



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

**CROWN OFFICE
& PROCURATOR
FISCAL SERVICE**

**EQUALITY
OUTCOMES
PROGRESS REPORT
APRIL 2015**



Introduction

The Crown Office and Procurator Fiscal Service (COPFS) is Scotland's sole prosecution service. We receive reports about crimes from the police and other reporting agencies and decide what action to take in the public interest, including whether to prosecute. We also look into deaths that need further explanation and investigate allegations of criminal conduct against police officers.

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. As a service, we are committed to eliminating unlawful discrimination, harassment and victimisation.

In April 2013, we set out a series of equality outcomes which were designed 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.

This progress report will provide you with an update of the actions taken by us so far. Since April 2013, we have developed a wide range of activities and initiatives both internally and externally.

During this two year period we have fostered constructive working relations with a variety of community groups, worked in partnership with local authorities and other third sector organisations to deliver equality related messages and to develop new policies for prosecutors. We have received national recognition for our dedication and commitment to equality and diversity through awards from ENEI and Stonewall.

As Crown Agent and Chief Executive, I am proud of our progress and achievements over the last two years but recognise that there is much still to do. I am sure you will find this report both interesting and thought provoking. I would like to thank all COPFS staff, community groups and organisations who have contributed to our success.

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

Catherine Dyer
Crown Agent and Chief Executive
April 2015

Foreword

The COPFS Equality Advisory Group (EAG) provides advice and scrutiny for COPFS internal and external activity, serving as a critical friend and providing access to communities who are often otherwise far from official networks.

The EAG broadly welcomes progress in a number of areas since the last report. We are especially impressed with improvements in responses to vulnerable victims and witnesses, groups in which people with protected characteristics are overrepresented. A systematic and consistent approach to use of special measures, review of processes involving children and young people, development of specialist prosecutors for domestic abuse and stalking, and the appointment of a strategic lead for domestic abuse prosecution are all likely to improve the experience and outcomes of those with least access to justice in Scotland.

In addition, on the back of the organisation's recent restructure into federations, the EAG will be visiting and listening to equalities organisations in communities across Scotland over the next several years. The most exciting improvement in equality practice and policy often arises in our experience from the nurturing of local critical-friend relationships, and we look forward to being the 'matchmaker' for these relationships over the immediate future.

The synergy between EAG independence and expertise and the demonstrated commitment of COPFS leadership to improvement across all levels of the organisation provides an enabling environment for equalities work, and we look forward to demonstrating the outcomes of that synergy in the next report.

Yours sincerely,

Dr. Marsha Scott
Chair of the EAG

About us

The Crown Office and Procurator Fiscal Service (COPFS) is Scotland's sole prosecution service. We receive reports about crimes from the police and other reporting agencies and decide what action to take in the public interest, including whether to prosecute. We also look into deaths that need further explanation and investigate allegations of criminal conduct against police officers. Details about our organisational structure and geographical locations are contained in Annex A.

We play a pivotal role in the justice system, working with others to make Scotland safer 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, communities and the rights of those accused of crime.

Our approach to equality

Equality and Diversity is at the forefront of our work and plays an integral part in our attitude and decision making. Throughout COPFS, staff provide leadership for our equality and diversity work, which is carried out with **professionalism and respect**. Our work on equality and diversity is supported by a team of networks throughout the country. All of our work is supported by our senior management who regularly engage in both internal and external initiatives.

Leadership on Equality and Diversity

Our strategic direction in respect of equality and diversity is set by the **Equality and Diversity Strategy Group**, which is chaired by the Lord Advocate, Frank Mulholland QC, and includes other senior members of staff.

Delivery of our work is led by the Equality Act (2010) Implementation Team, headed by our **Equality Champion**, with members from throughout the service. The team reports to a project board, which is chaired by the Crown Agent, Catherine Dyer. Our Equality Champion also chairs the Justice Board Equality and Diversity sub group, which includes senior representatives from our partners and is working towards delivering shared criminal justice equality objectives.

We also have an **Equality Advisory Group**, which comprises independent advisers with professional experience of all aspects of equality and diversity and they provide valuable expertise to inform our policies and practices.

COPFS appointed a team of **Equality Ambassadors** to represent all the protected characteristics from the Equality Act (2010). As well as representing staff, all Equality Ambassadors engage with a variety of external groups throughout Scotland, and provide advice to our staff when dealing with victims and witnesses.

Our Staff

Staff from around the country, often with an interest or expertise in a particular area of equality and diversity, sit on our **Federation Equality Networks**, which have been set up in each of the Federation Areas: North, East, West and National. These networks play a vital role in developing links with communities and encouraging staff to help address local issues and promote social responsibility and inclusiveness.

COPFS currently has two staff networks: our **Staff Disability Advisory Group**, which is made up of disabled staff, staff with caring responsibilities and staff with a special interest in disability equality; and **Proud in COPFS**, a network supporting lesbian, gay, bisexual, transgender and intersex (LGBTI) staff. Both networks are actively involved in advancing the equality strategy in COPFS.

Both the Public and Commercial Services Union (PCS) and the First Division Association (FDA) union for senior managers and professionals in public service support our equality and diversity work.

The COPFS intranet provides guidance on equality and diversity and has an extensive staff forum area with sections on equality, diversity and staff networks.

Legal Position

The goal of creating a fairer society where everyone can participate and has the opportunity to fulfil their potential is backed up in law. The Equality Act 2010 sets out a general equality duty that required Scottish public authorities to pay “due regard” to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a relevant protected characteristic and those who do not

The general equality duty covers those included in certain groups, known as the protected characteristics:

- Age
- Civil partnership & marriage
- Disability
- Gender reassignment
- Pregnancy & maternity
- Race
- Religion & belief
- Sex
- Sexual orientation

As part of the responsibility to meet these duties, public authorities must publish a set of equality outcomes based on evidence and informed by reasonable involvement of equality groups.

This report measures our progress towards achieving these equality outcomes.

Raising awareness

Equality Outcome 1

Members of the public and representatives of equality groups have an improved understanding of COPFS role and responsibilities within Scottish Criminal Justice System and the COPFS commitment to advance equality in service provision.

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 in to account.

Our aim: Raise awareness of COPFS' roles, responsibilities and commitment to the promotion and advancement of equality within Scottish criminal justice sector.

Raising awareness of our role and responsibilities as Scotland's prosecution service is central to building confidence in our commitment to equality. As a result, much of what we do is focused on working with communities and in schools.

A number of DVDs have been produced to explain the role of the procurator fiscal in Scotland and also to highlight issues around hate crime. The [Our Role in Your Community](#) DVD highlights the work of fiscals, our role in investigating deaths, COPFS' specialist functions and our services for victims and witnesses.

The hard-hitting anti-sectarian short film, [Them and Us](#) – which featured sectarianism, fire raising, murder and imprisonment – was created in partnership with North Lanarkshire secondary students. The DVD has been promoted to education authorities and other youth groups across Scotland including Youthlink Scotland. A teaching pack was devised to support this DVD and is in use as part of the Curriculum for Excellence in Scottish schools.

