engaging with bereaved relatives. We want to continue to foster good relations at work.

Equality Outcomes

4 COPFS staff agree they have increased knowledge about people with protected characteristics, know how to respond to their requirements appropriately and understands the positive impact this can have in fostering of good relations

4.1 People engaging with COPFS are treated with respect and in accordance with their different needs

Actions we will take	Timescales
Provide all COPFS staff with mandatory learning & development programmes on equality & diversity issues and set standards of behaviour	2012 - 2015
Record & measure learning outcomes from equality & diversity courses	2012 - 2015
Appoint Equality Ambassadors who will provide advice and information to staff about the protected characteristics and engage with stakeholders on equality matters	2012 - 2015
Publish up-to-date guidance on equality issues on COPFS intranet	2013 - 2015
Develop knowledge and skills of managers and leaders to work towards meeting the general equality duty to foster better relationships	2013 - 2015
Take action on results from surveys	2013 - 2015
Provide role specific training for Enquiry Point staff and at the Scottish Fatalities Investigation Unit	2013 - 2015
Collect and analyse data make changes and take action resulting from information collected by Enquiry Point and Respond Customer Survey	2013 - 2015
Provide guidance & training on using equality impact assessment, analysing information and making change	2013 - 2015
Develop booklets of information for bereaved relatives and victims of hate crime which reflect feedback given at community events	2013 -2015

5. Build a workforce which proportionately represents the diversity of Scottish society and the communities we serve, and create an inclusive, respectful work environment where staff can achieve their full potential.

We recognise the importance of having a workforce which represents the diversity of Scottish society and the communities we serve in helping to deliver our service. We know this may take time to achieve and will take steps to make progress each year.

Our staff are important and we want them to feel respected at work and have an equal opportunity to achieve their full potential.

Equality Outcomes

5. COPFS has a workforce which proportionately represents the diversity of Scottish society

5.1 Staff feel respected at work and have an equal opportunity to achieve their full potential

5.2 COPFS continues to be recognised an employer who tackles unfair discrimination and creates an inclusive workplace.

Actions we will take	Timescales
Annually collect and analyse COPFS employee data & compare results against external data	2012 - 2015
Develop a strategy to build a workforce which proportionately represents the diversity of Scottish society	By 2015
Work to retain our status on the Stonewall Workplace Equality Index and other equality & diversity awards which recognise good employment practice – and promote results	2012 - 2015
Use results from equality impact assessments to make relevant changes to our policies and practices	2012 - 2015

Involving Others

List of organisations and groups invited to comment on COPFS draft Equality Outcomes

1. COPFS Staff
2. Trades Union representatives
3. COPFS Equality Advisory Group
4. Lothian & Borders Regional Equality Council
5. Central Scotland Regional Equality Council
6. Grampian Regional Equality Council
7. West of Scotland Regional Equality Council
8. Black & Ethnic Minority Infrastructure Scotland (BEMIS)
9. Scottish Council of Jewish Communities
10. Equality Network
11. LGBT Youth
12. Scottish Transgender Alliance
13. Stonewall Scotland
14. Engender
15. Scottish Women's Aid
16. Rape Crisis
17. Scottish Interfaith Council
18. Nil by Mouth
19. Scottish Disability Equality Forum
20. Capability Scotland
21. Scottish Association for Mental Health
22. Enable
23. Age Scotland
24. Youthlink Scotland
25. The Commissioner for Children and Young People
26. Independent Inspectorate