A second film has been produced in association with North Lanarkshire Council called ***Just a Laugh?*** This short film highlights racism, homophobia and disability hate crime as well as the impact this has on not only the victims but their families. External groups such as Autism Scotland, Respect Me and Stonewall Scotland have been consulted in the production of the film and work is progressing to produce teaching notes to accompany the film which will then be made available to schools across Scotland.

The DVDS were created to raise awareness amongst young people about the effects of hate crime on victims and their wider community in the hope of deterring such offensive behaviour. They also encourage the victims of hate crime to report such incidents rather than suffer in silence. It is hoped that use of the DVDs and associated training packs will prevent some people from committing these crimes in the future. They also raise awareness that some offensive behaviour is actually criminal, and highlights the possible consequences for a young person of having a criminal record.

Also in 2015, the *I AM ME* community drama premiered. The project, which draws attention to disability hate crime, was developed by **I AM ME** in partnership with Police Scotland and the PACE Theatre Company. Learning materials were developed for schools across the country and COPFS provided

support in the compilation of supporting guidance. We believe that such educational packages increase awareness of the debilitating effects of disability hate crime and encourages a “no bystander” attitude in those who witness abusive behaviour.

Alongside this drama project, and also involving Police Scotland, COPFS intend from 15/16 to participate in the **Keep Safe initiative**. Aimed at encouraging disabled, vulnerable and older people to keep safe without fear of abuse, intimidation and harassment, the scheme involves local shops and businesses creating safe places to go if someone is lost, scared or a victim of crime. Those taking part are provided with a Keep Safe card that includes contact details and information about their health. Keep Safe premises – currently in Renfrewshire but expanding to the Borders, Ayrshire and Dundee – are identified by a window sticker and COPFS intends to open up appropriate business premises within our estate for this purpose.

Other work in schools includes our **National Public Speaking Competition**, which aims to raise the level of public debate in secondary schools on equality and diversity issues culminating in a national final. We developed a DVD to be shown to interested schools to explain both the benefits and the process of participation in the competition. This has increased the number of schools participating from 12 in 2014 to over 50 in 2015.

Supported by COPFS, a number of schools took part in mini trials at the sheriff courts across Scotland. One such example was when mini trials were staged during a successful Doors Open Day 2014 at court buildings in Edinburgh. Outreach visits to schools, held in collaboration with the Scottish Prison Service and Police Scotland, were aimed at educating pupils about the consequences of hate and knife crime.

We also worked in partnership with South Lanarkshire Education Authorities to initiate a competition designed to promote equality through art and educate school pupils about hate crime to help eradicate the offences from Scottish society. Third-year students from three schools took part in the **‘Promoting Equality Together through Art’** competition to raise awareness amongst young people of the need for equality in our society and the destructive effects hate crime can have on their peers and their community. The Lord Advocate, Frank Mulholland QC, announced the winners of the competition, and the winning artwork was displayed at the Scottish parliament.

Community work out with schools covered the range of protected characteristics. For instance, COPFS took part in the launch of the South West of Scotland Sectarian Project and in Grampian, we initiated a pilot project offering advice on the dangers of cyber scamming to over-60s. We attended Pride events across Scotland and the United Nations in Scotland celebration day, which was intended raise awareness of asylum seekers and refugees in local communities in Glasgow.

COPFS co-hosts biennial **Tackling Prejudice conferences** with Police Scotland which set out the progress made in challenging racism, sectarianism and homophobia, while also warning that more needs to be done to tackle hate crime against disabled people. To ensure we have a better understanding of the different requirements of people with protected characteristics, customer feedback was gathered at this and other conferences.

Our staff meet regularly with representatives of Scotland's diverse communities, such as the Pakistani Welfare Association and the Scottish Council of Jewish Communities (SCoJeC), who were provided with information about how cultural and religious traditions are respected during fatalities investigations and post-mortem examinations. By engaging directly with specific communities, we hope to break down barriers and show that we serve all the communities in Scotland.

COPFS supported important initiatives designed to tackle prejudice and discrimination, for example, the **Equally Safe** strategy to eradicate all forms of violence against women and girls.

The Law Officers make regular use of national media to publicise the COPFS approach to matters relating to prosecution and equality. We also publicise attendance at events and other latest news on our official COPFS website and Twitter account.

In April 2015, we initiated a customer survey on our website. Callers to our Enquiry Point were invited to complete the short survey. Questions targeted issues around standards of service expected and sought suggestions for improvement. The results of the survey are currently being analysed and will influence future business plans to improve service delivery.

Prosecuting crime

Equality Outcome 2

All incidents of hate crime, domestic abuse and sexual crimes reported to COPFS are properly investigated and there is a strong presumption in favour of prosecution where there is sufficient and reliable evidence

Victims and witnesses are treated according to our publication "Our Commitments to Victims and Witnesses" and any requirements they may have relating to their protected characteristics are taken account of

Our aim: Take a robust approach to the prosecution of hate crimes, domestic abuse and sexual crimes, which will contribute to helping people live lives safe from crime, disorder and danger.

Given the serious impact on victims, families and communities, COPFS takes a robust approach to the prosecution of such crimes. In giving a high priority to cases of hate crime, domestic abuse and sexual crime, our aim is to build public confidence and tackle the damaging effects of crime and disorder.

Due to the growth in social media, COPFS produced written policy guidance to clarify when such communications could result in a crime being committed. Following a wide-ranging consultation, our policy document **reassured the public that online offences would be taken as seriously as crimes committed in person**, while ensuring there would be no danger to freedom of speech.

Specific prosecution policies have been produced for other groups. Older victims of crime often have particular needs, and may also be reluctant to report elder abuse. Our guidance for prosecutors highlighted the diversity in older people's circumstances and the discrimination they can face – sometimes due to factors

other than their age, such as ethnicity, gender or disability. With this in mind, COPFS produced **an Older Person's Policy**.

COPFS reviewed its policies and practices after concerns were raised by the **transgender community**. We adopted a collaborative approach during the review, while also respecting the principles of equality, fairness and access to justice. As a result, our policy which sets out particular equality issues for prosecutors to take account of, when preparing and presenting prosecutions of accused people who are transgender, was the first of its kind in Europe. We are now in the early stages of developing a policy for transgender victims and witnesses.

Specialist prosecutors for Domestic Abuse and Stalking have been appointed to oversee these types of cases. They have reviewed policies, practices and training as we understand the impact of these crimes. These crimes can be particularly distressing and damaging for victims and their families. Advances have been made in encouraging victims to report such crimes and we aim to continually improve the way these cases are prepared.

Sexual crimes now account for 70% of COPFS work in High Court cases. Consequently, the **National Sexual Crimes Unit (NSCU)** was set up to provide advice and direction at the earliest stages of the investigation of all serious sexual offence cases and all cases involving false allegations of rape. It also ensures that policy and practice in the investigation and prosecution of serious sexual crimes is applied consistently; and that appropriate and timely decisions are taken throughout the life of these cases.

COPFS understands the physical and emotional effects crime can have on victims and also the vital role witnesses play in the criminal justice system. We are committed to meeting their needs, communicating effectively and recognising any equality and diversity requirements. The Victims and Witnesses (Scotland) Act 2014 aims to improve the experience of victims and witnesses in the justice system, ensuring they feel safe, supported and informed. One of the key provisions is that **victims and witnesses have a legal right to ask for information about the progress and decisions made in a case**.

Our progress in tackling aspects of hate crime is measured by annual statistics published by COPFS and the Scottish Government. The figures for 2013-14 showed an encouraging 24% drop in charges under section 1 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 and also a reduction of around 15% in criminality motivated by religious prejudice, the lowest level for nine years. However, increases in offences motivated by prejudice against sexual orientation and race suggests more work needs to be done in these areas – and we remain resolutely committed to doing so. It is hoped the 12% rise in reports of disability hate crime is a reflection of the work carried out by prosecutors and police to gain the trust of this very diverse community.

We worked with partners to develop effective responses to hate crimes, for example, meeting representatives from the Islamic community following offences committed at the Edinburgh Central Mosque and members of the Jewish community when there was a rise in anti-Semitic crime in Autumn 2014.

The Lord Advocate, Frank Mulholland QC, held a summit of head prosecutors in October 2014 from the other jurisdictions in the UK and Ireland on **human trafficking**, with an agreement they would work together to share information

and best practice.

COPFS developed a **Victims Strategy** to improve contact with victims of rape and other serious sexual offences whose case would be heard at the High Court. The Victims Strategy is part of our commitment to improve a victim's understanding of the investigation process and to help them understand the potential outcomes. The Victim Strategy is a living document which highlights the individual victims' needs, concerns and risk factors involved.

Some victims and witnesses may be particularly vulnerable because of their circumstances or the nature of the evidence they may be asked to give to the court. **Special measures are in place to help a vulnerable witness give their evidence in court.** These victims and witnesses are supported by the **Victim Information and Advice Service (VIA)** which COPFS provides.

Access to our services

Equality Outcome 3

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

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

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

Equal access to the criminal justice system must be available to all. COPFS plays its part in removing barriers to accessing the justice system and our services.

As well as promoting access to the justice system, we must also ensure our services - buildings and information are accessible to diverse communities. **We have reviewed guidance documents for public use to make them more accessible for people with disabilities.** Further guidance is likely to be prepared to help staff drafting future communications. Systems will also be put in place to ensure that any new or revised guidance is considered for presentation in alternative formats, such as **Easy Read** and plain English and we have appointed an **Easy Read Champion** to progress this. In the last year, we have begun to translate some of our publications into Easy Read format to assist people with learning difficulties to understand our roles and responsibilities but also their rights and entitlements. Examples of this are our Deaths Booklet, Access to information for Victims and Witnesses and a series of booklets about the Scottish criminal justice system which covers the main organisations involved.

Currently all leaflets are available in electronic format, allowing changes to be made more easily. The "Being a Witness" and "Going to Court" leaflets are being improved to include more information about facilities at court. COPFS has also been considering the use of PDF files within our websites as we appreciate these

are not suitable for screen reading software and will be aiming to additionally provide Word versions.

We are also working with our partners in the criminal justice system, including Police Scotland and the Scottish Courts and Tribunal Service, to ensure that those accused of a crime, and victims and witnesses have access to high quality interpreting and translation services. To promote our membership of the **Happy to Translate** (HTT) scheme, posters have been issued to all COPFS reception areas and are now on our website. The HTT logo has been added to our letterheads, publications and leaflets.

Equality Impact Assessment (EIA) is a tool that helps public authorities ensure their policies and practices operate as intended. EIA involves systematically assessing the possible, or actual, effect or impact of policies, functions and delivery of services to those with a protected characteristic. In 2013, COPFS launched a new EIA toolkit and comprehensive guidance for staff. The process has been designed to identify both positive and negative impacts on the protected groups and to adapt the new policy or process accordingly.

Our website contains information about [access to our offices](#) for those with mobility, visual and hearing impairments. We regularly reviewed and updated this section of the website.

The way we work

Equality Outcome 4

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

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

Our aim: 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.

To ensure we meet the needs of our diverse communities, equality and diversity must be a part of all aspects of our work – prosecution, the investigation of deaths and staff relationships.

COPFS appointed **10 equality ambassadors** – one for each of the protected groups – to provide staff with information and advice about equality and diversity and engage with stakeholders. The ambassadors have been developing their role and are planning to produce a quarterly staff magazine, *Respect*. As well as providing information about the protected characteristics, and how to respond to them, the magazine will give details of future equality events.

In building relations with partners and communities, we carried out an extensive programme of stakeholder engagement. The COPFS annual Equality and Diversity conference focuses on the importance of mainstreaming equality in

everything we do – in each prosecution decision taken and every interaction with the public, colleagues and those from partner organisations in the justice system. Delegates hear that equality and inclusion are fundamental rights. At our 2014 conference, the Lord Advocate paid tribute to the equality work carried out by staff, the **Federation Equality Networks (FEN)** and the **Equality Ambassadors**. He recognised that many staff give up their own time to engage with local community groups and to raise awareness of equality issues. Throughout the conferences, staff attend various workshops to share ideas, network with colleagues and consider FEN action plans for the year ahead. The **COPFS' LGBT Ambassador** was presented with his **2014 Equality Champion of the Year** award from the **Employers Network for Equality and Inclusion (ENEI)** at this year's conference.

In October 2013, we hosted a conference on deaths, at which we launched our deaths booklet aimed at raising awareness of issues affecting ethnic and religious communities and alerted them to our policies designed to respond to their requirements. An easy read version of the booklet was produced for the website, along with other guidance on equality issues.

We also co-host a biennial conference with Police Scotland on the theme of "Tackling Prejudice".

The COPFS Equality Champion is the Chair of the Justice Equality and Diversity Sub-Group of the Scottish Government Justice Board. The purpose of the sub-group is to work collaboratively across criminal justice organisations to deliver equality, with an initial focus on disability and under-representation.

A project team was set up by this sub-group to focus on access to the criminal justice system for people with disabilities. The team developed a strategy that included: a public awareness campaign on disability hate crime; agreeing a standard of accommodation and services for each of our buildings; a site audit of member organisation buildings; a review of disability-related training needs and resources to identify gaps; a review of communications for people with disabilities; a review of complaints to identify any themes for services provided to people with disabilities; and, taking a joined-up approach to the implementation of the Victims and Witnesses Act provisions. A Criminal Justice Disability Advisory Group was also created consisting of external equalities representatives to support the work of the project. Their remit is to ensure that the work carried out by the project is fit for purpose and meets the needs of all sections of the disability community.

In promoting equality in the workplace, the sub-group identified five work streams across criminal justice workforces – mentoring, developing staff networks, unconscious bias training, establishing staff focus groups and community engagement aimed at promoting a career in criminal justice to school children.

Given our commitment to treating everyone with respect and in accordance with their different needs, COPFS reviewed the accessibility of our complaints procedures. All complaints received in the Response and Information Unit with an equality perspective are monitored by our Equality Champion.

COPFS subscribes to Civil Service Learning which hosts a series of award winning equality and diversity e-learning packages. All staff have been given mandatory objectives to complete this suite of training on a yearly basis. The e-learning packages included on Civil Service Learning range include Equality and Diversity

Essentials; Disability Awareness; Becoming a Dementia Friend; LGBT Awareness; Mental Health Awareness and Unconscious Bias.

Our workforce

Equality Outcome 5

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

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

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

Our aim: 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.

To meet our commitments to equality and diversity effectively, the COPFS workforce should reflect the diversity of Scottish society. Recognising that this process may take time to achieve, we collected and analysed details of COPFS employees and compared the results against external figures. The exercise, which was conducted in 2012 and 2014, will be carried out every two years.

The latest staff survey, which was based on 881 responses a 51% response rate. This was 9% lower than our 2010 survey however, the 2012 survey showed no major change on the previous figures. Considering the responses in detail, we found that 70% of staff are female. However, this ratio of female to male staff was not reflected in those who held senior positions, where the numbers were relatively evenly balanced. Also, women were more significantly represented at entry level grade. Women also took greater advantage of the offer of part-time positions however we have male and female staff in senior grades who work to alternative working patterns.

The number of respondents who were gay, lesbian, bisexual and other sexual orientations was above national averages for workforces in Scotland – 1.9% against 1.3% – though we accept that 6% is considered to be a more representative figure.

A total of 4.9% of COPFS staff declared themselves as disabled which is well below the 2011 census figures of 19.6% of the population who declare a long term activity limiting health problem or disability.

The number of Muslims was also below average, at 0.9% of our total headcount compared with 1.4% of the Scottish population from the 2011 census.

Our strategy to build a representative workforce included working in partnership with the Office of the Advocate General to produce the **Your Future in Law** programme for school children in Edinburgh. COPFS hosted one day of the week long programme and also contributed to the mock trial. The main feature of the workshop, which promoted pursuing a career in public law, was a mock trial, on this occasion involving a football breach of the peace with an element of

sectarian hate crime.

COPFS, in partnership with Police Scotland hosted a weekend event for Lanarkshire school children in Tulliallan as part of the Criminal Justice Equality and Diversity Sub-Group work stream on under representation. This event was about promoting careers in the criminal justice system. Speakers included the Lord Advocate, the Principal Advocate Depute, Police Scotland and COPFS. This interactive weekend gave students an opportunity to ask questions about a career in criminal justice and to find out how courts operated in Scotland.

In other work with school pupils, COPFS attended a number of careers fairs and facilitated in office visits, work shadowing, informal mentoring and assistance with later studies. Work experience schemes operated at a number of offices and we promoted our Modern Apprentice programme to all communities, and extended the age limit to encourage applications from a wider range of people.

A further aspect of our strategy to create an inclusive environment involved encouraging staff to be themselves at work. Following the successful launch of the LGBTI information and advisory group 'Proud in COPFS', the initiatives: **"Friends of Proud in COPFS"** and **"Reverse Mentoring"** were also developed. Friends of Proud involved staff wearing a customised lanyard to identify them as supporters of "Proud in COPFS" who could be approached by anyone experiencing inappropriate behaviour. Under the Reverse Mentoring scheme, senior civil servants were mentored by Proud in COPFS members, covering topics ranging from coming out, to performance and productivity at work.

COPFS also supports a Staff Disability Advisory Group who remit is to advise and influence COPFS management in the development, assessment and implementation of policies relating to disabled staff and to act as a forum for disabled staff within COPFS for the exchange of information and ideas

The rationale for setting up both network groups was to support staff that associate with these protected characteristics and to understand better their experience of working within COPFS. Additionally, the networks enable staff with disabilities and LGBTI staff to become an established voice within our workforce; to provide a platform to influence change within COPFS and to improve staff knowledge and experience for all within COPFS.

COPFS has received a number of awards in recognition of our equality and diversity work, not least retaining our position for the third consecutive year as the **Top Scottish Public Employer of the Year in the 2015 Stonewall Workplace Equality Index** – as well as **eighth out of 397 UK employers** – while **Proud in COPFS** received the title of **2015 Scottish Network Group of the Year** for its continuing support for LGBTI staff and engagement with the wider community.

COPFS are additionally supported by our 10 Equality Ambassadors and provide representation across all protected characteristics. In 2014, our LGBT ambassador won the **Equality Champion of the Year** award from the **Employers Network for Equality and Inclusion (ENEI)** for his tremendous contribution to equalities work. COPFS was highly commended and shortlisted in a number of other categories at the ENEI ceremony, including **Representative Workforce, Inclusive Communications and Inclusive Recruitment**. These awards recognise the commitment of the teams and individuals who are making

a real difference, and send a strong message that those using our services will be treated with professionalism and respect.

Annex C provides a detailed statistical analysis of the representation of employees within COPFS under each of the protected characteristic headings and the implications for planning. Our planning objectives form part of our Equality Outcomes.

Our Organisation

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

Organisational Structure

Our organisational structure is based around 4 geographical Federations – North, East, West and National and as at February 2015 we had 1718 staff based in 37 offices.

North Federation

With Offices at: Aberdeen, Elgin, Peterhead, Banff, Dundee, Perth, Forfar, Inverness, Fort William, Kirkwall, Lerwick, Lochmaddy, Stornoway, Tain, and Wick.

East Federation

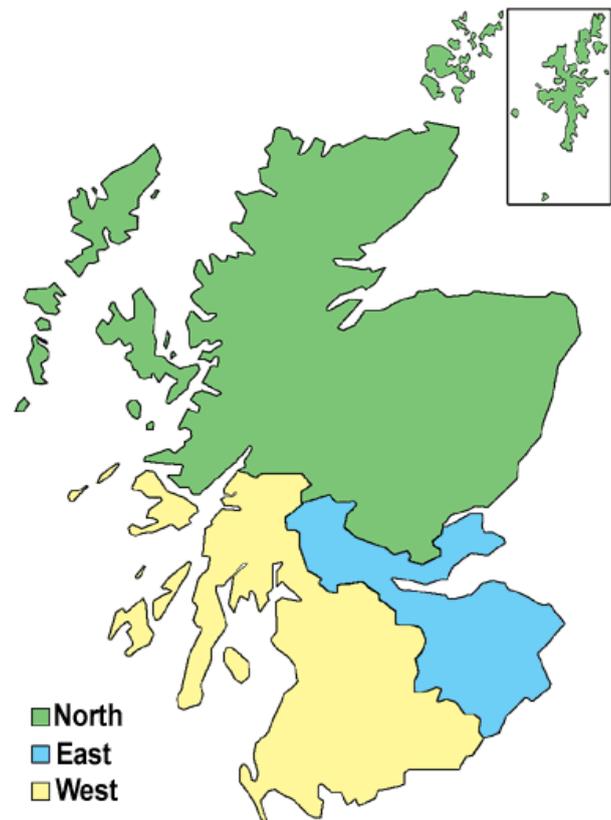
With Offices at: Edinburgh, Livingston, Jedburgh, Selkirk, Dunfermline, Kirkcaldy, Alloa, Falkirk and Stirling.

West Federation

With Offices at: Campbeltown, Dumbarton, Dunoon, Glasgow, Greenock, Oban, Paisley, Ayr, Kilmarnock, Dumfries, Stranraer, Airdrie, Hamilton and Lanark.

National Federation

This Federation includes all of our national units including the Scottish Fatalities Investigation Unit (SFIU), Serious and Organised Crime Unit (SOCU), Appeals, Civil Recovery Unit (CRU), Ultimus Haeres Team, HR, People and Learning, Finance, Strategy and Delivery Division, Policy Division, Information Systems Division, Corporate Communications, Health and Safety Division, Criminal Allegations Against the Police (CAAPs), and the International Cooperation Unit (ICU).



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	Update
Create a network of community contacts	2012-2013	A Community Contacts register has been created and is used by Policy Division and local Equality Network staff to support community engagement activities and equality impact assessment work.
Highlight the role and responsibilities of COPFS by : - Producing a DVD for communities on COPFS' role, policies, practices and equalities commitments	2012 - 2016	Our Role in Your Community DVD was launched on 23 Sept 2014. It is used at community events as a backdrop and also to support staff who deliver community presentations. It is also used for staff induction sessions. The DVD is sub-titled and a BSL version will soon also be available.
- Raising awareness with local communities - We carry out a comprehensive programme of engagement	2012 - 2016	<ul style="list-style-type: none"> • Material about our role and responsibilities and our approach to hate crime is available on the Youthlink Scotland Action on Sectarianism webpage. • A National Public Speaking Competition was launched which is raising the level of debate in secondary schools on equality issues. In 2015 over 50 secondary schools took part in the competition. This was supported by a DVD sent to local schools to encourage participation. A Link to the DVD is available on the COPFS public website. • An Equality Art competition for schools in Lanarkshire. • We have also organised Open Doors Events in our larger offices, organised and taken part in Mini-Trials events across the country and liaised with a variety of community groups to raise awareness of our role and function.
- Producing anti-sectarian and Hate Crime DVDs for use in schools	2012 - 2016	<ul style="list-style-type: none"> • In partnership with North Lanarkshire council, we produced an anti-sectarian DVD "Them and us" and a Hate Crime DVD "Just a Laugh?" with associated teaching packs which are soon to be available for secondary schools to access through our dedicated video website - www.intolerance.scot

		<ul style="list-style-type: none"> • COPFS provided a chapter in the I AM ME disability hate crime training pack. • Support for the I am Me drama production and associated training pack at its 2015 launch.
- Delivering conferences on hate crime and the role of the procurator fiscal in deaths	2012 - 2016	<ul style="list-style-type: none"> • A Death and Diversity conference was held on 31 Oct 2013. • The 3rd Conference on Prejudice was held on 26 March 2014. The aim of the conferences are to increase public confidence in our ability to effectively deal with hate crimes and take into account cultural and religious considerations when conducting investigations. • Another Conference on Prejudice is planned for March 2016, which will be co-hosted with Police Scotland
Provide equalities training and information for staff at COPFS' Enquiry Point (EP)	2012 - 2013	<p>In 2013, all of our Enquiry Point staff completed the mandatory Skills for Justice Equality and Diversity e-learning. Given the importance of the role of EP staff as the first point of contact for many people with COPFS, a bespoke training programme was created in 2014.</p> <p>All subsequent new staff at Enquiry Point must complete this bespoke training programme prior commencing live duties. This includes awareness sessions on equality and diversity issues as well as information about our internal structures and functions as well as details about the Scottish criminal justice system and our justice partners. There is also a "buddy" and mentor system in place for new staff until such time as they feel confident to deal with the variety of calls and queries dealt with by EP operators.</p>
Provide a user friendly, accessible to all, public website with up-to-date equalities information, available in different languages.	2013	The website has been available since 1 May 2013 and is fully accessible to the required industry standards. Software was added to enable verbal translations of displayed material. Equality information is regularly added to the website.
Conduct Customer Feedback surveys to gain feedback and identify equalities issues	2013-15	<ul style="list-style-type: none"> • We have used conferences to gather customer feedback, including conference on prejudice 2014 and the deaths conference 2013. Results indicate that attendees have a much greater understanding of the role of COPFS in the criminal justice system and there is increasing confidence in our ability to meet the needs of the diverse communities we serve. • Our Response and Information Unit collates feedback from correspondence regarding services provided. Feedback suggests that COPFS relies too heavily on written communication rather than supporting oral methods of

		<p>communication.</p> <ul style="list-style-type: none"> • We have taken out a 3 year membership for the Institute of Customer Service • We are undertaking a variety of customer surveys in partnership with organisations, such as Rape Crisis and Stonewall. • In 2015 we carried out an online customer survey to elicit feedback from a broad range of service users. This information is currently being analysed and will form the basis of business proposals to improve service delivery for those who contact us.
Promote information about COPFS equalities commitments in our media briefings	2012-17	The Lord Advocate and Solicitor General have issued several press releases regarding our commitments to equality and inclusion including articles about cyber scamming education, the Equally Safe strategy, hate crime and our older persons policy.
Issue information to communities, in a variety of accessible formats, giving information on COPFS role in the community and promoting COPFS equalities work	2012-17	<ul style="list-style-type: none"> ▪ Outreach Magazine - This endeavours to update protected groups on initiatives to tailor our services to the diverse needs of the communities we serve. • Twitter feed updates and Press Releases about current legal issues and case outcomes. • Latest News feature on external website • Open Doors days to explain the role and functions of COPFS as part of the criminal justice system • Pride Stalls in Glasgow, Edinburgh and Aberdeen to support the LGBTI communities. • Elder Abuse Conference 2014 to highlight the services and support available for elderly victims of crime. • Transgender Conference 2014 to hear the views of the trans community on our proposed policy approach to prosecution of trans accused. We received excellent feedback from attendees, which was incorporated into the final policy document. • Our Role in your Community DVD – this has been used to explain the role of the procurator fiscal in Scotland and also to highlight issues around hate crime. • Victim Information and Advice leaflets which inform the public on the support they can expect if they are the victims of particular categories of crime, such as domestic abuse, sexual offences and hate crime. • The Law Officers delivering speeches at conferences including the Scottish

		Police Muslim Association annual dinner, The CARITAS Awards event and the Stonewall Scotland annual conference to emphasise that COPFS represents all communities in Scotland and endeavours to tailor our services to meet the diverse needs of those communities.
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2. All incidents of hate crime, domestic abuse and sexual crimes 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 "[Our Commitments to Victims and Witnesses](#)" and any requirements they may have relating to protected characteristics are taken account of

Actions we will take	Timescales	Update
Review our policies and operational guidance for COPFS staff	2012 - 2015	<ul style="list-style-type: none"> • We carry out an annual review of compliance with our hate crime policy and publish hate crime statistics annually. • In 2013 a dedicated Procurator Fiscal for domestic abuse was appointed who has reviewed our domestic abuse policy to ensure it is fit for purpose. • We have appointed specialist prosecutors for stalking, Female Genital Mutilation, Human Trafficking and Institutional Abuse to ensure a robust and carefully considered approach to these serious and complex cases. • We have implemented a Victims and Witnesses strategy to improve engagement with victims of sexual offending.
Provide training and guidance for COPFS staff in consultation with related equality and support groups	2012 - 2015	<ul style="list-style-type: none"> • Staff are expected to annually complete Equality and Diversity Training on Civil Service Learning. • Top tips posters – series of posters displayed in communal staff areas about equality issues. • Targeted groups of staff must complete courses on domestic abuse, victims and witnesses, sexual offences and hate crime. • In 2014 a British Sign Language (BSL) Interpreters' Training event took place at Stirling Sheriff Court. This was organised by SASLI (Scottish Association of Sign Language Interpreters) along with COPFS, the Scottish Court Service (SCS) and the Judicial Institute for Scotland.
Monitor compliance with guidelines annually	2012 - 2017	<ul style="list-style-type: none"> • Compliance with the hate crime guidelines are audited annually by dip sampling methods. • Independent scrutiny panel for Domestic Abuse took place in 2014 with further crime types planned at which external experts monitor the service provided to victims and witnesses and assess compliance with policy and communications commitments.
Publish annual statistical reports on the	2012 -	<ul style="list-style-type: none"> • COPFS annual Hate Crime statistics reports are published in June of each

prosecution of hate crime	2017	<p>year.</p> <ul style="list-style-type: none"> • COPFS works with colleagues at Scottish Government to prepare their annual analysis of religious hatred in Scotland, also published in June each year.
Engage with stakeholders, criminal justice partners and review groups on improving practice	2012– 2017	<ul style="list-style-type: none"> • COPFS appointed a dedicated prosecutor for Domestic Abuse in 2013 who engages at a national level with stakeholders and criminal justice partners on improving practice and procedure. • The revised Domestic Abuse Joint Protocol with Police Scotland was produced after extensive engagement with stakeholders including an Equality Action Group (EAG). • COPFS Equality Advisory Group has 3 sub groups which focus on specific aspects of our work. These include domestic abuse, victims and witnesses and workforce strategy. They work closely with COPFS staff to ensure our services are fit for purpose. • Our Equality Champion chairs a group of Equality Leads from across criminal justice which is engaging with the EHRC and groups from the disability community to improve practice in relation to the prosecution of disability hate crime. • COPFS works with Stonewall, the Equality Network, LGBT Youth, and Scottish Transgender Alliance to improve our policies and practices as they affect the LGBT community • COPFS worked with the Scottish Transgender Alliance and the Equality Network to publish policy setting out equalities considerations we will take into account in respect of any prosecution of accused persons who are transgender. This is the first policy of its kind in Europe. • COPFS works with Epilepsy Scotland to improve our understanding of this condition so that crimes associated with epileptic behaviour are treated appropriately. • COPFS is a member of the Working Group on Interpreting and Translation (WGIT). The remit of this group is to ensure that all criminal justice partners provide suitable services for witnesses and accused where English is not their first language including the BSL community. During 2014 the group reviewed the Code of Practice governing the use of interpreters in the criminal justice system. It has also ensured compliance with the EU Directive on Interpreting and Translation for accused persons. It also organises training events for interpreters who work in the criminal justice system.

<p>Take part in initiatives to encourage members of the public to report such crimes</p>	<p>2012– 2017</p>	<ul style="list-style-type: none"> • Oct 2013 – COPFS facilitated a discussion on hate crime at a black history event in Edinburgh City Chambers • The Solicitor General was the keynote speaker at an Elder Abuse Seminar in May 2014, engaging with older members from BME communities. • COPFS supported the Scottish Government’s hate crime awareness campaign in Feb 2014 by providing information on our public website and issuing a press release. • COPFS is a Stonewall Diversity Champion and takes part in the annual Workplace Equality Index programme. Our rating (currently 8 in the UK) provides a strong message to the public that we are an inclusive employer who values diversity. • I AM ME project – COPFS provided a chapter in their Disability Hate Crime training pack which was launched in March 2015. • COPFS consulted with key stakeholders to create dedicated prosecution policies in relation to Social Media and the prosecution of accused who are from the Trans community. • Our Federation Equality Networks regularly engage with local groups to encourage their members to report hate crime and to “not be a bystander” when someone is being targeted.
<p>Continue to work with partners and stakeholders in developing effective responses to hate crimes</p>	<p>2012 -2017</p>	<ul style="list-style-type: none"> • COPFS meets quarterly with our Equality Advisory Group to consider policies and practices including hate crime. • Our Equality Champion chairs the Justice Equality and Diversity Sub-Group which oversees the Criminal Justice Disability Project, initiated in June 2013 to improve our collective response to disability hate crime. This is part of a UK wide EHRC group looking at LGBTI hate crime. • We work with Stonewall to raise the confidence of the LGBT community to report LGBT hate crime. • We have worked with North and South Lanarkshire Education Departments to improve the understanding of hate crime at secondary school level through presentations given at part of our “Promoting Equality Through Art” competition with South Lanarkshire Council and the hate crime DVD “Just a Laugh” we are currently producing with North Lanarkshire Council. • In February 2014 we worked with Scottish Government on their Hate Crime Awareness Campaign.

		<ul style="list-style-type: none">• COPFS hold a biennial conference with Police Scotland on tackling offensive behaviour.• COPFS staff deliver presentations at police training events including Critical Incident training, especially in relation to hate crime.• Presentation by Policy staff at a Trading Standards Institute Conference on COPFS Older Persons policy and co-hosted discussion with Police Scotland on Bogus Workmen schemes targeting vulnerable older people
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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	Update
Regularly promote awareness, and the need to comply with, COPFS accessible information policy & interpreting, translation & transcription policies	2012 - 2015	<ul style="list-style-type: none"> • New Interpreting Translation and Transcription guidance published on PF Eye in Nov 2013 • As part of WGIT, Policy Division worked with other criminal justice partners to plan and implement the EU directive on Interpreting, Translation and Transcription which came into force in May 2014. Additional guidance was published about the directive and Federations created new processes to ensure that accused persons have access to translations of essential documents • COPFS has identified key information documents that will be converted into Easy Read formats. • COPFS has an Accessible Information policy and Policy Division along with Internal Communications regularly check for compliance with this policy
Undertake a 6 monthly review to check that COPFS website has up to date information about facilities available at each Procurator Fiscals' Office or court.	2012 - 2017	All Office Managers will have undertaken a review of the published information for their own office by March 2015.
Produce equality briefing packs for Federation Equality Networks to provide information on equality of opportunity to COPFS services	2013	Briefing packs were completed and distributed in September 2013. They are reviewed regularly and updated as required.
Make changes as a result of Equality Impact Assessments (EIAs) and other surveys where equal access to service issues arise.	2012 - 2017	The new EIA toolkit and comprehensive guidance for staff was published in July 2013. The process has been designed so as to identify both positive and negative impacts on protected characteristics and to adapt the new policy / process accordingly so as to address any negative impacts that have been identified. The impact assessment is considered a living document during the life of a project and is published once the project is finished.

<p>Complete and publish equality impact assessments for new and revised policies/practices to demonstrate our compliance with our Public Sector Equality Duties.</p>	<p>2012 -2017</p>	<p>As records are submitted to the Equality Team, they are published on our public website. To date, 21 records have been publicly published.</p>
<p>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</p>	<p>2013– 2014</p>	<p>This work will be taken forward by the Criminal Justice Disability Project and will be a resource for all criminal justice partners rather than a standalone COPFS resource.</p>
<p>Promote our membership of the Happy to Translate scheme</p>	<p>2012 - 2017</p>	<ul style="list-style-type: none"> • Posters have been issued to all COPFS reception areas and are now on display on our website • The HTT logo has been added to our letterheads, publications and leaflets.

4 COPFS staff agree they have increased knowledge about people with protected characteristics, know how to respond to their requirements appropriately and understand 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	Update
Provide all COPFS staff with mandatory learning & development programmes on equality & diversity issues and set standards of behaviour	2012 - 2015	<ul style="list-style-type: none"> • The two day Valuing and Managing Difference course and the suite of e-learning packages from Civil Service Learning have provided comprehensive training. All staff in COPFS have been provided with a mandatory objective - By the end of March 2015, to successfully complete the e learning module which is available via Civil Service Learning on • Equality and Diversity Essentials – 1 hour • Disability Awareness – 1 hour <p>and by the end of June 2015, to successfully complete the remaining e learning modules on Equality and Diversity within the Civil Service Learning:</p> <ul style="list-style-type: none"> • Becoming a dementia friend – 10 mins • LGB and T Awareness – 1 Hour • Mental Health awareness – 50 mins • Unconscious Bias – 1 hour <ul style="list-style-type: none"> • Bespoke training on equality and inclusion was delivered to Crown Counsel in March 2015.
Record & measure learning outcomes from equality & diversity courses	2012 - 2017	On completion of the 2 day “Valuing and Managing Difference” course employees are asked to provide information about how they will apply learning. Course attendees range from operational to senior management staff – these are recorded planning proposals from all of these staff. This information is available on the COPFS personnel information system for referral.
Appoint Equality Ambassadors who will provide advice and information to staff about the protected characteristics and engage with stakeholders on equality matters	2012 - 2014	<ul style="list-style-type: none"> • 10 Ambassadors were appointed in 2013 covering: <ul style="list-style-type: none"> • Age • Disability • Gender, Pregnancy & Maternity • LGB • Mental Health

		<ul style="list-style-type: none"> • Race • Religion & Belief • Scottish Traveller/Gypsy Community • Transgender <p>Ambassadors have arranged or delivered training/awareness raising sessions on Mental Health, Transgender, Age, and LGB issues.</p>
Publish up-to-date guidance on equality issues from a range of sources, for COPFS staff on COPFS intranet	2013 - 2017	<ul style="list-style-type: none"> • New Equality Impact Assessment tool and comprehensive guidance published on PF Eye in July 2013 • Reports from Scottish Government on working to achieve the Public Sector Equality Duties. • Interpreting Translation and Transcription guidance published on PF Eye in November 2013. • Older Persons Policy August 2014 • Prosecution policy for accused who are transgender 2014. • Social Media prosecution policy 2014 • Deaths and the role of the Procurator Fiscal 2014 • Guidance information from the Employers Network for Equality and Inclusion (ENEI) regularly published on PF Eye. • Links to various specialist organisations are also available on PF Eye, covering information on autism, dyslexia, epilepsy, learning disabilities and many others.
Develop knowledge and skills of managers and leaders to work towards meeting the general equality duty to foster better relationships	2013 - 2015	<ul style="list-style-type: none"> • Mandatory objective to complete Civil Service Learning modules • Proposed management development programme to include focus on equality • 43 managers attended an awareness day organised by Proud in COPFS. • Programme of Unconscious Bias training for Justice Board and Chief Executives of criminal justice partners will be delivered in 2015.
Take action on results from surveys	2013 – 2017	<ul style="list-style-type: none"> • Feedback from the staff surveys suggested that staff at lower grades felt they did not have a voice to influence change in COPFS. Consequently the Band B forum was created to enable staff to influence decision making within the service. • A People Consultation Group was formed to advise senior management on

		<p>how to tackle the issues raised by staff in the annual surveys.</p> <ul style="list-style-type: none"> • Staff felt that information affecting them was not being conveyed effectively. Consequently a review of internal communications was undertaken and a Communications Strategy was devised to effectively disseminate key information to all staff. • Some managers felt that they required more support and leadership skills to effectively manage their teams and encourage equality of opportunity. Consequently a new management development programme has been created and will be launched in 2015. • Offices which reported a culture of negativity were targeted by HR and additional teambuilding sessions were delivered, emphasising our core values of respect and professionalism.
Provide role specific training for Enquiry Point staff, VIA staff, Ultimus Haeres and the Scottish Fatalities Investigation Unit	2013 - 2014	<ul style="list-style-type: none"> • All new staff at Enquiry Point must complete a bespoke training programme prior commencing live duties. This includes awareness sessions on equality and diversity issues as well as information about our internal structures and functions as well as details about the Scottish criminal justice system and our justice partners. There is also a "buddy" and mentor system in place for new staff until such time as they feel confident to deal with the variety of calls and queries dealt with by EP operators. • As well as completing all the mandatory equality and inclusion e-learning courses, all VIA staff complete bespoke victims and witnesses courses delivered by our Scottish Prosecution College. • Similarly staff from the Scottish Fatalities Investigation Unit complete all the mandatory equality and inclusion e-learning courses as well as bespoke training on the management of deaths in Scotland, delivered by the Scottish Prosecution College. • Because of the practical and off site nature of the work carried out by Ultimus Haeres team, on the job training is provided and a buddy system is in place for new staff. In addition, staff complete all the mandatory equality and inclusion e-learning courses as well.
Collect and analyse data to make changes and take action resulting from information collected by Enquiry Point and Respond	2013 - 2015	<ul style="list-style-type: none"> • All complaints received in the RIU with an equality perspective are now flagged and are monitored by our Equality Champion. If improvements can be made to the way we interact or support people with protected

Customer Survey		<p>characteristics, these are implemented and rolled out across the service.</p> <ul style="list-style-type: none"> • In 2015, the EP call monitoring system was used to publicise a customer survey being conducted
Provide guidance & training on Equality Impact Assessment (EIA), analysing information and making change	2013 - 2014	<ul style="list-style-type: none"> • Face to face training was delivered to targeted staff during 2014. Targeted staff included business managers, staff from Strategy and Delivery Division, Policy Staff and staff with responsibilities for completing EIAs. • Further courses are organised as and when required • There is a dedicated EIA adviser based in Policy Division, Crown Office who provides support and guidance to staff who carry out EIAs.
Develop booklets of information in accessible formats for bereaved relatives and victims of hate crime which reflect feedback given at community events	2013 -2014	Deaths Booklet available on COPFS website from 31 October 2013. Translated versions, in languages recommended by COPFS EAG, and an easy read version has been available on website since 15 November 2013
Continue to work with partners and stakeholders in advancing equality for all	2013 -2017	<ul style="list-style-type: none"> • COPFS held staff conferences in April 2013 and September 2014 to promote awareness of equality and inclusion • COPFS host a biennial conference with Police Scotland to promote discussion and awareness of hate crime issues and efforts to tackle prejudice and promote equality. • COPFS produced a booklet on deaths which was launched at our Deaths Conference in October 2013 to raise awareness of issues affecting ethnic and religious communities and to alert them to our policies which seek to respond to their requirements • COPFS lead a Criminal Justice Disability Project to advance equality and access to justice for the disabled community • COPFS lead the Criminal Justice Equality and Diversity Strategy sub group of the Justice Board. • COPFS is a Diversity Champion with Stonewall • COPFS is a member of the Employers Network for Equality and Inclusion. • When implementing the EU directive on the rights of accused persons to interpreting and translation services, COPFS chose to go beyond the statutory requirement of providing translations of "essential" documents and instead introduced systems to enable an accused person to request a translation of

		<p>any correspondence sent to them. COPFS also undertook to translate documents pro-actively for accused persons identified by the police as having a language need.</p> <ul style="list-style-type: none">• COPFS is a board member of the Happy to Translate strategy group, which sets the direction for the members forum.• COPFS and Police Scotland work closely together on all aspects of hate crime from detection, reporting and investigation through to supporting the victims of hate crime through the criminal justice system.• COPFS works closely with the Scottish Courts and Tribunal Service to ensure that the court process is as efficient as possible for victims and witnesses, especially those who with additional support needs.• In 2014, COPFS began a dialogue with the Scottish Refugee Council to gain a better understanding of the needs of refugees and asylum seekers who come to Scotland and to ensure that our policies and processes do not discriminate against this vulnerable group.• COPFS are represented at the EHRC UK wide group on tackling LGBTI hate crime.
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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	Update
Every 2 years collect and analyse COPFS employee data & compare results against external data	2012 – 2017	Surveys were conducted in 2012 and 2014, the results analysed and compared against external data. The 2014 survey outcomes are described in the Mainstream Report.
Develop a strategy to build a workforce which proportionately represents the diversity of Scottish society	2015-17	<ul style="list-style-type: none"> • Our Equality Champion chairs the Justice Equality and Diversity Sub-Group of the Justice Board which is currently working on a strategy to increase the representation of protected characteristics across criminal justice workforces. • This strategy includes criminal justice mentoring, criminal justice networks, unconscious bias training, criminal justice staff survey and criminal justice community engagement which will involve outreaches to school aged children to promote a career in criminal justice • COPFS worked in partnership with the Advocate General's Office to produce the Your Future in Law programme for schoolchildren in Edinburgh • COPFS adopted a variety of methods to advance its Modern Apprenticeship programme to ensure all communities were aware and extended the age limit to encourage all age groups to apply • COPFS have supported their LGBT staff network in a variety of projects to encourage LGBT staff to be themselves at work. Initiatives undertaken by the Network include Friends of Proud, management training and reverse mentoring programme.
Work to retain our status on the Stonewall Workplace Equality Index and participate in other equality & diversity award schemes which recognise good employment practice – and promote results	2012 - 2017	<ul style="list-style-type: none"> • COPFS work with Stonewall to advance equality for the LGBT community and participate in their annual Workplace Equality Index. In 2010, COPFS was 192 in the Index. We became a top 100 employer in both 2012 (number 71), 2013 (number 45) and 2014 (number 30). In 2015 COPFS were ranked 8th overall in the Stonewall Workplace Equality Index and were the top public sector employer in Scotland.

		<ul style="list-style-type: none"> • In 2015 the Proud in COPFS Network was recognised as the Top Network of the Year by Stonewall. • COPFS is a member of the Employers Network for Equality and Inclusion. 2014 saw COPFS shortlisted in four categories – Representative Workforce Award, Inclusive Communications Award, Inclusive Recruitment Award and Equality and Inclusion Champion of the Year. In the categories of Representative Workforce Award and Inclusive Communications, COPFS were Highly Commended. Our LGBT Ambassador won the Equality and Inclusion Champion of the Year Award.
Use results from equality impact assessments to make relevant changes to our policies and practices	2012 - 2017	The new EIA toolkit and comprehensive guidance for staff was published in July 2013. The process has been designed so as to identify both positive and negative impacts on protected characteristics and to adapt the new policy / process accordingly so as to address any negative impacts that have been identified.

Annex C – HR Data and Analysis

Our Gender Gap Analysis shows relatively equal levels of pay between males and females with no more than £0.48 per hour difference between gender at any point (average pay of female SCS is £0.48 greater).

COPFS ran an Equality and Diversity survey in 2014 for its staff. The response rate of 60% in 2012 decreased to 52% in 2014 despite the introduction of:

- electronic media (Survey Monkey) as opposed to paper
- an anonymous response provision.

We are considering a further survey in 2015 with greater emphasis on internal communication and promotion of the benefits of survey completion.

Anonymous responses proved to be difficult to interpret (especially where multiple responses were possible); but a choice to allow employee identification meant 430 employees provided additional, recordable information. Consequently, over time COPFS is amassing good information about the protected characteristics of its staff, on to its HR information system, from surveys and recruitment and selection 'applicant detail' information.

In order to review Equality and Diversity staff profiling and the results of the survey, COPFS has been assisted by a sub-group of our EAG which includes a representative of the Scottish Transgender Alliance.

The number of declared gay, lesbian, bisexual and other sexual orientations are *above* national averages in Scotland (Integrated Household Survey 2013) - 1.9% against 1.3%. However, we accept that this was low in comparison to a national rate of 6% (Treasury Actuaries 2012) which is more representative of a national norm.

We note that 73.3% of our staff declared that they were heterosexual and 24.8% of our staff chose not to declare this information. We recognise that we will have to work on ways to encourage staff to feel able to declare.

4.9% of COPFS staff have declared themselves as disabled. In Scotland (2011 census), 19.6% had declared themselves as having long-term (over one year) activity-limiting health problems. In the 2014 COPFS Equality Survey, the questionnaire was worded as follows:

- Do you consider yourself to be disabled?
- If yes have any reasonable adjustments been made for you at work?
- Do you have any of the following conditions which have lasted or expected to last for at least 12 months (a list of mental and physical types of ailments).

191 of 880 respondents said they did have ailments for over 12 months (21.7%) - but this figure has limited use because of the low response rate to the survey and the possibility of anonymous respondents ticking several of the ailments. In short, analysis is difficult. HR managers have agreed that the next survey will use the twelve month, Equality Act 2010 definition of disability as an opening question, which we hope will be more useful for the purposes of analysis.

In Scotland 51% of people are female and 49% are male (2011). COPFS gender demographics are: 70% of staff are female, 30% are male. At entry level grades for both legal and administrative staff, there are three times as many females than males; however, the ratio of male Senior Civil Servants to female is 13:14. While this figure reflects gender balance, we accept it does not reflect the gender ratio entering COPFS. We note that 86% of our female staff are part-time and we will be exploring the issue and effects of part-time working on future progression in the work we are

undertaking with our criminal justice partners on under-representation. .

Our staff survey shows that 53.9% of our staff are aged between 30 and 49 years. We currently have 5.3% aged over 60 years and have encouraged greater age diversity in our Modern Apprenticeship Scheme. The number of Muslim staff is 0.9% of COPFS total headcount which is below the 1.4% Scottish population figures. We also note that COPFS does not employ any Afro-Caribbean staff or Polish staff (in 2011, 1.15% of the Scottish population are described as Polish). No Jewish staff identified themselves as participating in the survey.

Compared to the last [Mainstream Report](#) prepared by COPFS in 2012, there has been no substantial change in the demographic, summary statistical position. Like any other public sector organisation COPFS cannot strategically recruit itself into a different model – as our staffing numbers are reducing.